

1 SB63  
2 115369-1  
3 By Senator Waggoner  
4 RFD: Health  
5 First Read: 12-JAN-10  
6 PFD: 12/21/2009

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8 SYNOPSIS: Under existing law, a practicing physical  
9 therapist, or a physical therapist assistant, who  
10 has had a disciplinary action within the three  
11 years preceding his or her appointment would not be  
12 disqualified from serving on the Board of Physical  
13 Therapy.

14 This bill would provide that to be eligible  
15 for appointment to the Board of Physical Therapy a  
16 person, in addition to being a practicing physical  
17 therapist or acting as a physical therapist  
18 assistant within the State of Alabama, shall not  
19 have had any disciplinary action within the three  
20 years preceding his or her appointment.

21  
22 A BILL  
23 TO BE ENTITLED  
24 AN ACT

25  
26 To amend Section 34-24-192 of the Code of Alabama  
27 1975, as amended by Act 2009-27, 2009 Regular Session (Acts

1 2009, p. ), relating to the Board of Physical Therapy to  
2 provide that to be eligible for appointment to the board, a  
3 person, in addition to being a practicing physical therapist  
4 or acting as a physical therapist assistant within the State  
5 of Alabama, shall not have had any disciplinary action within  
6 the three years preceding his or her appointment.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

11 "§34-24-192.

12 "(a) Composition; appointment and terms of members.  
13 The Board of Physical Therapy shall consist of seven members:  
14 Five members appointed by the Governor from a list of five  
15 persons nominated for each place on the board by the current  
16 licensees and certified to him or her by the board, and two  
17 additional members appointed by the Governor pursuant to  
18 subsection (e). For the purpose of preparing the list of five  
19 names for each position on the board, the board shall conduct  
20 an annual meeting at which all physical therapists and  
21 physical therapist assistants holding a current license as  
22 identified under this article shall have the right to attend,  
23 nominate, and vote. The board shall have the authority to  
24 regulate and prescribe the date, hour, and place of the  
25 meeting, the method of nomination, and the manner of voting.  
26 At least 30 days prior to the meeting the board shall mail  
27 notices to each current licensee, at the address shown on his

1 or her current registration, notifying him or her of the exact  
2 date, hour, and place of the meeting, the purpose of the  
3 meeting, and of his or her right to attend and vote. The  
4 membership of the board shall be inclusive and reflect the  
5 racial, gender, geographic, urban/rural, and economic  
6 diversity of the state. Whenever possible, no two members of  
7 the board shall be residents of the same congressional  
8 district. The board members shall be appointed for staggered  
9 terms of five years each, so that at least one member's term  
10 expires each year. After April 19, 2001, as each member's term  
11 expires, the board shall provide a method of nominating  
12 members to the board so that each congressional district in  
13 the state is represented on the board. No person shall be  
14 appointed for more than two consecutive terms. Four members of  
15 the board shall be physical therapists, two members of the  
16 board shall be physical therapist assistants, and one member  
17 shall be a consumer.

18 "(b) Qualifications of members. Each physical  
19 therapist or physical therapist assistant board member shall  
20 possess all the following qualifications:

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

22 "(2) Have practiced physical therapy, or acted as a  
23 physical therapist assistant, within the State of Alabama in  
24 good standing without disciplinary action for the three years  
25 preceding his or her appointment.

26 "(c) Vacancies. In the event of a vacancy within one  
27 year of the annual meeting at which the list containing his or

1 her name was compiled, the Governor shall fill the vacancy by  
2 selecting another name from the remaining names on the list  
3 prepared pursuant to subsection (a). Any vacancy, other than  
4 one occurring prior to the next annual meeting after the  
5 initial appointment is made, shall be filled by appointment of  
6 the Governor from a list of five nominees submitted by the  
7 current licensees of the board.

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

17 "(e) The two additional members appointed to the  
18 board after April 19, 2001, shall be nominated and appointed  
19 by the Governor in the same manner and at the same time, and  
20 shall serve the same term of office, as specified in  
21 subsection (a) for other board members. The consumer member  
22 shall be nominated and appointed in the year 2001, and the  
23 additional physical therapist assistant member shall be  
24 nominated and appointed in the year 2002."

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

