

## 1 SENATE BILL NO. 70

2 INTRODUCED BY S. FITZPATRICK

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING TITLE PROTECTION FOR PHYSICAL THERAPIST  
 5 ASSISTANTS; REMOVING THE ORAL INTERVIEW FOR PHYSICAL THERAPIST LICENSURE  
 6 APPLICANTS; ALLOWING PHYSICAL THERAPIST LICENSURE APPLICANTS TO TAKE THE LICENSURE  
 7 EXAMINATION PRIOR TO GRADUATION; ALLOWING LICENSEES TO DISPLAY UNNOTARIZED COPIES  
 8 OF THEIR LICENSES; AMENDING SECTIONS 37-11-301, 37-11-303, 37-11-304, AND 37-11-311, MCA; AND  
 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 13 **Section 1.** Section 37-11-301, MCA, is amended to read:

14 **"37-11-301. License required for physical therapist and physical therapist assistant --**  
 15 **unauthorized representation as licensed therapist.** (1) A person may not practice or purport to practice  
 16 physical therapy without first obtaining a license under the provisions of this chapter.

17 (2) A person who is not licensed under this chapter as a physical therapist or physical therapist  
 18 assistant, whose license has been suspended or revoked, or whose license has lapsed and has not been  
 19 revived and who uses the words or letters "L.P.T.", "Licensed Physical Therapist", "P.T.", "Physical Therapist",  
 20 "R.P.T.", "Registered Physical Therapist", "D.P.T.", "Doctor of Physical Therapy", "P.T.A.", "Physical Therapist  
 21 Assistant", "L.P.T.A.", "Licensed Physical Therapist Assistant", "R.P.T.A.", "Registered Physical Therapist  
 22 Assistant", or any other letters, words, or insignia indicating or implying that the person is a licensed physical  
 23 therapist or physical therapist assistant or who in any way, orally or in writing or in print or by sign, directly or by  
 24 implication, purports to be a physical therapist or physical therapist assistant is guilty of a misdemeanor.

25 (3) A person who is not licensed as a physical therapist assistant in accordance with this chapter may  
 26 not assist a physical therapist in the practice of physical therapy."

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 28 **Section 2.** Section 37-11-303, MCA, is amended to read:

1           **"37-11-303. Qualifications of applicants for license.** (1) To be eligible for a license as a physical  
2 therapist, an applicant must:

- 3           (a) be of good moral character and at least 18 years of age;  
4           (b) have graduated from an accredited school of physical therapy approved by the board; and  
5           (c) pass to the satisfaction of the board a written or computerized examination prescribed by the  
6 board ~~and, if considered necessary, an oral interview to determine the fitness of the applicant to practice as a~~  
7 physical therapist.

8           (2) To be eligible for a physical therapist assistant license, an applicant must:

- 9           (a) be of good moral character and at least 18 years of age;  
10          (b) have graduated from an accredited physical therapist assistant curriculum approved by the board;  
11 and  
12          (c) have passed a written or computerized examination prescribed by the board."

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14           **Section 3.** Section 37-11-304, MCA, is amended to read:

15           **"37-11-304. Application for examination.** A person who desires to be licensed as a physical  
16 therapist or a physical therapist assistant shall apply to the department on a form furnished by the department.  
17 ~~The person shall provide evidence, satisfactory to the board, of having the qualifications preliminary to the~~  
18 ~~examination required by 37-11-303."~~

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20           **Section 4.** Section 37-11-311, MCA, is amended to read:

21           **"37-11-311. Display of license.** Each licensee shall display the licensee's ~~original~~ current license ~~or~~  
22 ~~an official duplicate issued by the department and a renewal certificate~~ in a conspicuous place in the principal  
23 office where the licensee practices physical therapy. ~~A reproduction displayed in lieu of the original or official~~  
24 ~~duplicate is not authorized unless the reproduction is signed and notarized by a notary public."~~

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26           NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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