

Adopted Rule Amendment: to be effective 11/01/2025

§322.1 Provision of Services.

Summary of Amendment: The amendment to §322.1(a)(2)(D)-(G) is adopted to implement changes to the PT Practice Act pursuant to HB 4099, 89th Regular Session (2025). Specifically, the amendment changes the number of days a physical therapist (PT) who possesses a doctoral degree in physical therapy or has completed at least 30 CCUs in the area of differential diagnosis may treat a patient without a referral from “for not more than 10 consecutive business days” to “for not more than 30 consecutive calendar days.”

Additionally, the requirement for a PT to possess a doctoral degree and either has completed a physical therapy residency or fellowship or is certified by an entity approved by the board to treat a patient without a referral for not more than 15 consecutive business days has been eliminated.

Rulemaking Process:

- Proposed by the Texas Board of Physical Therapy Examiners (PT Board) at July 11, 2025 meeting.
- Proposed Rulemaking Memorandum sent to the Regulatory Compliance Division of the Office of the Governor on July 29, 2025 for review.
- Notification of review from the Regulatory Compliance Division of the Office of the Governor on August 07, 2025 with no recommended changes.
- Approved by the Executive Council of Physical Therapy & Occupational Therapy Examiners (ECPTOTE) at August 08, 2025 meeting.
- Published in the August 22, 2025 edition of the *Texas Register* for public comment.
- Final adoption by the PT Board at October 10, 2025 meeting.

§322.1 Provision of Services.

(a) Initiation of physical therapy services.

(1) No change.

(2) Exceptions to referral requirements

(A) – (C) No change.

(D) A PT may treat a patient for an injury or condition without a referral for not more than 30 [40] consecutive calendar [business] days if the PT:

(i) has been licensed to practice physical therapy for at least one year;

(ii) is covered by professional liability insurance in the minimum amount of \$100,000 per claim and \$300,000 aggregate per year; and

(iii) either:

(I) possesses a doctoral degree in physical therapy from:
(-a-) a program that is accredited by the Commission on Accreditation in Physical Therapy Education; or

(-b-) an institution that is accredited by an agency or association recognized by the United States secretary of education; or

(II) has completed at least 30 CCUs in the area of differential diagnosis.

~~[(E) A PT may treat a patient for an injury or condition without a referral for not more than 15 consecutive business days if the PT possesses a doctoral degree as described in subparagraph (D)(iii)(I)(-a-) or (-b-) of this paragraph and has satisfied the conditions set forth in subparagraph (D)(i) and (ii) of this paragraph, and either:
(i) has completed a physical therapy residency or fellowship, or
(ii) is certified by an entity approved by the board. The board will maintain a list of approved entities on its website.]~~

(E) ~~[(F)]~~ A PT must obtain a referral from a qualified healthcare practitioner before continuation of treatment that exceeds that which is authorized in subparagraph (D) ~~[or (E)]~~ of this paragraph.

(F) ~~[(G)]~~ A PT who treats a patient without a referral under subparagraph (D) ~~[or (E)]~~ of this paragraph must obtain a signed disclosure on a form prescribed by the board prior to the initiation of treatment. The disclosure form will be made available on the board's website.

KEY

Underlined text = new language

Stike-through text = deleted language