

BILL ANALYSIS

S.B. 918
By: Zaffirini
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that current law regarding exemptions from licensure requirements for prosthetists and orthotists is imprecise, that terminology used in the law for exemption from licensing requirements is vague and inconsistent with other programs that are regulated by the Texas Department of Licensing and Regulation, and that there is a risk of inconsistent application of the regulatory provisions. S.B. 918 seeks to remove the vague phrasing entitling a person to an exemption and clarifying that exemptions from educational and vocational requirements for prosthetists or orthotists are discretionary and subject to Texas Commission of Licensing and Regulation rules.

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 rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 1 of this bill.

ANALYSIS

S.B. 918 amends the Occupations Code to revise the provision establishing the exemptions from or substitutes for the license requirements to practice orthotics or prosthetics. While current law entitles a person to an exemption from the license requirements if the person presents evidence satisfactory to the Texas Department of Licensing and Regulation (TDLR) that the person possesses unique qualifications to practice orthotics, prosthetics, or orthotics and prosthetics, the bill removes that provision and establishes that the Texas Commission of Licensing and Regulation (TCLR) by rule may exempt a person from one or more of the academic, clinical training, or examination requirements established for license eligibility on the presentation of evidence satisfactory to TDLR that the person possesses unique qualifications to practice orthotics, prosthetics, or orthotics and prosthetics. The bill updates other language regarding the exemptions from or substitutes for the license requirements to practice orthotics or prosthetics to do the following:

- clarify that TDLR must issue a license under the applicable statutory provisions that regulate the issuance of licenses or registration certificates for a person who is determined to be eligible under the bill's provisions for an exemption from an applicable license eligibility requirement and who meets all requirements provided under the statutory provisions regulating orthotists and prosthetists, other than any requirement for which an exemption is granted under the bill's provisions;
- clarify that TCLR is prohibited from imposing as a condition for license renewal the requirements from which the license holder is exempt under the bill's provisions;

- entitle a person holding a license for which an exemption was granted under the bill's provisions to the same license privileges as if the person met all license eligibility requirements; and
- subject the license holder to the license renewal requirements established by TCLR, other than the requirements exempted under the bill's provisions.

S.B. 918 applies only to a license application submitted on or after the bill's effective date. An application for a license submitted before that date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.