

**SB348 INTRODUCED**



1 SB348  
2 5VIAJMM-1  
3 By Senator Kelley  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 10-Mar-26



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SYNOPSIS:

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

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

This bill would require all individuals and facilities providing prosthetic, orthotic, or pedorthic care to be certified by a national certifying entity approved by the Alabama Department of Workforce.

This bill would require certified persons to submit proof of certification to the department to be recorded by the department.

This bill would authorize the department to levy an annual recording fee on certified persons to be deposited into the State Treasury.

This bill would provide criminal penalties for violations.

A BILL  
TO BE ENTITLED  
AN ACT



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29  
30 Relating to prosthetists, orthotists, and pedorthists;  
31 to require certification by a national certifying entity to  
32 provide prosthetic, orthotic, or pedorthic care; to require  
33 certified persons to submit proof of certification to the  
34 department to be recorded by the department; to authorize the  
35 department to levy a recording fee on certified persons for  
36 deposit into the State Treasury; to provide criminal penalties  
37 for violations; and to repeal Chapter 25A of Title 34, Code of  
38 Alabama 1975, establishing the Alabama State Board of  
39 Prosthetists and Orthotists.

40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

43 (1) DEPARTMENT. The Alabama Department of Workforce.

44 (2) FACILITY. A facility where prosthetic, orthotic, or  
45 pedorthic care is provided.

46 (3) NATIONAL CERTIFYING ENTITY. Any national  
47 credentialing organization for ensuring the safe and effective  
48 provision of orthotic, prosthetic, or pedorthic services that  
49 is approved by the department, including the American Board  
50 for Certification in Orthotics, Prosthetics and Pedorthics and  
51 the Board of Certification/Accreditation.

52 (4) ORTHOSIS. A custom-fabricated, definitive brace or  
53 support that is designed for long-term use. Except for the  
54 treatment of scoliosis, the term does not include  
55 prefabricated or direct-formed orthotic devices or  
56 commercially available knee orthoses used following injury or



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

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

75 a. Evaluations, consultation, and continuing care, with  
76 basic observational gait and posture analysis.

77 b. Assessing the need for and measuring, designing,  
78 manufacturing, and fitting orthoses to maximize function and  
79 provide the support and alignment necessary to prevent or  
80 correct deformity or to improve the safety and efficiency of  
81 mobility or locomotion, or both.

82 c. Periodic evaluation and consultation to assess the  
83 effect of an orthosis on the patient's tissue and assure  
84 proper fit and function of the orthosis.



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85 (6) ORTHOTIST. An individual certified by a national  
86 certifying entity to practice orthotics.

87 (7) PEDORTHIC DEVICE. Custom therapeutic shoes that:

88 a. Address a medical condition of the foot below the  
89 ankle;

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

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

99 (8) PEDORTHICS. The design, manufacture, modification,  
100 or fit of custom shoes, orthoses, and pedorthic devices to  
101 prevent or alleviate foot problems caused by disease,  
102 congenital defect, overuse, or injury.

103 (9) PEDORTHIST. An individual certified by a national  
104 certifying entity to practice pedorthics.

105 (10) PROSTHESIS. A definitive artificial limb that is  
106 alignable or articulated or, in lower extremity applications,  
107 capable of bearing weight. The term includes an artificial  
108 medical device that is not surgically implanted and that is  
109 used to replace a missing limb, appendage, or other external  
110 human body part and that includes an artificial limb, hand, or  
111 foot. The term does not include artificial eyes, ears, dental  
112 appliances, ostomy products, devices such as artificial



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113 breasts or eyelashes, wigs, or other devices that do not have  
114 a significant impact on the musculoskeletal functions of the  
115 body.

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

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

131 b. Observational gait analysis and clinical assessment  
132 of the requirements necessary to refine and mechanically fix  
133 the relative position of various parts of the prosthesis to  
134 maximize the function, stability, and safety of the patient.

135 c. Evaluating, consulting, and providing continuing  
136 patient care in order to assess the effect of the prosthetic  
137 device on the patient's tissues and to assure proper fit and  
138 function of the prosthetic device.

139 (12) PROSTHETIST. An individual who is certified by a  
140 national certifying entity to practice prosthetics.



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

146 (c) (1) All persons required to be certified pursuant to  
147 subsection (b) shall annually submit proof of valid  
148 certification to the department. The department shall keep a  
149 record of all certified persons and verify and record all  
150 certified individual's completed continuing education required  
151 by the national certifying entity.

152 (2) The department may assess an annual recording fee  
153 on certified persons not to exceed one hundred dollars (\$100).

154 (3) All funds collected by the department pursuant to  
155 this section shall be deposited into the State Treasury to the  
156 credit of the department to be used to administer this  
157 section.

158 (d) (1) A violation of subsection (b) is a Class C  
159 misdemeanor.

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

162 Section 2. Chapter 25A of Title 34, Code of Alabama  
163 1975, establishing the Alabama State Board of Prosthetists and  
164 Orthotists, is repealed.

165 Section 3. This act shall become effective on October  
166 1, 2026.