

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 44

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE PRACTICE OF PHYSICAL THERAPY; AMENDING SECTION 54-2205, IDAHO CODE, TO REVISE THE COMPENSATION OF BOARD MEMBERS; AND AMENDING SECTION 54-2212, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LICENSING REQUIREMENTS FOR FOREIGN-EDUCATED PHYSICAL THERAPISTS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-2205, Idaho Code, be, and the same is hereby amended to read as follows:

54-2205. PHYSICAL THERAPY LICENSURE BOARD. (1) There is hereby established in the department of self-governing agencies a physical therapy licensure board. The board shall consist of five (5) members appointed by the governor, three (3) of whom shall be licensed physical therapists, one (1) of whom may be a licensed physical therapist assistant or a licensed physical therapist, and one (1) of whom shall be a member of the public with an interest in the rights of the consumers of health services. All members of the board shall be residents of Idaho at the time of their appointment and for their term of service. The persons appointed to the board who are required to be licensed under this chapter shall have been engaged in rendering physical therapy or physical therapy assistant care services, respectively, to the public, in teaching, or in research in physical therapy or physical therapy assistant care services, respectively, for at least three (3) years immediately preceding their appointments. These members, excepting the public member, shall at all times be holders of valid licenses and be in good standing without restriction upon such license for the practice of physical therapy or physical therapy assistant, respectively, in Idaho.

(2) The governor, within sixty (60) days after the effective date of this act, shall appoint two (2) board members for a term of one (1) year; two (2) members for a term of two (2) years; and one (1) member for a term of three (3) years. Appointments made thereafter shall be for three (3) year terms, but no person shall be appointed to serve more than two (2) consecutive terms. Terms shall begin on the first day of the calendar year and end on the last day of the calendar year or until successors are appointed, except for the first appointed members who shall serve through the last calendar day of the year in which they are appointed, before commencing the terms prescribed in this section.

(3) The members of the board shall be selected by the governor after considering a list of three (3) qualified applicants for each such vacancy submitted by the Idaho physical therapy association.

(4) The board, within sixty (60) days after the effective date of this act, and annually thereafter, shall hold a meeting and elect a chairman who shall preside at meetings of the board. In the event the chairman is not present at any board meeting, the board may by majority vote of the members present appoint a temporary chairman. A majority of the members of the board

1 shall constitute a quorum. Other meetings may be convened at the call of the chairman or upon  
2 the written request of any two (2) board members.

3 (5) Each member of the board shall be compensated as provided in section 59-509(hn),  
4 Idaho Code.

5 (6) Members of the board shall disqualify themselves and, upon the motion of any  
6 interested party may, upon proper showing, be disqualified in any proceeding concerning which  
7 they have an actual conflict of interest or bias that interferes with their fair and impartial  
8 service.

9 (7) The governor may remove any member of the board from the membership of the  
10 board who is guilty of malfeasance, misfeasance or nonfeasance.

11 SECTION 2. That Section 54-2212, Idaho Code, be, and the same is hereby amended to  
12 read as follows:

13 54-2212. QUALIFICATIONS FOR LICENSURE OF FOREIGN-EDUCATED  
14 PHYSICAL THERAPISTS. (1) An applicant for licensure as a physical therapist or physical  
15 therapist assistant who has been educated outside of the United States shall:

16 (a) Be of good moral character; and

17 (b) Submit a completed written application to the board on forms furnished by the board  
18 which shall require proof of graduation from a school for physical therapists or physical  
19 therapist assistants with a curriculum acceptable to the board; and

20 (c) Have his or her education credentials evaluated by a board approved credential  
21 evaluation agency and provide satisfactory evidence that his or her education is  
22 substantially equivalent to the requirements of physical therapists or physical therapist  
23 assistants educated in accredited educational programs as determined by the board. If  
24 the board determines that a foreign-educated applicant's education is not substantially  
25 equivalent, it may require successful completion of additional coursework before  
26 proceeding with the application process;

27 (d) Provide written proof that the school of physical therapy education is recognized  
28 by its own ministry of education and that such education would qualify the person for a  
29 license to practice physical therapy without limitation in that country;

30 (e) If the applicant has actually practiced as a physical therapist or physical therapist  
31 assistant abroad, the applicant shall provide written proof of authorization to practice as  
32 a physical therapist without limitations in the country where the professional education  
33 occurred;

34 (f) Provide proof of legal authorization to reside and seek employment in the United  
35 States or its territories;

36 (g) Have successfully passed an examination authorized by the board.

37 (2) Notwithstanding the provisions of this section, if the foreign-educated physical  
38 therapist or physical therapist assistant applicant is a graduate of a professional physical therapy  
39 education program accredited by an agency approved by the board, requirements in subsections  
40 (1)(c) and (1)(d) of this section shall be waived.