

HOUSE No. 2079

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to Increasing the Efficiency and Effectiveness of the Board of Allied Health Professionals..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1.

2 Section 11A of Chapter 13 of the General Laws is hereby amended by striking it out and
3 inserting in place thereof the following:

4 Section 11A.

5 There shall be a board of allied health professions, hereinafter called the board, which
6 shall consist of eleven members to be appointed by the governor. Members of the board shall be
7 residents of the commonwealth and be citizens of the United States. The board shall meet as a
8 whole to determine all administrative, personnel, budgetary and policy matters. The board shall
9 adopt rules and regulations relating to professional conduct to carry out the policy of the board
10 including, but not limited to, regulations relating to professional licensure and to the
11 establishment of ethical standards of practice for persons holding a license to practice athletic
12 training, occupational therapy, or physical therapy in the commonwealth. The board shall
13 conduct meetings and keep records and minutes as are necessary to carry out its duties. The

14 board shall provide reasonable public notice of the times and places of all meetings, in such
15 manner and at such times as it may determine.

16 Each member of the board shall serve for a term of three years. No member shall be
17 appointed to more than two consecutive full terms, provided, however, that a member appointed
18 for less than a full term may serve two full terms in addition to such part of a full term, and a
19 former member shall again be eligible for appointment after a lapse of one or more years.

20 A member of the board may be removed by the governor for neglect of duty, misconduct,
21 malfeasance or misfeasance in office after being given a written statement of the charges against
22 him and sufficient opportunity to be heard thereon. Upon the death, resignation or removal for
23 cause of any member of the board, the governor shall fill such vacancy for the remainder of that
24 member's year.

25 The board shall, at its first meeting, and annually thereafter, elect from among its
26 members a chairman, vice-chairman, and a secretary. Such officers shall serve until their
27 successors are elected and qualified. The board shall meet at least quarterly or more often upon
28 the call of the chairman at such times and places as the chairman shall designate.

29 Each member shall be reimbursed for necessary expenses incurred in the discharge of his
30 official duties.

31 Section 11AA.

32 The board shall be composed of an athletic trainers section, an occupational therapy
33 section, and a physical therapy section. A majority of the members of each section shall
34 constitute a quorum to transact and vote on the affairs of the section. Each section shall meet

35 quarterly or more often upon the call of the chairman at such times and places as the chairman
36 shall designate.

37 Three of such members shall be athletic trainers licensed in accordance with the
38 provisions of section twenty-three B of chapter one hundred and twelve. Such members of the
39 board shall sit on the athletic trainers section. The athletic trainers section of the board shall
40 have full authority to act on behalf of the board on all matters concerning the practice of athletic
41 training and, in particular, the examination, licensure, and suspension or revocation of licensure
42 of applicants and athletic trainers. The athletic trainers section of the board shall conduct
43 hearings and keep such records and minutes as are necessary to carry out its duties. The section
44 shall provide reasonable public notice of the times and places of all hearings authorized under
45 this section, in such manner and at such times as it may determine. The athletic trainers section
46 may issue subpoenas and examine witnesses.

47 Section 11AAA.

48 Two of such members shall be occupational therapists licensed in accordance with the
49 provisions of section twenty-three B of chapter one hundred and twelve. One such member shall
50 be an occupational therapy assistant licensed in accordance with the provisions of section
51 twenty-three B. Such members of the board shall sit on the occupational therapy section. The
52 occupational therapy section of the board shall have the authority to act on behalf of the board on
53 matters concerning the practice of occupational therapy and, in particular, the examination of
54 applicants, the issuance of licenses and the suspension or revocation of licenses to practice as an
55 occupational therapist or occupational therapist assistant. The occupational therapy section of
56 the board shall conduct such hearings and keep such records and minutes as are necessary to

57 carry out its duties. The section shall provide reasonable public notice of the times and places of
58 all hearings authorized under this section, in such manner and at such times as it may determine.
59 The occupational therapy section may issue subpoenas and examine witnesses.

60 Section 11A AAAA.

61 Two of such members shall be physical therapists licensed in accordance with the
62 provisions of said section twenty-three B. One such member shall be a physical therapist
63 assistant licensed in accordance with the provisions of said section twenty-three B. Such
64 members of the board shall sit on the physical therapy section. The physical therapy section of
65 the board shall have the authority to act on behalf of the board on matters concerning the practice
66 of physical therapy and, in particular, the examination, licensure, suspension or revocation of
67 licensure, and suspension or revocation of licensure of applicants, physical therapists, and
68 physical therapist assistants. The physical therapy section of the board shall conduct such
69 hearings and keep such records and minutes as are necessary to carry out its duties. The section
70 shall provide reasonable public notice of the times and places of all hearings authorized under
71 this section, in such manner and at such times as it may determine. The physical therapy section
72 may issue subpoenas and examine witnesses.

73 One of such members shall be a physician licensed in accordance with the provisions of
74 section two of chapter one hundred and twelve, and one of such be selected from and shall
75 represent the general public. Such members may sit on the athletic trainers section, the
76 occupational therapy section and the physical therapy section as directed by the chairman to fill
77 in for an existing vacancy in a section.