

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 517

(Senator Klausmeier)

Education, Health, and Environmental Affairs

Health and Government Operations

State Board of Physical Therapy Examiners - Temporary Licenses to Practice
Physical Therapy and Limited Physical Therapy

This bill authorizes the State Board of Physical Therapy Examiners to issue a temporary license to practice physical therapy (or limited physical therapy). The board may issue such a license to an applicant who, except for passing a required examination, has met the appropriate education and experience requirements for a physical therapist (or physical therapy assistant) license. The bill authorizes a temporary license holder to practice physical therapy (or limited physical therapy) under “direct supervision” until (1) 90 days after issuance; (2) the board issues a full license; or (3) the board revokes the temporary license. The bill also specifies conditions for the revocation of a temporary license. **The bill takes effect July 1, 2021.**

Fiscal Summary

State Effect: The bill’s requirements can be handled with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: “Direct supervision” means supervision provided by a licensed physical therapist who is physically present within the treatment area and immediately available to give aid, direction, and instruction when physical therapy or limited physical therapy procedures or activities are performed. A temporary license authorizes the holder to

practice physical therapy (or limited physical therapy) only under direct supervision of a fully licensed physical therapist.

Subject to hearing provisions, the board may deny a license, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if (1) an individual who is authorized to practice physical therapy is grossly negligent in the supervision of the holder of a temporary license or (2) an individual who holds a temporary license practices without direct supervision.

Unless the board agrees to accept the surrender of a license, the holder of a temporary license may not surrender the license or allow the license to lapse while the licensee is under investigation or while charges are pending against them.

Current Law: Generally, an applicant for a physical therapy license must have (1) graduated from a physical therapy program approved by the American Physical Therapy Association (APTA), or accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) and (2) completed the clinical education required by the physical therapy program.

To qualify for a physical therapist assistant license, an applicant must have (1) graduated from a physical therapist assistant program approved by APTA or accredited by CAPTE and (2) completed the clinical education required by physical therapist assistant program.

If an applicant was educated outside of the United States, the applicant must have graduated from a physical therapy or physical therapy assistant program that in the year of graduation had educational requirements equivalent to a CAPTE-accredited program in the United States.

To apply for a physical therapy or physical therapy assistant license, an applicant must submit to the board (1) a board-approved application and (2) evidence of completion of the relevant curriculum and clinical training. Applicants must also submit to a criminal history records check and pay an application fee.

Any applicant who otherwise qualifies for a license is entitled to be examined for that license. The board must give examinations at least twice a year at board-determined times and places to applicants for a physical therapy or physical therapist assistant license. Currently, the board requires applicants to take and pass a physical therapy exam administered by the Federation of State Boards of Physical Therapy, as well as the Maryland Jurisprudence Exam administered directly by the board.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 210 (Delegate Bhandari) - Health and Government Operations., HB 210 (Delegate Bhandari) - Health and Government Operations.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 12, 2021
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