

APTA MD Testimony 2023 - Support - Senate Bill 727

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Position: FAV

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March 3, 2023

The Honorable Melony Griffith, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, Maryland 21401

RE: Senate Bill 727– State Board of Physical Therapy Examiners - Sunset Extension- SUPPORT

Dear Chair Griffith,

The American Physical Therapy Association Maryland is writing to register our support of **Senate Bill 727**.

The purpose of this legislation is to continue the State Board of Physical Therapy Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; and generally relating to the State Board of Physical Therapy Examiners.

The mission of the Board is to protect the health, safety, and welfare of all Marylanders through the promotion and oversight of the Physical Therapy Practice Act. The vision is to ensure physical therapists and physical therapist assistants meet and exceed the physical therapy standards of practice to protect the health, safety, and welfare of all Marylanders.

APTA Maryland supports legislation that would allow for the continuing of the Board of Physical Therapy Examiners.

For the reasons noted above we ask for a favorable report on Senate Bill 727.

Sincerely,

JD Sheppard

John D. Sheppard, II, PT, DPT
President, APTA Maryland

8b - SB 727 - FIN - MDH - LOSWA.docx.pdf

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Position: FWA



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 3, 2023

The Honorable Melony Griffith
Chair, Senate Finance Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: SB 727 - State Board of Physical Therapy Examiners – Sunset Extension - Letter of Support with Amendments

Dear Chair Griffith and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of support with amendments for Senate Bill (SB) 727 - State Board of Physical Therapy Examiners – Sunset Extension. SB 727 extends the termination provisions relating to the statutory and regulatory authority of the State Board of Physical Therapy Examiners (Board) for three (3) years, until July 1, 2027.

MDH respectfully submits an amendment to shorten the sunset date for the Board from three (3) years to two (2) years. A sunset evaluation and extension is a tool to review existing laws and regulations governing the State’s occupational and professional Boards. These reviews facilitate the careful consideration of the Board’s purpose and operations, including ensuring that licensing is protecting public health and safety and that licensing is not overly broad or burdensome.¹ Of note, Chapter 511 of the Acts of 2019 eliminated Maryland’s automatic 10 year sunset evaluations that were conducted by the Department of Legislative Services prior to extensions.² In its place, sunset evaluations are now conducted only when directed by certain entities.

MDH believes a more thorough evaluation of the Health Occupations Boards is needed at this time to assess ongoing concerns related to licensure, technology, and administrative functions. MDH believes a two (2) year sunset extension allows ample time for MDH and the Boards to examine these functions and return to the General Assembly in 2026 with an update.

If you have any questions please contact Megan Peters, Acting Director, Office of Governmental Affairs, at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary

¹ <https://www.ncsl.org/labor-and-employment/sunset-and-sunrise>

² <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0640?ys=2019RS>

Amendment 1

On page 2, line 3: Strike **2026** and insert **2025**.

8a - SB 727 - FIN - PT Board - SWA.docx.pdf

Uploaded by: State of Maryland (MD)

Position: FWA



Board of Physical Therapy Examiners

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

*Karen Gordes, Chair – Laurie Kendall-Ellis, Executive Director
4201 Patterson Avenue, Baltimore MD 21215 Phone: 410-764-4718*

2023 SESSION POSITION PAPER

BILL NO: SB 727

COMMITTEE: Finance

POSITION: Support with Amendment

TITLE: State Board of Physical Therapy Examiners - Sunset Extension

BILL ANALYSIS: This bill, as written, extends the termination provisions relating to the statutory and regulatory authority of the State Board of Physical Therapy Examiners (the “Board”) for 3 years until July 1, 2027.

POSITION AND RATIONALE: The Board supports SB 727 with an amendment.

In 2022, SB 209 was amended in the Senate to change the termination provisions relating to the statutory and regulatory authority of the Board to only two (2) years until July 1, 2024, instead of the originally proposed Bill that extended the Board for ten (10) years until July 1, 2032. The Board disagreed with the passing of the two (2) year amendment, but had no choice since the Board was going to sunset July 1, 2022.

The Board has no outstanding deficiencies to correct and the passing of SB 727 will ensure the continuation of the Board’s mandated responsibilities of protecting the health, safety, and welfare of the citizens of Maryland through its licensing, compliance, and disciplinary statutes and regulations for physical therapists and physical therapist assistants.

The Board of Physical Therapy Examiners and Health Professional Boards & Commissions (HPBCs) underwent an audit conducted by the Office of Legislative Auditors (OLA) for the period beginning September 28, 2015, and ending September 24, 2019. Published on January 19, 2021, the OLA report did not recommend sunseting the Board of Physical Therapy Examiners or name the Board of Physical Therapy Examiners in the findings.

Proactively, the Board collaborated with the Audit and Finance Compliance Unit in the Department of Budget & Management (DBM) as well as with the MDH Office of Internal Controls, Audit Compliance & Information Security (IAC/S). The IAC/S January 5, 2023 status report to OLA for the audit period ending April 30, 2022 results:

- Finding 3: COMPLETE - Satisfactorily complied with the OLA’s recommendation
- Finding 4: COMPLETE - Satisfactorily complied with the OLA’s recommendation

The Board wishes to acknowledge the support extended to us by DBM and IAC/S.

The Board supports SB 727 with amendment and respectfully asks to extend the termination provisions relating to the statutory and regulatory authority of the Board, to the following:

Amendment 1

Page 2, line 3: Strike **2027** and insert **2034**.

The Board thanks the committee for considering this testimony and respectfully requests a favorable outcome of SB 727 with Board amendment to be adopted under this title.

For more information, please contact Laurie Kendall-Ellis, Executive Director of the Maryland Board of Physical Therapy Examiners at (410) 764-4718 or at laurie.kendall-ellis@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.