

Chapter 473

(House Bill 210)

AN ACT concerning

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

FOR the purpose of authorizing the State Board of Physical Therapy Examiners to issue a temporary license to practice physical therapy and limited physical therapy to certain applicants who meet certain requirements; providing that a temporary license authorizes certain individuals to practice limited physical therapy or physical therapy under direct supervision and is valid until a certain event occurs; altering the grounds on which the Board may take certain disciplinary action; defining certain terms; altering a certain definition; making a stylistic change; and generally relating to the State Board of Physical Therapy Examiners and temporary licenses to practice physical therapy and limited physical therapy.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 13–101(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY adding to
Article – Health Occupations
Section 13–101(b–1) and (k), 13–313, and 13–316(27)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–101(c), 13–315(a), and 13–316(4), (25), and (26)
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

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

Article – Health Occupations

13–101.

- (a) In this title the following words have the meanings indicated.

(B-1) “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.

(c) “License” means, unless the context requires otherwise[, a]:

(1) A license issued by the Board to practice:

[(1)] (I) Physical therapy; or

[(2)] (II) Limited physical therapy; OR

(2) A TEMPORARY LICENSE ISSUED BY THE BOARD.

(K) “TEMPORARY LICENSE” MEANS A LICENSE ISSUED BY THE BOARD UNDER, AND AS LIMITED BY, § 13-313 OF THIS TITLE TO PRACTICE:

(1) PHYSICAL THERAPY; OR

(2) LIMITED PHYSICAL THERAPY.

13-313.

(A) THE BOARD MAY ISSUE A TEMPORARY LICENSE TO AN APPLICANT WHO, EXCEPT FOR PASSING AN EXAMINATION OTHERWISE REQUIRED UNDER THIS SUBTITLE, HAS MET THE APPROPRIATE EDUCATION AND EXPERIENCE REQUIREMENTS OF THIS SUBTITLE FOR A PHYSICAL THERAPIST LICENSE OR A PHYSICAL THERAPY ASSISTANT LICENSE UNDER § 10-305 OF THIS ARTICLE.

(B) (1) A TEMPORARY LICENSE ISSUED TO AN INDIVIDUAL WHO HAS COMPLETED A PHYSICAL THERAPY CURRICULUM AUTHORIZES THE HOLDER TO PRACTICE PHYSICAL THERAPY UNDER DIRECT SUPERVISION WHILE THE TEMPORARY LICENSE IS EFFECTIVE.

(2) A TEMPORARY LICENSE ISSUED TO AN INDIVIDUAL WHO HAS COMPLETED A PHYSICAL THERAPY ASSISTANT CURRICULUM AUTHORIZES THE HOLDER TO PRACTICE LIMITED PHYSICAL THERAPY UNDER DIRECT SUPERVISION WHILE THE TEMPORARY LICENSE IS EFFECTIVE.

(C) A TEMPORARY LICENSE IS VALID UNTIL:

(1) 90 DAYS AFTER ISSUANCE;

(2) THE BOARD ISSUES A FULL LICENSE TO PRACTICE PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY TO THE HOLDER OF THE TEMPORARY LICENSE; OR

(3) THE BOARD REVOKES THE TEMPORARY LICENSE.

13-315.

(a) Unless the Board agrees to accept the surrender of a license, a licensed physical therapist, licensed physical therapist assistant, or holder of a restricted license **OR TEMPORARY LICENSE** may not surrender the license nor may the license lapse by operation of law while the licensee is under investigation or while charges are pending against the licensee.

13-316.

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

(4) In the case of an individual who is authorized to practice physical therapy, is grossly negligent:

(i) In the practice of physical therapy;

(ii) In the direction of an individual who is authorized to practice limited physical therapy; or

(iii) In the supervision of a physical therapy aide **OR HOLDER OF A TEMPORARY LICENSE;**

(25) Fails to meet accepted standards in delivering physical therapy or limited physical therapy care; [or]

(26) Fails to submit to a criminal history records check in accordance with § 13-302.1 of this subtitle; **OR**

(27) IN THE CASE OF AN INDIVIDUAL WHO HOLDS A TEMPORARY LICENSE TO PRACTICE PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY, PRACTICES PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY WITHOUT DIRECT SUPERVISION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.