

SECOND REGULAR SESSION

HOUSE BILL NO. 1527

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES RUESTMAN (Sponsor), STEVENSON, REINHART, STEFANICK, KING, HARRIS (110), HUNTER, WALLACE, SCHNEIDER, PARKER, MOORE, LUTKEMEYER AND BEAN (Co-sponsors).

Read 1st time February 19, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4629L.011

AN ACT

To repeal sections 334.530, 334.540, 334.550, 334.655, 334.660, and 334.665, RSMo, and to enact in lieu thereof six new sections relating to licensing of physical therapists and physical therapist assistants.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 334.530, 334.540, 334.550, 334.655, 334.660, and 334.665, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 334.530, 334.540, 334.550, 334.655, 334.660, and 334.665, to read as follows:

334.530. 1. A candidate for license to practice as a physical therapist shall be at least twenty-one years of age. A candidate shall furnish evidence of such person's good moral character and the person's educational qualifications by submitting satisfactory evidence of completion of a program of physical therapy education approved as reputable by the board. A candidate who presents satisfactory evidence of the person's graduation from a school of physical therapy approved as reputable by the American Medical Association or, if graduated before 1936, by the American Physical Therapy Association, or if graduated after 1988, the Commission on Accreditation for Physical Therapy Education or its successor, is deemed to have complied with the educational qualifications of this subsection.

2. Persons desiring to practice as physical therapists in this state shall appear before the board at such time and place as the board may direct and be examined as to their fitness to engage in such practice. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

14 qualifications set forth in subsection 1 of this section. Each application shall contain a statement
15 that it is made under oath or affirmation and that its representations are true and correct to the
16 best knowledge and belief of the person signing the statement, subject to the penalties of making
17 a false affidavit or declaration. [The board shall not issue a permanent license to practice as a
18 physical therapist or allow any person to sit for the Missouri state board examination for physical
19 therapists who has failed three or more times any physical therapist licensing examination
20 administered in one or more states or territories of the United States or the District of Columbia.]

21 3. The examination of qualified candidates for licenses to practice physical therapy shall
22 include a written examination and shall embrace the subjects taught in reputable programs of
23 physical therapy education, sufficiently strict to test the qualifications of the candidates as
24 practitioners. [The examination shall be given by the board at least once each year and shall be
25 administered to all candidates, and the examination given at any particular time shall be the same
26 for all candidates and the same subjects shall be included and the same questions shall be asked.
27 Candidates shall be required to achieve a passing score, as determined by the board, on an
28 examination before being issued a license.]

29 4. The examination shall embrace, in relation to the human being, the subjects of
30 anatomy, chemistry, kinesiology, pathology, physics, physiology, psychology, physical therapy
31 theory and procedures as related to medicine, surgery and psychiatry, and such other subjects,
32 including medical ethics, as the board deems useful to test the fitness of the candidate to practice
33 physical therapy.

34 [5. Examination grades or scores shall be preserved by the board subject to public
35 inspection. Examination papers retained by the board shall be subject to public inspection for
36 a period of three years, after which they may be destroyed.]

334.540. 1. The board shall issue a license to any physical therapist who is licensed in
2 another jurisdiction and who has had no violations, suspensions or revocations of a license to
3 practice physical therapy in any jurisdiction, provided that, such person is licensed in a
4 jurisdiction whose requirements are substantially equal to, or greater than, the requirements for
5 licensure of physical therapists in Missouri at the time the applicant applies for licensure.

6 2. Every applicant for a license pursuant to this section, upon making application and
7 showing the necessary qualifications as provided in subsection 1 of this section, shall be required
8 to pay the same fee as the fee required to be paid by applicants who apply to take the
9 examination before the board. Within the limits provided in this section, the board may
10 negotiate reciprocal compacts with licensing boards of other states for the admission of licensed
11 practitioners from Missouri in other states.

12 [3. Notwithstanding the provisions of subsections 1 and 2 of this section, the board shall
13 not issue a license to any applicant who has failed three or more times any physical therapist

14 licensing examination administered in one or more states or territories of the United States or the
15 District of Columbia.]

334.550. [1. Upon the applicant paying a temporary license fee, the board shall issue
2 without examination a temporary license to practice physical therapy for a period of time not to
3 extend beyond the time when the results of the next examination are announced to any person
4 who meets the qualifications of subsection 1 of section 334.530; provided that, the applicant has
5 not previously been examined in one or more states or territories of the United States or the
6 District of Columbia. The temporary license may be renewed at the discretion of the board and
7 payment of the temporary license fee.

8 2. The board may once renew a temporary license issued pursuant to this section if the
9 licensee fails to sit for the next scheduled examination; provided that, the applicant shows good
10 and exceptional cause for failing to sit for the examination. The applicant shall state the good
11 and exceptional cause in writing and shall verify such statement by oath. The board shall define
12 good and exceptional cause by rules and regulations.

13 3. The board may issue a temporary license to any first-time applicant for licensure by
14 examination if such person submits an agreement-to-supervise form which is signed by the
15 applicant's supervising physical therapist.] **An applicant who has not been previously
16 examined in another jurisdiction and meets the qualifications of subsection 1 of section
17 334.530, may pay a temporary license fee and submit an agreement-to-supervise form,
18 which is signed by the applicant's supervising physical therapist, to the board and obtain
19 without examination a nonrenewable temporary license.** Such temporary licensee may only
20 engage in the practice of physical therapy under the supervision of a licensed physical therapist.
21 The board shall define the scope of such supervision by rules and regulations. **The temporary
22 license shall expire on either the date the applicant receives the results of the applicant's
23 initial examination or within ninety days of its issuance, whichever occurs first.**

334.655. 1. A candidate for licensure to practice as a physical therapist assistant shall
2 be at least nineteen years of age. A candidate shall furnish evidence of the person's good moral
3 character and of the person's educational qualifications. The educational requirements for
4 licensure as a physical therapist assistant are:

- 5 (1) A certificate of graduation from an accredited high school or its equivalent; and
- 6 (2) Satisfactory evidence of completion of an associate degree program of physical
7 therapy education accredited by the commission on accreditation of physical therapy education.

8 2. Persons desiring to practice as a physical therapist assistant in this state shall appear
9 before the board at such time and place as the board may direct and be examined as to the
10 person's fitness to engage in such practice. Applications for examination shall be in writing, on
11 a form furnished by the board and shall include evidence satisfactory to the board that the

12 applicant possesses the qualifications provided in subsection 1 of this section. Each application
13 shall contain a statement that the statement is made under oath of affirmation and that its
14 representations are true and correct to the best knowledge and belief of the person signing the
15 statement, subject to the penalties of making a false affidavit or declaration.

16 3. The examination of qualified candidates for licensure to practice as physical therapist
17 assistants shall embrace a written examination and which shall cover the curriculum taught in
18 accredited associate degree programs of physical therapy assistant education. Such examination
19 shall be sufficient to test the qualification of the candidates as practitioners. [The examination
20 shall be given by the board at least once each year. The board shall not issue a license to practice
21 as a physical therapist assistant or allow any person to sit for the Missouri state board
22 examination for physical therapist assistants who has failed three or more times any physical
23 therapist licensing examination administered in one or more states or territories of the United
24 States or the District of Columbia. The examination given at any particular time shall be the
25 same for all candidates and the same curriculum shall be included and the same questions shall
26 be asked.]

27 4. The examination shall include, as related to the human body, the subjects of anatomy,
28 kinesiology, pathology, physiology, psychology, physical therapy theory and procedures as
29 related to medicine and such other subjects, including medical ethics, as the board deems useful
30 to test the fitness of the candidate to practice as a physical therapist assistant.

31 5. [Examination grades or scores shall be preserved by the board subject to public
32 inspection. Examination papers retained by the board shall be subject to public inspection for
33 a period of three years and thereafter may be destroyed.

34 6.] The board shall license without examination any legally qualified person who is a
35 resident of this state and who was actively engaged in practice as a physical therapist assistant
36 on August 28, 1993. The board may license such person pursuant to this subsection until ninety
37 days after the effective date of this section.

38 [7.] 6. A candidate to practice as a physical therapist assistant who does not meet the
39 educational qualifications may submit to the board an application for examination if such person
40 can furnish written evidence to the board that the person has been employed in this state for at
41 least three of the last five years under the supervision of a licensed physical therapist and such
42 person possesses the knowledge and training equivalent to that obtained in an accredited school.
43 The board may license such persons pursuant to this subsection until ninety days after rules
44 developed by the state board of healing arts regarding physical therapist assistant licensing
45 become effective.

 334.660. The board shall license without examination legally qualified persons who hold
2 certificates of licensure, registration or certification in any state or territory of the United States

3 or the District of Columbia, who have had no violations, suspensions or revocations of such
4 license, registration or certification, if such persons have passed a written examination to practice
5 as a physical therapist assistant that was substantially equal to the examination requirements of
6 this state and in all other aspects, including education, the requirements for such certificates of
7 licensure, registration or certification were, at the date of issuance, substantially equal to the
8 requirements for licensure in this state. [The board shall not issue a license to any applicant who
9 has failed three or more times any physical therapist assistant licensing examination administered
10 in one or more states or territories of the United States or the District of Columbia.] Every
11 applicant for a license pursuant to this section, upon making application and providing
12 documentation of the necessary qualifications as provided in this section, shall pay the same fee
13 required of applicants to take the examination before the board. Within the limits of this section,
14 the board may negotiate reciprocal contracts with licensing boards of other states for the
15 admission of licensed practitioners from Missouri in other states.

334.665. [Upon the applicant paying a temporary fee, the board shall issue, without
2 examination, a temporary license to practice as a physical therapist assistant for a period of time
3 not to exceed beyond the time when the results of the next examination are announced to any
4 person who meets the qualifications of section 334.655. The temporary license may be renewed
5 at the discretion of the board and upon payment of a temporary license fee.] **An applicant who
6 has not been previously examined in another jurisdiction and meets the qualifications of
7 subsection 1 of section 334.655 may pay a temporary license fee and submit an agreement-
8 to-supervise form which is signed by the applicant's supervising physical therapist to the
9 board and obtain without examination a nonrenewable temporary license. Such
10 temporary licensee may only practice under the supervision of a licensed physical
11 therapist. The board shall define the scope of such supervision by rules and regulations.
12 The temporary license shall expire on either the date the applicant receives the results of
13 the applicant's initial examination or within ninety days of its issuance, whichever occurs
14 first.**