

1-1 By: Uresti S.B. No. 1271  
1-2 (In the Senate - Filed March 3, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on Health and Human Services;  
1-4 April 17, 2009, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; April 17, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the requirement that an orthotist or a prosthetist be  
1-9 licensed as a device manufacturer if fabricating or assembling  
1-10 without an order from certain health care professionals.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter F, Chapter 605, Occupations Code, is  
1-13 amended by adding Section 605.2515 to read as follows:

1-14 Sec. 605.2515. ADDITIONAL LICENSE: DEVICE MANUFACTURER. A  
1-15 person licensed to practice orthotics or prosthetics who measures,  
1-16 designs, fabricates, fits, assembles, adjusts, or services an  
1-17 orthosis or a prosthesis under an order from a licensed physician,  
1-18 chiropractor, or podiatrist for a specific patient is exempt from  
1-19 licensing as a device manufacturer under Subchapter L, Chapter 431,  
1-20 Health and Safety Code. A person licensed to practice orthotics or  
1-21 prosthetics who fabricates or assembles an orthosis or a prosthesis  
1-22 without an order from a licensed physician, chiropractor, or  
1-23 podiatrist for a specific patient is required to be licensed as a  
1-24 device manufacturer under Subchapter L, Chapter 431, Health and  
1-25 Safety Code.

1-26 SECTION 2. This Act takes effect immediately if it receives  
1-27 a vote of two-thirds of all the members elected to each house, as  
1-28 provided by Section 39, Article III, Texas Constitution. If this  
1-29 Act does not receive the vote necessary for immediate effect, this  
1-30 Act takes effect September 1, 2009.

1-31 \* \* \* \* \*