

1-1 By: Truitt (Senate Sponsor - Uresti) H.B. No. 2703
1-2 (In the Senate - Received from the House May 6, 2011;
1-3 May 9, 2011, read first time and referred to Committee on Health
1-4 and Human Services; May 18, 2011, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 18, 2011, sent to printer.)

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

1-8 relating to the regulation of orthotists and prosthetists.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Sections 605.002(14) and (18), Occupations Code,
1-11 are amended to read as follows:

1-12 (14) "Orthotics" means the science and practice of
1-13 measuring, designing, fabricating, assembling, fitting, adjusting,
1-14 or servicing an orthosis under an order from a licensed physician,
1-15 chiropractor, or podiatrist, or an advanced practice nurse or
1-16 physician assistant acting under the delegation and supervision of
1-17 a licensed physician as provided by Subchapter B, Chapter 157, and
1-18 rules adopted by the Texas Medical Board, for the correction or
1-19 alleviation of a neuromuscular or musculoskeletal dysfunction,
1-20 disease, injury, or deformity.

1-21 (18) "Prosthetics" means the science and practice of
1-22 measuring, designing, fabricating, assembling, fitting, adjusting,
1-23 or servicing a prosthesis under an order from a licensed physician,
1-24 chiropractor, or podiatrist, or an advanced practice nurse or
1-25 physician assistant acting under the delegation and supervision of
1-26 a licensed physician as provided by Subchapter B, Chapter 157, and
1-27 rules adopted by the Texas Medical Board.

1-28 SECTION 2. Section 605.2515, Occupations Code, is amended
1-29 to read as follows:

1-30 Sec. 605.2515. ADDITIONAL LICENSE: DEVICE MANUFACTURER. A
1-31 person licensed to practice orthotics or prosthetics who measures,
1-32 designs, fabricates, fits, assembles, adjusts, or services an
1-33 orthosis or a prosthesis under an order from a licensed physician,
1-34 chiropractor, or podiatrist, or an advanced practice nurse or
1-35 physician assistant acting under the delegation and supervision of
1-36 a licensed physician as provided by Subchapter B, Chapter 157, and
1-37 rules adopted by the Texas Medical Board, for a specific patient is
1-38 exempt from licensing as a device manufacturer under Subchapter L,
1-39 Chapter 431, Health and Safety Code. A person licensed to practice
1-40 orthotics or prosthetics who fabricates or assembles an orthosis or
1-41 a prosthesis without an order from a licensed physician,
1-42 chiropractor, or podiatrist, or an advanced practice nurse or
1-43 physician assistant acting under the delegation and supervision of
1-44 a licensed physician as provided by Subchapter B, Chapter 157, and
1-45 rules adopted by the Texas Medical Board, for a specific patient is
1-46 required to be licensed as a device manufacturer under Subchapter
1-47 L, Chapter 431, Health and Safety Code.

1-48 SECTION 3. This Act takes effect September 1, 2011.

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