

Introduced: 2/7/67  
Referred: Commerce and  
Finance

1 IN THE HOUSE

BY BEIRNE AND PRITZ  
BY REQUEST

2 HOUSE BILL NO. 130

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of physical therapists."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 08.84.010 is amended to read:

9 Sec. 08.84.010. POWERS AND DUTIES OF STATE MEDICAL BOARD. (a)

10 The board shall adopt rules to carry this chapter into effect.

11 (b) The board shall keep minutes of its meetings, a stenographic  
12 record of its proceedings and hearings and a register of all persons  
13 licensed [REGISTERED] to practice physical therapy in the state. The  
14 register shall show the name of every living licensee [REGISTRANT],  
15 his last known place of business and residence address, and the date  
16 and number of his license [REGISTRATION] and certificate as a licensed  
17 [REGISTERED] physical therapist.

18 (c) The board shall, during the month of May of every year in  
19 which the renewal of a license [REGISTRATION] is required, compile a  
20 list of licensed [REGISTERED] physical therapists authorized to prac-  
21 tice therapy in the state.

22 \* Sec. 2. AS 08.84.030 is amended to read:

23 ARTICLE 2. LICENSING [REGISTRATION].

24 Sec. 08.84.030. QUALIFICATIONS FOR LICENSING [REGISTRATION]. To  
25 be eligible for licensing [REGISTRATION] by the board as a physical  
26 therapist an applicant shall

27 (1) be at least 21 years of age;

28 (2) be of good moral character;

29 (3) have graduated from a school of physical therapy approved

1 by the board or by the Council on Medical Education and Hospitals of  
2 the American Medical Association;

3 (4) qualify by (A) passing to the satisfaction of the board  
4 an examination from the professional examination service of the Ameri-  
5 can Public Health Association, conducted by the board, to determine his  
6 fitness for practice as a physical therapist; or (B) being entitled to  
7 licensing [REGISTRATION] without examination as provided in secs. 50  
8 and 60 of this chapter;

9 (5) hold a certificate of license [REGISTRATION] in the  
10 basic sciences as provided in AS 08.16.200.

11 \* Sec. 3. AS 08.84.040 is amended to read:

12 Sec. 08.84.040. APPLICATION FOR LICENSE [REGISTRATION]. To be  
13 licensed [REGISTERED] as a physical therapist, an applicant shall apply  
14 to the board, in writing, on a form prescribed by the board. An appli-  
15 cant shall include in his application, evidence under oath that he  
16 possesses the qualifications required by sec. 30 of this chapter.

17 \* Sec. 4. AS 08.84.060 is amended to read:

18 Sec. 08.84.060. LICENSING [REGISTRATION] BY RECIPROCITY. The  
19 board may license [REGISTER] without examination an applicant who is a  
20 physical therapist licensed [REGISTERED] under the laws of another  
21 state or territory, if the requirements for licensing [REGISTRATION]  
22 in that state or territory were, at the date of his licensing [REGISTRA-  
23 TION], substantially equal to the requirements in this state [, AND IF  
24 THE STATE OR TERRITORY ACCORDS A SIMILAR PRIVILEGE OF REGISTRATION  
25 WITHOUT EXAMINATION TO A PERSON REGISTERED IN THIS STATE].

26 \* Sec. 5. AS 08.84.070 is amended to read:

27 Sec. 08.84.070. LICENSE [REGISTRATION] FEE. The fee for licensa-  
28 ing [REGISTRATION] by reciprocity is \$25 [\$5].

29 \* Sec. 6. AS 08.84.080 is amended to read:

1           Sec. 08.84.080. EXAMINATIONS. The board shall examine applicants  
2 for licensing [REGISTRATION] as physical therapists at the times and  
3 places it determines. It shall employ two licensed Alaska [REGISTERED]  
4 physical therapists to aid it in the examination.

5 \* Sec. 7. AS 08.84.090 is amended to read:

6           Sec. 08.84.090. LICENSING [REGISTRATION]. The board shall license  
7 [REGISTER] an applicant who meets the qualifications for licensing  
8 [REGISTRATION] under this chapter. It shall issue a certificate of  
9 licensing [REGISTRATION] to each person licensed [REGISTERED]. A  
10 certificate of licensing [REGISTRATION] is prima facie evidence of the  
11 right of the person to represent himself as a licensed [REGISTERED]  
12 physical therapist.

13 \* Sec. 8. AS 08.84.100 is amended to read:

14           Sec. 08.84.100. RENEWAL OF LICENSE [REGISTRATION]. Every  
15 licensed [A REGISTERED] physical therapist shall, renew his license  
16 during [REGISTRATION IN] the month of January of 1968 and during the  
17 month of January every third year after 1968 [1958]. The license  
18 [REGISTRATION] of a person who fails to renew his license [REGISTRA-  
19 TION] before April 1 in the year that licensing [REGISTRATION] is re-  
20 quired, automatically lapses. The board may renew a lapsed license  
21 [REGISTRATION] upon payment of unpaid renewal fees.

22 \* Sec. 9. AS 08.84.110 is amended to read:

23           Sec. 08.84.110. RENEWAL FEE. The fee for renewal of license  
24 [REGISTRATION] is \$3.

25 \* Sec. 10. AS 08.84.120 is amended to read:

26           Sec. 08.84.120. REFUSAL, REVOCATION AND SUSPENSION OF A LICENSE  
27 [REGISTRATION]. The board may refuse to license [REGISTER] an appli-  
28 cant, may refuse to renew the license [REGISTRATION] of a person, and  
29 may suspend or revoke the license [REGISTRATION] of a person who

1 (1) is habitually drunk or addicted to the use of narcotic  
2 drugs;

3 (2) is, in the judgment of the board, guilty of immoral or  
4 unprofessional conduct;

5 (3) has been convicted of violating a state or federal  
6 narcotic law;

7 (4) has been convicted of a crime involving moral turpitude;

8 (5) is guilty, in the judgment of the board, of gross negli-  
9 gence in his practice as a physical therapist;

10 (6) has obtained or attempted to obtain licensing [REGISTRA-  
11 TION] by fraud or material misrepresentation;

12 (7) has been declared mentally ill by a court of competent  
13 jurisdiction and has not thereafter been lawfully declared sane; or

14 (8) has treated or attempted to treat ailments of human  
15 beings otherwise than by physical therapy, or has attempted to practice  
16 independent of the prescription and direction of a person licensed to  
17 practice medicine or surgery [, OSTEOPATHY, OR CHIROPRACTIC].

18 \* Sec. 11. AS 08.84.130 is amended to read:

19 Sec. 08.84.130. FALSE CLAIM OF LICENSING [REGISTRATION] FORBIDDEN.  
20 A person not licensed [REGISTERED] as a physical therapist, or whose  
21 license [REGISTRATION] is suspended or revoked, or whose license  
22 [REGISTRATION] is lapsed, who uses in connection with his name the  
23 words or letters "L.P.T.", "Licensed ["R.P.T.", "REGISTERED] Physical  
24 Therapist", "P.T.", "Physical Therapist", "Physiotherapist", or other  
25 letters, words, or insignia indicating or implying that he is a  
26 licensed [REGISTERED] physical therapist, or who in any other way,  
27 orally, or in writing, or in print, or by sign, directly or by impli-  
28 cation, represents himself as a licensed [REGISTERED] physical  
29 therapist is guilty of a misdemeanor.

1 \* Sec. 12. AS 08.84.140 is amended to read:

2       Sec. 08.84.140. PENALTY FOR FRAUD IN OBTAINING A LICENSE [REGIS-  
3 TRATION]. A person who wilfully makes a false oath or affirmation or  
4 who obtains or attempts to obtain a license [REGISTRATION] by a fraudu-  
5 lent representation is guilty of a misdemeanor.

6 \* Sec. 13. AS 08.84.150 is repealed and re-enacted to read:

7       Sec. 08.84.150. PRACTICE OF PHYSICAL THERAPY BY UNLICENSED PERSONS.

8 A person who engages in the practice of physical therapy or who holds  
9 himself out to be qualified to practice as a physical therapist with-  
10 out having a license is guilty of a misdemeanor.

11 \* Sec. 14. AS 08.84.160 is amended to read:

12       Sec. 08.84.160. PRACTICE OF LICENSED [REGISTERED] PHYSICAL  
13 THERAPIST. A person liceneed [REGISTERED] under this chapter shall not  
14 treat human ailments by physical therapy or otherwise except under the  
15 prescription and direction of a person licensed to practice medicine  
16 or surgery in this state [OSTEOPATHY, OR CHIROPRACTIC]. [THIS CHAPTER  
17 DOES NOT AUTHORIZE ANY PERSON TO PRACTICE MEDICINE, OSTEOPTHY, CHIRO-  
18 PRACTIC, OR OTHER METHOD OF HEALING. A PERSON WHO VIOLATES THIS  
19 SECTION IS GUILTY OF A MISDEMEANOR.]

20 \* Sec. 15. AS 08.84 is amended by adding a new section to read:

21       Sec. 08.84.165. LICENSING OF PERSONS QUALIFIED ON THE EFFECTIVE  
22 DATE OF THIS ACT. The board shall furnish a certificate of licensing  
23 to any person who applies for a license on or before September 1, 1967,  
24 who at the time of the passage of this Act is a member of or is eligible  
25 for membership in the American Physical Therapy Association or the  
26 American Registry of Physical Therapists, and is practicing physical  
27 therapy in the state or was so practicing within two years preceding  
28 the effective date of this Act. At the time of making application  
29 the applicant shall pay the board a fee of \$25.