

HOUSE BILL 210

J2

(PRE-FILED)

11r1302
CF SB 517

By: **Delegate Bhandari**

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: February 18, 2021

CHAPTER _____

1 AN ACT concerning

2 **State Board of Physical Therapy Examiners – Temporary Licenses to Practice**
3 **Physical Therapy and Limited Physical Therapy**

4 FOR the purpose of authorizing the State Board of Physical Therapy Examiners to issue a
5 temporary license to practice physical therapy and limited physical therapy to
6 certain applicants who meet certain requirements; providing that a temporary
7 license authorizes certain individuals to practice limited physical therapy or physical
8 therapy under direct supervision and is valid until a certain event occurs; altering
9 the grounds on which the Board may take certain disciplinary action; defining
10 certain terms; altering a certain definition; making a stylistic change; and generally
11 relating to the State Board of Physical Therapy Examiners and temporary licenses
12 to practice physical therapy and limited physical therapy.

13 BY repealing and reenacting, without amendments,
14 Article – Health Occupations
15 Section 13–101(a)
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2020 Supplement)

18 BY adding to
19 Article – Health Occupations
20 Section 13–101(b–1) and (k), 13–313, and 13–316(27)
21 Annotated Code of Maryland
22 (2014 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
 2 Article – Health Occupations
 3 Section 13–101(c), 13–315(a), and 13–316(4), (25), and (26)
 4 Annotated Code of Maryland
 5 (2014 Replacement Volume and 2020 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 7 That the Laws of Maryland read as follows:

8 **Article – Health Occupations**

9 13–101.

10 (a) In this title the following words have the meanings indicated.

11 **(B–1) “DIRECT SUPERVISION” MEANS SUPERVISION PROVIDED BY A**
 12 **LICENSED PHYSICAL THERAPIST WHO IS PHYSICALLY PRESENT WITHIN THE**
 13 **TREATMENT AREA AND IMMEDIATELY AVAILABLE TO GIVE AID, DIRECTION, AND**
 14 **INSTRUCTION WHEN PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY**
 15 **PROCEDURES OR ACTIVITIES ARE PERFORMED.**

16 (c) “License” means, unless the context requires otherwise[, a]:

17 **(1) A license issued by the Board to practice:**

18 **[(1)] (I) Physical therapy; or**

19 **[(2)] (II) Limited physical therapy; OR**

20 **(2) A TEMPORARY LICENSE ISSUED BY THE BOARD.**

21 **(K) “TEMPORARY LICENSE” MEANS A LICENSE ISSUED BY THE BOARD**
 22 **UNDER, AND AS LIMITED BY, § 13–313 OF THIS TITLE TO PRACTICE:**

23 **(1) PHYSICAL THERAPY; OR**

24 **(2) LIMITED PHYSICAL THERAPY.**

25 **13–313.**

26 **(A) THE BOARD MAY ISSUE A TEMPORARY LICENSE TO AN APPLICANT WHO,**
 27 **EXCEPT FOR PASSING AN EXAMINATION OTHERWISE REQUIRED UNDER THIS**
 28 **SUBTITLE, HAS MET THE APPROPRIATE EDUCATION AND EXPERIENCE**

1 REQUIREMENTS OF THIS SUBTITLE FOR A PHYSICAL THERAPIST LICENSE OR A
2 PHYSICAL THERAPY ASSISTANT LICENSE UNDER § 10-305 OF THIS ARTICLE.

3 (B) (1) A TEMPORARY LICENSE ISSUED TO AN INDIVIDUAL WHO HAS
4 COMPLETED A PHYSICAL THERAPY CURRICULUM AUTHORIZES THE HOLDER TO
5 PRACTICE PHYSICAL THERAPY UNDER DIRECT SUPERVISION WHILE THE
6 TEMPORARY LICENSE IS EFFECTIVE.

7 (2) A TEMPORARY LICENSE ISSUED TO AN INDIVIDUAL WHO HAS
8 COMPLETED A PHYSICAL THERAPY ASSISTANT CURRICULUM AUTHORIZES THE
9 HOLDER TO PRACTICE LIMITED PHYSICAL THERAPY UNDER DIRECT SUPERVISION
10 WHILE THE TEMPORARY LICENSE IS EFFECTIVE.

11 (C) A TEMPORARY LICENSE IS VALID UNTIL:

12 (1) 90 DAYS AFTER ISSUANCE;

13 (2) THE BOARD ISSUES A FULL LICENSE TO PRACTICE PHYSICAL
14 THERAPY OR LIMITED PHYSICAL THERAPY TO THE HOLDER OF THE TEMPORARY
15 LICENSE; OR

16 (3) THE BOARD REVOKES THE TEMPORARY LICENSE.

17 13-315.

18 (a) Unless the Board agrees to accept the surrender of a license, a licensed
19 physical therapist, licensed physical therapist assistant, or holder of a restricted license OR
20 TEMPORARY LICENSE may not surrender the license nor may the license lapse by
21 operation of law while the licensee is under investigation or while charges are pending
22 against the licensee.

23 13-316.

24 Subject to the hearing provisions of § 13-317 of this subtitle, the Board may deny a
25 license or restricted license to any applicant, reprimand any licensee or holder of a
26 restricted license, place any licensee or holder of a restricted license on probation, or
27 suspend or revoke a license or restricted license if the applicant, licensee, or holder:

28 (4) In the case of an individual who is authorized to practice physical
29 therapy, is grossly negligent:

30 (i) In the practice of physical therapy;

31 (ii) In the direction of an individual who is authorized to practice
32 limited physical therapy; or

1 (iii) In the supervision of a physical therapy aide **OR HOLDER OF A**
2 **TEMPORARY LICENSE;**

3 (25) Fails to meet accepted standards in delivering physical therapy or
4 limited physical therapy care; [or]

5 (26) Fails to submit to a criminal history records check in accordance with §
6 13-302.1 of this subtitle; **OR**

7 **(27) IN THE CASE OF AN INDIVIDUAL WHO HOLDS A TEMPORARY**
8 **LICENSE TO PRACTICE PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY,**
9 **PRACTICES PHYSICAL THERAPY OR LIMITED PHYSICAL THERAPY WITHOUT DIRECT**
10 **SUPERVISION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.