

April 22, 2016

Sunset Advisory Commission  
State of Texas

RE: Sunset Advisory Commission Staff Report, Texas Board of Physical Therapy

Dear Sunset Advisory Commission:

I am writing to provide input on the recommendations contained in the aforementioned report. My specific comments are below listed by issue number.

Issue #1: I support the recommendation to discontinue registration of facilities. It was hoped that registration would deter non-physical therapists and non-occupational therapists from calling what they do physical or occupational therapy, but as the report notes, this regulation has not had the intended effect and is in fact burdensome on physical therapists.

Issue #2: I support the recommendation to adopt the physical therapy licensure compact and to provide for licensure by endorsement. We live in a mobile world and the effort to re-license in another state is unreasonably burdensome on the licensee and does little to protect the public.

Issue #3: I DO NOT support the recommendation to remove the board's authority to delegate to other entities the responsibility of approving continuing education and continuing competence. Since PTs and PTAs are required by law to earn continuing competence units each biennium, there must be a process in place to judge the quality of the activities that qualify. Without this important quality assurance step, continuing competence becomes a money-making scheme for the providers of continuing education courses and the quality suffers. When I take a low quality course, I waste my time and money and it does nothing to assure that I provide safe and effective services for the public. I think what the SAC should ensure is that the licensing board uses an open, transparent and fair bidding process to outsource this task. The licensing board clearly and historically does not have the resources to do it, so the best option is to subcontract it out. I think there could be multiple entities that provide this service – as long as each entity that does it meets a minimal set of qualifications as the TPTA currently does. There are numerous states around the country that outsource their continuing competence program to either the state physical therapy organization in that state or to the Federation of State Boards of Physical Therapy, or to both. It's a process and relationship that works for the PTs and PTAs and for the citizens of Texas and I am not aware of evidence to the contrary.

Issue #4: I strongly support the recommendation to maintain the Texas Board of Physical Therapy Examiners under the administration of the Executive Council of Physical and Occupational Therapy Examiners.

Finally, regarding an issue that is not referenced in the SAC report, I believe that the physical therapy licensing act should be revised to allow physical therapists to evaluate and treat patients without a physician referral. The citizens of Texas are burdened by the requirement to see a physician prior to a physical therapist and the state and federal governments and private insurers saddled with increased costs that they should not have to incur. There is zero evidence that physical therapists harm the public when they are given the statutory ability to treat patients without a referral. Moreover, health care costs have been shown to increase when patients are required to see a physician first (*Physical Therapy*, 1997;77:10-18; *Health Services Research*, 2012;2:633-654). I believe that the shortage of physical therapists in the state will worsen if the law does not change soon, as physical therapists will chose to work elsewhere because of this nonsensical and out of date restriction.

Thank you for your review of the physical therapy licensing board and for the opportunity to comment on the recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet R. Bezner", with a long, sweeping horizontal line extending to the right.

Janet R Bezner, PT, DPT, PhD  
Texas License #1028538