

# Texas

## OCCUPATIONS CODE CHAPTER 604. RESPIRATORY CARE PRACTITIONERS SUBCHAPTER A. GENERAL PROVISIONS

- **Respiratory Care Practice Act contains exemption language**

### **§ 604.003. EFFECT OF CHAPTER. This chapter does not prohibit:**

- (1) the practice of respiratory care as an integral part of the program of study by a student enrolled in a respiratory care education program approved by the department;
- (2) the employment by a health care facility of a person to deliver limited respiratory care support services under the supervision of another person who holds a certificate issued under this chapter, if the person delivering the services does not perform an invasive procedure related to critical respiratory care, including a therapeutic, diagnostic, or palliative procedure, as part of the person's employment and if that person:
  - (A) is enrolled for credit in the clinical portion of an approved respiratory care education program; or
  - (B) has completed all of the clinical portion of an approved respiratory care education program within the preceding 12 months and is actively pursuing a course of study leading to graduation from the program;
- (3) the care of an ill person provided without charge by a friend or family member;
- (4) care provided in an emergency by a person who does not claim to be a respiratory care practitioner;
- (5) the performance by a respiratory care practitioner of an advance in the art and techniques of respiratory care learned through formal or specialized training;
- (6) the practice of respiratory care by health care personnel who have been formally trained in the care used and who are:**
  - (A) licensed under the law regulating their professions; or
  - (B) acting under the delegated authority of a licensed physician;**
- (7) the practice of a legally qualified respiratory care practitioner who is discharging the practitioner's official duties as an employee of the United States government; or
- (8) the practice by a person of a profession or occupation for which the person is licensed, registered, or certified under another law of this state.