

1 HB292  
2 135912-5  
3 By Representative Johnson (R)  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 19-FEB-13

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8 SYNOPSIS: This bill would relate to the licensing of  
9 prosthetists and orthotists. The bill would define  
10 an orthotic fitter, would specify that an orthotic  
11 supplier provides non-custom orthoses, and would  
12 further specify that the licensing law applies to a  
13 licensed therapeutic shoe fitter instead of using  
14 the term registered therapeutic shoe fitter. The  
15 bill would also conform the abbreviated licensure  
16 titles in the law.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 To amend Sections 34-25A-3, 34-25A-4, 34-25A-5,  
23 34-25A-7, and 34-25A-11 of the Code of Alabama 1975, relating  
24 to the State Board of Prosthetists and Orthotists; to further  
25 provide for definitions; to specify that an orthotic supplier  
26 provides non-custom orthoses; to specify that the law applies

1 to licensed therapeutic shoe fitters; and to conform the  
2 abbreviated licensure titles in the law.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. This act is named and shall be known as  
5 the "Colonel Mike Sullivan Act."

6 Section 2. Sections 34-25A-3, 34-25A-4, 34-25A-5,  
7 34-25A-7, and 34-25A-11 of the Code of Alabama 1975, are  
8 amended to read as follows:

9 "§34-25A-3.

10 "As used in this chapter, the following terms shall  
11 have the following meanings:

12 "(1) ACCREDITED FACILITY. A facility where  
13 prosthetic, orthotic, prosthetic and orthotic, or pedorthic  
14 care is provided to patients needing such care and has met the  
15 requirements of the board for such designation. The board  
16 shall require that all accredited facilities meet the  
17 requirements of a national certifying board, recognized by the  
18 state board in prosthetics, orthotics, and pedorthics  
19 accredited by the National Commission for Certifying Agencies  
20 (NCCA) in the discipline or disciplines for which the  
21 application is made and meet any other requirements of the  
22 board. The requirements may include custom and non-custom  
23 items the board may determine are necessary to perform quality  
24 care and are typical in the course of business.

25 "(2) ACCREDITED PEDORTHIC FACILITY. A facility where  
26 pedorthic care may be provided that has met the requirements  
27 of the board for such designation. An accredited pedorthic

1 facility shall contain a site that includes at least the  
2 following equipment: Sanding/grinding equipment suitable for  
3 use, an oven for plastics and foams used in the fabrication of  
4 pedorthic devices, and a vacuum device for forming pedorthic  
5 devices.

6 "(3) AUTHORIZED HEALTH CARE PRACTITIONER. A  
7 physician licensed to practice medicine or a person licensed  
8 or authorized to practice podiatry pursuant to Article 6  
9 (commencing with Section 34-24-230) of Chapter 24.

10 "(4) BOARD. The Alabama State Board of Prosthetists  
11 and Orthotists.

12 "(5) CHIROPRACTOR. A person licensed and acting  
13 within the definition as found in Section 34-24-120.

14 "(6) MASTECTOMY FITTER. A health care professional  
15 who is specifically educated and trained in the provision of  
16 breast prostheses and post-mastectomy services, including  
17 patient assessment, formulation of a treatment plan,  
18 implementation of the treatment plan, and follow-up and  
19 practice management, which is consistent with nationally  
20 recognized programs which are accredited by the National  
21 Commission for Certifying Agencies (NCCA).

22 "(7) OCCUPATIONAL THERAPIST/OCCUPATIONAL THERAPIST  
23 ASSISTANT/OCCUPATIONAL THERAPIST AIDE. A person who is  
24 licensed as an occupational therapist, or occupational  
25 therapist assistant, or occupational therapist aide as defined  
26 in Section 34-39-3.

1           "(8) ORTHOSIS. A custom-fabricated, definitive brace  
2 or support that is designed for long-term use.  
3 Custom-fabricated orthoses, also known as custom-made  
4 orthoses, are devices designed and made from raw materials or  
5 commercially available components for a specific patient and  
6 require the generation of an image, form, or mold that  
7 replicates the patient's body or body segment and involves the  
8 rectification of dimensions, contours, and volumes to achieve  
9 proper fit, comfort, and function for that specific patient.  
10 Except for the treatment of scoliosis, orthosis does not  
11 include prefabricated or direct-formed orthotic devices, as  
12 defined in this subdivision and does not include any of the  
13 following items: Commercially available knee orthoses used  
14 following injury or surgery; upper extremity adaptive  
15 equipment; finger splints; leather wrist gauntlets; face masks  
16 used following burns; wheelchair seating that is an integral  
17 part of the wheelchair and not worn by the patient independent  
18 of the wheelchair; fabric or elastic supports; corsets; arch  
19 supports, also known as non-custom or prefabricated orthotics;  
20 low-temperature formed plastic splints; trusses; elastic hose;  
21 canes; crutches; cervical collars; dental appliances, and  
22 other similar devices as determined by the board, such as  
23 those commonly carried in stock by a pharmacy, hospital,  
24 rehabilitation facility, department store, corset shop, or  
25 surgical supply facility. Prefabricated orthoses, also known  
26 as custom-fitted or off-the-shelf, are devices that are  
27 manufactured as commercially available items for no particular

1     patient, but those devices that can be formed or shaped by a  
2     person licensed under this chapter are considered custom made.  
3     Direct-formed orthoses are devices formed or shaped during the  
4     molding process directly on the patient's body or body  
5     segment.

6             "(9) ORTHOTIC FITTER. A health care practitioner,  
7     licensed with the board, who is specifically educated and  
8     trained in the provision of certain orthoses, including  
9     patient assessment, formulation of a treatment plan,  
10    follow-up, and practice management, consistent with nationally  
11    recognized programs accredited by the National Commission for  
12    Certifying Agencies (NCCA).

13            ~~"(9)~~ (10) ORTHOTICS. The science and practice of  
14    evaluating, measuring, designing, fabricating, assembling,  
15    fitting, adjusting, or servicing, as well as providing the  
16    initial training necessary to accomplish the fitting of, an  
17    orthosis for the support, correction, or alleviation of  
18    neuromuscular or musculoskeletal dysfunction, disease, injury,  
19    or deformity. The practice of orthotics encompasses  
20    evaluations and consultation and continuing care, with basic  
21    observational gait and posture analysis. Orthotists assess the  
22    need for and measure, design, manufacture, and fit orthoses to  
23    maximize function and provide not only the support but the  
24    alignment necessary to either prevent or correct deformity or  
25    to improve the safety and efficiency of mobility or  
26    locomotion, or both. Orthotic practice includes periodic  
27    evaluation and consultation to assess its effect on the

1 patient's tissue and assure proper fit and function of the  
2 orthotic device.

3 "~~(10)~~ (11) ORTHOTIC SUPPLIER. A person licensed with  
4 the board who is employed by or has a contractual relationship  
5 with a manufacturer of orthoses or orthosis components and who  
6 has complied with the ~~registration~~ requirements of the board.

7 "~~(11)~~ (12) ORTHOTIST. A person licensed to practice  
8 orthotics under this chapter.

9 "~~(12)~~ (13) ORTHOTIST ASSISTANT. A person licensed  
10 under terms to be defined by the board and employed by the  
11 same agency as his or her licensed referring evaluator.

12 "~~(13)~~ (14) PEDORTHIC DEVICE. Custom therapeutic  
13 shoes, diabetic shoes if prescribed by an authorized health  
14 care practitioner for the treatment of partial or complete  
15 amputation of the foot, foot ulceration, pre-ulcerative  
16 callous, or foot deformity, shoe modifications made for  
17 therapeutic purposes, partial foot prostheses, and foot  
18 orthoses and orthoses for use from the knee and below used for  
19 the treatment or alleviation, or both, of a condition that has  
20 its origin in the foot. A pedorthic device, custom or  
21 non-custom, addresses a medical condition of the foot below  
22 the ankle and is prescribed by an authorized health care  
23 practitioner.

24 "~~(14)~~ (15) PEDORTHICS. The design, manufacture,  
25 modification, or fit of custom shoes, orthoses, and pedorthic  
26 devices to prevent or alleviate foot problems caused by  
27 disease, congenital defect, overuse, or injury.

1           "~~(15)~~ (16) PEDORTHIST. A person who is licensed to  
2 practice pedorthics under this chapter.

3           "~~(16)~~ (17) PHYSICAL THERAPIST/PHYSICAL THERAPIST  
4 ASSISTANT/PHYSICAL THERAPIST TECHNICIAN. A person who is  
5 licensed to practice as defined in Section 34-24-191.

6           "~~(17)~~ (18) PHYSICIAN. A person who is a doctor of  
7 medicine or a doctor of osteopathy licensed to practice.

8           "~~(18)~~ (19) PODIATRIST. A person licensed or  
9 authorized to practice podiatry pursuant to Article 6 of  
10 Chapter 24.

11           "~~(19)~~ (20) PROSTHESIS. A definitive artificial limb  
12 that is alignable or articulated or, in lower extremity  
13 applications, capable of bearing weight. Prosthesis means an  
14 artificial medical device that is not surgically implanted and  
15 that is used to replace a missing limb, appendage, or other  
16 external human body part and that includes an artificial limb,  
17 hand, or foot. The term does not include artificial eyes,  
18 ears, dental appliances, ostomy products, devices such as  
19 artificial breasts or eyelashes, wigs, or other devices as  
20 determined by the board that do not have a significant impact  
21 on the musculoskeletal functions of the body.

22           "~~(20)~~ (21) PROSTHETICS. The science and practice of  
23 evaluating, measuring, designing, fabricating, assembling,  
24 fitting, aligning, adjusting, or servicing, as well as  
25 providing the initial education necessary to accomplish the  
26 wearing and use of a prosthesis, through the replacement of  
27 external parts of a human body lost due to amputation or



1 congenital deformities or absences. The practice of  
2 prosthetics also includes the generation of an image, form, or  
3 mold that replicates the patient's body or body segment and  
4 that requires rectification of dimensions, contours, and  
5 volumes for use in the design and fabrication of a socket to  
6 accept a residual limb to create an artificial appendage that  
7 is designed either to support body weight or to improve or  
8 restore function or cosmesis, or both. Involved in the  
9 practice of prosthetics is observational gait analysis and  
10 clinical assessment of the requirements necessary to refine  
11 and mechanically fix the relative position of various parts of  
12 the prosthesis to maximize the function, stability, and safety  
13 of the patient. The practice of prosthetics includes  
14 evaluation, consultation, and providing continuing patient  
15 care in order to assess the effect of the prosthetic device on  
16 the patient's tissues and to assure proper fit and function of  
17 the prosthetic device.

18 ~~"(21)"~~ (22) PROSTHETIST. A person who is licensed to  
19 practice prosthetics under this chapter.

20 ~~"(22)"~~ (23) PROSTHETIST ASSISTANT. A person licensed  
21 under terms to be defined by the board and employed by the  
22 same agency as his or her licensed referring evaluator.

23 ~~"(23)"~~ (24) PROSTHETIST/ORTHOTIST. A person licensed  
24 to practice prosthetics and orthotics under this chapter.

25 ~~"(24)"~~ (25) THERAPEUTIC SHOE FITTER. A health care  
26 professional who is licensed by the board and who is  
27 specifically educated and trained to provide non-custom

1 therapeutic shoes and non-custom multi-density inserts. This  
2 includes patient assessment, formulation of a plan,  
3 implementation of the treatment plan, follow-up, and practice  
4 management.

5 "§34-25A-4.

6 "(a) A licensed prosthetist, licensed orthotist, or  
7 licensed prosthetist/orthotist may provide services utilizing  
8 new prostheses or orthoses for which he or she is licensed and  
9 only under a written order from an authorized health care  
10 practitioner. A consultation with and periodic review by an  
11 authorized health care practitioner is not required for the  
12 evaluation, repair, adjusting, or servicing of a prosthesis by  
13 a licensed prosthetist, or licensed prosthetist/orthotist and  
14 for the evaluation, repair, adjusting, or servicing of an  
15 orthosis by a licensed orthotist, or licensed  
16 prosthetist/orthotist; nor is an order from an authorized  
17 health care practitioner required for maintenance or  
18 replacement of an orthosis or prosthesis to the level of its  
19 original prescription for an indefinite period of time if the  
20 original order remains appropriate for the patient's medical  
21 needs.

22 "(b) Prosthetists and orthotists must refer persons  
23 receiving service to authorized health care practitioners if  
24 they have reasonable cause to believe symptoms or conditions  
25 are present that require services beyond the scope of their  
26 practice or for which the prescribed prosthetic or orthotic  
27 service is contraindicated.

1           "(c) An orthotic supplier may engage in one or more  
2 of the following: Evaluating, measuring, designing,  
3 fabricating, assembling, fitting, adjusting, servicing,  
4 repairing, replacing, or delivering non-custom orthoses. An  
5 orthotic supplier may provide non-custom orthoses in  
6 hospitals, rehabilitation facilities, physician's offices,  
7 physician's clinics, or other sites as required. An orthotic  
8 supplier shall provide non-custom orthoses based on a written  
9 prescription from an authorized health care practitioner and  
10 under the supervision of such authorized health care  
11 practitioner.

12           "(d) No person licensed under this chapter shall  
13 provide services to a patient without being in the physical  
14 presence of the patient.

15           "§34-25A-5.

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

21           "(b) In order to obtain a license as a prosthetist,  
22 orthotist, or prosthetist/orthotist in this state, an  
23 applicant shall be a citizen of the United States or, if not a  
24 citizen of the United States, a person who is legally present  
25 in the United States with appropriate documentation from the  
26 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  
26 certified by a nationally recognized certifying board in  
27 prosthetics or orthotics accredited by the National Commission

1 for Certifying Agencies (NCCA), or such other national agency  
2 as approved by the board, in the discipline or disciplines for  
3 which application is made.

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

17 "d. The applicant shall have successfully completed  
18 postsecondary coursework in anatomy, physiology, physics,  
19 biology, chemistry, algebra, and calculus and have worked  
20 under the supervision of a certified/licensed prosthetist, a  
21 certified/licensed orthotist, or a certified/licensed  
22 prosthetist/orthotist for not less than eight years of the  
23 last 12 years and be certified as a prosthetist, orthotist, or  
24 prosthetist/orthotist by a nationally recognized board  
25 accredited by the National Commission for Certifying Agencies  
26 (NCCA), or such national agency as may be approved by the

1 board, in the discipline or disciplines for which application  
2 is made.

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

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

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

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

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

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

18          "(f) The board may issue a 12-month temporary  
19          license as a prosthetist, an orthotist, a pedorthist, or a  
20          prosthetist/orthotist to persons who have applied for  
21          licensure and are awaiting examination. The temporary license  
22          is renewable once for a six-month period if the applicant  
23          fails to pass the examination at the first sitting.

24          "(g) The board shall grant a license as a  
25          prosthetist, an orthotist, a prosthetist/orthotist, or  
26          pedorthist to an applicant in possession of a current license  
27          as a prosthetist, orthotist, prosthetist/orthotist, or

1 pedorthist in another state or territory of the United States  
2 without examination if the board determines that the  
3 credentialing standards set by the other state or territory  
4 are substantially equivalent to the standards set by the board  
5 for this state.

6 "(h) No person may represent himself or herself as a  
7 licensed prosthetist, licensed orthotist, licensed  
8 prosthetist/orthotist, or licensed pedorthist, use a title or  
9 description of services, or engage in the practice of  
10 prosthetics, orthotics, or pedorthics without applying for  
11 licensure, meeting the required qualifications, and being  
12 licensed by the board unless otherwise exempted by this  
13 chapter. A person not licensed with the board may not  
14 represent himself or herself as being so licensed and may not  
15 use, in connection with his or her name, the words licensed  
16 orthotist, orthotist, licensed prosthetist, prosthetist,  
17 licensed prosthetist/orthotist, prosthetist/orthotist,  
18 licensed pedorthist, pedorthist, licensed orthotic fitter,  
19 orthotic fitter, licensed mastectomy fitter, mastectomy  
20 fitter, licensed therapeutic shoe fitter, therapeutic shoe  
21 fitter, or letters "L.O.," "L.P.," "L.P.O.," "L.O.A.," "LPed,"  
22 "L.P.A.," "L.P.O.A.," "L.M.F.," "L.O.F.," "L.T.S.F." or other  
23 letters, words, signs, numbers, or insignia indicating or  
24 implying that he or she is either a licensed prosthetist, a  
25 licensed orthotist, a licensed prosthetist/orthotist, a  
26 licensed pedorthist, a licensed mastectomy fitter, a licensed  
27 therapeutic shoe fitter, or a licensed orthotic fitter in the



1 State of Alabama without first having a valid license. The  
2 license shall be posted in a conspicuous location at the  
3 person's work site.

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

6 "(1) The practice of prosthetics, orthotics, or  
7 pedorthics by individuals authorized and performing services  
8 within their authorized scopes of practice as adopted by the  
9 State of Alabama Legislature including, but not limited to,  
10 authorized health care practitioners, doctors of podiatry,  
11 chiropractors, physical therapists, and occupational  
12 therapists licensed in this state.

13 "(2) The practice of prosthetics, orthotics, or  
14 pedorthics by an individual employed by, or in the service of  
15 the government of the United States of America while engaged  
16 in the performance of duties prescribed by the laws of the  
17 United States of America.

18 "(3) The practice of prosthetics, orthotics, or  
19 pedorthics by any person not licensed as a prosthetist,  
20 orthotist, prosthetist/orthotist, orthotic fitter, therapeutic  
21 shoe fitter, or pedorthist in accordance with this chapter who  
22 is employed in a diagnostic laboratory, hospital,  
23 rehabilitation facility, or authorized health care  
24 practitioner's office or as a medical lab technician or  
25 technologist whose function is to administer treatment or  
26 perform diagnostic procedures confined to that laboratory or

1 office under the direction of an authorized health care  
2 practitioner.

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

7 "(5) A person fulfilling the supervised residency or  
8 internship experience requirements described in this chapter.

9 "(6) A person who meets the qualifications listed in  
10 ~~paragraphs a, b, c, and d of~~ subdivision (1) of subsection (b)  
11 from performing prosthetic, orthotic, or pedorthic services in  
12 this state, provided the services are not performed for more  
13 than 60 days per 12-month period, after notification to the  
14 board.

15 "(7) The practice of pharmacy by an individual  
16 subject to Chapter 23 of this title.

17 "(8) Assistance to a physician or a person employed  
18 in a diagnostic laboratory, hospital, rehabilitation facility,  
19 or authorized health care practitioner's office or as a  
20 medical lab technician or technologist whose function is to  
21 administer treatment or perform diagnostic procedures confined  
22 to that laboratory, hospital, rehabilitation facility, or  
23 authorized healthcare practitioner's office under the  
24 direction of an authorized health care practitioner by a  
25 representative, employee, or agent of a manufacturer or  
26 supplier of orthoses, orthosis components, or pedorthic

1 devices in the provision, fitting, wearing, or use by a  
2 patient of any type of orthotic or pedorthic device.

3 "§34-25A-7.

4 "The board shall perform all the following duties:

5 "(1) Establish and publish continuing education  
6 requirements for persons licensed by the board ~~such that a~~  
7 ~~licensed orthotist or a licensed prosthetist or a licensed~~  
8 ~~pedorthist is required to complete a minimum of hours of~~  
9 ~~continuing education and a licensed prosthetist/orthotist is~~  
10 ~~required to complete a minimum of hours of continuing~~  
11 ~~education in each year of a license renewal period. The~~  
12 ~~minimum hours provided in this subdivision shall be~~  
13 ~~established by a national recognized certifying board~~  
14 ~~accredited by the National Commission for Certifying Agencies~~  
15 ~~(NCCA), or such other national agency as approved by the~~  
16 ~~board.~~

17 "(2) Examine for, approve, deny, revoke, suspend,  
18 reinstate, and renew licensure accreditation or registration  
19 of duly qualified applicants and develop, promulgate, and  
20 establish fines, penalties, and requirements for reinstatement  
21 of licensure, accreditation, or registration.

22 "(3) Receive applications, issue licenses,  
23 accreditations, or registrations to applicants who have met  
24 the requirements for licensure, accreditation, or  
25 registration, and deny licenses, accreditations, or  
26 registrations to applicants who do not meet the minimum  
27 qualifications.

1           "(4) Hire administrative, clerical, investigative,  
2           and other staff as needed to implement this chapter and hire  
3           individuals licensed under this chapter to serve as examiners  
4           for any practical examinations required by the board either  
5           within the state classified service or not within it.

6           "(5) Promulgate and publish rules and regulations in  
7           accordance with the Administrative Procedure Act to administer  
8           this chapter. Any rule or regulation defining the scope of  
9           practice or permissible activities of a licensed orthotist,  
10          licensed prosthetist, or a licensed prosthetist/orthotist or a  
11          registered orthotic supplier shall be published jointly with  
12          the State Board of Medical Examiners.

13          "(6) Develop and promulgate requirements and  
14          establish fees for the licensure of mastectomy fitters,  
15          orthotic fitters, therapeutic shoe fitters, orthotic  
16          assistants, prosthetic assistants, or prosthetic/orthotic  
17          assistants. Such licenses shall be regulated and issued by the  
18          board.

19          "(7) Prepare and administer, or approve the  
20          preparation and administration of, examinations for applicants  
21          for licensure.

22          "§34-25A-11.

23          "(a) The board shall issue an orthotic, prosthetic,  
24          or prosthetic/orthotic license or an orthotic supplier  
25          registration license or any other license authorized by the  
26          board to any person who meets the qualifications required by

1 this chapter and who pays the respective fees fixed by the  
2 board.

3 "(b) Any person who is issued a license as an  
4 orthotic, prosthetic, or prosthetic/orthotic practitioner or  
5 orthotic assistant, prosthetic assistant, or  
6 prosthetic/orthotic assistant under this chapter may use the  
7 words licensed orthotist, licensed prosthetist, licensed  
8 prosthetist/orthotist, licensed orthotist assistant, licensed  
9 prosthetist assistant, or licensed prosthetist/orthotist  
10 assistant, or the letters "L.O.," "L.P.," "L.P.O.," "L.O.A.,"  
11 "LPed," "L.P.A.," or "L.P.O.A., " "L.M.F.," "L.O.F.,"  
12 "C.M.F.," "L.C.M.F," or "L.T.S.F." in connection with his or  
13 her name to denote his or her licensure. Any person issued  
14 ~~registration~~ a license as an orthotic supplier under this  
15 chapter may use the words ~~registered~~ licensed orthotic  
16 supplier or the letters ~~"R.O.S."~~ "L.O.S." in connection with  
17 his or her name to denote his or her ~~registration~~ license.

18 "(c) A license ~~or registration~~ issued under this  
19 chapter shall be subject to annual or semiannual renewal as  
20 prescribed by rule or regulation duly promulgated and  
21 published by the board.

22 "(d) If the board determines that another ancillary  
23 classification of license is needed in order to carry out the  
24 purposes of this chapter, the board may by rule establish an  
25 additional license classification and set a reasonable fee for  
26 the issuance of the license."

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