

**HOUSE  
COMMITTEE REPORT**

(11)

Date referred: 3/21/86

FURTHER REFERRALS:

DATE: \_\_\_\_\_

The FINANCE Committee has considered HB 640

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with \_\_\_\_\_  same title
- replace with \_\_\_\_\_  new title

and recommends \_\_\_\_\_

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DO PASS:

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SIGNING OTHER RECOMMENDATIONS:

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\_\_\_\_\_  
Chairman

HOUSE  
COMMITTEE REPORT

3/21

(7)

Date referred: 2/26/86

FURTHER REFERRALS: FINANCE

DATE: 3/18/86

The LABOR & COMMERCE Committee has considered HB 640

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS 640 (L+C)  same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

w/analytic sup 100

SIGNING DO PASS: New

SIGNING OTHER RECOMMENDATIONS:

NAVARRE

Mike Favone

HANLEY

Grace Hanley

PEARCE

Grace Pearce

DAVIS

Mike Davis

Mike Favone  
Chairman

HOUSE  
COMMITTEE REPORT

2/26  
LABOR & COMMERCE

(7)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

DATE: Feb 24, 1986

HEALTH, EDUCATION AND  
The SOCIAL SERVICES Committee has considered HB 640

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSHB 640 (HESS)  same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Max Gumbert  
Katie Hurley  
 vice chair  
Robin L. Taylor  
David W. Thompson  
Wito Kojan  
Clare Stanley

\_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
Wito Kojan no vote

Max Gumbert  
 Chairman  
Wito Kojan co-chair

Offered: 3/21/86  
Referred: Finance

*New Jersey analysis  
Sept 100*

*alterable*

Original sponsor: Health, Education and  
Social Services Committee

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 640 (L&C)

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 1989 [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 affects 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).

Sunset Review 3000 Final  
Revised Sup 91  
Offered: 2/26/86  
Referred: Labor & Commerce

Admirable

Original sponsor: Health, Education and  
Social Services Committee

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

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:

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18 or material misrepresentation;

19 (2) uses drugs or alcohol in a manner that affects the  
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21 (3) has been convicted of a state or federal felony or  
22 other crime that effects the person's ability to practice competently  
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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-  
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1 professional when the patient's condition is beyond the training or  
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3 (7) as a physical therapy assistant, has attempted to  
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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  
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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.

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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).

*Ullrich*

Introduced: 2/17/86  
Referred: Health, Education  
& Social Services, Labor  
& Commerce and Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 HOUSE BILL NO. 640

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 08.04.010) -- June 30,  
11 1990 [1986].

12 \* Sec. 2. AS 08.84.120 is amended to read:

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

14 The board may refuse to license an applicant, may refuse to renew the  
15 license of a person, and may suspend or revoke the license of a person  
16 who

17 (1) uses drugs or intoxicating liquors in any manner which  
18 affects the person's practice of physical therapy;

19 (2) [Repealed]

20 (3) has been convicted of violating a state or federal  
21 narcotic law and has not been rehabilitated to the satisfaction of the  
22 board;

23 (3) [(4)] has been convicted of a felony and has not been  
24 rehabilitated to the satisfaction of the board;

25 (4) [(5)] is guilty, in the judgment of the board, of gross  
26 negligence in the person's practice as a physical therapist;

27 (5) [(6)] has obtained or attempted to obtain a license by  
28 fraud or material misrepresentation;

29 (6) [(7)] has been declared mentally ill by a court and has

1 not thereafter been lawfully declared sane;

2 (7) [(8)] has treated or attempted to treat ailments of  
3 human beings otherwise than by physical therapy [, OR HAS ATTEMPTED TO  
4 PRACTICE INDEPENDENT OF THE PRESCRIPTION AND DIRECTION OF A PERSON  
5 LICENSED TO PRACTICE MEDICINE, OSTEOPATHY, DENTISTRY OR PODIATRY];

6 (8) [(9)] as a physical therapy assistant, has attempted to  
7 practice physical therapy which has not been initiated, supervised,  
8 and terminated by a licensed physical therapist;

9 (9) [(10)] has been held liable for malpractice in a civil  
10 action.

11 \* Sec. 3. AS 08.84.160 is amended to read:

12 Sec. 08.84.160. PRACTICE OF LICENSED PHYSICAL THERAPIST. [A  
13 PERSON LICENSED UNDER THIS CHAPTER MAY NOT TREAT HUMAN AILMENTS BY  
14 PHYSICAL THERAPY OR OTHERWISE EXCEPT UNDER THE PRESCRIPTION AND DIREC-  
15 TION OF A PERSON LICENSED TO PRACTICE MEDICINE, OSTEOPATHY, DENTISTRY  
16 OR PODIATRY.] This chapter does not authorize any person to practice  
17 medicine, osteopathy, chiropractic, or other method of healing.

18 \* Sec. 4. AS 08.84.065(d) is repealed.

19 \* Sec. 5. This Act takes effective immediately in accordance with  
20 AS 01.10.070(c).

91 sep 91



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV  
JUNEAU, AK 99811  
465-3759

SUNSET REVIEW REPORT - HOUSE BILL NO. 640

February 24, 1986

Representative Ben Grussendorf  
Speaker of the House  
P.O. Box V  
Juneau, Alaska 99811

Dear Mr. Speaker:

The House Committee on Health, Education and Social Services has considered the Sunset Review of the State Physical Therapy Board, and recommends that the board be continued. The Committee has introduced HB 640 to fulfill the findings of the Division of Legislative Audit.

As required by AS 44.60.050 (c), the Committee submits the following findings:

- (1) the extent to which the board, commission or program has operated in the public interest.

The board has established regulations governing the duties and licensure requirements, has enforced their licensing statute in a uniform and consistent manner and has held meetings and administered examinations in accordance with the law.

- (2) the extent to which the operation of the board, commission or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

Funding for the board was reduced from \$5,200 in FY 84 to \$1,700 in FY 85. As a result, the number of meetings dropped from three each in FY 83 and 84 to two in FY 85. The House HESS Committee is concerned because physical therapist's and physical therapy assistant's fees create annual revenues of \$8,129 while annual expenditures average only \$3,417 (see Appendix A to the 9/23/85 Legislative Audit of the State Physical Therapy Board). It therefore appears that income from licensing fees exceeded expenditures by 238%.

The Committee therefore requests that the Division of Occupational Licensing seriously consider restoring necessary board expenses, such as the number of meetings, if requested by the board.

The Committee further requests that the Division report in writing to

the Committee by May 1, 1986 the action it is taking in response to this request.

- (3) the extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.

The board supported a statutory change recommended by the Physical Therapy Association to allow physical therapists to practice autonomously. This recommendation was suggested by the Division of Legislative Audit and supported by the committee, and is included in HB 640.

Another statutory amendment recommended by the board was to allow foreign-trained physical therapists to practice in Alaska. The statute was amended accordingly in 1980.

- (4) the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

Notification of meetings have been published in newspapers in Anchorage, Fairbanks and Juneau. Meetings have been held in each of these locations, and public notice posters announcing meetings have been distributed to physical therapy departments statewide.

- (5) the extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

Newspaper notice of proposed regulation changes are published statewide as required by the Administrative procedures Act.

- (6) the efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which the board or commission is administratively assigned, or with the office of the ombudsman have been processed or resolved.

The Office of the Ombudsman and the Attorney General's Office have no outstanding consumer complaints about the Physical Therapy Board.

- (7) the extent to which the board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

169 physical therapists and 11 physical therapy assistants are licensed in the state, with no evidence that unqualified applicants have been licensed.

- (8) the extent to which state personnel practices, including affirmative action practices, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

No complaints have been filed with the office of Equal Employment Opportunity relating to the Physical Therapy Board.

(9) the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

The Division of Legislative Audit recommended that the licensing statute be amended to allow independent practice of physical therapists in the state as a way of saving money for the consumer. This recommendation was included by the Committee in HB 640.

As required by AS 44.60.050 (d), the Committee submits the following findings:

(1) an identification of the problems or the needs that the programs and activities of the board, commission or agency are intended to address.

The purpose of the board is to protect the public against unqualified practitioners of physical therapy.

(2) a statement, to the extent practicable, of the objectives of the program of the board, commission, or agency program, and its anticipated accomplishments.

The board is to license qualified physical therapists and physical therapy assistants in the state to protect the public welfare.

(3) an identification of any other programs having similar, conflicting or duplicate objectives.

There are no duplicate programs.

(4) an assessment of alternative methods of achieving the purposes of the program.

The Committee did not discuss any alternative methods for licensure for this profession.

(5) an assessment of the consequences of eliminating the board, commission or program and consolidating its activities with another program, or of funding it at a lower level.

The Committee did not consider eliminating the board. The Division of Legislative Audit and the Division of Occupational Licensing recommended that the board be continued to serve the public welfare. There was no discussion of further budget reductions, in fact, as set forth above, the Committee questions the current level of fees and the need for restoring the board to its former level of operations.


(6) a justification for the recommended continuation or extension of the board, commission or program, and an explanation of the manner in which it avoids duplication of or conflict with other efforts.

The board will be especially important in monitoring the profession with the addition of independent practice for the therapists to

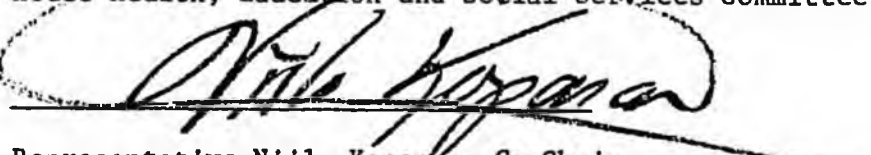
safeguard against any unanticipated results. Other states which have allowed independent practice have experienced no difficulties regarding practice or insurance.

(7) any other information which, in the opinion of the committee, would improve the performance of the board, commission or agency with respect to its representation of and responsiveness to the public interest.

There are no additional recommendations.



Representative Max F. Gruenberg, Jr., Co-Chair  
House Health, Education and Social Services Committee



Representative Niilo Koponen, Co-Chair  
House Health, Education and Social Services Committee

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

**REQUEST**

Bill/Resolution No.: CSHB 640 (L&C)  
 Title: An Act relating to the State  
Physical Therapy Board:

Sponsor: House HESS  
 Requester: House HESS  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: Commerce & Economic Dev.  
 BRU: Occupational Licensing

Components: \_\_\_\_\_

**EXPENDITURES / REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-	-0-	-0-	-0-	-0-
TRAVEL		-0-	-0-	-0-	-0-	-0-
CONTRACTUAL		-0-	-0-	-0-	-0-	-0-
SUPPLIES		-0-	-0-	-0-	-0-	-0-
EQUIPMENT		-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE		-0-	-0-	-0-	-0-	-0-
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**FUNDING: (Thousands of dollars)**

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULLTIME		-0-	-0-	-0-	-0-	-0-
PARTTIME						
TEMPORARY						

**ANALYSIS:** Attach a separate page if necessary.

The bill extends the State Physical Therapy Board for four years and effects a re-write of AS 08.84.120 relating to REFUSAL, REVOCATION, AND SUSPENSION OF LICENSE. The bill also classifies a violation as a Class B Misdemeanor. In addition, the bill repeals sections relating to practice by referral, therefore allowing physical therapists to practice independently. The bill is not expected to generate new costs or revenues.

Prepared by: Jennifer Strickler, Management Analyst  
 Division: Occupational Licensing

Phone: 465-2144  
 Date: 3-17-86

Approved by Commissioner: [Signature]  
 Agency: Commerce & Economic Development

Date: 3/17/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

*CE*  
*2/26*

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : HB 640  
 Title : Continuation of the  
State Physical Therapy Board  
 Sponsor : House HESS  
 Requestor : \_\_\_\_\_  
 Date of Request : \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected : Commerce & Econ. Dev.  
 BRU : Occupational Licensing  
 Components : \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>						
<b>REVENUE</b>		-0-	-0-	-0-	-0-	-0-

**FUNDING : (Thousands of Dollars)**

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-0-	-0-	-0-	-0-	-0-

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

This bill provides for continuation of the State Physical Therapy Board and allows physical therapists to practice independently.

No new costs or revenues are expected to be generated by the bill.

Prepared by: Jennifer Strickler, Mgnt. Analyst Phone: 465-2144  
 Division: Occupational Licensing Date: 2/20/86  
 Approved by Commissioner: \_\_\_\_\_ Date: 2/20/86  
 Agency: Commerce & Economic Development

**Distribution (by Agency preparing fiscal note):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

ALASKA STATE LEGISLATURE

... 14th Legislature SECOND. Session

HOUSE ... BILL ..... NO. 640...

By ... HESS.....

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

Physical Therapy Board

Introduced in the House .. 2/17... , 19... 86

HISTORY IN THE HOUSE

1986	Read first time and referred to Committee on												
Feb 17	HESS, ALSC AND FINANCE												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	<table border="0"> <tr> <td colspan="2">Reconsideration</td> </tr> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
Reconsideration													
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Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												
	CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
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	Signed by President												
	Returned to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor ..... by Governor
	Filed with Lt. Governor
	Chapter No. ....

Offered: 3/21/86  
Referred: Finance

Original sponsor: Health, Education and  
Social Services Committee

BY THE LABOR AND  
COMMERCE COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 640 (L&C)  
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 1989 [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).

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

Original sponsor: Health, Education and  
Social Services Committee

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE  
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  
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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).

Introduced: 2/17/86  
Referred: Health, Education &  
Social Services, Labor & Commerce  
and Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2

HOUSE BILL NO. 640

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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13 Sec. 08.84.120. REFUSAL, REVOCATION, AND SUSPENSION OF LICENSE.  
14 The board may refuse to license an applicant, may refuse to renew the  
15 license of a person, and may suspend or revoke the license of a person  
16 who

17 (1) uses drugs or intoxicating liquors in any manner which  
18 affects the person's practice of physical therapy;

19 (2) [Repealed

20 (3)] has been convicted of violating a state or federal  
21 narcotic law and has not been rehabilitated to the satisfaction of the  
22 board;

23 (3) [(4)] has been convicted of a felony and has not been  
24 rehabilitated to the satisfaction of the board;

25 (4) [(5)] is guilty, in the judgment of the board, of gross  
26 negligence in the person's practice as a physical therapist;

27 (5) [(6)] has obtained or attempted to obtain a license by  
28 fraud or material misrepresentation;

29 (6) [(7)] has been declared mentally ill by a court and has

1 not thereafter been lawfully declared sane;

2 (7) [(8)] has treated or attempted to treat ailments of  
3 human beings otherwise than by physical therapy [, OR HAS ATTEMPTED TO  
4 PRACTICE INDEPENDENT OF THE PRESCRIPTION AND DIRECTION OF A PERSON  
5 LICENSED TO PRACTICE MEDICINE, OSTEOPATHY, DENTISTRY OR PODIATRY];

6 (8) [(9)] as a physical therapy assistant, has attempted to  
7 practice physical therapy which has not been initiated, supervised,  
8 and terminated by a licensed physical therapist;

9 (9) [(10)] has been held liable for malpractice in a civil  
10 action.

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17 medicine, osteopathy, chiropractic, or other method of healing.

18 \* Sec. 4. AS 08.84.065(d) is repealed.

19 \* Sec. 5. This Act takes effective immediately in accordance with  
20 AS 01.10.070(c).