

By: King of Taylor

H.B. No. 3717

A BILL TO BE ENTITLED

AN ACT

relating to exemptions from the requirement to hold a license to practice physical therapy.

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

SECTION 1. Section 453.004(b), Occupations Code, is amended to read as follows:

(b) This chapter does not apply to:

(1) a physical therapy aide;

(2) a physical therapy student or physical therapist assistant student:

(A) participating in an accredited physical therapy or physical therapist assistant educational program; and

(B) being supervised by a license holder under this chapter;

(3) a student:

(A) participating in an accredited allied health science program leading to licensure by another state agency; and

(B) being supervised by properly licensed, certified, or registered personnel;

(4) a physical therapist who is licensed in another jurisdiction of the United States if the person is engaging, for not more than 90 days in a 12-month period and under the supervision of a physical therapist licensed in this state, in a special project or clinic required for completion of a post-professional degree in

1 physical therapy from an accredited college or university [~~person~~  
2 ~~practicing physical therapy and engaging in a special project in~~  
3 ~~patient care while working toward an advanced degree from an~~  
4 ~~accredited college or university~~]; or

5 (5) a person who practices physical therapy or as a  
6 physical therapy assistant and who is:

7 (A) practicing physical therapy in the United  
8 States armed services, United States Public Health Service, or  
9 Veterans Administration in compliance with federal regulations for  
10 licensure of health care providers;

11 (B) licensed in another jurisdiction of the  
12 United States or credentialed to practice physical therapy in  
13 another country if the person:

14 (i) is teaching, demonstrating, or  
15 practicing physical therapy in an educational seminar in this state  
16 for not more than 60 days in a 12-month period; or

17 (ii) by contract or employment, is  
18 practicing physical therapy in this state for not more than 60 days  
19 in a 12-month period for an athletic team or organization or a  
20 performing arts company temporarily competing or performing in this  
21 state; or

22 (C) licensed in another jurisdiction of the  
23 United States, if the person notifies the board of the person's  
24 intent to practice in this state, and:

25 (i) is practicing physical therapy for not  
26 more than 60 days during a declared local, state, or national  
27 disaster or emergency; or

1                   (ii) is displaced from the person's  
2 residence or place of employment due to a declared local, state, or  
3 national disaster and is practicing physical therapy in this state  
4 for not more than 60 days after the date the disaster is declared [~~a~~  
5 ~~physical therapist who does not live in this state, is licensed by~~  
6 ~~the appropriate authority, and is in this state for a period not to~~  
7 ~~exceed six months to attend an educational activity]~~.

8           SECTION 2. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2009.