ENROLLED HOUSE
BILL NO. 1248

By: Roach of the House

and

Fisher of the Senate

An Act relating to professions and occupations; amending 59 O.S. 1991, Sections 887.4, 887.6 and 887.12, which relate to licensure to practice physical therapy; modifying and adding to membership of Physical Therapy Committee and qualifications of members; clarifying obsolete language; providing for appointment; providing for terms of office; modifying powers and duties of Committee; modifying education requirements for certain applicants for licensure as a physical therapist or a physical therapist assistant; providing for licensure of foreign-trained applicants and stating qualifications; providing for waiver of certain qualifications under certain conditions; providing for interim supervised practice; requiring evidence of completion of continuing education or alternative requirements for renewal of physical therapist and physical therapist assistant licenses; and requiring State Board of Medical Licensure and Supervision establish by rule requirements for continuing education and alternative requirements and to consider certain programs.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 887.4, is amended to read as follows:

Section 887.4 A. There is hereby established a Physical Therapy Committee ~~which~~ to assist the State Board of Medical Licensure and Supervision in conducting examinations for applicants and to advise the Board on all matters pertaining to the licensure, education, and continuing education of physical therapists and physical therapist assistants and the practice of physical therapy.

B. 1. The Physical Therapy Committee shall consist of ~~three (3)~~ five (5) members who shall be appointed by the State Board of Medical Licensure and Supervision as follows:

a. three members shall be licensed physical therapists,

b. one member shall be a licensed physical therapist assistant, and

c. one member shall be a lay person.

2. Except for the lay appointee, each appointee shall be selected from a list of ~~five~~ three persons submitted for each vacancy by the Oklahoma Chapter of the American Physical Therapy Association.

a. Members serving on the Committee on the effective date of this act may continue serving until expiration of

their terms of office and may be reappointed if eligible pursuant to the provisions of this act. Members of the original Physical Therapy Committee shall have been appointed for staggered terms of one (1), two (2), and three (3) years, respectively. Terms of office of each appointed member shall expire July 1 of that year in which they expire regardless of the calendar date when such appointments were made. Subsequent appointments shall be made for a term of three (3) years or until their successors are appointed and qualified.

b. The lay member and physical therapist assistant member initially appointed to fill the two new positions created pursuant to this act shall be appointed for staggered terms of office which will expire July 1, 1998, and July 1, 1999. Thereafter, members appointed to these positions shall serve for terms of three (3) years or until their successors are appointed and qualified.

c. Vacancies shall be filled by the Board in the same manner as the original appointment.

3. Each member of the Committee shall be a resident of this state ~~and a practitioner of physical therapy and~~. The physical therapist and physical therapist assistant members shall be licensed pursuant to the Physical Therapy Practice Act for at least three (3) years prior to appointment to the Committee. The lay member shall not be a physical therapist or a licensed health care professional or be related by adoption, blood, or marriage within the third degree of consanguinity to a physical therapist or a licensed health care professional.

~~The Physical Therapy Committee shall assist the State Board of Medical Licensure and Supervision in conducting examinations for applicants and shall advise the Board on all matters pertaining to the licensure, of physical therapists and physical therapist assistants and the practice of physical therapy. Members of the first Physical Therapy Committee shall be appointed for terms of one (1), two (2), and three (3) years, respectively. Subsequent appointments shall be made for a term of three (3) years or until their successors are appointed and qualified. Vacancies shall be filled by the Board from a list of three persons submitted by the Oklahoma Chapter of the American Physical Therapy Association, each of whom shall be a resident of this state, a practitioner of physical therapy and licensed pursuant to the provisions of the Physical Therapy Practice Act for at least three (3) years prior to appointment to the Committee.~~

4. Members of the Committee shall be reimbursed for all actual and necessary expenses incurred in the performance of duties required by ~~this act~~ the Physical Therapy Practice Act in accordance with the provisions of the State Travel Reimbursement Act.

~~B.~~ C. The Committee shall have the power and duty to:

1. Assist in selecting and conducting examinations for licensure, and in determining which applicants successfully passed such examination;

2. Advise the Board on all matters pertaining to the licensure, education, and continuing education requirements for, and practice of physical therapy in this state;

3. Maintain a current list of approved schools of physical therapy and physical therapist assistants; and

4. Assist and advise in all hearings involving physical therapists or physical therapist assistants who are deemed to be in violation of the Physical Therapy Practice Act.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 887.6, is amended to read as follows:

Section 887.6 A. Except as otherwise provided by law, to be eligible for licensure as a physical therapist or physical therapist assistant pursuant to the provisions of the Physical Therapy Practice Act an applicant shall:

1. Be of good moral character; and

2. Pass an examination based on standards promulgated by the State Board of Medical Licensure and Supervision pursuant to the Physical Therapy Practice Act which shall include a written examination testing the knowledge of the applicant on:

a. the basic and clinical sciences as they relate to physical therapy theory and physical therapy procedures, and

b. such other subjects as the Board may deem necessary to test the applicant's fitness to practice physical therapy or as a physical therapist assistant. Examinations shall be held within this state at least once per year, at such time and place as the Board shall determine.

B. 1. In addition to the requirements provided by subsection A of this section, and except as provided in paragraph 2 of this subsection or subsection D of this section, an applicant for a license to practice as a physical therapist shall have graduated from a school of physical therapy approved by a national accrediting body which has been recognized by the Board.

2. An applicant for a license to practice as a physical therapist who has been educated through a program or school of physical therapy which is or has been sponsored by a branch of the armed forces of the United States may be licensed as a physical therapist if the Board determines that the education of the applicant is substantially equivalent to, or exceeds, the requirements of accredited educational programs.

C. 1. In addition to the requirements provided by subsection A of this section, and except as provided in paragraph 2 of this subsection, an applicant for a license to practice as a physical therapist assistant shall have graduated from an approved program for physical therapist assistants consisting of at least a two-year program approved by a national accrediting body which has been recognized by the Board. An approved course of study shall include such elementary and intermediate courses in the anatomical, biological, and physical sciences as may be determined by the Board.

2. An applicant for a license to practice as a physical therapist assistant who has been educated through a program for physical therapist assistants which is or has been sponsored by a branch of the armed forces of the United States may be licensed as a physical therapist assistant if the Board determines that the education of the applicant is substantially equivalent to, or exceeds, the requirements of accredited educational programs.

D. 1. Except as otherwise provided by paragraph 2 of this subsection, an applicant for licensure as a physical therapist who has been educated in physical therapy outside the United States shall meet the following qualifications:

a. be of good moral character,

b. have completed the application process,

c. provide satisfactory evidence that their education is substantially equivalent to the requirements of

physical therapists educated in accredited educational programs as determined by the Board. If the Board determines that a foreign-educated applicant's education is not substantially equivalent, it may require completion of additional course work before proceeding with the application process,

d. provide written proof that the school of physical therapy education is recognized by its own ministry of education,

e. provide written proof of authorization to practice as a physical therapist without limitations in the country where the professional education occurred,

f. provide proof of legal authorization to reside and seek employment in the United States or its territories,

g. have their educational credentials evaluated by a Board-approved credential evaluation agency,

h. have passed the Board-approved English proficiency examinations if their native language is not English,

i. have participated in an interim supervised clinical practice period prior to licensure, which may be waived at the discretion of the Board, if:

(1) the applicant for licensure is able to verify the successful completion of one (1) year of clinical practice in the United States or the District of Columbia, or

(2) the applicant is able to document exceptional expertise acceptable to the Board in the fields of research, education, or clinical practice, and

j. have successfully passed the national examination approved by the Board.

2. If the foreign-educated physical therapist applicant is a graduate of a CAPTE-accredited physical therapy education program, requirements in subparagraphs c, d, g and i of paragraph 1 of this subsection may be waived.

E. When a foreign-educated applicant satisfies the qualifications for licensure set forth in subparagraphs a through h of paragraph 1 of subsection D of this section, prior to licensure the Board shall issue an interim permit to the applicant for the purpose of participating in a supervised clinical practice period. The time period of an interim permit shall not be less than ninety (90) days nor more than six (6) months. An interim permit holder, to the satisfaction of the Board, shall complete a period of clinical practice under the continuous and immediate supervision of a physical therapist who holds an unrestricted license issued pursuant to the Physical Therapy Practice Act in a facility approved by the Board.

SECTION 3. AMENDATORY 59 O.S. 1991, Section 887.12, is amended to read as follows:

Section 887.12 A. 1. Except as otherwise provided by the Physical Therapy Practice Act, all licenses shall expire on January 31 of each year. A license may be renewed during the month of January of each year upon:

a. application,

b. evidence of satisfactory completion of a program of continuing education or of alternative requirements, as required by the State Board of Medical Licensure and Supervision pursuant to subsection B of this section, and

c. payment of fees ~~during the month of January of each year~~.

2. Applications for renewal of licensure shall be sent by the Board to all licensed physical therapists and physical therapist assistants at their last-known address. Failure to renew a license three (3) months after notification shall effect a forfeiture of the license granted pursuant to the provisions of the Physical Therapy Practice Act. Upon recommendation of the Board, a lapsed license may be revived upon the payment of all unpaid registration fees and pursuant to such rules ~~and regulations~~ as may be promulgated by the Board.

3. A physical therapist or physical therapist assistant who fails to apply for a renewal of a license for five (5) years may renew ~~said~~ the license by complying with the provisions of the Physical Therapy Practice Act relating to the issuance of an original license.

B. For physical therapists and physical therapist assistants, the Board shall establish by rule the requirements for:

1. A program of continuing education; and

2. Alternative requirements to establish continuing competence to practice.

The Board shall also establish by rule the minimum hours of continuing education needed to satisfy these requirements. In establishing these requirements, the Board shall consider any existing programs of continuing education currently being offered to licensed physical therapists or physical therapist assistants.

Passed the House of Representatives the 14th day of April, 1997.

Speaker of the House of Representatives

Passed the Senate the 1st day of April, 1997.

President of the Senate