

HOUSE No. 1882

The Commonwealth of Massachusetts

PRESENTED BY:

Donald F. Humason, 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 registration of clinical exercise physiologists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Ruth B. Balse</i>	<i>12th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>

HOUSE No. 1882

By Mr. Humason of Westfield, a petition (accompanied by bill, House, No. 1882) of Donald F. Humason, Jr. and others relative to the registration of clinical exercise physiologists. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Eleven
—————

An Act relative to the registration of clinical exercise physiologists.

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. Chapter 13: Section 11A. Board; membership; appointment; term; removal;
2 election of officers; expenses; powers and duties

3 Section 11A. There shall be a board of allied health professions, hereinafter called the
4 board, which shall consist of fourteen members to be appointed by the governor. Members of the
5 board shall be residents of the commonwealth and citizens of the United States. Three of such
6 members shall be athletic trainers licensed in accordance with the provisions of section twenty-
7 three B of chapter one hundred and twelve; three of such members shall be clinical exercise
8 physiologists licensed in accordance with the provisions of section twenty-three B of chapter one
9 hundred and twelve; two of such members shall be occupational therapists licensed in
10 accordance with the provisions of section twenty-three B of chapter one hundred and twelve, one
11 such member shall be an occupational therapy assistant licensed in accordance with the
12 provisions of said section twenty-three B; two of such members shall be physical therapists
13 licensed in accordance with the provisions of said section twenty-three B; one such member shall

14 be a physical therapist assistant licensed in accordance with the provisions of said section
15 twenty-three B; except that such members constituting the first board shall be persons who are
16 eligible for licensing as practitioners of said allied health profession. One of such members shall
17 be a physician licensed in accordance with the provisions of section two of chapter one hundred
18 and twelve, and one of such members shall be selected from and shall represent the general
19 public.

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

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

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

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

35 The board shall have the following powers and duties:

36 (a) The board shall administer, coordinate, and enforce the provisions of this section,
37 evaluate the qualifications, and approve the examinations for licensure under this section, and
38 may issue subpoenas, examine witnesses, and administer oaths, and may investigate allegations
39 of practices violating the provisions of this section.

40 (b) The board shall adopt rules and regulations relating to professional conduct to carry
41 out the policy of this section including, but not limited to, regulations relating to professional
42 licensure and to the establishment of ethical standards of practice for persons holding a license to
43 practice athletic training, occupational therapy, or physical therapy in the commonwealth.

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

48 SECTION 2. Chapter 112: Section 23A. Definitions

49 Section 23A. The following words as used in sections twenty-three A to twenty-three P,
50 inclusive, unless the context otherwise requires, shall have the following meanings:—

51 “Athletic trainer”, any person who is duly licensed in accordance with this section as an
52 athletic trainer and who limits his practice to schools, teams or organizations with whom he is
53 associated and who is under the direction of a physician or dentist duly registered in the
54 commonwealth.

55 “Athletic training”, the application of principles, methods and procedures of evaluation
56 and treatment of athletic injuries, preconditioning, conditioning and reconditioning of the athlete

57 through the use of appropriate preventative and supportive devices, temporary splinting and
58 bracing, physical modalities of heat, cold, massage, water, electric stimulation, sound, exercise
59 and exercise equipment under the discretion of a physician. Athletic training includes instruction
60 to coaches, athletes, parents, medical personnel and communities in the area of care and
61 prevention of athletic injuries.

62 “Board”, the board on allied health professions, established under section eleven A of
63 chapter thirteen.

64 “Clinical Exercise Physiology”, an allied health profession that utilizes the application of
65 scientific principles to design, implement, supervise and evaluate outcomes for exercise services
66 provided to individuals with chronic diseases, conditions and/or functional deficits. Clinical
67 Exercise Physiology services focus on the enhancement of physical capabilities for the purpose
68 of: (1) chronic disease management; (2) reducing risks for premature development of or
69 recurrence of chronic diseases; (3) promoting behavioral patterns consistent with maintenance of
70 health; (4) improving performance of activities of daily living; (5) increasing the potential for
71 physical, social and economic independence. The Clinical Exercise Physiologist (CEP) possesses
72 the scientific knowledge, technical skills, interpretive abilities, and practical experiences
73 necessary to provide individualized exercise for clinical populations. The CEP is uniquely
74 competent to educate, motivate and counsel individuals with medical considerations in their
75 efforts to reduce functional deficits, safely improve and maintain their physical fitness and
76 develop healthy lifestyles. The CEP also measures, evaluates, and provides supportive
77 consultation to other allied-health providers relative to multidimensional physical fitness and
78 exercise testing. The CEP formulates, develops and implements exercise protocols and
79 programs, administers graded exercise tests, and provides education regarding such exercise

80 programs and tests and risk factor modification in a rehabilitation or diagnostic setting to
81 individuals with cardiovascular, pulmonary, and metabolic diseases, neoplastic
82 (oncology)/immunologic/hematologic conditions, along with chronic orthopedic and
83 neuromuscular diseases and disabilities.

84 “Clinical Exercise Physiologist”, a person who is duly licensed to practice clinical
85 exercise physiology in the commonwealth in accordance with section twenty-three B.

86 ”Exercise Protocols and Programs”, the intensity, duration, frequency, volume, and mode
87 of activity to improve and/or maintain an individual’s functional capacity.

88 “Occupational therapy”, the application of principles, methods and procedures of
89 evaluation, problem identification, treatment, education, and consultation which utilizes
90 purposeful activity in order to maximize independence, prevent or correct disability, and
91 maintain health. These services are used with individuals, throughout the life span, whose
92 abilities to interact with their environment are limited by physical injury or illness, disabilities,
93 poverty and cultural differences or the aging process. Occupational therapy includes but is not
94 limited to: (1) administering and interpreting tests necessary for effective treatment planning; (2)
95 developing daily living skills, perceptual motor skills, sensory integrative functioning, play skills
96 and prevocational and vocational work capacities; (3) designing, fabricating or applying selected
97 orthotic and prosthetic devices or selected adaptive equipment; (4) utilizing designated
98 modalities, superficial heat and cold, and neuromuscular facilitation techniques to improve or
99 enhance joint motion muscle function; (5) designing and applying specific therapeutic activities
100 and exercises to enhance or monitor functional or motor performance and to reduce stress; and

101 (6) adapting environments for the handicapped. These services are provided to individuals or
102 groups through medical, health, educational, industrial or social systems.

103 Occupational therapy shall also include delegating of selective forms of treatment to
104 occupational therapy assistants and occupational therapy aides; provided, however, that the
105 occupational therapist so delegating shall assume the responsibility for the care of the patient and
106 the supervision of the occupational therapy assistant or the occupational therapy aide.

107 “Occupational therapist”, a person who is duly licensed to practice occupational therapy
108 in the commonwealth in accordance with section twenty-three B.

109 “Occupational therapy assistant”, a person duly licensed in accordance with section
110 twenty-three B and who assists in the practice of occupational therapy who works under the
111 supervision of a duly licensed occupational therapist.

112 “Physical therapy”, a health profession that utilizes the application of scientific principles
113 for the identification, prevention, remediation and rehabilitation of acute or prolonged physical
114 dysfunction thereby promoting optimal health and function. Physical therapy practice is
115 evaluation, treatment and instruction related to neuromuscular, musculoskeletal, cardiovascular
116 and respiratory functions. Such evaluation shall include but is not limited to performance and
117 interpretation of tests as an aid to the diagnosis or planning of treatment programs. Such
118 treatment shall include but is not limited to the use of therapeutic exercise, physical activities,
119 mobilization, functional and endurance training, traction, bronchopulmonary hygiene postural
120 drainage, temporary splinting and bracing, massage, heat, cold, water, radiant energy, electricity
121 or sound. Such instruction shall include teaching both patient and family physical therapy
122 procedures as part of a patient’s ongoing program. Physical therapy also shall include the

123 delegating of selective forms of treatment to physical therapist assistants and physical therapy
124 aides; provided, however, that the physical therapist so delegating shall assume the responsibility
125 for the care of the patient and the supervision of the physical therapist assistant or physical
126 therapy aide.

127 Physical therapy shall also include the providing of consultation services for health,
128 educational, and community agencies.

129 “Physical therapist”, a person who is duly licensed to practice physical therapy in the
130 commonwealth in accordance with section twenty-three B.

131 “Physical therapist assistant”, a person duly licensed in accordance with section twenty-
132 three B and who assists in the practice of physical therapy under the direction of a duly licensed
133 physical therapist.

134 “Recognized educational institution”, a degree-granting college or university recognized
135 as such by the United States Office of Education of the Commonwealth.

136 Chapter 112: Section 23B. Examinations; applications for licensure; fees; renewal of
137 license

138 Section 23B. The board shall examine applicants for licensure in each of the fields it
139 supervises at such times and places as it may determine and shall conduct at least two such
140 examinations in each field in each calendar year. The board shall establish examination and
141 testing procedures to enable the board to ascertain the competency of persons wishing to be
142 licensed as qualified athletic trainers, clinical exercise physiologists, occupational therapists,
143 occupational therapy assistants, physical therapists and physical therapist assistants. Applications

144 for such licenses, signed and sworn by the applicants shall be made on forms furnished by the
145 board. An applicant who furnished satisfactory proof that he is of good moral character and that
146 he has met the educational and clinical practice requirements set forth in section twenty-three F,
147 twenty-three F1/2, twenty-three G, twenty-three H, twenty-three I, or twenty-three J, shall, upon
148 payment of a fee determined by the secretary of administration and finance, be examined by the
149 board, and if found qualified, and if he passes the examination, shall be licensed to practice.

150 Licenses shall expire every 2 years on the birth anniversary of the licensee. Licensees
151 shall pay to the board a renewal fee determined by the secretary of administration and finance.
152 The board may require specific continuing education as a condition of license renewal. The
153 board may provide for the late renewal of a license that has lapsed and may require the payment
154 of a late fee, an examination, continuing education, and supervised experience before issuing the
155 renewed license. For purposes of implementing the transition to birthday renewals, for licenses
156 renewing on or about January 2006, the board may issue licenses that expire in less than 2 years.

157 Chapter 112: Section 23C. Practice upon filing of license application

158 Section 23C. A person who meets the qualifications to be admitted to the examination for
159 licensure as an athletic trainer or a clinical exercise physiologist or an occupational therapist or
160 occupational therapy assistant or physical therapist or physical therapist assistant, may between
161 the date of filing an application for licensure and the announcement of the results of the next
162 succeeding examination for licensure, according to which application he has filed, practice as an
163 athletic trainer; as a clinical exercise physiologist; as an occupational therapist or as an
164 occupation therapy assistant under the direction of an occupational therapist duly licensed under
165 this chapter; as a physical therapist or physical therapist assistant under direction of a physical

166 therapist duly licensed under this chapter. If any person so practicing fails to qualify for or pass
167 the first announced examination after filing for licensure, all privileges under this section shall
168 automatically cease upon due notice to the applicant of such failure. Such privileges shall be
169 renewed upon filing for a second examination for licensure and shall automatically cease upon
170 notice to the applicant that he has failed to pass the second examination. Such privileges may
171 again be renewed upon the applicant petitioning the board for permission to file a third
172 application and said permission being granted by the board, and shall automatically cease upon
173 due notice that he has failed to pass the third examination. The privilege shall not exceed beyond
174 the third examination.

175 Chapter 112: Section 23D. Licensing of persons registered or licensed in other states,
176 territories, etc.; fees

177 Section 23D. The board may without examination, license as an athletic trainer, or a
178 clinical exercise physiologist, or an occupational therapist or occupational therapy assistant, or
179 physical therapist or physical therapist assistant, any applicant who is duly licensed or registered
180 under the laws of another state or territory of the United States, the District of Columbia, or the
181 Commonwealth of Puerto Rico. At the time of making such application, the applicant shall pay a
182 fee determined by the secretary of administration and finance to the board.

183 Chapter 112: Section 23E. Construction

184 Section 23E. Nothing in this section shall be construed as preventing or restricting the
185 practice, services, or activities of:

186 (a) any person licensed in this commonwealth by any other statute from engaging in the
187 profession or occupation for which he is licensed, or

188 (b) any person employed as an athletic trainer or clinical exercise physiologist or
189 occupational therapist or occupational therapy assistant or physical therapist or physical therapist
190 assistant by the Government of the United States or any agency of it, if such person provides
191 occupational therapy or physical therapy solely under the direction or control of the organization
192 by which he is employed, or

193 (c) any person pursuing a supervised course of study leading to a degree or certificate in
194 athletic training or clinical exercise physiology or occupational therapy or physical therapy at an
195 accredited or approved educational program, if the person is designated by a title which clearly
196 indicates his status as a student or trainee, or

197 (d) any person fulfilling the supervised field work experience requirements of this
198 section, if the experience constitutes a part of the experience necessary to meet the requirement
199 of that section, or

200 (e) any person performing athletic training services or clinical exercise physiology
201 services or occupational therapy services or physical therapy services in the commonwealth if
202 these services are performed for no more than two days in a calendar year in association with an
203 athletic trainer or clinical exercise physiologist or occupational therapist or physical therapist
204 licensed under this section, if the person is licensed under the law of another state which has
205 licensure requirements at least as stringent as the requirements of this section.

206 Chapter 112: Section 23F. Athletic trainers; qualifications

207 Section 23F. An applicant for licensure as an athletic trainer shall:

208 (a) be a graduate of a college or university approved by the board and completed such
209 college's or university's curriculum in athletic training, or other curricula deemed acceptable to
210 the board: and has completed a program of practical training in athletic training deemed
211 acceptable to the board.

212 (b) have passed an examination administered by the board. Such examination shall be
213 written, and, in addition, at the discretion of the board, may be oral and demonstrative, and shall
214 test the applicant's knowledge of the basic and clinical sciences as they apply to athletic training
215 theory and practice, including the applicant's professional skills and judgment in the utilization
216 of athletic training techniques and methods, and such other subjects as the board may deem
217 useful to determine the applicant's fitness to act as an athletic trainer. The examination shall be
218 conducted at least twice a year at times and places to be determined by the board.

219 Chapter 112: Section 23F1/2. Clinical Exercise Physiologist; qualifications

220 Section 23I. An applicant for licensure as a clinical exercise physiologist shall:

221 (a) hold a master's degree or higher with a major course of study in clinical exercise
222 physiology, exercise science, kinesiology, or applied exercise physiology from an accredited
223 college or university approved by the board, or be a graduate of an accredited educational
224 program in Exercise Physiology, and including a minimum of 600 hours of clinical experience as
225 a clinical exercise physiologist,

226 (b) or have graduated from an educational program in clinical exercise physiology,
227 exercise science, kinesiology, or applied exercise physiology chartered in a sovereign state
228 outside the United States and have furnished to the board such evidence as it may require: (1)
229 that his education is substantially the equivalent of that of graduates of approved programs in the

230 United States, and (2) that he has sufficient qualifications, including the proficiency in the
231 English language, to practice clinical exercise physiology,

232 (c) and passed the American College of Sports Medicine examination for Registered
233 Clinical Exercise Physiologists or Clinical Exercise Specialists or equivalent as determined by
234 the board.

235 Chapter 112: Section 23G. Occupational therapists; qualifications

236 Section 23G. An applicant for licensure as an occupational therapist shall:

237 (a) successfully completed an accredited occupational therapist educational program
238 approved by the board,

239 (b) successfully completed the therapist level field work requirements as stipulated in the
240 essentials of an accredited educational program for the occupational therapist or its equivalent,

241 (c) successfully passed an examination approved by the board for licensure as an
242 occupational therapist. Such examination shall be written and shall test the applicants'
243 knowledge of the basic and clinical sciences related to the occupational therapy theory and
244 practice, including the applicant's professional skills and judgements in the utilization of
245 occupational therapy techniques and methods, and such other subjects as the board may deem
246 useful to determine the applicant's fitness to act as an occupational therapist. The examination
247 shall be conducted by the board at least twice each year and at times and places to be determined
248 by the board; provided, however, that the board may utilize any existing national examination
249 that meets the requirements in this section.

250 Chapter 112: Section 23H. Occupational therapy assistant; qualifications

251 Section 23H. An applicant for licensure as an occupational therapy assistant shall:

252 (a) successfully completed an accredited occupational therapy assistant educational
253 program approved by the board,

254 (b) successfully completed a minimum of two months of supervised field work,

255 (c) successfully passed an examination conducted by the board for licensure as an

256 occupational therapy assistant. Such examination shall be written and shall test the applicant's

257 knowledge of the basic and clinical sciences related to the occupational therapy theory and

258 practice, and such other subjects as the board may deem useful to determine the applicant's

259 fitness to act as an occupational therapy assistant. The examination shall be conducted by the

260 board at least twice each year and at times and places to be determined by the board; provided,

261 however, that the board may utilize any existing national examination that meets requirements of

262 this section.

263 Chapter 112: Section 23I. Physical therapist; qualifications

264 Section 23I. An applicant for licensure as a physical therapist shall:

265 (a) be a graduate of a three or four year secondary school or has passed a high school

266 equivalency test deemed acceptable by the board,

267 (b) be a graduate of an accredited educational program leading to professional

268 qualification in physical therapy and approved by the board,

269 (c) or have graduated from an educational program in physical therapy chartered in a

270 sovereign state outside the United States and have furnished to the board such evidence as it may

271 require: (1) that his education is substantially the equivalent of that of graduates of approved

272 programs in the United States, and (2) that he has sufficient qualifications, including the
273 proficiency in the English language, to practice physical therapy,

274 (d) have passed an examination administered by the board. Such examination shall be
275 written, and may, at the discretion of the board, in addition, be oral and demonstrative, and shall
276 test the applicant's knowledge of the basic and clinical sciences as they relate to physical
277 therapy, including the applicant's professional skills and judgment in the utilization of physical
278 therapy techniques and methods, and other subjects as the board may deem useful to determine
279 the applicant's fitness to act as a physical therapist. The examination shall be conducted by the
280 board at least twice each year and at times and places to be determined by the board.

281 Chapter 112: Section 23J. Physical therapist assistants; qualifications

282 Section 23J. An applicant for licensure as a physical therapist assistant shall:

283 (a) be a graduate of a three or four year secondary school or has passed a high school
284 equivalency test deemed acceptable to the board,

285 (b) be a graduate of an accredited educational program leading to professional
286 qualification as physical therapist assistant and approved by the board,

287 (c) have passed an examination administered by the board. Such examination shall be
288 written, and may, at the discretion of the board, in addition, be oral and demonstrative, and shall
289 test the applicant's knowledge of the basic and clinical sciences as they relate to physical therapy
290 and other subjects as the board may deem useful to determine the applicant's fitness to act as a
291 physical therapist. The examination shall be conducted by the board at least twice each year and
292 at times and places to be determined by the board.

293 Chapter 112: Section 23K. Revocation, suspension, etc. of licensee

294 Section 23K. The board may, after a hearing pursuant to chapter thirty, revoke, suspend,
295 cancel the license of or place on probation, reprimand, censure or otherwise discipline a licensee
296 upon proof satisfactory to a majority of the board that said person:

297 (a) obtained or attempted to obtain a license by fraud or deception,

298 (b) been convicted of a felony or of a crime involving moral turpitude,

299 (c) has been grossly negligent in his practice of athletic training or clinical exercise
300 physiology or occupational therapy or physical therapy,

301 (d) been adjudged mentally ill or incompetent by the court of competent jurisdiction,

302 (e) used drugs or intoxicating liquors to the extent which adversely affects his practice,

303 (f) acted in manner which is professionally unethical according to ethical standards of the
304 professions of clinical exercise physiology or occupational therapy or physical therapy.

305 Chapter 112: Section 23L. Practice of medicine or other form of healing

306 Section 23L. Nothing in this section shall be construed as authorizing an athletic trainer,
307 clinical exercise physiologist, occupational therapist, occupational therapy assistant, physical
308 therapist, or physical therapist assistant to practice medicine or any other form or method of
309 healing not specified in said section.

310 Chapter 112: Section 23M. Rules and regulations; record of proceedings; roster of
311 licensees

312 Section 23M. The board shall adopt reasonable rules and regulations to carry into effect
313 sections twenty-three A to twenty-three P inclusive and may amend and revoke such rules and
314 regulations at its discretion. The board shall keep a record of its proceedings and a roster of all
315 persons licensed by it under this section. The roster shall include the licensee's name, last known
316 business and residential address; date of licensing, and license number.

317 Chapter 112: Section 23N. Athletic trainers; necessity for licensure

318 Section 23N. No person shall hold himself out as an athletic trainer or as being able to
319 practice athletic training or to render athletic training services in this commonwealth unless he is
320 licensed in accordance with section twenty-three B.

321 Chapter 112: Section 23N1/2. Clinical Exercise Physiologists; necessity for licensure

322 Section 23N1/2. No person shall hold himself out as a clinical exercise physiologist or as
323 being able to practice clinical exercise physiology or to render clinical exercise physiology
324 services in this commonwealth unless he is licensed in accordance with section twenty-three B.
325 No person not so licensed may use in connection with his name the words or letters, "C.E.P.",
326 "R.C.E.P.", "L.C.E.P.", or any other words, letters, abbreviations, or insignia indicating that he is
327 a clinical exercise physiologist.

328 Chapter 112: Section 23O. Occupational therapists or assistants; necessity for licensure;
329 use of letters, abbreviations, etc.

330 Section 23O. No person shall hold himself out as an occupational therapist or as an
331 occupational therapy assistant or as being able to practice occupational therapy or to render
332 occupational therapy services in the commonwealth unless he is licensed in accordance with

333 section twenty-three B. No person not so licensed may use in connection with his name or place
334 of business the letters, "O.T.R.," or "C.O.T.A.," or any other words, letters, abbreviations, or
335 insignia indicating that he is an occupational therapist or occupational therapy assistant.

336 Chapter 112: Section 23P. Physical therapists or assistants; necessity for licensure; use of
337 letters, abbreviations, etc.

338 Section 23P. No person shall hold himself out as a physical therapist, or as a physical
339 therapist assistant or as being able to practice physical therapy or to render physical therapy
340 services in the commonwealth unless he is licensed in accordance with section twenty-three B.
341 No person not so licensed may use in connection with his name the words or letters, "P.T.",
342 "R.P.T.", "L.P.T.A.", "PH.T.", "P.T.A.", "P.T.D.", "P.T.T.", "physical therapist",
343 "physiotherapist", "physical therapist assistant", or any other words, letters, abbreviations, or
344 insignia indicating that he is a physical therapist or physical therapist assistant.

345 Chapter 112: Section 23Q. Citation

346 Section 23Q. Sections twenty-three A to twenty-three P, inclusive, shall be known and
347 may be cited as the Registered Physical Therapists Law.

348 Grandfather Clause:

349 SECTION 11.

350 {omit any MGL reference, then grandparenting is written only in the Acts

351 and will "vanish" from the MGL after the period expires}

352 A license as a clinical exercise physiologist may be issued without examination to an
353 applicant who does not meet the educational requirements of section 23F1/2 of chapter 112 of
354 the General Laws, if the applicant has a bachelor's degree in exercise science, exercise
355 physiology, or kinesiology and provides to the board's satisfaction that THE APPLICANT has
356 been in paid professional practice in the field of clinical exercise physiology for five years or
357 10,000 hours out of the last ten years preceding the effective date of THE REGULATIONS
358 IMPLEMENTING THIS ACT.

359 The provisions of this section shall expire one year following the
360 effective date of the IMPLEMENTING REGULATIONS