

By: Kuempel

H.B. No. 1785

A BILL TO BE ENTITLED

AN ACT

relating to the licensing of occupational therapists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 454.204, Occupations Code, is amended to read as follows:

Sec. 454.204. EDUCATIONAL REQUIREMENTS. To satisfy Section 454.203(a)(1):

(1) an applicant applying for an occupational therapist license must have, from a program approved by the Accreditation Council for Occupational Therapy Education, its predecessor organization, or another national credentialing agency approved by the board:

(A) a baccalaureate degree in occupational therapy, if the applicant graduated before January 1, 2007;

(B) a certificate evidencing successful completion of required undergraduate occupational therapy course work awarded to persons with a baccalaureate degree that is not in occupational therapy, if the applicant graduated before January 1, 2007; or

(C) a postbaccalaureate [~~postgraduate~~] degree in occupational therapy; and

(2) an applicant applying for an occupational therapy assistant license must have:

(A) an associate degree in occupational therapy;

1 or

2 (B) an occupational therapy assistant
3 certificate.

4 SECTION 2. Sections 454.252(b) and (c), Occupations Code,
5 are amended to read as follows:

6 (b) A person whose license has been expired for 90 days or
7 less may renew the license by paying to the executive council the
8 renewal fee and a late fee set by the executive council that may not
9 exceed [~~is equal to~~] one-half of the examination fee for the
10 license. If a person's license has been expired for more than 90
11 days but less than one year, the person may renew the license by
12 paying to the executive council all unpaid renewal fees and a late
13 fee set by the executive council that may not exceed [~~is equal to~~]
14 the amount charged for examination for the license.

15 (c) A person whose license has been expired for one year or
16 longer must comply with the board's requirements and procedures to
17 reinstate the license, and pay a reinstatement fee set by the
18 executive council [~~may not renew the license~~]. If the board
19 requirements cannot be met, the [~~The~~] person may obtain a new
20 license by submitting to reexamination and complying with the
21 requirements and procedures for obtaining an original license.

22 SECTION 3. Section 454.253, Occupations Code, is amended to
23 read as follows:

24 Sec. 454.253. RENEWAL OF EXPIRED LICENSE BY OUT-OF-STATE
25 PRACTITIONER. (a) The board may renew without reexamination the
26 expired license of a person who was licensed to practice as an
27 occupational therapist or occupational therapy assistant in this

1 state, moved to another state, ~~[and]~~ is currently licensed and in
2 good standing ~~[has been in practice]~~ in the other state, and meets
3 the board's requirements ~~[for the two years preceding application]~~.

4 (b) The person must pay to the executive council a renewal
5 fee set by the executive council in an amount that may not exceed
6 ~~[equal to]~~ the examination fee for the license.

7 SECTION 4. Section 454.254(d), Occupations Code, is amended
8 to read as follows:

9 (d) In adopting rules under Subsection (a)(3), the board may
10 authorize license holder peer organizations in this state to
11 evaluate and approve continuing education courses in accordance
12 with the board's evaluation and approval process. ~~[The board may~~
13 ~~not adopt rules implementing this subsection after January 1,~~
14 ~~2003.]~~

15 SECTION 5. The changes in law made by this Act apply only to
16 license applications and renewals filed on or after the effective
17 date of this Act. A license application or renewal filed before the
18 effective date of this Act is governed by the law in effect at the
19 time the application or renewal was filed, and the former law is
20 continued in effect for that purpose.

21 SECTION 6. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2009.