

BILL ANALYSIS

Senate Research Center
82R5493 AJZ-D

H.B. 2080
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Physicians often practice in a team model, wherein a physician supervises and delegates to Physician Assistants (PAs) and Advance Practice Nurses (APNs). Under the Occupations Code, licensed PAs and APNs act as the agent of the physician. They can only practice medicine under the supervision and delegation of a physician, and have delegated prescriptive authority from their supervising physician.

In many physician practices, the patient may only see their PA or APN, especially in rural and medically underserved areas. Like a prescription for medication, a prescription for a handicap parking placard is, for some patients, a medical necessity.

Last session, S.B. 1984 amended the Transportation Code to allow PAs and APNs operating under the delegated prescriptive authority of a licensed physician to write handicapped parking placards in rural counties with a population of 125,000 or less. In urban counties, however, Texas law still bars PAs and APNs from writing these sorts of prescriptions. S.B. 1984 helped patients in rural settings, but not those in urban medically underserved areas. According to the United States Department of Health and Human Services, Bexar, Harris, Dallas, Tarrant, and El Paso counties are all prime examples of urban counties with medically underserved areas.

H.B. 2080 would extend the authority to prescribe handicapped parking placards to PAs and APNs acting as the agent of a licensed physician in Texas regardless of population. By extending the authority to prescribe handicap parking placards the Transportation Code is simply being updated to conform to the Physician-PA/APN practice laws of our state. This will ensure that patients of PAs and APNs in a Physician-PA/APN practice model will not be delayed in receiving their medically necessary handicap parking placard.

H.B. 2080 amends current law relating to certification of a person as eligible for disabled parking privileges.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 681.003(f), Transportation Code, as added by Chapter 842 (S.B. 1984), Acts of the 81st Legislature, Regular Session, 2009, to provide that this subsection applies only to the first application for a disabled parking placard submitted by a person, rather than submitted by a person who resides in a county with a population of 125,000 or less.

SECTION 2. Effective date: September 1, 2011.