

BILL ANALYSIS

C.S.H.B. 2703
By: Truitt
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Nurse practitioners and physician assistants are currently authorized to write prescriptions for orthotic and prosthetic services under the delegation and supervision of a licensed physician. Despite such authorization, licensed orthotic and prosthetic providers are only authorized to accept an order for an orthosis or prosthesis from a licensed physician, chiropractor, or podiatrist. C.S.H.B. 2703 seeks to address this inconsistency.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Medical Board in SECTIONS 1 and 2 of this bill.

ANALYSIS

C.S.H.B. 2703 amends the Occupations Code to redefine "orthotics" and "prosthetics" to include an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by state law and rules adopted by the Texas Medical Board as a person under whose order an orthosis or prosthesis, as applicable, is measured, designed, fabricated, assembled, fitted, adjusted, or serviced. The bill includes, in provisions of law requiring certain persons licensed to practice orthotics or prosthetics to obtain a device manufacturer license, an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by state law and rules adopted by the Texas Medical Board as a person under whose order a person licensed to practice orthotics or prosthetics measures, designs, fabricates, fits, assembles, adjusts, or services an orthosis or a prosthesis.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2703 differs from the original, in provisions of the bill redefining "orthotics" and "prosthetics," by including an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by state law and rules adopted by the Texas Medical Board as a person under whose order an orthosis or prosthesis, as applicable, is measured, designed, fabricated, assembled, fitted, adjusted, or serviced, whereas the original includes a nurse or physician assistant with authority delegated by a licensed physician, chiropractor, or podiatrist as such a person.

C.S.H.B. 2703 differs from the original, in provisions of law requiring certain persons licensed to practice orthotics or prosthetics to obtain a device manufacturer license, by including an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by state law and rules adopted by the Texas Medical Board as a

person under whose order a person licensed to practice orthotics or prosthetics measures, designs, fabricates, fits, assembles, adjusts, or services an orthosis or a prosthesis, whereas the original includes a nurse or physician assistant with authority delegated by a licensed physician, chiropractor, or podiatrist as such a person.