

SENATE AMENDMENTS

2nd Printing

By: King of Taylor

H.B. No. 3717

A BILL TO BE ENTITLED

AN ACT

1
2 relating to exemptions from the requirement to hold a license to
3 practice physical therapy.

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

5 SECTION 1. Section 453.004(b), Occupations Code, is amended
6 to read as follows:

7 (b) This chapter does not apply to:

8 (1) a physical therapy aide;

9 (2) a physical therapy student or physical therapist
10 assistant student:

11 (A) participating in an accredited physical
12 therapy or physical therapist assistant educational program; and

13 (B) being supervised by a license holder under
14 this chapter;

15 (3) a student:

16 (A) participating in an accredited allied health
17 science program leading to licensure by another state agency; and

18 (B) being supervised by properly licensed,
19 certified, or registered personnel;

20 (4) a physical therapist who is licensed in another
21 jurisdiction of the United States if the person is engaging, for not
22 more than 90 days in a 12-month period and under the supervision of
23 a physical therapist licensed in this state, in a special project or
24 clinic required for completion of a post-professional degree in

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

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

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

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

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

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

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

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

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

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

ADOPTED

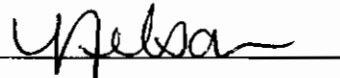
MAY 26 2009


Secretary of the Senate

By: King, Susan/SP. Nelson

H.B. No. 3717

Substitute the following for H.B. No. 3717 :

By: 

C.S.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 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.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 27, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3717 by King, Susan (Relating to exemptions from the requirement to hold a license to practice physical therapy.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to exempt certain people who practice physical therapy or work as a physical therapy assistant from Chapter 453, Physical Therapists.

Based on the analysis of the Executive Council of the Physical Therapy and Occupational Therapy Examiners, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 533 Executive Council of Physical Therapy & Occupational Therapy Examiners

LBB Staff: JOB, SD, CL, MW, ACa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 14, 2009

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3717 by King, Susan (Relating to exemptions from the requirement to hold a license to practice physical therapy.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to exempt certain people who practice physical therapy or work as a physical therapy assistant from Chapter 453, Physical Therapists.

Based on the analysis of the Executive Council of the Physical Therapy and Occupational Therapy Examiners, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 533 Executive Council of Physical Therapy & Occupational Therapy Examiners

LBB Staff: JOB, CL, MW, ACa

2

101

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 12, 2009

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB3717** by King, Susan (Relating to exemptions from the requirement to hold a license to practice physical therapy.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to exempt certain people who practice physical therapy or work as a physical therapy assistant from Chapter 453, Physical Therapists.

Based on the analysis of the Executive Council of the Physical Therapy and Occupational Therapy Examiners, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 533 Executive Council of Physical Therapy & Occupational Therapy Examiners

LBB Staff: JOB, CL, MW, ACa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 20, 2009

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3717 by King, Susan (Relating to exemptions from the requirement to hold a license to practice physical therapy.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to exempt certain people who practice physical therapy or work as a physical therapy assistant from Chapter 453, Physical Therapists.

Based on the analysis of the Executive Council of the Physical Therapy and Occupational Therapy Examiners, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 533 Executive Council of Physical Therapy & Occupational Therapy Examiners

LBB Staff: JOB, CL, MW, ACa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 10, 2009

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3717 by King, Susan (Relating to exemptions from the requirement to hold a license to practice physical therapy.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to exempt certain people who practice physical therapy or work as a physical therapy assistants from Chapter 453, Physical Therapists.

Based on the analysis of the Executive Council of the Physical Therapy and Occupational Therapy Examiners, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 533 Executive Council of Physical Therapy & Occupational Therapy Examiners

LBB Staff: JOB, CL, MW, ACa