

AMENDED IN SENATE AUGUST 21, 2006
AMENDED IN SENATE JUNE 15, 2006
AMENDED IN SENATE MARCH 6, 2006
AMENDED IN ASSEMBLY JANUARY 4, 2006
CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 120

Introduced by Assembly Member Cohn
(Principal coauthor: Senator Alquist)

January 13, 2005

An act to amend Section 2684 of, and to add Article 6.5 (commencing with Section 2676) to Chapter 5.7 of Division 2 of, the Business and Professions Code, relating to physical therapy, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 120, as amended, Cohn. Physical therapy: continuing education.

Existing law, the Physical Therapy Practice Act, licenses and regulates the practice of physical therapy by the Physical Therapy Board of California, and establishes educational requirements for licensure of physical therapists and approval of physical therapist assistants. Existing law *requires that all fees and penalties collected by the board be credited to the Physical Therapy Fund, a continuously appropriated fund, to pay for expenses of administering the act.* It makes a violation of the act's provisions a crime.

This bill would require a person who renews his or her physical therapy license or *physical therapy assistant* approval to submit proof of completion of continuing education hours or other proof of

continuing competency, as established by the board, and would require the board to adopt and administer regulations to ensure continuing competency of ~~licensees~~ *physical therapists and physical therapy assistants, as specified.*

This bill, by allowing the board to fund the license renewal program through license fees and fees assessed on the continuing education providers, which would be credited to the Physical Therapy Fund, would make an appropriation. The bill would also clarify that holders of approvals are required to disclose criminal convictions upon application for renewal.

Because a violation of this bill’s provisions would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 6.5 (commencing with Section 2676) is
 2 added to Chapter 5.7 of Division 2 of the Business and
 3 Professions Code, to read:

4
 5 Article 6.5. Continuing Education and Competency

6
 7 2676. (a) A person renewing his or her license or approval
 8 shall submit proof satisfactory to the board that, during the
 9 preceding two years, he or she has completed the required
 10 number of continuing education hours established by regulation
 11 by the board, or such other proof of continuing competency as
 12 the board may establish by regulation. Required continuing
 13 education shall not exceed 30 hours every two years.

14 (b) The board shall adopt and administer regulations
 15 including, but not limited to, continuing education; intended to
 16 ensure the continuing competency of persons licensed or
 17 approved pursuant to this chapter.*The board may establish*

1 *different requirements for physical therapists and physical*
2 *therapist assistants. The board may not require the completion of*
3 *an additional postsecondary degree or successful completion of*
4 *an examination as a condition of renewal, but may recognize*
5 *these as demonstrative of continuing competency. This program*
6 *shall include provisions requiring random audits of licensees and*
7 *holders of approval in order to ensure compliance.*

8 *(c) The administration of this section may be funded through*
9 *professional license fees, continuing education provider and*
10 *course approval fees, or both. The fees shall not exceed the*
11 *amounts necessary to cover the actual costs of administering this*
12 *section.*

13 SEC. 2. Section 2684 of the Business and Professions Code is
14 amended to read:

15 2684. (a) Notwithstanding Section 2422, any license or
16 approval for the practice of physical therapy shall expire at 12
17 ~~midnight~~ *a.m.* on the last day of the birth month of the licensee or
18 holder of the approval during the second year of a two-year term,
19 if not renewed.

20 (b) To renew an unexpired license or approval, the licensee or
21 the holder of the approval shall, on or before the dates on which
22 it would otherwise expire, apply for renewal on a form prescribed
23 by the board, pay the prescribed renewal fee, and submit proof of
24 the completion of continuing education or competency required
25 by the board pursuant to Article 6.5 (commencing with Section
26 2676). The licensee or holder of the approval shall disclose on
27 his or her license renewal application any misdemeanor or other
28 criminal offense for which he or she has been found guilty or to
29 which he or she has pleaded guilty or no contest.

30 (c) A license *or approval* that has expired may be renewed
31 within five years upon payment of all accrued and unpaid
32 renewal fees and satisfaction of the requirements described in
33 subdivision (b).

34 SEC. 3. No reimbursement is required by this act pursuant to
35 Section 6 of Article XIII B of the California Constitution because
36 the only costs that may be incurred by a local agency or school
37 district will be incurred because this act creates a new crime or
38 infraction, eliminates a crime or infraction, or changes the
39 penalty for a crime or infraction, within the meaning of Section
40 17556 of the Government Code, or changes the definition of a

- 1 crime within the meaning of Section 6 of Article XIII B of the
- 2 California Constitution.

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