

Department of Legislative Services  
Maryland General Assembly  
2015 Session

FISCAL AND POLICY NOTE

Senate Bill 48

(Senator Conway)

Education, Health, and Environmental Affairs

Health and Government Operations

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State Board of Physical Therapy Examiners - Failure to Pass Licensure  
Examination - Prohibition on Issuance of License

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This bill prohibits an individual who fails the required national licensing examination six times from (1) retaking the examination a seventh time or (2) being licensed by the State Board of Physical Therapy Examiners as a physical therapist or a physical therapist assistant.

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Fiscal Summary

**State Effect:** None. The bill is procedural in nature and does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law/Background:** In order to practice physical therapy or limited physical therapy in Maryland, individuals must be licensed by the board. Applicants must meet all requirements set by the board, submit to a criminal history records check, and pass the appropriate examination given by the board. Qualified applicants are entitled to take an examination for licensure, and the board must give the examinations at least twice a year for potential physical therapy and physical therapy assistant licensees. The board may waive any examination requirement for an applicant who is licensed or otherwise authorized to practice in another state.

The board requires applicants for a physical therapist or physical therapist assistant license to pass the national licensing examination – the National Physical Therapy Exam (NPTE). The fee, payable to the Federation of State Boards of Physical Therapy (FSBPT), is currently \$400. Fees for taking NPTE are determined by FSBPT. Regulations require an applicant who has taken the licensing examination twice in Maryland to pay a second application fee in addition to a reexamination fee. However, the board advises that it does not assess such fees. The board advises that in practice, an applicant may retake the exam up to three times in a 12-month period based on annual scheduled exam testing dates. License applications are valid for 12 months. If a person is unsuccessful in passing the exam during the 12-month period, he or she must reapply to the board and pay an additional \$150 application fee.

The board receives 800 license applications per year. Since September 2011, 74 individuals have taken the licensure examination more than six times. There is no cost to the board when a person retakes an examination, and the board does not charge additional fees for reexamination, as discussed above.

The bill mirrors an impending change at the national level. Beginning in 2016, FSBPT will place a lifetime limit on the number of times candidates will be able to take NPTE. As of January 1, 2016, any candidate who has already tested six times will no longer be able to retake the examination.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 179 (Delegate Barron) - Health and Government Operations.

**Information Source(s):** Federation of State Boards of Physical Therapy, Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - February 9, 2015  
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