

SENATE No. 01072

The Commonwealth of Massachusetts

PRESENTED BY:

Gale D. Candaras

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the registration of clinical exercise physiologists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

SENATE No. 01072

By Ms. Candaras, petition (accompanied by bill, Senate, No. 1072) of Swan, Spilka, Puppolo and other members of the General Court for legislation relative to the registration of clinical exercise physiologists [Joint Committee on Public Health].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the registration of clinical exercise physiologists.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1: Section 11A of chapter 13 of the General Laws is hereby amended by
2 striking “eleven members” and inserting in place “fourteen members” in the first sentence.

3 Section 2: Section 11A of chapter 13 of the General Laws is hereby amended by
4 adding the following clause, “three of such members shall be clinical exercise physiologists
5 licensed in accordance with the provisions of section twenty-three B of chapter one hundred and
6 twelve” after the clause “Three of such members shall be athletic trainers licensed in accordance
7 with the provisions of section twenty-three B of chapter one hundred and twelve;”.

8 Section 3: Section 23A of chapter 112 of the General Laws is hereby amended by
9 adding the following language after “Board, the board on allied health professions”, established
10 under section eleven A of chapter thirteen:

11 Clinical Exercise Physiology”, an allied health profession that utilizes the application of
12 scientific principles to design, implement, supervise and evaluate outcomes for exercise services
13 provided to individuals with chronic diseases, conditions and/or functional deficits. Clinical
14 Exercise Physiology services focus on the enhancement of physical capabilities for the purpose
15 of: (1) chronic disease management; (2) reducing risks for premature development of or
16 recurrence of chronic diseases; (3) promoting behavioral patterns consistent with maintenance of
17 health; (4) improving performance of activities of daily living; (5) increasing the potential for
18 physical, social and economic independence. The Clinical Exercise Physiologist (hereinafter
19 “CEP”) possesses the scientific knowledge, technical skills, interpretive abilities, and practical
20 experiences necessary to provide individualized exercise for clinical populations. The CEP is
21 uniquely competent to educate, motivate and counsel individuals with medical considerations in
22 their efforts to reduce functional deficits, safely improve and maintain their physical fitness and
23 develop healthy lifestyles. The CEP also measures, evaluates, and provides supportive
24 consultation to other allied-health providers relative to multidimensional physical fitness and
25 exercise testing. The CEP formulates, develops and implements exercise protocols and
26 programs, administers graded exercise tests, and provides education regarding such exercise
27 programs and tests and risk factor modification in a rehabilitation or diagnostic setting to
28 individuals with cardiovascular, pulmonary, and metabolic diseases, neoplastic
29 (oncology)/immunologic/hematologic conditions, along with chronic orthopedic and
30 neuromuscular diseases and disabilities.

31 “Clinical Exercise Physiologist”, a person who is duly licensed to practice clinical
32 exercise physiology in the commonwealth in accordance with section twenty-three B.

33 ”Exercise Protocols and Programs”, the intensity, duration, frequency, volume, and mode
34 of activity to improve and/or maintain an individual’s functional capacity.

35 Section 4: Section 23B of chapter 112 of the General Laws is hereby amended by
36 adding “clinical exercise physiologists,” in the second sentence after “athletic trainers,”.

37 Section 5: Section 23B of chapter 112 of the General Laws is hereby amended by
38 adding “twenty-three F1/2,” in the fourth sentence after “twenty-three F,”.

39 Section 6: Section 23C of chapter 112 of the General Laws is hereby amended by
40 adding “a clinical exercise physiologist or” in the first sentence after “athletic trainer or”.

41 Section 7: Section 23C of chapter 112 of the General Laws is hereby amended by
42 adding “as a clinical exercise physiologist;” in the first sentence after “practice as an athletic
43 trainer”.

44 Section 8: Section 23D of chapter 112 of the General Laws is hereby amended by adding
45 “or a clinical exercise physiologist,” in the first sentence after “license as an athletic trainer”.

46 Section 9: Section 23E of chapter 112 of the General Laws is hereby amended by
47 adding “or clinical exercise physiologist” in subsection (b) after “any person employed as an
48 athletic trainer”.

49 Section 10: Section 23E of chapter 112 of the General Laws is hereby amended by
50 adding “or clinical exercise physiology” in subsection (c) after “certificate in athletic training”.

51 Section 11: Section 23E of chapter 112 of the General Laws is hereby amended by
52 adding “or clinical exercise physiology services” in subsection (e) after “any person performing
53 athletic training services”.

54 Section 12: Section 23E of chapter 112 of the General Laws is hereby amended by
55 adding “or clinical exercise physiologist” in subsection (e) after “two days in a calendar year in
56 association with an athletic trainer”.

57 Section 13: Chapter 112 of the General Laws is hereby amended by adding after
58 Section 23F the following section:

59 Chapter 112: Section 23F1/2. Clinical Exercise Physiologist; qualifications

60 Section 23I. An applicant for licensure as a clinical exercise physiologist shall:

61 (a) hold a master’s degree or higher with a major course of study in clinical
62 exercise physiology, exercise science, kinesiology, or applied exercise physiology from an
63 accredited college or university approved by the board, or be a graduate of an accredited
64 educational program in Exercise Physiology, and including a minimum of 600 hours of clinical
65 experience as a clinical exercise physiologist,

66 (b) or have graduated from an educational program in clinical exercise
67 physiology, exercise science, kinesiology, or applied exercise physiology chartered in a
68 sovereign state outside the United States and have furnished to the board such evidence as it may
69 require: (1) that his education is substantially the equivalent of that of graduates of approved
70 programs in the United States, and (2) that he has sufficient qualifications, including the
71 proficiency in the English language, to practice clinical exercise physiology,

72 (c) and passed the American College of Sports Medicine examination for
73 Registered Clinical Exercise Physiologists or Clinical Exercise Specialists or equivalent as
74 determined by the board.

75 Section 14: Section 23K of chapter 112 of the General Laws is hereby amended by
76 adding “or clinical exercise physiology” in subsection (c) after “his practice of athletic training”.

77 Section 15: Section 23K of chapter 112 of the General Laws is hereby amended by adding
78 “clinical exercise physiology or” in subsection (f) after ethical standards of the professions of”.

79 Section 16: Section 23L of chapter 112 of the General Laws is hereby amended by
80 adding “clinical exercise,” after “athletic trainer,”.

81 Section 17: Chapter 112 of the General Laws is hereby amended by adding after
82 Section 23N the following section:

83 Chapter 112: Section 23N1/2. Clinical Exercise Physiologists; necessity for licensure

84 Section 23N1/2. No person shall hold himself out as a clinical exercise physiologist or as
85 being able to practice clinical exercise physiology or to render clinical exercise physiology
86 services in this commonwealth unless he is licensed in accordance with section twenty-three B.
87 No person not so licensed may use in connection with his name the words or letters, “C.E.P.”,
88 “R.C.E.P.”, “L.C.E.P.”, or any other words, letters, abbreviations, or insignia indicating that he is
89 a clinical exercise physiologist.

90 Section 18: A license as a clinical exercise physiologist may be issued without
91 examination to an applicant who does not meet the educational requirements of section 23F1/2 of
92 chapter 112 of the General Laws, if the applicant has a bachelor’s degree in exercise science,
93 exercise physiology, or kinesiology and provides to the board's satisfaction that THE
94 APPLICANT has been in paid professional practice in the field of clinical exercise physiology

95 for five years or 10,000 hours out of the last ten years preceding the effective date of THE
96 REGULATIONS IMPLEMENTING THIS ACT.

97 The provisions of this section shall expire one year following the effective date of the
98 IMPLEMENTING REGULATIONS.