

Offered: 2/26/86
Referred: Labor & Commerce

Original sponsor: Health, Education and
Social Services Committee

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 640 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the State Physical Therapy Board;

7 and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c)(8) is amended to read:

10 (8) State Physical Therapy Board (AS 08.84.010) -- June 30,

11 1990 [1986].

12 * Sec. 2. AS 08.84.120 is repealed and reenacted to read:

13 Sec. 08.84.120. REFUSAL, REVOCATION, AND SUSPENSION OF LICENSE.

14 (a) The board may refuse to license an applicant, may refuse to renew

15 the license of a person, and may suspend or revoke the license of a

16 person who

17 (1) has obtained or attempted to obtain a license by fraud

18 or material misrepresentation;

19 (2) uses drugs or alcohol in a manner that affects the

20 person's ability to practice physical therapy competently and safely;

21 (3) has been convicted of a state or federal felony or

22 other crime that effects the person's ability to practice competently

23 and safely;

24 (4) is guilty, in the judgment of the board, of gross

25 negligence or malpractice or has engaged in conduct contrary to the

26 recognized standards of ethics of the physical therapy profession;

27 (5) has continued to practice physical therapy after becom-

28 ing unfit due to physical or mental disability;

29 (6) has failed to refer a patient to another qualified

1 professional when the patient's condition is beyond the training or
2 ability of the physical therapist; or

3 (7) as a physical therapy assistant, has attempted to
4 practice physical therapy that has not been initiated, supervised, and
5 terminated by a licensed physical therapist.

6 (b) The refusal or suspension of a license may be modified or
7 rescinded if the person has been rehabilitated to the satisfaction of
8 the board.

9 * Sec. 3. AS 08.84.130 is amended to read:

10 Sec. 08.84.130. FALSE CLAIM OF LICENSE FORBIDDEN. (a) A person
11 not licensed as a physical therapist, or whose license is suspended or
12 revoked, or whose license is lapsed, who uses in connection with the
13 person's name the words or letters "L.P.T.", "Licensed Physical Thera-
14 pist," or other letters, words, or insignia indicating or implying
15 that the person is a licensed physical therapist, or who in any way,
16 orally, or in writing, directly or by implication, holds out as a
17 licensed physical therapist is guilty of a class B misdemeanor.

18 (b) A person not licensed as a physical therapy assistant, or
19 whose license is suspended or revoked, or whose license is lapsed, who
20 in any way, orally, or in writing, directly or by implication, holds
21 out as a licensed physical therapy assistant is guilty of a class B
22 misdemeanor.

23 * Sec. 4. AS 08.84.140 is amended to read:

24 Sec. 08.84.140. PENALTY FOR FRAUD IN OBTAINING LICENSE. A
25 person who wilfully makes a false oath or affirmation or who obtains
26 or attempts to obtain a license by a fraudulent representation is
27 guilty of a class B misdemeanor.

28 * Sec. 5. AS 08.84.160 is amended to read:

29 Sec. 08.84.160. PRACTICE OF LICENSED PHYSICAL THERAPIST. [A

1 PERSON LICENSED UNDER THIS CHAPTER MAY NOT TREAT HUMAN AILMENTS BY
2 PHYSICAL THERAPY OR OTHERWISE EXCEPT UNDER THE PRESCRIPTION AND DIREC-
3 TION OF A PERSON LICENSED TO PRACTICE MEDICINE, OSTEOPATHY, DENTISTRY
4 OR PODIATRY.] This chapter does not authorize any person to practice
5 medicine, osteopathy, chiropractic, or other method of healing.

6 * Sec. 6. AS 08.84.185(a) is amended to read:

7 (a) In addition to action under AS 08.84.180, upon a finding
8 that by reason of demonstrated problems of competence, experience,
9 education, or health the authority to practice physical therapy should
10 be limited or conditioned or the practitioner disciplined, the board
11 may reprimand, censure, place on probation, restrict practice by
12 specialty, procedure, or facility, require additional education or
13 training, or revoke or suspend a license [REGISTRATION].

14 * Sec. 7. AS 08.84.170 is repealed.

15 * Sec. 8. This Act takes effect immediately in accordance with AS 01.-
16 10.070(c).