

1 HB393
2 115939-3
3 By Representative Gipson
4 RFD: Boards and Commissions
5 First Read: 21-JAN-10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

To amend Section 34-24-192 of the Code of Alabama 1975, as amended by Act 2009-27 of the 2009 Regular Session (Acts 2009, p. 87), relating to the Board of Physical Therapy; to further provide for the membership.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 34-24-192 of the Code of Alabama 1975, as amended by Act 2009-27 of the 2009 Regular Session (Acts 2009, p. 87), is amended to read as follows:

"§34-24-192.

"(a) Composition; appointment and terms of members. The Board of Physical Therapy shall consist of seven members. Four members of the board shall be physical therapists, two members of the board shall be physical therapist assistants, and one member shall be a consumer. Five The members shall be appointed by the Governor from a list of five persons nominated for each place on the board by the current licensees and certified to him or her by the board, ~~and two additional members appointed by the Governor pursuant to subsection (e).~~ The four physical therapist members shall be nominated from the congressional districts. The physical therapist assistant members on the board shall be nominated from the northern and southern areas of the state. The consumer member shall be nominated from the state at large. For the purpose of

1 preparing the list of five names for each position on the
2 board, the board shall request nominations from vacant or
3 potentially vacant congressional districts. In the event that
4 five names are not received, the board shall request
5 nominations from the state at large. The board shall conduct
6 an annual meeting at which all physical therapists and
7 physical therapist assistants holding a current license as
8 identified under this article shall have the right to attend,
9 nominate, and vote. The board ~~shall have the authority to~~ may
10 regulate and prescribe the date, hour, and place of the
11 meeting, the method of nomination, and the manner of voting.
12 At least 30 days prior to the meeting the board shall mail
13 notices to each current licensee, at the address shown on his
14 or her current registration, notifying him or her of the exact
15 date, hour, and place of the meeting, the purpose of the
16 meeting, and of his or her right to attend and vote. The
17 membership of the board shall be inclusive and reflect the
18 racial, gender, geographic, urban/rural, and economic
19 diversity of the state. Whenever possible, ~~no two members of~~
20 ~~the board shall be residents of the same congressional~~
21 ~~district~~ a congressional district shall not be represented by
22 two physical therapists. The board members shall be appointed
23 for staggered terms of five years each, so that at least one
24 member's term expires each year. ~~After April 19, 2001, as~~ As
25 each member's term expires, the board shall provide a method

1 of nominating members to the board so that each congressional
 2 district in the state is potentially represented on the board
 3 whenever possible. No person shall be appointed for more than
 4 two consecutive terms. ~~Four members of the board shall be~~
 5 ~~physical therapists, two members of the board shall be~~
 6 ~~physical therapist assistants, and one member shall be a~~
 7 ~~consumer.~~

8 "(b) Qualifications of members. Each physical
 9 therapist or physical therapist assistant board member shall
 10 possess all the following qualifications:

11 "(1) Be a resident and citizen of this state.

12 "(2) Have practiced physical therapy, or acted as a
 13 physical therapist assistant, within the State of Alabama for
 14 the three years preceding his or her appointment.

15 "(3) Have no disciplinary action against their
 16 license for the three years preceding his or her appointment.

17 "(c) Vacancies. In the event of a vacancy within one
 18 year of the annual meeting at which the list containing his or
 19 her name was compiled, the Governor shall fill the vacancy by
 20 selecting another name from the remaining names on the list
 21 prepared pursuant to subsection (a). Any vacancy, other than
 22 one occurring prior to the next annual meeting after the
 23 initial appointment is made, shall be filled by appointment of
 24 the Governor from a list of five nominees submitted by the
 25 current licensees of the board.

1 "(d) Officers; compensation and expenses of members.
2 The board shall designate one of its members as chair, one as
3 secretary, and one as treasurer. Members of the board shall
4 receive a fee for every day actually spent in the performance
5 of their duties and in addition thereto shall be reimbursed
6 according to the state travel policy for their other expenses
7 in the same amounts and under the same conditions as state
8 employees are reimbursed. The exact amount of the
9 above-mentioned fee shall be fixed by the board.

10 ~~"(e) The two additional members appointed to the
11 board after April 19, 2001, shall be nominated and appointed
12 by the Governor in the same manner and at the same time, and
13 shall serve the same term of office, as specified in
14 subsection (a) for other board members. The consumer member
15 shall be nominated and appointed in the year 2001, and the
16 additional physical therapist assistant member shall be
17 nominated and appointed in the year 2002."~~

18 Section 2. This act shall become effective
19 immediately following its passage and approval by the
20 Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 11-MAR-10.

Greg Pappas
Clerk

Senate

22-APR-10

Passed