

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 731

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “extending” in line 3 down through the semicolon in line 5; strike beginning with “limiting” in line 11 down through the semicolon in line 12; in line 20, strike “13-301(b),”; in lines 20 and 21, strike “, (5), and (6)” and substitute “through (23)”; and strike in their entirety lines 24 through 28, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 14, inclusive.

On page 4, strike in their entirety lines 25 through 27, inclusive.

AMENDMENT NO. 3

On page 5, in line 15, strike the bracket; in line 19, strike the bracket and substitute “; (4)”; after line 21, insert:

“[(4)] (5) Unless specifically licensed with respect to the treatment, treats or attempts to treat a health condition of an individual by means other than physical therapy;”;

in lines 22 and 28, strike “(5)” and “(6)”, respectively, and substitute “(6)” and “(7)”, respectively; and after line 34 insert:

“[(7)] (8) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

[(8)] (9) Is convicted of a violation of a narcotic law;

(Over)

[(9)] (10) To an extent that impairs professional competence, habitually uses any:

(i) Drug; or

(ii) Alcoholic beverage;

[(10)] (11) Pays or agrees to pay any sum to any person for bringing or referring a patient;

[(11)] (12) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;

[(12)] (13) Practices physical therapy or limited physical therapy with an unauthorized person or supervises or aids an unauthorized person in the practice of physical therapy or limited physical therapy;

[(13)] (14) Willfully makes or files a false report or record in the practice of physical therapy or limited physical therapy;

[(14)] (15) Willfully fails to file or record any report as required by law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report;

[(15)] (16) Submits a false statement to collect a fee;

[(16)] (17) Violates any rule or regulation adopted by the Board;

[(17)] (18) Uses or promotes or causes the use of any misleading, deceiving, or untruthful advertising matter, promotional literature, or testimonial;

[(18)] (19) Is professionally, physically, or mentally incompetent;

[(19)] (20) Promotes the sale of devices, appliances or goods to a patient so as to exploit the patient for financial gain;

[(20)] (21) Commits an act of unprofessional conduct in the practice of physical

therapy;

[(21)] (22) Grossly overutilizes health care services;

[(22)] (23) Is convicted under insurance fraud under Article 48A, § 233A of the Code;

or

[(23)] (24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive.”.