

1 SB188
2 163115-4
3 By Senator Beasley
4 RFD: Governmental Affairs
5 First Read: 10-MAR-15

1 SB188

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To add Section 34-25A-7.1 to the Code of Alabama
12 1975, relating to the State Board of Prosthetists and
13 Orthotists; to further provide for the powers of the board
14 relating to its duty to regulate the practice of prosthetics
15 and orthotics.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 34-25A-7.1 is added to the Code
18 of Alabama 1975, to read as follows:

19 §34-25A-7.1.

20 (a) In addition to the other powers of the board,
21 the State Board of Prosthetists and Orthotists shall have all
22 powers necessary and proper to carry out its official duties,
23 including, but not limited to, the authority to issue
24 subpoenas and compel the attendance of witnesses and the
25 production of all necessary papers, records, documentary
26 evidence and materials, or other evidence in matters pending
27 before the board or to investigate complaints concerning the

1 practice of prosthetics and orthotics. Any subpoena issued
2 pursuant to this section shall be signed by the chair of the
3 board or by the executive officer of the board and may be
4 served by any sheriff, by the executive officer of the board,
5 or by any other person authorized to serve a subpoena under
6 the Alabama Rules of Civil Procedure. Any subpoena issued
7 pursuant to this section shall be enforced by the circuit
8 court upon application of the board or its executive officer
9 in the same manner as the issuance of a subpoena by the
10 circuit court.

11 (b) The board, by rule, may further provide for the
12 enforcement and other disciplinary action, including civil
13 fines, by the board against any licensee of the board or any
14 other person engaged in the practice of prosthetics and
15 orthotics who fails to comply with any subpoena of the board
16 issued pursuant to this section.

17 (c) Subsection (a) is supplemental to the provisions
18 of subsection (c) of Section 41-22-12, relating to the
19 issuance of subpoenas in a contested case under the Alabama
20 Administrative Procedure Act.

21 (d) Nothing in this section shall apply to a
22 hospital or an authorized health care practitioner, or to a
23 person employed by, or contracted with, a hospital or an
24 authorized health care provider.

25 Section 2. This act shall become effective
26 immediately following its passage and approval by the
27 Governor, or its otherwise becoming law.

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3 Senate

4 Read for the first time and referred to the Senate
5 committee on Governmental Affairs..... 10-MAR-15
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7 Read for the second time and placed on the calen-
8 dar 1 amendment..... 17-MAR-15
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10 Read for the third time and passed as amended 31-MAR-15

11 Yeas 20
12 Nays 7

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15 Patrick Harris
16 Secretary
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