

Proposed Rule Amendments:

§341.1 Requirements for Renewal, §341.6. License Restoration, §341.8. Inactive Status, and §341.9. Retired Status; Performing Voluntary Charity Care

Summary of Amendment: The amendments were proposed to the above sections pursuant to the provisions in HB 2059 during the 86th Legislative Session that mandates the addition of human trafficking prevention training for healthcare practitioners as a condition of license renewal. This requirement pertains to active licensees who are renewing their license either timely or late, individuals who are restoring their license, licensees on inactive status who are returning to active status, and licensees who are performing voluntary charity care on retired status who are renewing their license or returning to active status.

Rulemaking Process:

- Proposed by the PT Board at the April 24, 2020 meeting.
- Approved by the Executive Council of Physical Therapy & Occupational Therapy Examiners (ECPTOTE) at the May 15, 2020 meeting.
- Proposed Rulemaking Memorandum sent to the Office of the Governor on May 15, 2020.
- Once approved by the Office of the Governor, the proposed amendments will be published in an upcoming edition of the *Texas Register* for the requisite 30-day public comment period.

§341.1. Requirements for Renewal.

(a) - (b) No change.

(c) General requirements. The renewal application is not complete until all required items are received by the board. The components required for license renewal are:

(1) – (2) No change.

(3) a passing score on the jurisprudence examination; [~~and~~]

(4) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not

required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration; and [-]

(5) successful completion of a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission (HHSC). Course must be a minimum of one contact hour in order to claim CCU credit.

§341.6. License Restoration.

(a) - (b) No change.

(c) Persons who are currently licensed in good standing in another state, district, or territory of the U.S.

The requirements for restoration are:

(1) – (3) No change.

(4) the restoration fee; [~~and~~]

(5) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration; and [-]

(6) successful completion of a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission (HHSC). Course must be a minimum of one contact hour in order to claim CCU credit.

(d) Persons who are not currently licensed in another state or territory of the U.S.

(1) A licensee whose Texas license is expired for one to five years. The requirements for restoration are:

(A) – (E) No change.

(F) successful completion of a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission (HHSC). Course must be a minimum of one contact hour in order to claim CCU credit; and

(G) [(F)] demonstration of competency. Competency may be demonstrated in one of the following ways:

(i) – (iii) No change.

(2) No change.

§341.8. Inactive Status.

(a) – (d) No change.

(d) Requirements for reinstatement of active status. A licensee on inactive status may request a return to active status at any time. The components required to return to active status are:

(1) – (2) No change.

(3) a passing score on the jurisprudence exam; [~~and~~]

(4) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(i) §329.1. for the initial issuance of the license; or

(ii) Chapter 341. License Renewal as part of a prior license renewal or restoration; and [-]

(5) successful completion of a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission (HHSC). Course must be a minimum of one contact hour in order to claim CCU credit.

(e) No change.

§341.9. Retired Status: Performing Volunteer Charity Care

(a) – (c) No change.

(d) Requirements for initiation of retired status. The components required to put a license on retired status are:

(1) – (3) No change.

(4) a passing score on the jurisprudence exam; [~~and~~]

(5) No change.

(6) successful completion of a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission (HHSC).

Course must be a minimum of one contact hour in order to claim CCU credit;

(e) Requirements for renewal of retired status. A licensee on retired status must renew the retired status every two years on his/her license renewal date. The components required to renew the retired status are:

(1) – (3) No change.

(4) a passing score on the jurisprudence exam; [~~and~~]

(5) No change.

(6) successful completion of a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission (HHSC).

Course must be a minimum of one contact hour in order to claim CCU credit;

(f) Requirements for reinstatement of active status. A licensee on retired status may request a return to active status at any time. The components required to return to active status are:

(1) – (2) No change.

(3) a passing score on the jurisprudence exam; [~~and~~]

(4) No change.

(5) successful completion of a human trafficking prevention course approved by the executive commissioner of the Health and Human Services Commission (HHSC).

Course must be a minimum of one contact hour in order to claim CCU credit;

(g) – (j) No change.