

By: Uresti

S.B. No. 1271

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the requirement that an orthotist or a prosthetist be  
3 licensed as a device manufacturer if fabricating or assembling  
4 without an order from certain health care professionals.

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

6 SECTION 1. Subchapter F, Chapter 605, Occupations Code, is  
7 amended by adding Section 605.2515 to read as follows:

8 Sec. 605.2515. ADDITIONAL LICENSE: DEVICE MANUFACTURER. A  
9 person licensed to practice orthotics or prosthetics who measures,  
10 designs, fabricates, fits, assembles, adjusts, or services an  
11 orthosis or a prosthesis under an order from a licensed physician,  
12 chiropractor, or podiatrist for a specific patient is exempt from  
13 licensing as a device manufacturer under Subchapter L, Chapter 431,  
14 Health and Safety Code. A person licensed to practice orthotics or  
15 prosthetics who fabricates or assembles an orthosis or a prosthesis  
16 without an order from a licensed physician, chiropractor, or  
17 podiatrist for a specific patient is required to be licensed as a  
18 device manufacturer under Subchapter L, Chapter 431, Health and  
19 Safety Code.

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