

By: Truitt

H.B. No. 2703

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of orthotists and prosthetists.

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

SECTION 1. Sections 605.002(14) and (18), Occupations Code, are amended to read as follows:

(14) "Orthotics" means the science and practice of measuring, designing, fabricating, assembling, fitting, adjusting, or servicing an orthosis under an order from a licensed physician, chiropractor, or podiatrist, or an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by Subchapter B, Chapter 157, and rules adopted by the Texas Medical Board, for the correction or alleviation of a neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity.

(18) "Prosthetics" means the science and practice of measuring, designing, fabricating, assembling, fitting, adjusting, or servicing a prosthesis under an order from a licensed physician, chiropractor, or podiatrist, or an advanced practice nurse or physician assistant acting under the delegation and supervision of a licensed physician as provided by Subchapter B, Chapter 157, and rules adopted by the Texas Medical Board.

SECTION 2. Section 605.2515, Occupations Code, is amended to read as follows:

Sec. 605.2515. ADDITIONAL LICENSE: DEVICE MANUFACTURER. A

1 person licensed to practice orthotics or prosthetics who measures,  
2 designs, fabricates, fits, assembles, adjusts, or services an  
3 orthosis or a prosthesis under an order from a licensed physician,  
4 chiropractor, or podiatrist, or an advanced practice nurse or  
5 physician assistant acting under the delegation and supervision of  
6 a licensed physician as provided by Subchapter B, Chapter 157, and  
7 rules adopted by the Texas Medical Board, for a specific patient is  
8 exempt from licensing as a device manufacturer under Subchapter L,  
9 Chapter 431, Health and Safety Code. A person licensed to practice  
10 orthotics or prosthetics who fabricates or assembles an orthosis or  
11 a prosthesis without an order from a licensed physician,  
12 chiropractor, or podiatrist, or an advanced practice nurse or  
13 physician assistant acting under the delegation and supervision of  
14 a licensed physician as provided by Subchapter B, Chapter 157, and  
15 rules adopted by the Texas Medical Board, for a specific patient is  
16 required to be licensed as a device manufacturer under Subchapter  
17 L, Chapter 431, Health and Safety Code.

18       SECTION 3. This Act takes effect September 1, 2011.