

BILL ANALYSIS

Senate Research Center
87R5386 MAW-F

H.B. 1363
By: Minjarez (Hughes)
Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Physical therapists are highly educated, licensed healthcare professionals who play an integral part in patient recovery for musculoskeletal and nerve injuries. Their involvement significantly improves patient outcomes without the need for expensive surgery or the long-term use of opioids and other prescription medicines. Early interaction with a physical therapist has proven to be the most effective treatment for patients in terms of better outcomes and cost of care.

H.B. 29, which was passed last session, gave Texans the right to receive direct access to treatment from a physical therapist for a maximum of 10 or 15 consecutive business days before needing a referral to a primary care physician, depending on level of education. Specifically, the final version of the bill allowed physical therapists who have a doctoral degree and have completed a fellowship or residency the additional five business days. After that time period the physical therapist may only continue treatment after receiving a referral from a physician or other authorized practitioner.

The final version of the bill inadvertently did not afford board-certified physical therapists the additional five business days. The ability for physical therapists to receive a doctoral degree, fellowship, or residency was not always an option. In fact, the first residency program began in 2008 and the first fellowship program began in 2000. As a result, older physical therapists—many of whom teach the fellowship and residency courses—are not eligible for the additional five days.

H.B. 1363 corrects that oversight and includes the board-certified PTs in the group that can treat patients for 15 business days before needing a referral from a physician or other authorized practitioner.

H.B. 1363 amends current law relating to treatment of a patient by a physical therapist without a referral.

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RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Board of Physical Therapy Examiners in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 453.301(a-2), Occupations Code, to authorize a physical therapist who possesses a certain doctoral degree to treat a patient under Subsection (a) (relating to treatment without a referral) for not more than 15 consecutive business days if the physical therapist possesses certain credentials, including if the physical therapist is certified by an entity that is approved by the Texas Board of Physical Therapy Examiners.

SECTION 2. Requires the Texas Board of Physical Therapy Examiners to adopt rules necessary to implement Section 453.301(a-2), Occupations Code, as amended by this Act, not later than November 1, 2021.

SECTION 3. Effective date: September 1, 2021.