

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 579

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Assistants" insert "- Licensed Chiropractors with Physical Therapy Privileges"; strike beginning with the first comma in line 4 down through "authorizing" in line 8; in line 8, strike "and" and substitute a comma; in line 9, after "assistants" insert ", and licensed chiropractors with physical therapy privileges"; strike beginning with "providing" in line 10 down through the semicolon in line 13; in line 14, after "therapist" insert "or a licensed chiropractor with physical therapy privileges"; strike beginning with "authorizing" in line 16 down through "regulations;" in line 19; and in line 20, after "assistants," insert "licensed chiropractors with physical therapy privileges.".

AMENDMENT NO. 2

On page 1, in line 24, after "Section" insert "3-307,"; in the same line, after "12-602," insert "and"; and in the same line, strike ", and 13-206".

AMENDMENT NO. 3

On page 2, after line 1 insert:

"3-307.

(a) Except as otherwise provided in this section, a license authorizes the licensee to practice chiropractic while the license is effective.

(b) [A] EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF THIS SECTION, A license that includes the right to practice physical therapy authorizes the licensee to practice chiropractic and physical therapy while the license is effective.

(c) A license does not authorize a licensee to execute or file a birth or death certificate.

(Over)

(D) (1) IN THIS SUBSECTION “TOPICAL PHARMACEUTICAL AGENTS” MEANS THE FOLLOWING PRESCRIPTION DRUGS:

(I) ANESTHETIC AGENTS; AND

(II) ANTI-INFLAMMATORY AGENTS.

(2) A CHIROPRACTOR WITH PHYSICAL THERAPY PRIVILEGES MAY PROCURE AND APPLY TO THE SKIN TOPICAL PHARMACEUTICAL AGENTS TO THE SAME EXTENT AS A PHYSICAL THERAPIST ASSISTANT UNDER § 13-310 OF THIS ARTICLE, IF THE CHIROPRACTOR:

(I) COMPLIES WITH THE PROCUREMENT REQUIREMENTS OF TITLE 12 OF THIS ARTICLE; AND

(II) APPLIES TO THE SKIN TOPICAL PHARMACEUTICAL AGENTS IN ACCORDANCE WITH GENERALLY ACCEPTED PRACTICES AND THE EDUCATIONAL TECHNIQUES IN USE AT SCHOOLS ACCREDITED BY THE COUNCIL ON CHIROPRACTIC EDUCATION.”.

AMENDMENT NO. 4

On page 2, in line 8, strike “PHYSICAL THERAPIST, PHYSICAL THERAPIST ASSISTANT,”.

On page 3, in line 3, strike the brackets; in the same line, strike “OFFICE”; in line 11, strike the brackets; and strike beginning with the semicolon in line 12 down through “TITLE” in line 36.

On page 4, in line 19, after “ARTICLE” insert “OR A LICENSED CHIROPRACTOR WITH PHYSICAL THERAPY PRIVILEGES FROM APPLYING TO THE SKIN A TOPICAL PHARMACEUTICAL AGENT IN THE COURSE OF TREATING A PATIENT IN ACCORDANCE WITH TITLE 3 OF THIS ARTICLE”.

On page 5, in line 10, strike the second set of brackets; and in lines 10 and 11, strike “, LICENSED PHYSICAL THERAPIST, OR LICENSED PHYSICAL THERAPIST ASSISTANT”.

AMENDMENT NO. 5

On page 6, in line 9, strike the brackets; in the same line, strike “EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, A”; in line 14, strike “or”; after line 14 insert:

“(IV) A LICENSED PHYSICAL THERAPIST UNDER THE CONDITIONS SET FORTH IN § 13-310.1 OF THIS ARTICLE;

(V) A LICENSED CHIROPRACTOR WITH PHYSICAL THERAPY PRIVILEGES UNDER THE CONDITIONS SET FORTH IN § 3-307 OF THIS ARTICLE; OR”;

in line 15, strike “(iv)” and substitute “(VI)”; and strike in their entirety lines 17 through 20, inclusive.

On page 6 in lines 21, 25, 27, and 30, on page 7 in lines 11, 30, 32, 33, and 36, and on page 8 in line 1, in each instance, strike the brackets.

On page 6 in lines 21, 25, 27, and 30, on page 7 in lines 11, 30, 32, 33, and 36, and on page 8 in line 1, strike “(G)”, “(H)”, “(I)”, “(J)”, “(K)”, “(L)”, “(M)”, “(N)”, “(O)”, and “(P)”, respectively.

AMENDMENT NO. 6

On page 8, in line 34, strike “STORING AND”.

On page 9, in line 25, strike “, STORING,”.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 3 through 20, inclusive.

AMENDMENT NO. 8

On page 11, strike beginning with “A” in line 4 down through “AGENTS.” in line 14 and substitute “A LICENSED PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT MAY APPLY TOPICAL PHARMACEUTICAL AGENTS ONLY BY PRESCRIPTION FROM AN AUTHORIZED PRESCRIBER.

(D) TOPICAL PHARMACEUTICAL AGENTS PROCURED UNDER THIS SECTION

(Over)

SHALL BE OBTAINED FROM A PERSON HOLDING A DISTRIBUTION PERMIT ISSUED UNDER § 12-602 OF THIS ARTICLE.

(E) (1) THE MANUFACTURER'S ORIGINAL LABEL MUST BE AFFIXED TO ALL TOPICAL PHARMACEUTICAL AGENTS UTILIZED UNDER THIS SECTION.

(2) THE MANUFACTURER'S ORIGINAL LABEL SHALL INCLUDE THE NAME OF THE MANUFACTURER, THE NAME AND STRENGTH OF THE TOPICAL PHARMACEUTICAL AGENT, THE LOT NUMBER, AND THE EXPIRATION DATE OF THE TOPICAL PHARMACEUTICAL AGENT.

(F) APPROPRIATE DOCUMENTATION IS REQUIRED OF A LICENSED PHYSICAL THERAPIST OR A LICENSED PHYSICAL THERAPIST ASSISTANT WHO APPLIES TOPICAL PHARMACEUTICAL AGENTS.

(G) A LICENSED PHYSICAL THERAPIST OR A LICENSED PHYSICAL THERAPIST ASSISTANT SHALL ALLOW THE DIVISION OF DRUG CONTROL TO ENTER AND INSPECT THE OFFICE OF THE LICENSED PHYSICAL THERAPIST OR THE LICENSED PHYSICAL THERAPIST ASSISTANT AT ALL REASONABLE HOURS.”.