

BILL ANALYSIS

Senate Research Center
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H.B. 4281
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Licensing boards have always relied on continuing education to ensure that practitioners are competent to practice. Increasingly, authorities on health professional education, licensing, and accreditation have begun to recommend that state professional licensing boards address the continuing competence and clinical skills of health care practitioners as a model for determining qualifications for continued practice.

H.B. 4281 requires the Texas Board of Physical Therapy Examiners to adopt rules for continuing competence of, rather than mandatory continuing education requirements for, licensed physical therapists.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Board of Physical Therapy Examiners is modified in SECTION 1 (Section 453.254, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 453.254, Occupations Code, as follows:

Sec. 453.254. New heading: CONTINUING COMPETENCE. (a) Requires the Texas Board of Physical Therapy Examiners (TBPTE) by rule to adopt requirements for continuing competence for license holders in subjects pertaining to the practice of physical therapy, establish a minimum number of continuing competence units required to renew a license, and develop a process to approve continuing competence activities. Deletes existing text requiring TBPTE by rule to assess the continuing education needs of license holders and adopt requirements for mandatory continuing education for license holders in subjects pertaining to the practice of physical therapy, establish a minimum number of hours of continuing education required to renew a license, and develop a process to evaluate and approve continuing education courses.

(b) Authorizes TBPTE to require license holders to complete, rather than attend, continuing competence activities, rather than education courses, specified by TBPTE. Requires TBPTE to adopt a procedure to assess a license holder's participation and performance in continuing competence activities, rather than education programs.

(c) Authorizes, rather than requires, TBPTE to identify the key factors for the competent performance by a license holder of the license holder's professional duties.

(d) Authorizes TBPTE, in developing a process under Subsection (a) for the approval of continuing competence activities, to authorize appropriate organizations to approve the activities. Deletes existing text requiring TBPTE to, in developing a process under Subsection (a) for the evaluation and approval of continuing education courses, to authorize license holder peer organizations to evaluate and approve courses in accordance with the established process.

SECTION 2. Effective date: upon passage or September 1, 2009.