

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**John D. Keenan**

*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 passage of the accompanying bill:

**An Act Relative to Increasing the Efficiency and Effectiveness of the Board of Allied Health Professionals.**

PETITION OF:

NAME:

John D. Keenan

DISTRICT/ADDRESS:

7th Essex

# The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand and Nine  
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## AN ACT RELATIVE TO INCREASING THE EFFICIENCY AND EFFECTIVENESS OF THE BOARD OF ALLIED HEALTH PROFESSIONALS.

*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.

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3 Section 11A of Chapter 13 of the General Laws is hereby amended by striking it out and  
4 inserting in place thereof the following:

5

6 Section 11A.

7 There shall be a board of allied health professions, hereinafter called the board, which shall  
8 consist of eleven members to be appointed by the governor. Members of the board shall be  
9 residents of the commonwealth and be citizens of the United States. The board shall meet as a  
10 whole to determine all administrative, personnel, budgetary and policy matters. The board shall  
11 adopt rules and regulations relating to professional conduct to carry out the policy of the board  
12 including, but not limited to, regulations relating to professional licensure and to the  
13 establishment of ethical standards of practice for persons holding a license to practice athletic  
14 training, occupational therapy, or physical therapy in the commonwealth. The board shall  
15 conduct meetings and keep records and minutes as are necessary to carry out its duties. The  
16 board shall provide reasonable public notice of the times and places of all meetings, in such  
17 manner and at such times as it may determine.

18 Each member of the board shall serve for a term of three years. No member shall be appointed to  
19 more than two consecutive full terms, provided, however, that a member appointed for less than

20 a full term may serve two full terms in addition to such part of a full term, and a former member  
21 shall again be eligible for appointment after a lapse of one or more years.

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

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

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

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34

35 Section 11AA.

36 The board shall be composed of an athletic trainers section, an occupational therapy section, and  
37 a physical therapy section. A majority of the members of each section shall constitute a quorum  
38 to transact and vote on the affairs of the section. Each section shall meet quarterly or more often  
39 upon the call of the chairman at such times and places as the chairman shall designate.

40 Three of such members shall be athletic trainers licensed in accordance with the provisions of  
41 section twenty-three B of chapter one hundred and twelve. Such members of the board shall sit  
42 on the athletic trainers section. The athletic trainers section of the board shall have full authority  
43 to act on behalf of the board on all matters concerning the practice of athletic training and, in  
44 particular, the examination, licensure, and suspension or revocation of licensure of applicants  
45 and athletic trainers. The athletic trainers section of the board shall conduct hearings and keep  
46 such records and minutes as are necessary to carry out its duties. The section shall provide  
47 reasonable public notice of the times and places of all hearings authorized under this section, in  
48 such manner and at such times as it may determine. The athletic trainers section may issue  
49 subpoenas and examine witnesses.

50 Section 11AAA.

51

52 Two of such members shall be occupational therapists licensed in accordance with the provisions  
53 of section twenty-three B of chapter one hundred and twelve. One such member shall be an  
54 occupational therapy assistant licensed in accordance with the provisions of section twenty-three

55 B. Such members of the board shall sit on the occupational therapy section. The occupational  
56 therapy section of the board shall have the authority to act on behalf of the board on matters  
57 concerning the practice of occupational therapy and, in particular, the examination of applicants,  
58 the issuance of licenses and the suspension or revocation of licenses to practice as an  
59 occupational therapist or occupational therapist assistant. The occupational therapy section of  
60 the board shall conduct such hearings and keep such records and minutes as are necessary to  
61 carry out its duties. The section shall provide reasonable public notice of the times and places of  
62 all hearings authorized under this section, in such manner and at such times as it may determine.  
63 The occupational therapy section may issue subpoenas and examine witnesses.

64

65 Section 11AAAA.

66

67 Two of such members shall be physical therapists licensed in accordance with the provisions of  
68 said section twenty-three B. One such member shall be a physical therapist assistant licensed in  
69 accordance with the provisions of said section twenty-three B. Such members of the board shall  
70 sit on the physical therapy section. The physical therapy section of the board shall have the  
71 authority to act on behalf of the board on matters concerning the practice of physical therapy  
72 and, in particular, the examination, licensure, suspension or revocation of licensure, and  
73 suspension or revocation of licensure of applicants, physical therapists, and physical therapist  
74 assistants. The physical therapy section of the board shall conduct such hearings and keep such  
75 records and minutes as are necessary to carry out its duties. The section shall provide reasonable  
76 public notice of the times and places of all hearings authorized under this section, in such manner  
77 and at such times as it may determine. The physical therapy section may issue subpoenas and  
78 examine witnesses.

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80 One of such members shall be a physician licensed in accordance with the provisions of section  
81 two of chapter one hundred and twelve, and one of such be selected from and shall represent the  
82 general public. Such members may sit on the athletic trainers section, the occupational therapy  
83 section and the physical therapy section as directed by the chairman to fill in for an existing  
84 vacancy in a section.

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