
By: Senator Collins

Introduced and read first time: January 31, 1997

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Physical Therapy - Licensure and Practice Requirements**

3 FOR the purpose of extending an exemption from a requirement for physical therapy
4 licensure to a physical therapy aide who is supervised by a licensed physical
5 therapist assistant under certain circumstances; requiring an applicant for physical
6 therapy licensure to demonstrate written competency in the English language
7 subject to a certain exception; altering certain educational requirements for license
8 applicants educated in physical therapy in a state and certain educational and
9 clinical requirements for license applicants educated in physical therapy outside of
10 a state; authorizing the agent of the State Board of Physical Therapy Examiners to
11 provide a certain notice; limiting to one the number of physical therapy aides that
12 may be supervised by a physical therapist assistant; extending the period of
13 expiration of a certain temporary license after issuance of the license; providing for
14 the expiration of certain temporary licenses under certain circumstances; repealing
15 certain provisions concerning the renewal of a temporary license; altering certain
16 grounds for disciplining certain physical therapy licensees and others; and generally
17 relating to physical therapy.

18 BY repealing and reenacting, with amendments,

19 Article - Health Occupations
20 Section 13-301(b), 13-302(e), 13-303, 13-306(c), 13-313(c) and (d), and 13-316(3),
21 (5), and (6)
22 Annotated Code of Maryland
23 (1994 Replacement Volume and 1996 Supplement)

24 BY adding to

25 Article - Health Occupations
26 Section 13-310(c)
27 Annotated Code of Maryland
28 (1994 Replacement Volume and 1996 Supplement)

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
30 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article - Health Occupations**

2 13-301.

3 (b) This section does not apply to:

4 (1) A student who is supervised directly by a licensed physical therapist in a
5 Board approved physical therapy educational program; or

6 (2) A physical therapy aide, if the physical therapy aide:

7 (i) Subject to the rules and regulations adopted by the Board,
8 performs only procedures that do not require the professional skills of a licensed physical
9 therapist or a licensed physical therapist assistant; and

10 (ii) Performs procedures only under the direct supervision of a
11 licensed physical therapist [who] OR A LICENSED PHYSICAL THERAPIST ASSISTANT IN
12 ACCORDANCE WITH § 13-310 OF THIS SUBTITLE WHILE THE LICENSED PHYSICAL
13 THERAPIST OR LICENSED PHYSICAL THERAPIST ASSISTANT personally is present in
14 the area where the procedures are performed.

15 13-302.

16 (e) (1) [The] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE
17 Board shall require as part of its examination or licensing procedures that an applicant
18 for a license to practice physical therapy or limited physical therapy demonstrate [an]
19 WRITTEN AND oral competency in the English language.

20 (2) [Graduation from a recognized English-speaking undergraduate school
21 after at least 3 years of enrollment, or from a recognized English-speaking professional
22 school is acceptable as proof of proficiency in the oral communication of the English
23 language under this section] AN APPLICANT SHALL BE EXEMPT FROM ENGLISH
24 COMPETENCY TESTING IF THE APPLICANT GRADUATED FROM A PHYSICAL
25 THERAPY PROGRAM WHICH WAS TAUGHT IN ENGLISH.

26 (3) By regulation, the Board shall develop a procedure for testing
27 individuals who because of their speech impairment are unable to complete satisfactorily
28 a Board approved standardized test of oral competency.

29 (4) If any disciplinary charges or action that involves a problem with the oral
30 communication of the English language are brought against a licensee under this title, the
31 Board shall require the licensee to take and pass a Board approved standardized test of
32 oral competency.

33 13-303.

34 (a) If an applicant for a physical therapy license has been educated in physical
35 therapy in any state, the applicant shall have:

36 (1) Graduated from a physical therapy [curriculum that, in the year of
37 graduation, was approved by:

38 (i) The American Medical Association; or

3

1 (ii) The American Physical Therapy Association; and] PROGRAM
2 ACCREDITED BY THE COMMISSION ON ACCREDITATION OF PHYSICAL THERAPY
3 EDUCATION; AND

4 (2) Completed satisfactorily the clinical training required by the physical
5 therapy curriculum.

6 (b) If an applicant for a physical therapy license has been educated in physical
7 therapy outside of any state, the applicant shall have:

8 (1) [Graduated from a physical therapy curriculum] EARNED ALL
9 CREDITS EARNED AT AN INSTITUTION OF HIGHER LEARNING that has educational
10 requirements [comparable to those approved by:

11 (i) The American Medical Association; or

12 (ii) The American Physical Therapy Association; and] EQUIVALENT
13 TO A BACHELOR'S DEGREE IN PHYSICAL THERAPY FROM A UNITED STATES
14 PROGRAM ACCREDITED BY THE COMMISSION ON ACCREDITATION OF PHYSICAL
15 THERAPY EDUCATION;

16 (2) EARNED A MINIMUM OF 120 CREDIT HOURS IN THE FOLLOWING
17 MANNER:

18 (I) 50 CREDIT HOURS IN GENERAL EDUCATION TO INCLUDE AT
19 LEAST ONE SEMESTER COURSE IN:

- 20 1. HUMANITIES;
- 21 2. SOCIAL SCIENCE;
- 22 3. BEHAVIORAL SCIENCE;
- 23 4. PHYSICS WITH A LAB;
- 24 5. CHEMISTRY WITH A LAB;
- 25 6. BIOLOGY WITH A LAB; AND
- 26 7. MATHEMATICS;

27 (II) 60 CREDIT HOURS IN A PROFESSIONAL PHYSICAL THERAPY
28 PROGRAM TO INCLUDE AT LEAST ONE COURSE IN:

- 29 1. HUMAN ANATOMY;
- 30 2. HUMAN PHYSIOLOGY;
- 31 3. NEUROLOGY;
- 32 4. PHYSIOLOGY;
- 33 5. FUNCTIONAL ANATOMY;
- 34 6. KINESIOLOGY;

4

- 1 7. ORTHOPEDICS;
- 2 8. PEDIATRICS;
- 3 9. GERIATRICS;
- 4 10. PHYSICAL AGENTS;
- 5 11. MUSCULOSKELETAL ASSESSMENT AND TREATMENT;
- 6 12. NEUROMUSCULAR ASSESSMENT AND TREATMENT; AND
- 7 13. CARDIOPULMONARY ASSESSMENT AND TREATMENT;
- 8 AND

9 (III) 10 CREDIT HOURS AS ELECTIVES IN GENERAL OR
10 PROFESSIONAL EDUCATION;

11 (3) COMPLETED AT LEAST TWO CLINICAL AFFILIATIONS TOTALLING AT
12 LEAST 800 HOURS; AND

13 [(2)] (4) Completed [in any state] a preceptorship that fulfills the
14 requirements set by the Board.

15 13-306.

16 (c) The Board OR ITS AGENT shall[:

17 (1) Notify each qualified applicant of the time and place of examination;
18 and

19 (2) Publish notice of the time and place of each examination given under
20 this subtitle:

21 (i) At least one time in a daily newspaper of general circulation in this
22 State; and

23 (ii) In any other manner that the Board determines] NOTIFY EACH
24 QUALIFIED APPLICANT OF THE TIME AND PLACE OF THE EXAMINATION.

25 13-310.

26 (C) A PHYSICAL THERAPIST ASSISTANT MAY SUPERVISE NO MORE THAN ONE
27 PHYSICAL THERAPY AIDE.

28 13-313.

29 (c) (1) Unless the Board revokes a temporary license, [each] A temporary
30 license expires [60] 90 days after [the date of the next scheduled examination]
31 ISSUANCE.

32 (2) If a holder of a temporary license applies for a license by examination
33 but does not report to take the [next scheduled] examination WHEN SCHEDULED, the
34 temporary license expires on the date of [that] THE SCHEDULED examination.

35 (d) The Board may[:

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1 (1) Extend a temporary license to complete a preceptorship; or

2 (2) Renew a temporary license once for an additional term under subsection
3 (c) of this section, if the holder:

4 (i) Otherwise meets the requirements of this section;

5 (ii) Submits a renewal application to the Board on the form that the
6 Board requires; and

7 (iii) Pays to the Board a temporary license renewal fee set by the
8 Board] EXTEND A TEMPORARY LICENSE TO COMPLETE A PRECEPTORSHIP.

9 13-316.

10 Subject to the hearing provisions of § 13-317 of this subtitle, the Board may deny a
11 license, temporary license, or restricted license to any applicant, reprimand any licensee
12 or holder of a temporary license or restricted license, place any licensee or holder of a
13 temporary license or restricted license on probation, or suspend or revoke a license,
14 temporary license, or restricted license if the applicant, licensee, or holder:

15 (3) [Practices physical therapy inconsistent with any written or oral order
16 of:

17 (i) A physician authorized to practice medicine in any state;

18 (ii) A dentist authorized to practice dentistry in any state; or

19 (iii) A podiatrist authorized to practice podiatry in any state] FAILS TO
20 MEET APPROPRIATE STANDARDS FOR THE DELIVERY OF QUALITY PHYSICAL
21 THERAPY CARE;

22 (5) In the case of an individual who is authorized to practice physical
23 therapy [under this title], is grossly negligent:

24 (I) [in] IN the practice of physical therapy; [or]

25 (II) [in] IN the direction of an individual who is authorized to practice
26 limited physical therapy [under this title]; OR

27 (III) IN THE SUPERVISION OF A PHYSICAL THERAPY AIDE;

28 (6) In the case of an individual who is authorized to practice limited physical
29 therapy [under this title]:

30 (i) Practices LIMITED physical therapy other than as authorized by
31 this title; [or]

32 (ii) Is grossly negligent while practicing limited physical therapy; OR

33 (III) IS GROSSLY NEGLIGENT IN THE SUPERVISION OF A PHYSICAL
34 THERAPY AIDE;

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 1997.

