

## **BILL ANALYSIS**

Senate Research Center  
81R28718 JD-D

C.S.S.B. 1984  
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Transportation & Homeland Security  
5/6/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Physicians often practice in a team model, wherein a physician supervises and delegates to physician assistants (PAs). Under Section 204.202(e) (relating to physician assistants being the agent of a physician for any medical services delegated by that physician and delineated by certain directives of the supervising physician), Occupations Code, a PA acts as the agent of the physician. There are more than 4,500 PAs in Texas who can only practice medicine under the supervision and delegation of a physician. PAs have delegated prescriptive authority from their supervising physician also, Schedules III-V. PAs work within the physician-PA team model in every specialty in medicine, from family practice to neurosurgery, and everything in between.

In many physician practices the patient may only see their PA, especially in rural and medically underserved areas. Like a prescription for medication, a prescription for a handicap parking placard is, for some patients, a medical necessity.

Section 681.001(5) (relating to the definition of "mobility problem that substantially impairs a person's ability to ambulate"), Transportation Code, provides for a written prescription by a licensed physician for a handicap parking placard. The language is restrictive to a licensed physician, such that only a physician is authorized to prescribe a handicap placard. By extending the authority to prescribe handicap parking placards, the Transportation Code is simply being updated to conform to the Physician-PA practice laws of our state. This will ensure that patients of PAs in a Physician-PA practice model will not be delayed in receiving their medically necessary disabled parking privileges.

C.S.S.B. 1984 relates to certification of a person in certain counties as eligible for disabled parking privileges.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 681.003, Transportation Code, by amending Subsection (c) and adding Subsection (f), as follows:

(c) Requires that the first application, subject to Subsections (e) (relating to a notarized written statement or written prescription issued by a person licensed to practice podiatry being provided on the behalf of a person with a mobility problem caused by a disorder of the foot) and (f), be accompanied by a notarized written statement or written prescription of a physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the United States Department of Veterans Affairs, rather than the Veterans Administration, certifying and providing evidence acceptable evidence to the Texas Department of Transportation that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. Makes nonsubstantive changes.

(f) Provides that this subsection applies only to the first application for a disabled parking placard submitted by a person who resides in a county with a population of

125,000 or less. Authorizes the notarized written statement or prescription to be issued by a person acting under the delegation and supervision of a licensed physician in conformance with Subchapter B (Delegation to Advanced Practice Nurses and Physician Assistants), Chapter 157 (Authority of Physician to Delegate Certain Medical Acts), Occupations Code, or a physician assistant licensed to practice in this state acting as the agent of a licensed physician under Section 204.202(e) (relating to physician assistants being the agent of a physician for any medical services delegated by that physician and delineated by certain directives of the supervising physician), Occupations Code.

SECTION 2. Effective date: upon passage or September 1, 2009.