

# HOUSE . . . . . No. 4673

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Ten  
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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 is hereby amended by striking it out and inserting in place  
3 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 13 members to be appointed by the governor. Members of the board shall be  
7 residents of the commonwealth and citizens of the United States. Three of such members shall be  
8 athletic trainers licensed in accordance with the provisions of section 23B of chapter 112,  
9 hereinafter called the athletic trainers; two of such members shall be occupational therapists  
10 licensed in accordance with the provisions of section 23B of chapter 112, hereinafter called the  
11 athletic trainers, one such member shall be an occupational therapy assistant licensed in  
12 accordance with the provisions of said section 23B, hereinafter called the occupational therapy  
13 assistant; two of such members shall be physical therapists licensed in accordance with the

provisions of said section 23B, hereinafter called the physical therapists; one such member shall be a physical therapist assistant, hereinafter called the physical therapy assistant, licensed in accordance with the provisions of said section 23B; One of such members shall be a physician licensed in accordance with the provisions of section 2 of chapter 112, hereinafter called the physician, three of such members shall be selected from and shall represent the general public, hereinafter called the members of the general public.

Members of the board shall be residents of the commonwealth and be citizens of the United States. The board shall meet as a whole to determine administrative matters and may discuss policy matters. The board shall conduct meetings and keep records and minutes as are necessary to carry out its duties. The board shall provide reasonable public notice of the times and places of all meetings, in such manner and at such times as it may determine.

Each member of the board shall serve for a term of 3 years. No member shall be appointed to more than 2 consecutive full terms, provided, however, that a member appointed for less than a full term may serve 2 full terms in addition to such part of a full term, and a former member shall again be eligible for appointment after a lapse of 1 or more years.

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

The board shall, at its first meeting, and annually thereafter, elect from among its members a chairman, vice-chairman, and a secretary. Such officers shall serve until their

36 successors are elected and qualified. The board shall meet at the call of the chairman at such  
37 times and places as the chairman shall designate. Each member shall be reimbursed for necessary  
38 expenses incurred in the discharge of his official duties.

39 (b) The board shall be composed of an athletic trainers section, an occupational therapy  
40 section, and a physical therapy section. A majority of the members of each section shall  
41 constitute a quorum to transact and vote on the affairs of the section. Each section shall meet  
42 quarterly or more often upon the call of the chairman at such times and places as the chairman  
43 shall designate.(c) The athletic trainers section of the board established by subsection b shall  
44 consist of the three athletic trainers, the physician, and one member of the general public. The  
45 governor shall designate the member of the general public who shall serve on the athletic trainers  
46 section of the board.

47 The athletic trainers section shall have the following powers and duties:

48 (1) The athletic trainers section shall administer, coordinate, and enforce the provisions of  
49 this subsection, evaluate the qualifications, and approve the examinations for licensure under this  
50 subsection, and may issue subpoenas, examine witnesses, and administer oaths, and may  
51 investigate allegations of practices violating the provisions of this subsection.

52 (2) The athletic trainers section shall adopt rules and regulations relating to professional  
53 conduct to carry out the policy of this subsection including, but not limited to, regulations  
54 relating to professional licensure and to the establishment of ethical standards of practice for  
55 persons holding a license to practice athletic training in the commonwealth.

56 (3) The athletic trainers section shall conduct such hearings and keep such records and  
57 minutes as are necessary to carry out its duties. The athletic trainers section shall provide

reasonable public notice of the times and places of all hearings authorized under this subsection, in such manner and at such times as it may determine.

(d) The occupational therapists section of the board established by subsection b shall consist of the two occupational therapists, the assistant occupational therapist, and one member of the general public. The governor shall designate one of the members of the general public to serve on the athletic trainers section of the board.

The occupational therapists section shall have the following powers and duties:

(1) The occupational therapists section shall administer, coordinate, and enforce the provisions of this subsection, evaluate the qualifications, and approve the examinations for licensure under this subsection, and may issue subpoenas, examine witnesses, and administer oaths, and may investigate allegations of practices violating the provisions of this subsection.

(2) The occupational therapists section shall adopt rules and regulations relating to professional conduct to carry out the policy of this subsection including, but not limited to, regulations relating to professional licensure and to the establishment of ethical standards of practice for persons holding a license to practice occupational therapy in the commonwealth.

(3) The occupational therapists section shall conduct such hearings and keep such records and minutes as are necessary to carry out its duties. The occupational therapists section shall provide reasonable public notice of the times and places of all hearings authorized under this subsection, in such manner and at such times as it may determine.

(e) The physical therapists section of the board established by subsection b shall consist of the two physical therapists and the physical therapist assistant, and one member of the general

79 public. The governor shall designate one of the members of the general public to serve on the  
80 physical therapists section of the board.

81 The physical therapists section shall have the following powers and duties:

82 (1) The physical therapists section shall administer, coordinate, and enforce the  
83 provisions of this subsection, evaluate the qualifications, and approve the examinations for  
84 licensure under this subsection, and may issue subpoenas, examine witnesses, and administer  
85 oaths, and may investigate allegations of practices violating the provisions of this subsection.

86 (2) The physical therapists section shall adopt rules and regulations relating to  
87 professional conduct to carry out the policy of this subsection including, but not limited to,  
88 regulations relating to professional licensure and to the establishment of ethical standards of  
89 practice for persons holding a license to practice physical therapy in the commonwealth.

90 (3) The physical therapists section shall conduct such hearings and keep such records and  
91 minutes as are necessary to carry out its duties. The physical therapists section shall provide  
92 reasonable public notice of the times and places of all hearings authorized under this subsection,  
93 in such manner and at such times as it may determine.