

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, and the
2 person notifies the board of the person's intent to practice in this
3 state [~~person practicing physical therapy and engaging in a special~~
4 ~~project in patient care while working toward an advanced degree~~
5 ~~from an accredited college or university~~]; or

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

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

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

15 (i) is teaching, demonstrating, or
16 practicing physical therapy in an educational seminar in this state
17 for not more than 60 days in a 12-month period, and the person
18 notifies the board of the person's intent to practice in this state;
19 or

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

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

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

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

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

President of the Senate

Speaker of the House

I certify that H.B. No. 3717 was passed by the House on May 6, 2009, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3717 on May 29, 2009, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3717 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor