

1 SB165  
2 164515-7  
3 By Senator Beasley  
4 RFD: Health and Human Services  
5 First Read: 05-MAR-15

1 SB165

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4 ENROLLED, An Act,

5 Relating to the Board of Prosthetists and  
6 Orthotists; to amend Section 34-25A-5 of the Code of Alabama  
7 1975, relating to the practice of prosthetics, orthotics, and  
8 pedorthics by persons who are not licensed by the board; to  
9 delete certain employment and educational settings where  
10 unlicensed persons may practice.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 34-25A-5 of the Code of Alabama  
13 1975, is amended to read as follows:

14 "§34-25A-5.

15 "(a) Except as provided in subsection (h) or (i), no  
16 person shall administer prosthetic, orthotic, or pedorthic  
17 care in this state unless licensed or registered to do so in  
18 accordance with this chapter. The board shall issue approved  
19 forms for application prior to January 1, 2003.

20 "(b) In order to obtain a license as a prosthetist,  
21 orthotist, or prosthetist/orthotist in this state, an  
22 applicant shall be a citizen of the United States or, if not a  
23 citizen of the United States, a person who is legally present  
24 in the United States with appropriate documentation from the  
25 federal government, and shall do the following:

1           "(1) File a written application on forms to be  
2 developed and approved by the board. The applicant shall meet  
3 at least one of the following requirements after a one-year  
4 grandfather period:

5           "a. The applicant shall possess a baccalaureate  
6 degree in orthotics and prosthetics from a college or  
7 university accredited by a regional accrediting agency and  
8 complete 1,900 hours per discipline sought of directed  
9 employment under the supervision of a certified/licensed  
10 prosthetist, a certified/licensed orthotist or a  
11 certified/licensed prosthetist/orthotist in an accredited  
12 facility, and be certified as a prosthetist, orthotist, or  
13 prosthetist/orthotist by a nationally recognized certifying  
14 board in orthotics and prosthetics accredited by the National  
15 Commission for Certifying Agencies (NCCA), or such other  
16 national agency as approved by the board, in the discipline or  
17 disciplines for which the application is made.

18           "b. The applicant shall possess a baccalaureate  
19 degree from a regionally accredited college or university and  
20 have successfully completed a post-baccalaureate certificate  
21 course approved by the board and completed 1,900 hours of  
22 directed employment per discipline in which license is sought  
23 under the supervision of a certified/licensed prosthetist, a  
24 certified/licensed orthotist, or a certified/licensed  
25 prosthetist/orthotist in an accredited facility, and be

1 certified by a nationally recognized certifying board in  
2 prosthetics or orthotics accredited by the National Commission  
3 for Certifying Agencies (NCCA), or such other national agency  
4 as approved by the board, in the discipline or disciplines for  
5 which application is made.

6 "c. The applicant shall possess an associate's  
7 degree from a regionally accredited college or university,  
8 junior college, or community college and have successfully  
9 completed postsecondary coursework in anatomy, physiology,  
10 physics, biology, chemistry, algebra, and calculus and have  
11 worked under the supervision of a certified/licensed  
12 prosthetist, a certified/licensed orthotist, or a  
13 certified/licensed prosthetist/orthotist for not less than  
14 four consecutive years of the past six years in an accredited  
15 facility, and be certified by a nationally recognized  
16 certifying board in prosthetics or orthotics accredited by the  
17 National Commission for Certifying Agencies (NCCA), or such  
18 other national agency as may be approved by the board.

19 "d. The applicant shall have successfully completed  
20 postsecondary coursework in anatomy, physiology, physics,  
21 biology, chemistry, algebra, and calculus and have worked  
22 under the supervision of a certified/licensed prosthetist, a  
23 certified/licensed orthotist, or a certified/licensed  
24 prosthetist/orthotist for not less than eight years of the  
25 last 12 years and be certified as a prosthetist, orthotist, or

1 prosthetist/orthotist by a nationally recognized board  
2 accredited by the National Commission for Certifying Agencies  
3 (NCCA), or such national agency as may be approved by the  
4 board, in the discipline or disciplines for which application  
5 is made.

6 "(2) Any applicant after the first year following  
7 the board's issuance of applications shall meet the  
8 requirements of subdivision (1) of subsection (b) prior to  
9 receiving a license as a prosthetist, an orthotist, or a  
10 prosthetist/orthotist.

11 "(c) In order to obtain a license as a pedorthist in  
12 this state, an applicant shall be a citizen of the United  
13 States or, if not a citizen of the United States, a person who  
14 is legally present in the United States with appropriate  
15 documentation from the federal government, and shall file a  
16 written application on forms to be developed and approved by  
17 the board. Applicants shall be in good standing as a certified  
18 pedorthist with an entity accredited by the National  
19 Commission for Certifying Agencies.

20 "(d) In order to obtain registration as an orthotic  
21 supplier, an applicant shall be a citizen of the United States  
22 or, if not a citizen of the United States, a person who is  
23 legally present in the United States with appropriate  
24 documentation from the federal government, and shall do the  
25 following:

1           "(1) File a written application on forms to be  
2 developed and approved by the board. Such forms shall require  
3 personal information such as full name, current address,  
4 educational status and history, and work history for the last  
5 five years of employment.

6           "(2) The application forms shall be accompanied,  
7 when submitted, by attestation of employment by or contractual  
8 relationship with a manufacturer of orthoses or orthosis  
9 components whether registered with the United States Food and  
10 Drug Administration or not. Attestation shall be by notarized  
11 statement signed by the president, chief operating officer, or  
12 other designated corporate official of the employing company.

13           "(e) The board shall grant a license without an  
14 examination for those qualified applicants who apply within  
15 one year of the issuance of application forms by the board.  
16 For purposes of this subsection, qualified applicants are  
17 those who possess current credentials as a Certified  
18 Prosthetist, Certified Orthotist, or Certified  
19 Prosthetist/Orthotist issued by the American Board for  
20 Certification in Orthotics and Prosthetics, Incorporated, or  
21 the Board for Orthotist/Prosthetist Certification as a  
22 prosthetist, orthotist, or prosthetist/orthotist.

23           "(f) The board may issue a 12-month temporary  
24 license as a prosthetist, an orthotist, a pedorthist, or a  
25 prosthetist/orthotist to persons who have applied for

1 licensure and are awaiting examination. The temporary license  
2 is renewable once for a six-month period if the applicant  
3 fails to pass the examination at the first sitting.

4 "(g) The board shall grant a license as a  
5 prosthetist, an orthotist, a prosthetist/orthotist, or  
6 pedorthist to an applicant in possession of a current license  
7 as a prosthetist, orthotist, prosthetist/orthotist, or  
8 pedorthist in another state or territory of the United States  
9 without examination if the board determines that the  
10 credentialing standards set by the other state or territory  
11 are substantially equivalent to the standards set by the board  
12 for this state.

13 "(h) No person may represent himself or herself as a  
14 licensed prosthetist, licensed orthotist, licensed  
15 prosthetist/orthotist, or licensed pedorthist, use a title or  
16 description of services, or engage in the practice of  
17 prosthetics, orthotics, or pedorthics without applying for  
18 licensure, meeting the required qualifications, and being  
19 licensed by the board unless otherwise exempted by this  
20 chapter. A person not licensed with the board may not  
21 represent himself or herself as being so licensed and may not  
22 use, in connection with his or her name, the words licensed  
23 orthotist, orthotist, licensed prosthetist, prosthetist,  
24 licensed prosthetist/orthotist, prosthetist/orthotist,  
25 licensed pedorthist, pedorthist, licensed orthotic fitter,

1 orthotic fitter, licensed mastectomy fitter, mastectomy  
2 fitter, licensed therapeutic shoe fitter, therapeutic shoe  
3 fitter, or letters "L.O.," "L.P.," "L.P.O.," "L.O.A.," "LPed,"  
4 "L.P.A.," "L.P.O.A.," "L.M.F.," "L.O.F.," "L.T.S.F." or other  
5 letters, words, signs, numbers, or insignia indicating or  
6 implying that he or she is either a licensed prosthetist, a  
7 licensed orthotist, a licensed prosthetist/orthotist, a  
8 licensed pedorthist, a licensed mastectomy fitter, a licensed  
9 therapeutic shoe fitter, or a licensed orthotic fitter in the  
10 State of Alabama without first having a valid license. The  
11 license shall be posted in a conspicuous location at the  
12 person's work site.

13 "(i) Nothing in this chapter shall be construed to  
14 prohibit or restrict the following:

15 "(1) The practice of prosthetics, orthotics, or  
16 pedorthics by individuals authorized and performing services  
17 within their authorized scopes of practice as adopted by the  
18 State of Alabama Legislature including, but not limited to,  
19 authorized health care practitioners, doctors of podiatry,  
20 chiropractors, physical therapists, and occupational  
21 therapists licensed in this state.

22 "(2) The practice of prosthetics, orthotics, or  
23 pedorthics by an individual employed by, or in the service of  
24 the government of the United States of America while engaged



1 in the performance of duties prescribed by the laws of the  
2 United States of America.

3 "(3) The practice of prosthetics, orthotics, or  
4 pedorthics by any person not licensed as a prosthetist,  
5 orthotist, prosthetist/orthotist, orthotic fitter, therapeutic  
6 shoe fitter, or pedorthist in accordance with this chapter who  
7 is employed in a ~~diagnostic laboratory,~~ hospital,  
8 rehabilitation facility, or authorized health care  
9 practitioner's office ~~or as a medical lab technician or~~  
10 ~~technologist whose function is to administer treatment or~~  
11 ~~perform diagnostic procedures confined to that laboratory or~~  
12 ~~office~~ under the direction of an authorized health care  
13 practitioner.

14 "~~(4) The practice of prosthetics, orthotics, or~~  
15 ~~pedorthics by a person who is a regular or full-time student~~  
16 ~~in a prosthetic or orthotic educational program approved by~~  
17 ~~the board, and whose designated status is student or trainee.~~

18 "~~(5)~~ (4) A person fulfilling the supervised residency  
19 or internship experience requirements described in this  
20 chapter.

21 "~~(6)~~ (5) A person who meets the qualifications listed  
22 in subdivision (1) of subsection (b) from performing  
23 prosthetic, orthotic, or pedorthic services in this state,  
24 provided the services are not performed for more than 60 days  
25 per 12-month period, after notification to the board.

1                   "~~(7)~~(6) The practice of pharmacy by an individual  
2                   subject to Chapter 23 of this title."

3                   Section 2. This act shall become effective on the  
4                   first day of the third month following its passage and  
5                   approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB165

Senate 19-MAR-15

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris  
Secretary

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House of Representatives  
Passed: 14-APR-15

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By: Senator Beasley