

HOUSE No. 01882

The Commonwealth of Massachusetts

PRESENTED BY:

Donald F. Humason, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the registration of clinical exercise physiologists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>

HOUSE No. 01882

By Mr. Humason of Westfield, a petition (accompanied by bill, House, No. 1882) of Smizik and others relative to the registration of clinical exercise physiologists Joint Committee on Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the registration of clinical exercise physiologists.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 An Act relative to the registration of clinical exercise physiologists
- 2 SECTION 1. Chapter 13: Section 11A. Board; membership; appointment; term; removal;
- 3 election of officers; expenses; powers and duties
- 4 Section 11A. There shall be a board of allied health professions, hereinafter called the board,
- 5 which shall consist of fourteen members to be appointed by the governor. Members of the board
- 6 shall be residents of the commonwealth and citizens of the United States. Three of such members
- 7 shall be athletic trainers licensed in accordance with the provisions of section twenty-three B of
- 8 chapter one hundred and twelve; three of such members shall be clinical exercise physiologists
- 9 licensed in accordance with the provisions of section twenty-three B of chapter one hundred and
- 10 twelve; two of such members shall be occupational therapists licensed in accordance with the
- 11 provisions of section twenty-three B of chapter one hundred and twelve, one such member shall

12 be an occupational therapy assistant licensed in accordance with the provisions of said section
13 twenty-three B; two of such members shall be physical therapists licensed in accordance with the
14 provisions of said section twenty-three B; one such member shall be a physical therapist assistant
15 licensed in accordance with the provisions of said section twenty-three B; except that such
16 members constituting the first board shall be persons who are eligible for licensing as
17 practitioners of said allied health profession. One of such members shall be a physician licensed
18 in accordance with the provisions of section two of chapter one hundred and twelve, and one of
19 such members shall be selected from and shall represent the general public.

20 Each member of the board shall serve for a term of three years. No member shall be appointed to
21 more than two consecutive full terms, provided, however, that a member appointed for less than
22 a full term may serve two full terms in addition to such part of a full term, and a former member
23 shall again be eligible for appointment after a lapse of one or more years.

24 A member of the board may be removed by the governor for neglect of duty, misconduct,
25 malfeasance or misfeasance in office after being given a written statement of the charges against
26 him and sufficient opportunity to be heard thereon. Upon the death, resignation or removal for
27 cause of any member of the board, the governor shall fill such vacancy for the remainder of that
28 member's year.

29 The board shall, at its first meeting, and annually thereafter, elect from among its members a
30 chairman, vice-chairman, and a secretary. Such officers shall serve until their successors are
31 elected and qualified. The board shall meet at least once a month or more often upon the call of
32 the chairman at such times and places as the chairman shall designate.

33 Each member shall be reimbursed for necessary expenses incurred in the discharge of his official
34 duties.

35 The board shall have the following powers and duties:

36 (a) The board shall administer, coordinate, and enforce the provisions of this section, evaluate
37 the qualifications, and approve the examinations for licensure under this section, and may issue
38 subpoenas, examine witnesses, and administer oaths, and may investigate allegations of practices
39 violating the provisions of this section.

40 (b) The board shall adopt rules and regulations relating to professional conduct to carry out the
41 policy of this section including, but not limited to, regulations relating to professional licensure
42 and to the establishment of ethical standards of practice for persons holding a license to practice
43 athletic training, occupational therapy, or physical therapy in the commonwealth.

44 (c) The board shall conduct such hearings and keep such records and minutes as are necessary to
45 carry out its duties. The board shall provide reasonable public notice of the times and places of
46 all hearings authorized under this section, in such manner and at such times as it may determine.

47 SECTION 2. Chapter 112: Section 23A. Definitions

48 Section 23A. The following words as used in sections twenty-three A to twenty-three P,
49 inclusive, unless the context otherwise requires, shall have the following meanings:—

50 “Athletic trainer”, any person who is duly licensed in accordance with this section as an athletic
51 trainer and who limits his practice to schools, teams or organizations with whom he is associated
52 and who is under the direction of a physician or dentist duly registered in the commonwealth.

53 “Athletic training”, the application of principles, methods and procedures of evaluation and
54 treatment of athletic injuries, preconditioning, conditioning and reconditioning of the athlete
55 through the use of appropriate preventative and supportive devices, temporary splinting and
56 bracing, physical modalities of heat, cold, massage, water, electric stimulation, sound, exercise
57 and exercise equipment under the discretion of a physician. Athletic training includes instruction
58 to coaches, athletes, parents, medical personnel and communities in the area of care and
59 prevention of athletic injuries.

60 “Board”, the board on allied health professions, established under section eleven A of chapter
61 thirteen.

62 “Clinical Exercise Physiology”, an allied health profession that utilizes the application of
63 scientific principles to design, implement, supervise and evaluate outcomes for exercise services
64 provided to individuals with chronic diseases, conditions and/or functional deficits. Clinical
65 Exercise Physiology services focus on the enhancement of physical capabilities for the purpose
66 of: (1) chronic disease management; (2) reducing risks for premature development of or
67 recurrence of chronic diseases; (3) promoting behavioral patterns consistent with maintenance of
68 health; (4) improving performance of activities of daily living; (5) increasing the potential for
69 physical, social and economic independence. The Clinical Exercise Physiologist (CEP) possesses
70 the scientific knowledge, technical skills, interpretive abilities, and practical experiences
71 necessary to provide individualized exercise for clinical populations. The CEP is uniquely
72 competent to educate, motivate and counsel individuals with medical considerations in their
73 efforts to reduce functional deficits, safely improve and maintain their physical fitness and
74 develop healthy lifestyles. The CEP also measures, evaluates, and provides supportive
75 consultation to other allied-health providers relative to multidimensional physical fitness and

76 exercise testing. The CEP formulates, develops and implements exercise protocols and
77 programs, administers graded exercise tests, and provides education regarding such exercise
78 programs and tests and risk factor modification in a rehabilitation or diagnostic setting to
79 individuals with cardiovascular, pulmonary, and metabolic diseases, neoplastic
80 (oncology)/immunologic/hematologic conditions, along with chronic orthopedic and
81 neuromuscular diseases and disabilities.

82 “Clinical Exercise Physiologist”, a person who is duly licensed to practice clinical exercise
83 physiology in the commonwealth in accordance with section twenty-three B.

84 ”Exercise Protocols and Programs”, the intensity, duration, frequency, volume, and mode of
85 activity to improve and/or maintain an individual’s functional capacity.

86 “Occupational therapy”, the application of principles, methods and procedures of evaluation,
87 problem identification, treatment, education, and consultation which utilizes purposeful activity
88 in order to maximize independence, prevent or correct disability, and maintain health. These
89 services are used with individuals, throughout the life span, whose abilities to interact with their
90 environment are limited by physical injury or illness, disabilities, poverty and cultural
91 differences or the aging process. Occupational therapy includes but is not limited to: (1)
92 administering and interpreting tests necessary for effective treatment planning; (2) developing
93 daily living skills, perceptual motor skills, sensory integrative functioning, play skills and
94 prevocational and vocational work capacities; (3) designing, fabricating or applying selected
95 orthotic and prosthetic devices or selected adaptive equipment; (4) utilizing designated
96 modalities, superficial heat and cold, and neuromuscular facilitation techniques to improve or
97 enhance joint motion muscle function; (5) designing and applying specific therapeutic activities

98 and exercises to enhance or monitor functional or motor performance and to reduce stress; and
99 (6) adapting environments for the handicapped. These services are provided to individuals or
100 groups through medical, health, educational, industrial or social systems.

101 Occupational therapy shall also include delegating of selective forms of treatment to
102 occupational therapy assistants and occupational therapy aides; provided, however, that the
103 occupational therapist so delegating shall assume the responsibility for the care of the patient and
104 the supervision of the occupational therapy assistant or the occupational therapy aide.

105 “Occupational therapist”, a person who is duly licensed to practice occupational therapy in the
106 commonwealth in accordance with section twenty-three B.

107 “Occupational therapy assistant”, a person duly licensed in accordance with section twenty-three
108 B and who assists in the practice of occupational therapy who works under the supervision of a
109 duly licensed occupational therapist.

110 “Physical therapy”, a health profession that utilizes the application of scientific principles for the
111 identification, prevention, remediation and rehabilitation of acute or prolonged physical
112 dysfunction thereby promoting optimal health and function. Physical therapy practice is
113 evaluation, treatment and instruction related to neuromuscular, musculoskeletal, cardiovascular
114 and respiratory functions. Such evaluation shall include but is not limited to performance and
115 interpretation of tests as an aid to the diagnosis or planning of treatment programs. Such
116 treatment shall include but is not limited to the use of therapeutic exercise, physical activities,
117 mobilization, functional and endurance training, traction, bronchopulmonary hygiene postural
118 drainage, temporary splinting and bracing, massage, heat, cold, water, radiant energy, electricity
119 or sound. Such instruction shall include teaching both patient and family physical therapy

120 procedures as part of a patient's ongoing program. Physical therapy also shall include the
121 delegating of selective forms of treatment to physical therapist assistants and physical therapy
122 aides; provided, however, that the physical therapist so delegating shall assume the responsibility
123 for the care of the patient and the supervision of the physical therapist assistant or physical
124 therapy aide.

125 Physical therapy shall also include the providing of consultation services for health, educational,
126 and community agencies.

127 "Physical therapist", a person who is duly licensed to practice physical therapy in the
128 commonwealth in accordance with section twenty-three B.

129 "Physical therapist assistant", a person duly licensed in accordance with section twenty-three B
130 and who assists in the practice of physical therapy under the direction of a duly licensed physical
131 therapist.

132 "Recognized educational institution", a degree-granting college or university recognized as such
133 by the United States Office of Education of the Commonwealth.

134 Chapter 112: Section 23B. Examinations; applications for licensure; fees; renewal of license

135 Section 23B. The board shall examine applicants for licensure in each of the fields it supervises
136 at such times and places as it may determine and shall conduct at least two such examinations in
137 each field in each calendar year. The board shall establish examination and testing procedures to
138 enable the board to ascertain the competency of persons wishing to be licensed as qualified
139 athletic trainers, clinical exercise physiologists, occupational therapists, occupational therapy
140 assistants, physical therapists and physical therapist assistants. Applications for such licenses,

141 signed and sworn by the applicants shall be made on forms furnished by the board. An applicant
142 who furnished satisfactory proof that he is of good moral character and that he has met the
143 educational and clinical practice requirements set forth in section twenty-three F, twenty-three
144 F1/2, twenty-three G, twenty-three H, twenty-three I, or twenty-three J, shall, upon payment of a
145 fee determined by the secretary of administration and finance, be examined by the board, and if
146 found qualified, and if he passes the examination, shall be licensed to practice.

147 Licenses shall expire every 2 years on the birth anniversary of the licensee. Licensees shall pay
148 to the board a renewal fee determined by the secretary of administration and finance. The board
149 may require specific continuing education as a condition of license renewal. The board may
150 provide for the late renewal of a license that has lapsed and may require the payment of a late
151 fee, an examination, continuing education, and supervised experience before issuing the renewed
152 license. For purposes of implementing the transition to birthday renewals, for licenses renewing
153 on or about January 2006, the board may issue licenses that expire in less than 2 years.

154 Chapter 112: Section 23C. Practice upon filing of license application

155 Section 23C. A person who meets the qualifications to be admitted to the examination for
156 licensure as an athletic trainer or a clinical exercise physiologist or an occupational therapist or
157 occupational therapy assistant or physical therapist or physical therapist assistant, may between
158 the date of filing an application for licensure and the announcement of the results of the next
159 succeeding examination for licensure, according to which application he has filed, practice as an
160 athletic trainer; as a clinical exercise physiologist; as an occupational therapist or as an
161 occupation therapy assistant under the direction of an occupational therapist duly licensed under
162 this chapter; as a physical therapist or physical therapist assistant under direction of a physical

163 therapist duly licensed under this chapter. If any person so practicing fails to qualify for or pass
164 the first announced examination after filing for licensure, all privileges under this section shall
165 automatically cease upon due notice to the applicant of such failure. Such privileges shall be
166 renewed upon filing for a second examination for licensure and shall automatically cease upon
167 notice to the applicant that he has failed to pass the second examination. Such privileges may
168 again be renewed upon the applicant petitioning the board for permission to file a third
169 application and said permission being granted by the board, and shall automatically cease upon
170 due notice that he has failed to pass the third examination. The privilege shall not exceed beyond
171 the third examination.

172 Chapter 112: Section 23D. Licensing of persons registered or licensed in other states, territories,
173 etc.; fees

174 Section 23D. The board may without examination, license as an athletic trainer, or a clinical
175 exercise physiologist, or an occupational therapist or occupational therapy assistant, or physical
176 therapist or physical therapist assistant, any applicant who is duly licensed or registered under
177 the laws of another state or territory of the United States, the District of Columbia, or the
178 Commonwealth of Puerto Rico. At the time of making such application, the applicant shall pay a
179 fee determined by the secretary of administration and finance to the board.

180 Chapter 112: Section 23E. Construction

181 Section 23E. Nothing in this section shall be construed as preventing or restricting the practice,
182 services, or activities of:

183 (a) any person licensed in this commonwealth by any other statute from engaging in the
184 profession or occupation for which he is licensed, or

185 (b) any person employed as an athletic trainer or clinical exercise physiologist or occupational
186 therapist or occupational therapy assistant or physical therapist or physical therapist assistant by
187 the Government of the United States or any agency of it, if such person provides occupational
188 therapy or physical therapy solely under the direction or control of the organization by which he
189 is employed, or

190 (c) any person pursuing a supervised course of study leading to a degree or certificate in athletic
191 training or clinical exercise physiology or occupational therapy or physical therapy at an
192 accredited or approved educational program, if the person is designated by a title which clearly
193 indicates his status as a student or trainee, or

194 (d) any person fulfilling the supervised field work experience requirements of this section, if the
195 experience constitutes a part of the experience necessary to meet the requirement of that section,
196 or

197 (e) any person performing athletic training services or clinical exercise physiology services or
198 occupational therapy services or physical therapy services in the commonwealth if these services
199 are performed for no more than two days in a calendar year in association with an athletic trainer
200 or clinical exercise physiologist or occupational therapist or physical therapist licensed under this
201 section, if the person is licensed under the law of another state which has licensure requirements
202 at least as stringent as the requirements of this section.

203 Chapter 112: Section 23F. Athletic trainers; qualifications

204 Section 23F. An applicant for licensure as an athletic trainer shall:

205 (a) be a graduate of a college or university approved by the board and completed such college's
206 or university's curriculum in athletic training, or other curricula deemed acceptable to the board:
207 and has completed a program of practical training in athletic training deemed acceptable to the
208 board.

209 (b) have passed an examination administered by the board. Such examination shall be written,
210 and, in addition, at the discretion of the board, may be oral and demonstrative, and shall test the
211 applicant's knowledge of the basic and clinical sciences as they apply to athletic training theory
212 and practice, including the applicant's professional skills and judgment in the utilization of
213 athletic training techniques and methods, and such other subjects as the board may deem useful
214 to determine the applicant's fitness to act as an athletic trainer. The examination shall be
215 conducted at least twice a year at times and places to be determined by the board.

216 Chapter 112: Section 23F1/2. Clinical Exercise Physiologist; qualifications

217 Section 23I. An applicant for licensure as a clinical exercise physiologist shall:

218 (a) hold a master's degree or higher with a major course of study in clinical exercise physiology,
219 exercise science, kinesiology, or applied exercise physiology from an accredited college or
220 university approved by the board, or be a graduate of an accredited educational program in
221 Exercise Physiology, and including a minimum of 600 hours of clinical experience as a clinical
222 exercise physiologist,

223 (b) or have graduated from an educational program in clinical exercise physiology, exercise
224 science, kinesiology, or applied exercise physiology chartered in a sovereign state outside the
225 United States and have furnished to the board such evidence as it may require: (1) that his
226 education is substantially the equivalent of that of graduates of approved programs in the United

227 States, and (2) that he has sufficient qualifications, including the proficiency in the English
228 language, to practice clinical exercise physiology,

229 (c) and passed the American College of Sports Medicine examination for Registered Clinical
230 Exercise Physiologists or Clinical Exercise Specialists or equivalent as determined by the board.

231 Chapter 112: Section 23G. Occupational therapists; qualifications

232 Section 23G. An applicant for licensure as an occupational therapist shall:

233 (a) successfully completed an accredited occupational therapist educational program approved by
234 the board,

235 (b) successfully completed the therapist level field work requirements as stipulated in the
236 essentials of an accredited educational program for the occupational therapist or its equivalent,

237 (c) successfully passed an examination approved by the board for licensure as an occupational
238 therapist. Such examination shall be written and shall test the applicants' knowledge of the basic
239 and clinical sciences related to the occupational therapy theory and practice, including the
240 applicant's professional skills and judgements in the utilization of occupational therapy
241 techniques and methods, and such other subjects as the board may deem useful to determine the
242 applicant's fitness to act as an occupational therapist. The examination shall be conducted by the
243 board at least twice each year and at times and places to be determined by the board; provided,
244 however, that the board may utilize any existing national examination that meets the
245 requirements in this section.

246 Chapter 112: Section 23H. Occupational therapy assistant; qualifications

247 Section 23H. An applicant for licensure as an occupational therapy assistant shall:

248 (a) successfully completed an accredited occupational therapy assistant educational program
249 approved by the board,

250 (b) successfully completed a minimum of two months of supervised field work,

251 (c) successfully passed an examination conducted by the board for licensure as an occupational
252 therapy assistant. Such examination shall be written and shall test the applicant's knowledge of
253 the basic and clinical sciences related to the occupational therapy theory and practice, and such
254 other subjects as the board may deem useful to determine the applicant's fitness to act as an
255 occupational therapy assistant. The examination shall be conducted by the board at least twice
256 each year and at times and places to be determined by the board; provided, however, that the
257 board may utilize any existing national examination that meets requirements of this section.

258 Chapter 112: Section 23I. Physical therapist; qualifications

259 Section 23I. An applicant for licensure as a physical therapist shall:

260 (a) be a graduate of a three or four year secondary school or has passed a high school
261 equivalency test deemed acceptable by the board,

262 (b) be a graduate of an accredited educational program leading to professional qualification in
263 physical therapy and approved by the board,

264 (c) or have graduated from an educational program in physical therapy chartered in a sovereign
265 state outside the United States and have furnished to the board such evidence as it may require:
266 (1) that his education is substantially the equivalent of that of graduates of approved programs in
267 the United States, and (2) that he has sufficient qualifications, including the proficiency in the
268 English language, to practice physical therapy,

269 (d) have passed an examination administered by the board. Such examination shall be written,
270 and may, at the discretion of the board, in addition, be oral and demonstrative, and shall test the
271 applicant's knowledge of the basic and clinical sciences as they relate to physical therapy,
272 including the applicant's professional skills and judgment in the utilization of physical therapy
273 techniques and methods, and other subjects as the board may deem useful to determine the
274 applicant's fitness to act as a physical therapist. The examination shall be conducted by the board
275 at least twice each year and at times and places to be determined by the board.

276 Chapter 112: Section 23J. Physical therapist assistants; qualifications

277 Section 23J. An applicant for licensure as a physical therapist assistant shall:

278 (a) be a graduate of a three or four year secondary school or has passed a high school
279 equivalency test deemed acceptable to the board,

280 (b) be a graduate of an accredited educational program leading to professional qualification as
281 physical therapist assistant and approved by the board,

282 (c) have passed an examination administered by the board. Such examination shall be written,
283 and may, at the discretion of the board, in addition, be oral and demonstrative, and shall test the
284 applicant's knowledge of the basic and clinical sciences as they relate to physical therapy and
285 other subjects as the board may deem useful to determine the applicant's fitness to act as a
286 physical therapist. The examination shall be conducted by the board at least twice each year and
287 at times and places to be determined by the board.

288 Chapter 112: Section 23K. Revocation, suspension, etc. of licensee

289 Section 23K. The board may, after a hearing pursuant to chapter thirty, revoke, suspend, cancel
290 the license of or place on probation, reprimand, censure or otherwise discipline a licensee upon
291 proof satisfactory to a majority of the board that said person:

292 (a) obtained or attempted to obtain a license by fraud or deception,

293 (b) been convicted of a felony or of a crime involving moral turpitude,

294 (c) has been grossly negligent in his practice of athletic training or clinical exercise physiology
295 or occupational therapy or physical therapy,

296 (d) been adjudged mentally ill or incompetent by the court of competent jurisdiction,

297 (e) used drugs or intoxicating liquors to the extent which adversely affects his practice,

298 (f) acted in manner which is professionally unethical according to ethical standards of the
299 professions of clinical exercise physiology or occupational therapy or physical therapy.

300 Chapter 112: Section 23L. Practice of medicine or other form of healing

301 Section 23L. Nothing in this section shall be construed as authorizing an athletic trainer, clinical
302 exercise physiologist, occupational therapist, occupational therapy assistant, physical therapist,
303 or physical therapist assistant to practice medicine or any other form or method of healing not
304 specified in said section.

305 Chapter 112: Section 23M. Rules and regulations; record of proceedings; roster of licensees

306 Section 23M. The board shall adopt reasonable rules and regulations to carry into effect sections
307 twenty-three A to twenty-three P inclusive and may amend and revoke such rules and regulations
308 at its discretion. The board shall keep a record of its proceedings and a roster of all persons

309 licensed by it under this section. The roster shall include the licensee's name, last known
310 business and residential address; date of licensing, and license number.

311 Chapter 112: Section 23N. Athletic trainers; necessity for licensure

312 Section 23N. No person shall hold himself out as an athletic trainer or as being able to practice
313 athletic training or to render athletic training services in this commonwealth unless he is licensed
314 in accordance with section twenty-three B.

315 Chapter 112: Section 23N1/2. Clinical Exercise Physiologists; necessity for licensure

316 Section 23N1/2. No person shall hold himself out as a clinical exercise physiologist or as being
317 able to practice clinical exercise physiology or to render clinical exercise physiology services in
318 this commonwealth unless he is licensed in accordance with section twenty-three B. No person
319 not so licensed may use in connection with his name the words or letters, "C.E.P.," "R.C.E.P.,"
320 "L.C.E.P.," or any other words, letters, abbreviations, or insignia indicating that he is a clinical
321 exercise physiologist.

322 Chapter 112: Section 23O. Occupational therapists or assistants; necessity for licensure; use of
323 letters, abbreviations, etc.

324 Section 23O. No person shall hold himself out as an occupational therapist or as an occupational
325 therapy assistant or as being able to practice occupational therapy or to render occupational
326 therapy services in the commonwealth unless he is licensed in accordance with section twenty-
327 three B. No person not so licensed may use in connection with his name or place of business the
328 letters, "O.T.R.," or "C.O.T.A.," or any other words, letters, abbreviations, or insignia indicating
329 that he is an occupational therapist or occupational therapy assistant.

330 Chapter 112: Section 23P. Physical therapists or assistants; necessity for licensure; use of letters,
331 abbreviations, etc.

332 Section 23P. No person shall hold himself out as a physical therapist, or as a physical therapist
333 assistant or as being able to practice physical therapy or to render physical therapy services in the
334 commonwealth unless he is licensed in accordance with section twenty-three B. No person not so
335 licensed may use in connection with his name the words or letters, "P.T.", "R.P.T.", "L.P.T.A.",
336 "PH.T.", "P.T.A.", "P.T.D.", "P.T.T.", "physical therapist", "physiotherapist", "physical
337 therapist assistant", or any other words, letters, abbreviations, or insignia indicating that he is a
338 physical therapist or physical therapist assistant.

339 Chapter 112: Section 23Q. Citation

340 Section 23Q. Sections twenty-three A to twenty-three P, inclusive, shall be known and may be
341 cited as the Registered Physical Therapists Law.

342 Grandfather Clause:

343 SECTION 11.

344 {omit any MGL reference, then grandparenting is written only in the Acts

345 and will "vanish" from the MGL after the period expires}

346 A license as a clinical exercise physiologist may be issued without examination to an applicant
347 who does not meet the educational requirements of section 23F1/2 of chapter 112 of the General
348 Laws, if the applicant has a bachelor's degree in exercise science, exercise physiology, or
349 kinesiology and provides to the board's satisfaction that THE APPLICANT has been in paid
350 professional practice in the field of clinical exercise physiology for five years or 10,000 hours

351 out of the last ten years preceding the effective date of THE REGULATIONS

352 IMPLEMENTING THIS ACT.

353 The provisions of this section shall expire one year following the

354 effective date of the IMPLEMENTING REGULATIONS