

BILL ANALYSIS

H.B. 1363
By: Minjarez
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Certain physical therapists are allowed to treat patients without the need for a referral from a primary care physician, but there are certain limits on the duration of that treatment. A physical therapist who possesses a doctoral degree and has completed a residency or fellowship may treat a patient without a referral for up to 15 consecutive business days, while all other eligible physical therapists, even those who are board-certified, are only allowed to do so for up to 10 consecutive business days. It has been noted that many older physical therapists, some of whom teach these fellowship and residency courses, are inadvertently ineligible to provide these treatments for the extra five days despite their experience, education, and certification. H.B. 1363 seeks to correct this oversight by extending the 15-day authorization to physical therapists who have a doctoral degree and are certified by an entity approved by the Texas Board of Physical Therapy Examiners.

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 Board of Physical Therapy Examiners in SECTION 2 of this bill.

ANALYSIS

H.B. 1363 amends the Occupations Code to waive the requirement for a physical therapist to have completed a residency or fellowship in order to treat a patient without a referral for up to 15 consecutive business days if the physical therapist possesses the requisite doctoral degree and is certified by an entity approved by the Texas Board of Physical Therapy Examiners. The bill requires the board to adopt rules necessary to implement the bill's provisions not later than November 1, 2021.

EFFECTIVE DATE

September 1, 2021.