

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

§329.1. General Licensure Requirements and Procedures.

§329.7. Exemptions from Licensure

Summary of Amendment: The amendment to §329.1(a)(2) is adopted to correct an omission of military spouses from exemption of the non-refundable application fee, and the amendment to §329.7 (b)(5) and (c) to align with the changes to Texas Occupations Code §55.0041 and to the provisions in 50 USC 4025a: Portability of professional licenses of servicemembers and their spouses.

The amendments are necessary to implement changes pursuant to HB 5629, 89th Regular Session (2025).

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 the October 10, 2025 meeting.

§329.1. General Licensure Requirements and Procedures.

(a) Requirements. All applications for licensure shall include:

(1) a completed board application form with a recent color photograph of the applicant;

(2) the non-refundable application fee as set by the executive council. The application fee of applicants who are active U.S. military service members, military spouses, or military veterans will be waived upon submission of official documentation of the active duty, military spouse, or veteran status of the applicant.

(3) – (5) (No change.)

(b) – (i) (No change.)

§329.7. Exemptions from Licensure

(a) No change

(b) The following categories of individuals practicing physical therapy in the state are exempt from licensure by the board and must notify the board of their intent to practice in the state.

(1) – (4) No change

(5) A physical therapist or physical therapist assistant licensed in good standing in another jurisdiction of the U.S. who is a military service member or military spouse for the period during which the military service member to whom the military spouse is married is stationed at a military installation in Texas.

(A) The military service member or military spouse must submit an application ~~written notification~~ including the following:

(i) ~~[proof of the military service member or military spouse's residency in this state including]~~ a copy of the member's military orders showing relocation to this state ~~[permanent change of station order for the military service member to whom the spouse is married];~~

(ii) a copy of the ~~[military service member or]~~ military spouse's marriage license if the applicant is a military spouse ~~[military identification card]; and~~

(iii) a notarized affidavit affirming under penalty of perjury that:
~~[a list of the jurisdictions in which the military service member or military spouse has held or currently holds a license.]~~

I. the applicant is the person described and identified in the application;

II. all statements in the application are true, correct, and complete;

III. the applicant understands the scope of practice for the physical therapy or physical therapist assistant license in this state and will not perform outside of that scope of practice; and

IV. the applicant is in good standing in each state in which the applicant holds or has held an applicable license.

(B) Not later than the 10th business day after the date the board receives an application, the board will notify the applicant that: ~~[The board will issue a written confirmation stating that:]~~

(i) the board recognizes the applicant's out-of-state license;
~~[licensure in other jurisdictions has been verified;]~~

(ii) the application is incomplete; or ~~[the military service member or military spouse is authorized to practice physical therapy in the state; and]~~

(iii) the board is unable to recognize the applicant's out-of-state license because the board does not issue a license similar in scope of practice to the applicant's license. ~~[authorization does not exceed three years from the date the confirmation is received.]~~

(C) This exemption establishes requirements and procedures authorized or required by Texas Occupations Code, Chapter 55, and does not modify or alter rights that might be provided under federal law.

(c) For individuals exempt from licensure under subsection (b) of this section, the following applies:

(1) any jurisdiction of the U.S. that licenses physical therapists and physical therapist assistants is deemed to have substantially equivalent requirements for licensure;

(2) verification of licensure in other jurisdictions may be through online primary source verification; ~~[and]~~

(3) the individual must comply with all of the laws and regulations applicable to the provision of physical therapy in Texas; and ~~[-]~~

(4) a person is in good standing with another state's licensing authority if the person:

(A) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;

(B) has not been disciplined by the licensing authority with respect to the license or person's practice of the occupation for which the license is issued; and

(C) is not currently under investigation by the licensing authority for unprofessional conduct related to the person's license or profession.

KEY

Underlined text = new language

Strike-through text = deleted language