

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

(5) a physical therapist who does not live in this

1 state, is licensed by the appropriate authority, and is in this
2 state for a period not to exceed six months to attend an educational
3 activity; or

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

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

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

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

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

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

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

27 (ii) is displaced from the person's

1 residence or place of employment due to a declared local, state, or
2 national disaster and is practicing physical therapy in this state
3 for not more than 60 days after the date the disaster is declared.

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