

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

House Bill 355 (Delegate Nathan-Pulliam. *et al.*)

Environmental Matters

Board of Physical Therapy Examiners - Changes in the Physical Therapy Practice Act

This bill modifies the Board of Physical Therapy Examiners' scope of authority in certain situations.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing Board of Physical Therapy Examiners and Office of Administrative Hearings resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill allows the board to disclose any information contained in a record of the board to any other health occupations regulatory board, if the disclosure would be in the best interest of public protection and the information is based on the board's final decision. To the extent possible, the board must ensure that the name of an individual filing a complaint or providing information for an investigation is kept confidential when information is disclosed.

In addition, the bill allows the board to waive the preceptorship requirement for a physical therapy licensure applicant who is currently licensed to practice physical therapy in another state.

The bill also authorizes the board to suspend, revoke, or deny a license; reprimand a licensee; or place a licensee on probation if the licensee commits an act of unprofessional conduct in the practice of limited physical therapy. The bill provides that an individual whose license has been suspended or revoked by the board must return the license to the board, or in the case of a lost license, the individual must file a statement with the board verifying that the license has been lost.

The board chair may also delegate hearing authority to a committee consisting of three or more board members. The committee must hold an evidentiary hearing and prepare a recommended decision for consideration by a quorum of the board. The committee must also give the individual who is the subject of the hearing notice of the opportunity to file exceptions and present argument to the board regarding the committee's decision.

Current Law: There are no provisions: (1) allowing dissemination of certain information to other boards; (2) requiring return of a suspended or revoked license; (3) authorizing the board to take disciplinary measures against a licensee for committing an act of unprofessional conduct in limited physical therapy; or (4) delegating authority to a committee to conduct hearings. In addition, all physical therapy applicants must complete a preceptorship as a licensure requirement, regardless of out-of-state licensure.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Boards and Commissions), Office of Administrative Hearings, Department of Legislative Services

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