

## Amendment No. 144

Senate Amendment to Senate Bill No. 152

(BDR 54-471)

**Proposed by:** Committee on Commerce and Labor**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of SB152 (§§ 3, 4).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by deleting section 1 and renumbering sections 2 through 7 as sections 1 through 6.

Amend sec. 3, page 4, by deleting lines 4 through 8 and inserting:

***“3. A person who has applied for licensure as a physical therapist and who meets the qualifications set forth in NRS 640.080, except subsection 3 thereof, is temporarily exempt from licensure and may practice physical therapy during the period of the temporary exemption if:***

***(a) The person has submitted a completed application for licensure for the first time and the application has been approved by the Board;”.***

Amend sec. 3, page 4, by deleting lines 12 through 15 and inserting:

***“licensure as a physical therapist;***

SH/KP

Date: 4/4/2005

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*(d) The person practices physical therapy under the supervision of a licensed physical therapist and in accordance with the provisions of this chapter and the regulations of the Board; and*

*(e) The person complies with any other requirements of the Board to practice physical therapy during the period of the temporary exemption.*

*4. The temporary exemption authorized by subsection 3 begins on the date on which the Board notifies the person that he may practice physical therapy under the temporary exemption and continues until”.*

Amend sec. 3, page 4, line 18, after “*examination.*” by inserting:

*“During the period of the temporary exemption, the person:*

*(a) Shall not use as his title or professional credentials any words, letters or insignia except for the words “graduate of physical therapy.”*

*(b) Is subject to the regulatory and disciplinary authority of the Board to the same extent as a licensed physical therapist.”.*

Amend sec. 4, page 4, line 21, by deleting:

*“~~[A]~~ Using a form provided by the Board, a”* and inserting “A”.

Amend sec. 5, page 5, line 3, by deleting:

*“~~[A]~~ Using a form provided by the Board, a”* and inserting “A”.

Amend the bill as a whole by deleting sections 8 and 9 and renumbering sec. 10 as sec. 7.

Amend sec. 10, page 6, lines 39 and 40, by deleting:

“1 to 4, inclusive, 6, 7 and 8” and inserting:

“1, 2, 3, 5 and 6”.

Amend sec. 10, page 6, line 41, by deleting:

“Sections 4 and 8 of this act expire” and inserting:

“Section 3 of this act expires”.

Amend sec. 10, page 7, line 7, by deleting:

“Sections 5 and 9 of this act become” and inserting:

“Section 4 of this act becomes”.

Amend the title of the bill to read as follows:

“AN ACT relating to physical therapists; revising the provisions governing the approval of schools and educational curricula for physical therapy; allowing applicants who meet certain qualifications and requirements to practice physical therapy under a temporary exemption from licensure pending the examination for licensure; authorizing the Board to establish a fee to review a course of continuing education; authorizing a civil penalty; and providing other matters properly relating thereto.”.

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law requires the State Board of Physical Therapy Examiners to approve schools and any educational curriculum for physical therapists and physical therapists' assistants subject to certain limitations. (NRS 640.060, 640.080, 640.230, 640.240) Under existing law, the Board is prohibited from approving certain schools and curricula unless they meet certain standards required by the American Physical Therapy Association. (NRS 640.080, 640.240)

This bill removes the requirement that certain schools and curricula approved by the Board must meet certain standards required by the American Physical Therapy Association. This bill gives the Board the authority to approve schools that are accredited by an accrediting agency recognized by the Board.

Under existing law, to be eligible for licensure as a physical therapist, an applicant must be of good moral character and must have graduated from a school in which he completed a curriculum of physical therapy approved by the Board. The applicant must also pass an examination. (NRS 640.080) An applicant may not practice physical therapy until he has been issued a license by the Board. (NRS 640.169)

This bill allows certain qualified applicants to practice physical therapy under a temporary exemption from licensure pending the examination. To be eligible for the temporary exemption, the applicant must be a qualified first-time applicant whose application has been approved by the Board and who has not previously failed the examination. During the period of the temporary exemption,

the applicant must practice under the supervision of a licensed physical therapist and must comply with any other requirements imposed by the Board. In addition, the applicant may only use the title “graduate of physical therapy” during this period, and the applicant is subject to the regulatory and disciplinary authority of the Board. The temporary exemption is valid until the applicant takes the examination for licensure and receives the results of the examination, or if the applicant fails to take the examination, until the date on which the examination is given.

Existing law provides that the State Board of Physical Therapy Examiners must require physical therapists to complete certain requirements for continuing education as a condition to the renewal of a license and requires the Board to approve the courses of study or training for that continuing education. (NRS 640.150)

This bill authorizes the Board to establish a fee of not more than \$150 to consider approving a course of study or training for continuing education.

Existing law makes it unlawful, except in certain circumstances, to practice physical therapy without a license. (NRS 640.169)

This bill authorizes the Board to impose a civil penalty of not more than \$5,000 per violation, in addition to any criminal penalty, on any person who practices physical therapy in this State without a license when required.