

**HOUSE . . . . . No. 1970**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Thomas A. Golden, Jr.*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the independent practice of health care in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>1/15/2015</i>
<i>David M. Nangle</i>	<i>17th Middlesex</i>	<i>10/9/2019</i>

**HOUSE . . . . . No. 1970**

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By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 1970) of Thomas A. Golden, Jr., and David M. Nangle relative to specific standards and scope of practice set by health boards of registration. Public Health.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1980 OF 2013-2014.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act relative to the independent practice of health care in the Commonwealth.

*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. Section 23A of chapter 112, as appearing in the 2014 Official Edition, shall  
2 be amended by striking the definitions “athletic training”, “occupational therapy”, and “physical  
3 therapy” in their entirety and inserting the following new definitions in place thereof:

4           ““Athletic training”, shall be as determined by the board and in accordance with national  
5 standards of practice for athletic trainers.

6           “Occupational Therapy”, shall be as determined by the board and in accordance with  
7 national standards of practice for occupational therapists.

8           “Physical therapy”, shall be as determined by the board and in accordance with national  
9 standards of practice for physical therapists”

10 SECTION 2. Section 23R of chapter 112, as appearing in the 2014 Official Edition, shall  
11 be amended by striking the definitions “respiratory care” in its entirety and inserting the  
12 following new definition in place thereof:

13 ““Respiratory care”, shall be determined by the board and in accordance with national  
14 standards of practice for respiratory care therapists.”

15 SECTION 3. Section 66 of chapter 112, as appearing in the 2014 Official Edition, shall  
16 be amended by striking the section in its entirety and inserting the following new section in place  
17 thereof:

18 “Section 66. The practice of optometry, as referred to in this section to section 73,  
19 inclusive, shall be as determined by the board of registration of optometry and in accordance  
20 with national standards of practice for optometrists.”

21 SECTION 4. Sections 66A to 68B, inclusive, of chapter 112, as appearing in the 2014  
22 Official Edition, are hereby stricken.

23 SECTION 5. Section 89 of chapter 112, as appearing in the 2014 Official Edition, is  
24 hereby amended by striking the term “chiropractic” and inserting the following new term in  
25 place thereof:-

26 “Chiropractic”, shall be determined by the board and in accordance with national  
27 standards of practice for chiropractors.”

28 SECTION 6. Section 163 of chapter 112, as appearing in the 2014 Official Edition, is  
29 hereby amended by striking the terms “marriage and family therapy”, “practice of rehabilitation

30 counseling”, “practice of mental health counseling” , and “practice of educational psychology”  
31 and replacing them with the following definitions:-

32 ““Practice of marriage and family therapy”, shall be determined by the board and in  
33 accordance with national standards of practice for licensed marriage and family therapists.

34 “Practice of rehabilitation counseling” shall be determined by the board and in  
35 accordance with national standards of practice for licensed rehabilitation counselors.

36 “Practice of mental health counseling”, shall be determined by the board and in  
37 accordance with national standards of practice for licensed mental health counselors.

38 “Practice of educational psychology”, shall be determined by the board and in accordance  
39 with national standards of practice for licensed educational psychologists.”

40 SECTION 7. Section 201 of chapter 112, as appearing in the 2014 Official Edition, is  
41 hereby amended by striking the term “field of dietetics and nutrition” and replacing it with the  
42 following new definition:-

43 “Field of dietetics and nutrition”, shall be determined by the board and in accordance  
44 with national standards of practice.

45 SECTION 8. Section 211 of chapter 112, as appearing in the 2014 Official Edition, is  
46 hereby amended by striking the term “perfusion” and replacing it with the following new  
47 definition:-

48 “Perfusion”, shall be determined by the board and in accordance with national standards  
49 of practice for licensed perfusionists.”

50 SECTION 9. Section 225 of chapter 112, as appearing in the 2014 Official Edition, is  
51 hereby amended by striking the term “massage” and replacing it with the following new  
52 definition:-

53 ““Massage”, shall be as determined by the board and in accordance with national  
54 standards of practice for licensed massage therapists.”

55 SECTION 10. Section 252 of chapter 112, as appearing in the 2014 Official Edition, is  
56 hereby amended by striking the term “practice of genetic counseling” and replacing it with the  
57 following new definition:-

58 “Practice of genetic counseling”, shall be as determined by the board and in accordance  
59 with national standards of practice for licensed genetic counselors”

60 SECTION 11. Section 7, subsection (d), clause (10) of chapter 94C, as appearing in the  
61 2014 Official Edition, is hereby amended by striking the clause and inserting the following  
62 clause therein:-

63 (10) a duly licensed optometrist in accordance with section sixty-six of chapter one  
64 hundred and twelve; provided, however, that a wholesale distributor or pharmacist may dispense  
65 pharmaceutical agents to a licensed optometrist for subsequent administration to optometry  
66 patients only if such optometrist provides the wholesale distributor or pharmacist with the  
67 number of the optometrist's certification of qualification to administer such pharmaceutical  
68 agents.

69 SECTION 12. Section 7, subsection (h), of chapter 94C, as appearing in the 2014 Official  
70 Edition, is hereby amended by striking the subsection and inserting the following clause therein:-

71 (h) The commissioner shall promulgate regulations which provide for the automatic  
72 registration of optometrists, upon the receipt of the fee as herein provided, to issue written  
73 prescriptions in accordance with the provisions of sections 66 of chapter 112, unless the  
74 registration of such optometrist has been suspended or revoked pursuant to the provisions of  
75 section 13 or section 14 or unless such registration is denied for cause by the commissioner  
76 pursuant to the provisions of chapter 30A. Prior to promulgating such regulations, the  
77 commissioner shall consult with the board of registration in optometry.

78 SECTION 13. Notwithstanding any general or special law to the contrary, the  
79 Department of Public Health and the Division of Professional Licensure shall submit a report to  
80 the Chairs of the Joint Committee on Public Health, Joint Committee on Health Care Financing  
81 and the Joint Committee on State Administration detailing any changes in regulations governing  
82 the practice of each licensed profession before December 31st of the second year of each  
83 legislative session. If necessary, the Department of Public Health and the Division of  
84 Professional Licensure shall make recommendations to address necessary changes to statutory  
85 prescriptive authority for any licensed professions whose national standard of practice advances  
86 to include prescriptive authority.