

EHB 2678

THE STATE SENATE
Tuesday, March 30, 2010

ENGROSSED

House Bill No. 2678

ENGROSSED HOUSE BILL NO. 2678 - By: Faught of the House and Jolley of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 3006, as amended by Section 9, Chapter 261, O.S.L. 2009 (59 O.S. Supp. 2009, Section 3006), which relates to the Orthotics and Prosthetics Practice Act; modifying licensing procedures; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 3006, as amended by Section 9, Chapter 261, O.S.L. 2009 (59 O.S. Supp. 2009, Section 3006), is amended to read as follows:

Section 3006. A. The State Board of Medical Licensure and Supervision, with the assistance of the Advisory Committee on Orthotics and Prosthetics, shall establish qualifications for licensure and registration under the Orthotics and Prosthetics Practice Act. Until November 1, 2004, the Board shall provide, as set forth herein, an alternative qualification licensure opportunity for current practitioners in this state who are unable to meet standard qualifications. Persons meeting the qualifications of more than one discipline may be licensed in more than one discipline.

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

3 1. Demonstrate certification by the Board for
4 Orthotist/Prosthetist Certification (BOC), or the American Board for
5 Certification in Orthotics, Prosthetics & Pedorthics (ABC); or

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

10 ~~2.~~

11 b. Have completed an orthotic or prosthetic education
12 program that meets or exceeds the requirements,
13 including clinical practice, of the Commission on
14 Accreditation of Allied Health Education Programs;

15 ~~3.~~

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

23 ~~4.~~

1 d. Demonstrate attainment of internationally accepted
2 standards of orthotic and prosthetic care as outlined
3 by the International Society of Prosthetics and
4 Orthotics professional profile for Category I orthotic
5 and prosthetic personnel.

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

8 1. Pass an examination in the area of licensure, which may be
9 an available examination designated by the State Board of Medical
10 Licensure and Supervision or an examination developed by the Board;
11 and

12 2. Execute an alternative qualification contract with the State
13 Board of Medical Licensure and Supervision the conditions of which
14 shall be based on the Board's evaluation of the applicant's
15 experience and the Board's determination of further experience
16 needed or other requirements to be met, which contract shall specify
17 a period of time not to exceed ten (10) years for completion of the
18 further experience or requirements.

19 D. Upon execution of the alternative qualification contract,
20 the Board shall issue a license and shall renew the license subject
21 to the licensee's making satisfactory progress as required by the
22 contract. Persons who satisfactorily complete the alternative

1 qualification contract shall be thereafter considered as having met
2 the qualifications necessary for license renewal.

3 E. No person shall be permitted to enter into an alternative
4 qualification contract after October 31, 2004. A person who has not
5 done so by October 31, 2004, shall not be issued a license to
6 practice orthotics or prosthetics without meeting standard
7 qualifications.

8 F. Notwithstanding any other provision of this section, a
9 person who has practiced full time during the three-year period
10 preceding the effective date of this act in a prosthetic or orthotic
11 facility as a prosthetist or orthotist and has a high school diploma
12 or equivalent, or who has practiced as an assistant or technician,
13 may file an application with the Board within ninety (90) days from
14 the effective date of this act for permission to continue to
15 practice at his or her identified level of practice. The Board,
16 after verifying the applicant's work history and receiving payment
17 of the application fee as established pursuant to this act, shall,
18 without examination of the applicant, issue the applicant a license
19 or certificate of registration. To make the investigations
20 necessary to verify the applicant's work history, the Board may
21 require that the applicant complete a questionnaire regarding the
22 work history and scope of practice. The Board shall take no more
23 than six (6) months to verify the work history. Applicants applying

1 after the ninety-day application period of this subsection has
2 expired shall meet the qualifications elsewhere set forth for
3 standard or alternative qualification for licensure or for
4 registration as determined by the Board.

5 G. The Board may authorize the Board Secretary to issue a
6 temporary license for up to two (2) years to individuals who have
7 graduated from a program and completed their residency as outlined
8 in subsection B of this section, but not yet passed the licensure
9 exam. A temporary license authorizing practice under supervision
10 shall be granted only when the Board Secretary is satisfied as to
11 the qualifications of the applicant to be licensed under the
12 Orthotics and Prosthetics Practice Act except for examination. A
13 temporary license shall be granted only to an applicant demonstrably
14 qualified for a full and unrestricted license under the requirements
15 set by the Orthotics and Prosthetics Practice Act and the rules of
16 the Board.

17 SECTION 2. This act shall become effective November 1, 2010.

18 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN SERVICES, dated
19 3-25-10 - DO PASS.