

1 HB393  
2 115939-2  
3 By Representative Gipson  
4 RFD: Boards and Commissions  
5 First Read: 21-JAN-10

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8 SYNOPSIS: Under existing law, the Board of Physical  
9 Therapy consists of seven members, of which no two  
10 members are to be residents of the same  
11 congressional district. The members are four  
12 physical therapists, two physical therapists  
13 assistants, and one consumer member.

14 This bill would further provide for the  
15 appointment of the members to the board.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

20  
21 To amend Section 34-24-192 of the Code of Alabama  
22 1975, as amended by Act 2009-27 of the 2009 Regular Session  
23 (Acts 2009, p. 87), relating to the Board of Physical Therapy;  
24 to further provide for the membership.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Section 34-24-192 of the Code of Alabama  
2 1975, as amended by Act 2009-27 of the 2009 Regular Session  
3 (Acts 2009, p. 87), is amended to read as follows:

4           "§34-24-192.

5           "(a) Composition; appointment and terms of members.  
6 The Board of Physical Therapy shall consist of seven members. ~~1.~~  
7 Four members of the board shall be physical therapists, two  
8 members of the board shall be physical therapist assistants,  
9 and one member shall be a consumer. ~~Five~~ The members shall be  
10 appointed by the Governor from a list of five persons  
11 nominated for each place on the board by the current licensees  
12 and certified to him or her by the board, ~~and two additional~~  
13 ~~members appointed by the Governor pursuant to subsection (e).~~  
14 The four physical therapist members shall be nominated from  
15 the congressional districts. The physical therapist assistant  
16 members on the board shall be nominated from the northern and  
17 southern areas of the state. The consumer member shall be  
18 nominated from the state at large. For the purpose of  
19 preparing the list of five names for each position on the  
20 board, the board shall request nominations from vacant or  
21 potentially vacant congressional districts. In the event that  
22 five names are not received, the board shall request  
23 nominations from the state at large. The board shall conduct  
24 an annual meeting at which all physical therapists and  
25 physical therapist assistants holding a current license as  
26 identified under this article shall have the right to attend,  
27 nominate, and vote. The board ~~shall have the authority to~~ may

1 regulate and prescribe the date, hour, and place of the  
2 meeting, the method of nomination, and the manner of voting.  
3 At least 30 days prior to the meeting the board shall mail  
4 notices to each current licensee, at the address shown on his  
5 or her current registration, notifying him or her of the exact  
6 date, hour, and place of the meeting, the purpose of the  
7 meeting, and of his or her right to attend and vote. The  
8 membership of the board shall be inclusive and reflect the  
9 racial, gender, geographic, urban/rural, and economic  
10 diversity of the state. Whenever possible, ~~no two members of~~  
11 ~~the board shall be residents of the same congressional~~  
12 ~~district~~ a congressional district shall not be represented by  
13 two physical therapists. The board members shall be appointed  
14 for staggered terms of five years each, so that at least one  
15 member's term expires each year. ~~After April 19, 2001, as~~ As  
16 each member's term expires, the board shall provide a method  
17 of nominating members to the board so that each congressional  
18 district in the state is potentially represented on the board  
19 whenever possible. No person shall be appointed for more than  
20 two consecutive terms. ~~Four members of the board shall be~~  
21 ~~physical therapists, two members of the board shall be~~  
22 ~~physical therapist assistants, and one member shall be a~~  
23 ~~consumer.~~

24 "(b) Qualifications of members. Each physical  
25 therapist or physical therapist assistant board member shall  
26 possess all the following qualifications:

27 "(1) Be a resident and citizen of this state.

1           "(2) Have practiced physical therapy, or acted as a  
2 physical therapist assistant, within the State of Alabama for  
3 the three years preceding his or her appointment.

4           "(3) Have no disciplinary action against their  
5 license for the three years preceding his or her appointment.

6           "(c) Vacancies. In the event of a vacancy within one  
7 year of the annual meeting at which the list containing his or  
8 her name was compiled, the Governor shall fill the vacancy by  
9 selecting another name from the remaining names on the list  
10 prepared pursuant to subsection (a). Any vacancy, other than  
11 one occurring prior to the next annual meeting after the  
12 initial appointment is made, shall be filled by appointment of  
13 the Governor from a list of five nominees submitted by the  
14 current licensees of the board.

15           "(d) Officers; compensation and expenses of members.  
16 The board shall designate one of its members as chair, one as  
17 secretary, and one as treasurer. Members of the board shall  
18 receive a fee for every day actually spent in the performance  
19 of their duties and in addition thereto shall be reimbursed  
20 according to the state travel policy for their other expenses  
21 in the same amounts and under the same conditions as state  
22 employees are reimbursed. The exact amount of the  
23 above-mentioned fee shall be fixed by the board.

24           "~~(e) The two additional members appointed to the~~  
25 ~~board after April 19, 2001, shall be nominated and appointed~~  
26 ~~by the Governor in the same manner and at the same time, and~~  
27 ~~shall serve the same term of office, as specified in~~

1       ~~subsection (a) for other board members. The consumer member~~  
2       ~~shall be nominated and appointed in the year 2001, and the~~  
3       ~~additional physical therapist assistant member shall be~~  
4       ~~nominated and appointed in the year 2002."~~

5               Section 2. This act shall become effective  
6       immediately following its passage and approval by the  
7       Governor, or its otherwise becoming law.