

1-1 By: King of Taylor (Senate Sponsor - Nelson) H.B. No. 3717
1-2 (In the Senate - Received from the House May 7, 2009;
1-3 May 8, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 18, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 6,
1-6 Nays 0; May 18, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3717 By: Nelson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to exemptions from the requirement to hold a license to
1-11 practice physical therapy.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 453.004(b), Occupations Code, is amended
1-14 to read as follows:

1-15 (b) This chapter does not apply to:

1-16 (1) a physical therapy aide;

1-17 (2) a physical therapy student or physical therapist
1-18 assistant student:

1-19 (A) participating in an accredited physical
1-20 therapy or physical therapist assistant educational program; and

1-21 (B) being supervised by a license holder under
1-22 this chapter;

1-23 (3) a student:

1-24 (A) participating in an accredited allied health
1-25 science program leading to licensure by another state agency; and

1-26 (B) being supervised by properly licensed,
1-27 certified, or registered personnel;

1-28 (4) a physical therapist who is licensed in another
1-29 jurisdiction of the United States if the person is engaging, for not
1-30 more than 90 days in a 12-month period and under the supervision of
1-31 a physical therapist licensed in this state, in a special project or
1-32 clinic required for completion of a post-professional degree in
1-33 physical therapy from an accredited college or university, and the
1-34 person notifies the board of the person's intent to practice in this
1-35 state [person practicing physical therapy and engaging in a special
1-36 project in patient care while working toward an advanced degree
1-37 from an accredited college or university]; or

1-38 (5) a person who practices physical therapy or as a
1-39 physical therapy assistant and who is:

1-40 (A) practicing physical therapy in the United
1-41 States armed services, United States Public Health Service, or
1-42 Veterans Administration in compliance with federal regulations for
1-43 licensure of health care providers;

1-44 (B) licensed in another jurisdiction of the
1-45 United States or credentialed to practice physical therapy in
1-46 another country if the person:

1-47 (i) is teaching, demonstrating, or
1-48 practicing physical therapy in an educational seminar in this state
1-49 for not more than 60 days in a 12-month period, and the person
1-50 notifies the board of the person's intent to practice in this state;
1-51 or

1-52 (ii) by contract or employment, is
1-53 practicing physical therapy in this state for not more than 60 days
1-54 in a 12-month period for an athletic team or organization or a
1-55 performing arts company temporarily competing or performing in this
1-56 state; or

1-57 (C) licensed in another jurisdiction of the
1-58 United States, if the person notifies the board of the person's
1-59 intent to practice in this state, and:

1-60 (i) is practicing physical therapy for not
1-61 more than 60 days during a declared local, state, or national
1-62 disaster or emergency; or

1-63 (ii) is displaced from the person's

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

2-7 SECTION 2. This Act takes effect immediately if it receives
2-8 a vote of two-thirds of all the members elected to each house, as
2-9 provided by Section 39, Article III, Texas Constitution. If this
2-10 Act does not receive the vote necessary for immediate effect, this
2-11 Act takes effect September 1, 2009.

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