

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 363

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 4, in each instance strike “and” and substitute a comma; in line 2, after “Assistants” insert “, and Licensed Chiropractors with Physical Therapy Privileges”; in line 5, after “assistants” insert “, and licensed chiropractors with physical therapy privileges”; in line 19, after “consultation” insert “and conjunction”; in line 20, after “Pharmacy” insert “and the Board of Physician Quality Assurance”; in the same line, after “regulations” insert “and lists”; and in line 29, after “Section” insert “3-307.”.

AMENDMENT NO. 2

On page 2, after line 11, 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.

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

(I) ANESTHETIC AGENTS; AND

(II) ANTI-INFLAMMATORY AGENTS.

(Over)

(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 UNDER §13-310.1 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.

(E) THIS SECTION MAY NOT BE CONSTRUED TO AUTHORIZE A LICENSED CHIROPRACTOR WITH PHYSICAL THERAPY PRIVILEGES TO PRESCRIBE FOR THE USE OF A PATIENT, OR TO DISPENSE TO A PATIENT, A TOPICAL PHARMACEUTICAL AGENT.”.

AMENDMENT NO. 3

On page 4, in line 34, 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 6, in line 17, strike “OR” and substitute:

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

and in line 18, strike “(V)” and substitute “(VI)”.

AMENDMENT NO. 4

On page 11, after line 28, insert:

“(G) A LICENSED PHYSICAL THERAPIST OR A LICENSED PHYSICAL THERAPIST ASSISTANT MAY APPLY TOPICAL PHARMACEUTICAL AGENTS:

(1) WHEN TREATING A PATIENT REFERRED BY A PHYSICIAN IF THE APPLICATION IS CONSISTENT WITH THE REFERRAL; AND

(2) WHEN TREATING A PATIENT WHO WAS NOT REFERRED BY A PHYSICIAN IF THE APPLICATION IS CONSISTENT WITH THE EVALUATION OF THE PATIENT'S TREATMENT NEEDS.

(H) IN CONJUNCTION WITH THE STATE BOARD OF PHARMACY AND THE BOARD OF PHYSICIAN QUALITY ASSURANCE, THE BOARD SHALL DEVELOP A LIST OF TOPICAL PHARMACEUTICAL AGENTS THAT A LICENSED PHYSICAL THERAPIST, A LICENSED PHYSICAL THERAPIST ASSISTANT, OR A LICENSED CHIROPRACTOR WITH PHYSICAL THERAPY PRIVILEGES MAY PROCURE.”.

AMENDMENT NO. 5

On page 11, in line 29, strike “(G)” and substitute “(I)”; in the same line, after “PHARMACY” insert “AND THE BOARD OF PHYSICIAN QUALITY ASSURANCE”; and in line 30, after “STORAGE” insert “AND USE”.