

**SB198 INTRODUCED**



1 SB198

2 L5F33YY-1

3 By Senator Kelley

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 21-Jan-26



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## 4 SYNOPSIS:

5 Under existing law, a person and facility must  
6 be licensed by the Alabama State Board of Prosthetists  
7 and Orthotists to provide prosthetic, orthotic, or  
8 pedorthic care in the state.

9 This bill would abolish the board and the  
10 requirement to be licensed by the board to provide  
11 prosthetic, orthotic, or pedorthic care.

12 This bill would require all persons and  
13 facilities providing prosthetic, orthotic, or pedorthic  
14 care to be certified by a national certifying entity.

15 This bill would provide criminal penalties for  
16 violations

17 This bill would require a person to receive a  
18 minimum amount of continuing education for  
19 certification by a national certifying entity from the  
20 Alabama Prosthetics and Orthotics Association.

21 This bill would authorize the Alabama  
22 Prosthetics and Orthotics Association to levy fees on  
23 certified persons to be deposited into the Alabama  
24 Prosthetics and Orthotics Certification Fund.

25 This bill would also establish the Alabama  
26 Prosthetics and Orthotics Certification Fund in the  
27 State Treasury.

28



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A BILL

30

TO BE ENTITLED

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AN ACT

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34                   Relating to prosthetists and orthotists; to require  
35                   certification by a national certifying entity to provide  
36                   prosthetic, orthotic, or pedorthic care; to provide criminal  
37                   penalties for violations; to require a minimum amount of  
38                   continuing education for a certifying entity be received from  
39                   the Alabama Prosthetics and Orthotics Association; to  
40                   authorize the association to levy fees for deposit into the  
41                   Alabama Prosthetics and Orthotics Certification Fund in the  
42                   State Treasury; and to repeal Chapter 25A of Title 34, Code of  
43                   Alabama 1975, establishing to the Alabama State Board of  
44                   Prosthetists and Orthotists.

45                   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

46                   Section 1. (a) For purposes of this section, the  
47                   following terms have the following meanings:

48                   (1) FACILITY. A facility where prosthetic, orthotic, or  
49                   pedorthic care is provided.

50                   (2) NATIONAL CERTIFYING ENTITY. Any national  
51                   credentialing organization for ensuring the safe and effective  
52                   provision of orthotic, prosthetic, or pedorthic services that  
53                   is approved by the Secretary of State, including the American  
54                   Board for Certification in Orthotics, Prosthetics and  
55                   Pedorthics and the Board of Certification/Accreditation.

56                   (3) ORTHOSIS. A custom-fabricated, definitive brace or

## SB198 INTRODUCED



57 support that is designed for long-term use. Except for the  
58 treatment of scoliosis, the term does not include  
59 prefabricated or direct-formed orthotic devices or  
60 commercially available knee orthoses used following injury or  
61 surgery, upper extremity adaptive equipment, finger splints,  
62 leather wrist gauntlets, face masks used following burns,  
63 wheelchair seating that is an integral part of the wheelchair  
64 and not worn by the patient independent of the wheelchair,  
65 fabric or elastic supports, corsets, arch supports, also known  
66 as non-custom or prefabricated orthotics, low-temperature  
67 formed plastic splints, trusses, elastic hose, canes,  
68 crutches, cervical collars, dental appliances, and other  
69 similar devices such as those commonly carried in stock by a  
70 pharmacy, hospital, rehabilitation facility, department store,  
71 corset shop, or surgical supply facility.

72 (4) ORTHOTICS. The science and practice of evaluating,  
73 measuring, designing, fabricating, assembling, fitting,  
74 adjusting, or servicing, as well as providing the initial  
75 training necessary to accomplish the fitting of, an orthosis  
76 for the support, correction, or alleviation of neuromuscular  
77 or musculoskeletal dysfunction, disease, injury, or deformity.  
78 The term includes all of the following:

79 a. Evaluations, consultation, and continuing care, with  
80 basic observational gait and posture analysis.

81 b. Assessing the need for and measuring, designing,  
82 manufacturing, and fitting orthoses to maximize function and  
83 provide the support and alignment necessary to prevent or  
84 correct deformity or to improve the safety and efficiency of

## SB198 INTRODUCED



85 mobility or locomotion, or both.

86       c. Periodic evaluation and consultation to assess an  
87 orthosis's effect on the patient's tissue and assure proper  
88 fit and function of the orthosis.

89       (5) ORTHOTIST. An individual certified by a national  
90 certifying entity to practice orthotics.

91       (6) PEDORTHIC DEVICE. Custom therapeutic shoes that:

92           a. Address a medical condition of the foot below the  
93 ankle;

94           b. Are prescribed by an authorized health care  
95 practitioner, including diabetic shoes, for the treatment of  
96 partial or complete amputation of the foot, foot ulceration,  
97 pre-ulcerative callous, or foot deformity, shoe modifications  
98 made for therapeutic purposes, partial foot prostheses, and  
99 foot orthoses and orthoses for use from the knee and below;  
100 and

101           c. Are used for the treatment or alleviation, or both,  
102 of a condition that has its origin in the foot.

103       (7) PEDORTHICS. The design, manufacture, modification,  
104 or fit of custom shoes, orthoses, and pedorthic devices to  
105 prevent or alleviate foot problems caused by disease,  
106 congenital defect, overuse, or injury.

107       (8) PEDORTHIST. An individual certified by a national  
108 certifying entity to practice pedorthics.

109       (9) PROSTHESIS. A definitive artificial limb that is  
110 alignable or articulated or, in lower extremity applications,  
111 capable of bearing weight. The term includes an artificial  
112 medical device that is not surgically implanted and that is



113 used to replace a missing limb, appendage, or other external  
114 human body part and that includes an artificial limb, hand, or  
115 foot. The term does not include artificial eyes, ears, dental  
116 appliances, ostomy products, devices such as artificial  
117 breasts or eyelashes, wigs, or other devices that do not have  
118 a significant impact on the musculoskeletal functions of the  
119 body.

120 (10) **PROSTHETICS**. The science and practice of  
121 evaluating, measuring, designing, fabricating, assembling,  
122 fitting, aligning, adjusting, or servicing, as well as  
123 providing the initial education necessary to accomplish the  
124 wearing and use of a prosthesis, through the replacement of  
125 external parts of a human body lost due to amputation or  
126 congenital deformities or absences. The term includes all of  
127 the following:

128 a. The generation of an image, form, or mold that  
129 replicates the patient's body or body segment and that  
130 requires rectification of dimensions, contours, and volumes  
131 for use in the design and fabrication of a socket to accept a  
132 residual limb to create an artificial appendage that is  
133 designed either to support body weight or to improve or  
134 restore function or cosmesis.

135 b. Observational gait analysis and clinical assessment  
136 of the requirements necessary to refine and mechanically fix  
137 the relative position of various parts of the prosthesis to  
138 maximize the function, stability, and safety of the patient.

139 c. Evaluating, consulting, and providing continuing  
140 patient care in order to assess the effect of the prosthetic



141 device on the patient's tissues and to assure proper fit and  
142 function of the prosthetic device.

143 (11) PROSTHETIST. An individual who is certified by a  
144 national certifying entity to practice prosthetics.

145 (b) Beginning October 1, 2026, a prosthetist,  
146 orthotist, pedorthist, fitter, assistant, or facility may not  
147 provide prosthetic, orthotic, or pedorthic care, or otherwise  
148 practice or operate, without a current and valid certification  
149 from a national certifying entity.

150 (c) An individual required to be certified pursuant to  
151 subsection (b) shall complete not less than half of any  
152 continuing education required to maintain a current and valid  
153 certification from a national certifying entity through  
154 courses and clinical programs offered by the Alabama  
155 Prosthetics and Orthotics Association.

156 (d) (1) All persons required to be certified pursuant to  
157 subsection (b) shall submit proof of valid certification to  
158 the Alabama Prosthetics and Orthotics Association. The  
159 association shall keep a record of all certified persons and  
160 verify and record all certified individual's completed  
161 continuing education.

162 (2) The association may assess an annual fee on  
163 certified persons not to exceed two hundred fifty dollars  
164 (\$250).

165 (3) a. The association shall maintain a dedicated  
166 administrative division that is separate from its normal  
167 operations for the administration of its duties pursuant to  
168 this section. The association shall deposit all funds

**SB198 INTRODUCED**

169 collected pursuant to this section in the Alabama Prosthetics  
170 and Orthotics Certification Fund that is established in the  
171 State Treasury. The fund shall be administered by the Alabama  
172 Prosthetics and Orthotics Association to defray costs incurred  
173 in carrying out this section.

174                   b. Receipts deposited into the fund shall be disbursed  
175 only by warrants of the Comptroller drawn upon the State  
176 Treasury on itemized vouchers approved by the director of the  
177 department. No funds shall be withdrawn or expended except as  
178 budgeted and allocated according to Article 4 of Chapter 4 and  
179 Chapter 19 of Title 41, Code of Alabama 1975, and only in  
180 amounts as stipulated in the general appropriations act, other  
181 appropriations acts, or this section. At the end of each  
182 fiscal year, any unencumbered balance shall not revert to the  
183 State General Fund under Section 41-4-93, Code of Alabama  
184 1975.

185                   (e) (1) A violation of subsection (b) is a Class B  
186 misdemeanor.

187                   (2) The Attorney General may bring an action in circuit  
188 court to enjoin a violation of this section.

189                   Section 2. Chapter 25A of Title 34, Code of Alabama  
190 1975, establishing to the Alabama State Board of Prosthetists  
191 and Orthotists, is repealed.

192                   Section 3. This act shall become effective on October  
193 1, 2026.