

BILL ANALYSIS

H.B. 1263
By: Raymond
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas citizens currently do not have the choice to directly access the services of a physical therapist for treatment and instead must obtain a referral from another health care provider, which can result in unnecessary delays to receiving needed care, higher costs, and even increased hospitalizations. Interested parties assert that physical therapists are key partners in the health care team, as they receive extensive education and clinical preparation and have collaborative relationships with physicians and other health care providers. The parties contend that in the many other states that currently afford residents the right to directly access physical therapy, the practice has proven to improve patient health.

With the number of Texas counties that have been designated as health professional shortage areas, these parties further assert that allowing direct access to physical therapists could help improve patient access to primary care, noting the military model for patient management that allows a physical therapist to assess individuals with injuries and disorders as an entry point into the health care system for troops and to provide appropriate care or refer the patient to another health care provider when necessary. The parties explain that direct access would not change current regulatory requirements that a physical therapist evaluate a patient before treatment to determine if physical therapy care is appropriate and what intervention would be most beneficial or to refer patients to other health care providers who would better meet their needs. H.B. 1263 seeks to make physical therapy a more effective and efficient way for Texans to access the health care they need and deserve.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1263 amends the Occupations Code to remove statutory provisions conditioning the treatment of a patient's injury or condition by a physical therapist on the prior referral of a practitioner and to instead authorize a physical therapist to treat a patient for an injury or condition that is within the physical therapist's scope of practice without a referral. The bill authorizes a physical therapist to treat such a patient without a referral if the physical therapist has been licensed to practice physical therapy for at least one year, is covered by professional liability insurance in the minimum amount required by Texas Board of Physical Therapy Examiners rule, and either possesses a doctoral degree in physical therapy from an appropriately accredited program or institution or has completed at least 30 hours of continuing competence

activities in the area of differential diagnosis. The bill limits the period during which a physical therapist may treat a patient without a referral to 20 treatment sessions or 45 consecutive calendar days, whichever occurs first, and requires the physical therapist to obtain a referral from a referring practitioner before continuing treatment exceeding this limit. The bill requires the board, not later than November 1, 2015, to adopt rules necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2015.