



Texas Board of Orthotics & Prosthetics

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Does the delegated authority of a physician, as outlined by the Texas Medical Practice Act, allow unlicensed individuals to practice orthotics or prosthetics in the State of Texas?

The delegated authority of a licensed physician does not allow unlicensed individuals to practice orthotics or prosthetics in the State of Texas.

The Texas Orthotics and Prosthetics Act (Texas Occupations Code, Chapter 605) requires licensure for individuals practicing orthotics and prosthetics within the state. The Act does provide exemptions to several licensed and certified professionals as outlined in Subchapter G, these include physical therapists, occupational therapists, chiropractors, podiatrists, pharmacists, and certified pedorthists.

In comparison, the Texas Medical Practice Act (Texas Occupations Code, Chapter 151) authorizes licensed physicians to diagnosis, treat, or offer to treat a mental or physical disease or disorder or a physical deformity or injury by any system or method. These provisions include the practice of orthotics and prosthetics in the performance of a physician's duties. In addition, a physician may delegate authority to individuals; however, there are specific guidelines that govern delegated authority. Texas Occupations Code, Chapter 157, §157.001(a)(1)(C) states that a physician may delegate authority if the delegation, "...is not in violation of any other statute...".

Because the practice of orthotics and prosthetics is protected by statute, the Texas Medical Practice Act prohibits a physician from delegating authority to an unlicensed individual to perform any act within the scope of practice defined by the Texas Orthotics and Prosthetics Act.

Any questions regarding this notice can be forwarded to:

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