

BILL ANALYSIS

C.S.H.B. 4281
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Licensing boards have always relied on continuing education to ensure that practitioners are competent. However, research shows that traditional continuing education has very little effect on a practitioner's effectiveness. For over 10 years, national health care policy organizations (such as the Pew Commission and the Citizen Advocacy Center) have called for boards to adopt a new regulatory model for ensuring competence. The new model would allow for an assessment of each individual's clinical knowledge and skills, the development of a plan to remedy any deficiencies found in the individual's performance, and a demonstration of competence. For the Texas Board of Physical Therapy Examiners to be able to carry out its mission of assessing and requiring competence from its licensees, the board needs to be able to take advantage of the new tools that are being developed.

C.S.H.B. 4281 requires the Texas Board of Physical Therapy Examiners to adopt rules for continuing competence of, rather than mandatory continuing education requirements for, licensed physical therapists.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Board of Physical Therapy Examiners in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 4281 amends the Occupations Code to change the mandatory continuing education requirements to continuing competence requirements for which the Texas Board of Physical Therapy Examiners is required to adopt rules for licensed physical therapists and makes conforming changes. The bill removes the requirements that the board assess continuing education needs of license holders. The bill authorizes, rather than requires, the board to identify the key factors for competent performance by a license holder of the license holder's professional duties. The bill authorizes, rather than requires, the board to authorize appropriate organizations, rather than license holder peer organizations, to approve continuing competence activities.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4281 makes a technical correction not included in the original to omit a reference to the minimum number of hours of continuing competence units required for a license to instead reference only the minimum number of continuing competence units required.