

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1897
Page _____ Section _____ Lines _____
Of the printed Bill
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Doug Cox

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1897

By: Cox

7 PROPOSED COMMITTEE SUBSTITUTE

8
9 An Act relating to professions and occupations;
10 creating the Allied Professional Peer Assistance
11 Program; stating purpose; providing for powers and
12 duties of the Board; providing for fees; providing
13 for placement of funds; providing for records and
14 management; providing for immunity; providing for
15 suspension of license; requiring certain information
16 to be confidential; defining terms; amending 59 O.S.
17 2001, Sections 493.2, as last amended by Section 4,
18 Chapter 523, O.S.L. 2004, 493.3, 506, 509, as amended
19 by Section 9, Chapter 523, O.S.L. 2004, 509.1, as
20 last amended by Section 10, Chapter 523, O.S.L. 2004
21 and 3006 (59 O.S. Supp. 2008, Sections 493.2, 509 and
22 509.1), which relate to the Oklahoma Allopathic
23 Medical and Surgical Licensure and Supervision Act
24 and the Orthotics and Prosthetics Practice Act;
modifying the requirements of licensure for certain
persons; modifying requirements for issuance of
certain license; modifying authority for suspension
of license; modifying definition of unprofessional
conduct; modifying disciplinary actions; authorizing
Board to issue temporary license; providing for
codification; providing an effective date; and
declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 518.1 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. There is hereby established the Allied Professional Peer
5 Assistance Program to rehabilitate allied medical professionals
6 whose competency may be compromised because of the abuse of drugs or
7 alcohol, so that such allied medical professionals can be treated
8 and can return to or continue the practice of allied medical
9 practice in a manner which will benefit the public. The program
10 shall be under the supervision and control of the Oklahoma Board of
11 Medical Licensure and Supervision.

12 B. The Board shall appoint one or more peer assistance
13 evaluation advisory committees, hereinafter called the "allied peer
14 assistance committees". Each of these committees shall be composed
15 of members, the majority of which shall be licensed allied medical
16 professionals with expertise in chemical dependency. The allied
17 peer assistance committees shall function under the authority of the
18 Oklahoma Board of Medical Licensure and Supervision in accordance
19 with the rules of the Board. The program may be one hundred percent
20 (100%) outsourced to professional groups specialized in this arena.
21 The committee members shall serve without pay, but may be reimbursed
22 for the expenses incurred in the discharge of their official duties
23 in accordance with the State Travel Reimbursement Act.

24

1 C. The Board shall appoint and employ a qualified person or
2 persons to serve as program coordinators and shall fix such person's
3 compensation. The Board shall define the duties of the program
4 coordinators who shall report directly to the Board.

5 D. The Board is authorized to adopt and revise rules, not
6 inconsistent with the Oklahoma Allopathic Medical and Surgical
7 Licensure and Supervision Act, as may be necessary to enable it to
8 carry into effect the provisions of this section.

9 E. A portion of licensing fees for each allied profession, not
10 to exceed Ten Dollars (\$10.00), may be used to implement and
11 maintain the Allied Professional Peer Assistance Program.

12 F. All monies paid pursuant to subsection E of this section
13 shall be deposited in an agency special account revolving fund under
14 the Oklahoma Board of Medical Licensure and Supervision, and shall
15 be used for the general operating expenses of the Allied
16 Professional Peer Assistance Program, including payment of personal
17 services.

18 G. Records and management information system of the
19 professionals enrolled in the Allied Professional Peer Assistance
20 Program and reports shall be maintained in the program office in a
21 place separate and apart from the records of the Board. The records
22 shall be made public only by subpoena and court order; provided
23 however, confidential treatment shall be cancelled upon default by
24 the professional in complying with the requirements of the program.

1 H. Any person making a report to the Board or to an allied peer
2 assistance committee regarding a professional suspected of
3 practicing allied medical practice while habitually intemperate or
4 addicted to the use of habit-forming drugs, or a professional's
5 progress or lack of progress in rehabilitation, shall be immune from
6 any civil or criminal action resulting from such reports, provided
7 such reports are made in good faith.

8 I. A professional's participation in the Allied Professional
9 Peer Assistance Program in no way precludes additional proceedings
10 by the Board for acts or omissions of acts not specifically related
11 to the circumstances resulting in the professional's entry into the
12 program. However, in the event the professional defaults from the
13 program, the Board may discipline the professional for those acts
14 which led to the professional entering the program.

15 J. The Executive Director of the Board shall suspend the
16 license immediately upon notification that the licensee has
17 defaulted from the Allied Professional Peer Assistance Program, and
18 shall assign a hearing date for the matter to be presented to the
19 Board.

20 K. All treatment information, whether or not recorded, and all
21 communications between a professional and therapist are both
22 privileged and confidential. In addition, the identity of all
23 persons who have received or are receiving treatment services shall
24 be considered confidential and privileged.

1 L. As used in this section, unless the context otherwise
2 requires:

3 1. "Board" means the Oklahoma Board of Medical Licensure and
4 Supervision; and

5 2. "Allied peer assistance committee" means the peer assistance
6 evaluation advisory committee created in this section, which is
7 appointed by the Oklahoma Board of Medical Licensure and Supervision
8 to carry out specified duties.

9 SECTION 2. AMENDATORY 59 O.S. 2001, Section 493.2, as
10 last amended by Section 4, Chapter 523, O.S.L. 2004 (59 O.S. Supp.
11 2008, Section 493.2), is amended to read as follows:

12 Section 493.2 A. Foreign applicants shall meet all
13 requirements for licensure as provided in Sections 492.1 and 493.1
14 of this title.

15 B. 1. A foreign applicant shall possess the degree of Doctor
16 of Medicine or a Board-approved equivalent based on satisfactory
17 completion of educational programs from a recognized foreign medical
18 school with education and training substantially equivalent to that
19 offered by the University of Oklahoma College of Medicine as
20 evidenced by national and international resources available to the
21 Board.

22 2. In the event the foreign medical school utilized clerkships
23 in the United States, its territories or possessions, such
24 clerkships shall have been performed in hospitals and schools that

1 have programs accredited by the Accreditation Council for Graduate
2 Medical Education (ACGME).

3 C. A foreign applicant shall have a command of the English
4 language that is satisfactory to the State Board of Medical
5 Licensure and Supervision, demonstrated by the passage of an oral
6 English competency examination.

7 D. The Board may promulgate rules requiring all foreign
8 applicants to satisfactorily complete at least twelve (12) months
9 and up to twenty-four (24) months of Board-approved progressive
10 graduate medical training as determined necessary by the Board for
11 the protection of the public health, safety and welfare.

12 E. All credentials, diplomas and other required documentation
13 in a foreign language submitted to the Board by such applicants
14 shall be accompanied by notarized English translations.

15 F. Foreign applicants shall provide satisfactory evidence of
16 having met the requirements for permanent residence or temporary
17 nonimmigrant status as set forth by the United States Immigration
18 and Naturalization Service.

19 G. Foreign applicants shall provide a certified copy of the
20 Educational Commission for Foreign Medical Graduates (ECFMG)
21 Certificate to the Board at such time and in such manner as required
22 by the Board. The Board may waive the requirement for an
23 Educational Commission for Foreign Medical Graduates Certificate by
24 rule for good cause shown.

1 SECTION 3. AMENDATORY 59 O.S. 2001, Section 493.3, is
2 amended to read as follows:

3 Section 493.3 A. Endorsement of licensed applicants: The
4 State Board of Medical Licensure and Supervision may issue a license
5 by endorsement to an applicant who:

6 1. Has complied with all current medical licensure requirements
7 except those for examination; and

8 2. Has passed a medical licensure examination given in English
9 in another state, the District of Columbia, a territory or
10 possession of the United States, or Canada, or has passed the
11 National Boards Examination administered by the National Board of
12 Medical Examiners, provided the Board determines that such
13 examination was equivalent to the Board's examination used at the
14 time of application.

15 B. Notwithstanding any other provision of the Oklahoma
16 Allopathic Medical and Surgical Licensure and Supervision Act, the
17 Board may require applicants for full and unrestricted medical
18 licensure by endorsement, who have not been formally tested by
19 another state or territory of the United States or any Canadian
20 medical licensure jurisdiction, a Board-approved medical
21 certification agency, or a Board-approved medical specialty board
22 within a specific period of time before application to pass a
23 written and/or oral medical examination approved by the Board.

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1 C. The Board may authorize the secretary to issue a temporary
2 medical license for the intervals between Board meetings. A
3 temporary license shall be granted only when the secretary is
4 satisfied as to the qualifications of the applicant to be licensed
5 under the Oklahoma Allopathic Medical and Surgical Licensure and
6 Supervision Act but where such qualifications have not been verified
7 to the Board. A temporary license shall:

8 1. Be granted only to an applicant demonstrably qualified for a
9 full and unrestricted medical license under the requirements set by
10 the Oklahoma Allopathic Medical and Surgical Licensure and
11 Supervision Act and the rules of the Board; and

12 2. Automatically terminate on the date of the next Board
13 meeting at which the applicant may be considered for a full and
14 unrestricted medical license.

15 D. The Board may establish rules authorizing the issuance of
16 conditional, restricted, or otherwise circumscribed licenses, or
17 issuance of licenses under terms of agreement, for all licenses
18 under its legislative jurisdiction as are necessary for the public
19 health, safety, and welfare.

20 SECTION 4. AMENDATORY 59 O.S. 2001, Section 506, is
21 amended to read as follows:

22 Section 506. A. If it is the decision of the State Board of
23 Medical Licensure and Supervision, after considering all the
24 testimony presented, that the defendant is guilty as charged, the

1 Board shall revoke the license of the defendant, and the defendant's
2 rights to practice medicine and surgery. The Board, however, may
3 suspend a license, during which suspension the holder of such
4 suspended license shall not be entitled to practice medicine and
5 surgery thereunder. If during suspension, the defendant practiced
6 medicine or surgery or has been guilty of any act of unprofessional
7 conduct, as defined by the Oklahoma Allopathic Medical and Surgical
8 Licensure and Supervision Act, the Board may revoke the license of
9 such licensee or place the licensee upon probation for any period of
10 time not less than one (1) year, nor more than five (5) years, or on
11 second offense place the licensee on probation for an indefinite
12 period of time, during which time the licensee's conduct will be
13 kept under observation. The Board, furthermore, may impose on the
14 defendant, as a condition of any suspension or probation, a
15 requirement that the defendant attend and produce evidence of
16 successful completion of a specific term of education, residency, or
17 training in enumerated fields and/or institutions as ordered by the
18 Board based on the facts of the case. The education, residency, or
19 training shall be at the expense of the defendant. The Board may
20 also impose other disciplinary actions as provided for in Section
21 509.1 of this title. At the end of any term of suspension imposed
22 by the Board, the applicant for reinstatement shall show to the
23 Board successful completion of all conditions and requirements
24 imposed by the Board and demonstrate eligibility for reinstatement.

1 B. Immediately upon learning that a licensee has been convicted
2 of a felonious violation of a state or federal narcotics law, the
3 Executive Director of the Board shall summarily suspend the license
4 and assign a hearing date for the matter to be presented to the
5 Board. Immediately upon learning that a licensee is in violation of
6 a Board-ordered probation, the Executive Director of the Board may
7 summarily suspend the license based on imminent harm to the public
8 and assign a hearing date for the matter to be presented at the next
9 scheduled Board meeting.

10 SECTION 5. AMENDATORY 59 O.S. 2001, Section 509, as
11 amended by Section 9, Chapter 523, O.S.L. 2004 (59 O.S. Supp. 2008,
12 Section 509), is amended to read as follows:

13 Section 509. The words "unprofessional conduct" as used in
14 Sections 481 through 514 of this title are hereby declared to
15 include, but shall not be limited to, the following:

- 16 1. Procuring, aiding or abetting a criminal operation;
- 17 2. The obtaining of any fee or offering to accept any fee,
18 present or other form of remuneration whatsoever, on the assurance
19 or promise that a manifestly incurable disease can or will be cured;
- 20 3. Willfully betraying a professional secret to the detriment
21 of the patient;
- 22 4. Habitual intemperance or the habitual use of habit-forming
23 drugs;

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1 5. Conviction of a felony or of any offense involving moral
2 turpitude;

3 6. All advertising of medical business in which statements are
4 made which are grossly untrue or improbable and calculated to
5 mislead the public;

6 7. Conviction or confession of a crime involving violation of:

7 a. the antinarcotic or prohibition laws and regulations
8 of the federal government,

9 b. the laws of this state, or

10 c. State Board of Health rules;

11 8. Dishonorable or immoral conduct which is likely to deceive,
12 defraud, or harm the public;

13 9. The commission of any act which is a violation of the
14 criminal laws of any state when such act is connected with the
15 physician's practice of medicine. A complaint, indictment or
16 confession of a criminal violation shall not be necessary for the
17 enforcement of this provision. Proof of the commission of the act
18 while in the practice of medicine or under the guise of the practice
19 of medicine shall be unprofessional conduct;

20 10. Failure to keep complete and accurate records of purchase
21 and disposal of controlled drugs or of narcotic drugs;

22 11. The writing of false or fictitious prescriptions for any
23 drugs or narcotics declared by the laws of this state to be
24 controlled or narcotic drugs;

1 12. Prescribing or administering a drug or treatment without
2 sufficient examination and the establishment of a valid physician-
3 patient relationship;

4 13. The violation, or attempted violation, direct or indirect,
5 of any of the provisions of the Oklahoma Allopathic Medical and
6 Surgical Licensure and Supervision Act, either as a principal,
7 accessory or accomplice;

8 14. Aiding or abetting, directly or indirectly, the practice of
9 medicine by any person not duly authorized under the laws of this
10 state;

11 15. The inability to practice medicine with reasonable skill
12 and safety to patients by reason of age, illness, drunkenness,
13 excessive use of drugs, narcotics, chemicals, or any other type of
14 material or as a result of any mental or physical condition. In
15 enforcing this subsection the State Board of Medical Licensure and
16 Supervision may, upon probable cause, request a physician to submit
17 to a mental or physical examination by physicians designated by it.
18 If the physician refuses to submit to the examination, the Board
19 shall issue an order requiring the physician to show cause why the
20 physician will not submit to the examination and shall schedule a
21 hearing on the order within thirty (30) days after notice is served
22 on the physician. The physician shall be notified by either
23 personal service or by certified mail with return receipt requested.
24 At the hearing, the physician and the physician's attorney are

1 entitled to present any testimony and other evidence to show why the
2 physician should not be required to submit to the examination.
3 After a complete hearing, the Board shall issue an order either
4 requiring the physician to submit to the examination or withdrawing
5 the request for examination. The medical license of a physician
6 ordered to submit for examination may be suspended until the results
7 of the examination are received and reviewed by the Board;

8 16. Prescribing, dispensing or administering of controlled
9 substances or narcotic drugs in excess of the amount considered good
10 medical practice, or prescribing, dispensing or administering
11 controlled substances or narcotic drugs without medical need in
12 accordance with published standards;

13 17. Engaging in physical conduct with a patient which is sexual
14 in nature, or in any verbal behavior which is seductive or sexually
15 demeaning to a patient;

16 18. Failure to maintain an office record for each patient which
17 accurately reflects the evaluation, treatment, and medical necessity
18 of treatment of the patient; ~~or~~

19 19. Failure to provide necessary ongoing medical treatment when
20 a doctor-patient relationship has been established, which
21 relationship can be severed by either party providing a reasonable
22 period of time is granted;

23 20. Failure to provide a proper and safe medical facility
24 setting and qualified assistive personnel for a recognized medical

1 act, including but not limited to an initial in-person patient
2 examination, office surgery, diagnostic service or any other medical
3 procedure or treatment. Adequate medical records to support
4 diagnosis, procedure, treatment or prescribed medications must be
5 produced and maintained; or

6 21. Personal conduct, whether verbal or physical, that
7 negatively affects or that potentially may negatively affect patient
8 care. This includes but is not limited to conduct that interferes
9 with one's ability to work with other members of the health care
10 team.

11 SECTION 6. AMENDATORY 59 O.S. 2001, Section 509.1, as
12 last amended by Section 10, Chapter 523, O.S.L. 2004 (59 O.S. Supp.
13 2008, Section 509.1), is amended to read as follows:

14 Section 509.1 A. RANGE OF ACTIONS: The State Board of Medical
15 Licensure and Supervision may impose disciplinary actions in
16 accordance with the severity of violation of the Oklahoma Allopathic
17 Medical and Surgical Licensure and Supervision Act. Disciplinary
18 actions may include, but are not limited to the following:

- 19 1. Revocation of the medical license with or without the right
20 to reapply;
- 21 2. Suspension of the medical license;
- 22 3. Probation;
- 23 4. Stipulations, limitations, restrictions, and conditions
24 relating to practice;

1 5. Censure, including specific redress, if appropriate;

2 6. Reprimand;

3 7. A period of free public or charity service;

4 8. Satisfactory completion of an educational, training, and/or
5 treatment program or programs; and

6 9. Administrative fines of up to Five Thousand Dollars
7 (\$5,000.00) per violation.

8 Provided, as a condition of disciplinary action sanctions, the Board
9 may impose as a condition of any disciplinary action, the payment of
10 costs expended by the Board for any legal fees and costs and
11 probation and monitoring fees including, but not limited to, staff
12 time, salary and travel expense, witness fees and attorney fees.

13 The Board may take such actions singly or in combination as the
14 nature of the violation requires.

15 B. LETTER OF CONCERN: The Board may authorize the secretary to
16 issue a confidential letter of concern to a licensee when evidence
17 does not warrant formal proceedings, but the secretary has noted
18 indications of possible errant conduct that could lead to serious
19 consequences and formal action. The letter of concern may contain,
20 at the secretary's discretion, clarifying information from the
21 licensee.

22 C. EXAMINATION/EVALUATION: The Board may, upon reasonable
23 cause, require professional competency, physical, mental, or
24

1 chemical dependency examinations of any licensee, including
2 withdrawal and laboratory examination of body fluids.

3 D. DISCIPLINARY ACTION AGAINST LICENSEES:

4 1. The Board shall promulgate rules describing acts of
5 unprofessional or unethical conduct by physicians pursuant to the
6 Oklahoma Allopathic Medical and Surgical Licensure and Supervision
7 Act; and

8 2. Grounds for Action: The Board may take disciplinary action
9 for unprofessional or unethical conduct as deemed appropriate based
10 upon the merits of each case and as set out by rule. The Board
11 shall not revoke the license of a person otherwise qualified to
12 practice allopathic medicine within the meaning of the Oklahoma
13 Allopathic Medical and Surgical Licensure and Supervision Act solely
14 because the person's practice or a therapy is experimental or
15 nontraditional.

16 Reports of all disciplinary action provided for in this section
17 will be available to the public upon request.

18 E. ~~4.~~ SURRENDER IN LIEU OF PROSECUTION:

19 1. The Board may accept a surrender of license from a licensee
20 who has engaged in unprofessional conduct in lieu of Board staff
21 prosecuting a pending disciplinary action or filing formal
22 disciplinary proceedings only as provided in this section. To
23 effect such a surrender, the licensee must submit a sworn statement
24 to the Board:

- a. expressing the licensee's desire to surrender the license,
- b. acknowledging that the surrender is freely and voluntarily made, that the licensee has not been subjected to coercion or duress, and that the licensee is fully aware of the consequences of the license surrender,
- c. stating that the licensee is the subject of an investigation or proceeding by the Board or a law enforcement or other regulatory agency involving allegations which, if proven, would constitute grounds for disciplinary action by the Board, and
- d. specifically admitting to and describing the misconduct.

2. The sworn written statement must be submitted with the licensee's wallet card and wall certificate. The Secretary or Executive Director of the Board may accept the sworn statement, wallet card and wall certificate from a licensee pending formal acceptance by the Board. The issuance of a complaint and citation by the Board shall not be necessary for the Board to accept a surrender under this subsection. A surrender under this subsection shall be considered disciplinary action by the Board in all cases, even in cases where surrender occurs prior to the issuance of a formal complaint and citation, and shall be reported as disciplinary

1 action by the Board to the public and any other entity to whom the
2 Board regularly reports disciplinary actions.

3 3. As a condition to acceptance of the surrender, the Board may
4 require the licensee to pay the costs expended by the Board for any
5 legal fees and costs and any investigation, probation and monitoring
6 fees including, but not limited to, staff time, salary and travel
7 expense, witness fees and attorney fees.

8 4. The licensee whose surrender in lieu of prosecution is
9 accepted by the Board shall be ineligible to reapply for
10 reinstatement of his or her license for at least one (1) year from
11 the date of the accepted surrender.

12 F. ALL LICENSED PROFESSIONALS: All disciplinary actions
13 defined in this section are applicable to any and all professional
14 licensees under the legislative jurisdiction of the State Board of
15 Medical Licensure and Supervision.

16 SECTION 7. AMENDATORY 59 O.S. 2001, Section 3006, is
17 amended to read as follows:

18 Section 3006. A. The State Board of Medical Licensure and
19 Supervision, with the assistance of the Advisory Committee on
20 Orthotics and Prosthetics, shall establish qualifications for
21 licensure and registration under the Orthotics and Prosthetics
22 Practice Act. Until November 1, 2004, the Board shall provide, as
23 set forth herein, an alternative qualification licensure opportunity
24 for current practitioners in this state who are unable to meet

1 standard qualifications. Persons meeting the qualifications of more
2 than one discipline may be licensed in more than one discipline.

3 B. To be licensed to practice orthotics or prosthetics
4 according to standard qualifications, a person shall:

5 1. Possess a baccalaureate degree from an institution of higher
6 education accredited by a general accrediting agency recognized by
7 the Oklahoma State Regents for Higher Education;

8 2. Have completed an orthotic or prosthetic education program
9 that meets or exceeds the requirements, including clinical practice,
10 of the Commission on Accreditation of Allied Health Education
11 Programs;

12 3. Have completed a clinical residency in the professional area
13 for which the license is sought that meets or exceeds the standards,
14 guidelines, and procedures for residencies of the National
15 Commission on Orthotic and Prosthetic Education or of any other such
16 group that is recognized by the State Board of Medical Licensure and
17 Supervision; and

18 4. Demonstrate attainment of internationally accepted standards
19 of orthotic and prosthetic care as outlined by the International
20 Society of Prosthetics and Orthotics professional profile for
21 Category I orthotic and prosthetic personnel.

22 C. To be licensed to practice orthotics or prosthetics under
23 alternative qualification requirements, a person shall:

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1 1. Pass an examination in the area of licensure, which may be
2 an available examination designated by the State Board of Medical
3 Licensure and Supervision or an examination developed by the Board;
4 and

5 2. Execute an alternative qualification contract with the State
6 Board of Medical Licensure and Supervision the conditions of which
7 shall be based on the Board's evaluation of the applicant's
8 experience and the Board's determination of further experience
9 needed or other requirements to be met, which contract shall specify
10 a period of time not to exceed ten (10) years for completion of the
11 further experience or requirements.

12 D. Upon execution of the alternative qualification contract,
13 the Board shall issue a license and shall renew the license subject
14 to the licensee's making satisfactory progress as required by the
15 contract. Persons who satisfactorily complete the alternative
16 qualification contract shall be thereafter considered as having met
17 the qualifications necessary for license renewal.

18 E. No person shall be permitted to enter into an alternative
19 qualification contract after October 31, 2004. A person who has not
20 done so by October 31, 2004, shall not be issued a license to
21 practice orthotics or prosthetics without meeting standard
22 qualifications.

23 F. Notwithstanding any other provision of this section, a
24 person who has practiced full time during the three-year period

1 preceding the effective date of this act in a prosthetic or orthotic
2 facility as a prosthetist or orthotist and has a high school diploma
3 or equivalent, or who has practiced as an assistant or technician,
4 may file an application with the Board within ninety (90) days from
5 the effective date of this act for permission to continue to
6 practice at his or her identified level of practice. The Board,
7 after verifying the applicant's work history and receiving payment
8 of the application fee as established pursuant to this act, shall,
9 without examination of the applicant, issue the applicant a license
10 or certificate of registration. To make the investigations
11 necessary to verify the applicant's work history, the Board may
12 require that the applicant complete a questionnaire regarding the
13 work history and scope of practice. The Board shall take no more
14 than six (6) months to verify the work history. Applicants applying
15 after the ninety-day application period of this subsection has
16 expired shall meet the qualifications elsewhere set forth for
17 standard or alternative qualification for licensure or for
18 registration as determined by the Board.

19 G. The Board may authorize the Board Secretary to issue a
20 temporary license for up to two (2) years to individuals who have
21 graduated from a program and completed their residency as outlined
22 in subsection B of this section, but not yet passed the licensure
23 exam. A temporary license authorizing practice under supervision
24 shall be granted only when the Board Secretary is satisfied as to

1 the qualifications of the applicant to be licensed under the
2 Orthotics and Prosthetics Practice Act except for examination. A
3 temporary license shall be granted only to an applicant demonstrably
4 qualified for a full and unrestricted license under the requirements
5 set by the Orthotics and Prosthetics Practice Act and the rules of
6 the Board.

7 SECTION 8. This act shall become effective July 1, 2009.

8 SECTION 9. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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13 52-1-6789 LRB 02/13/09

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