

LAWS OF MARYLAND RELATING TO PHYSICAL THERAPY

includes

Annotated Code of Maryland, (1957)
Article 43. Health

→ 1966 + 1967 Amend.

Sections 604-614. Physical Therapy

Extra sheets

SEC. 604

Physical Therapy is a para-medical specialty concerned with the physical rehabilitation of persons having disability resulting from, or secondary to, injury, or disease.

The Practice of Physical Therapy defined

The practice of physical therapy means the practice, for compensation directly or indirectly paid, of the para-medical specialty and includes:

- 1967
1. Performing and interpreting tests and measurements of neuro-muscular and musculo-skeletal functions as an aid to treatment;
 2. Planning initial and subsequent treatment programs, on the basis of test-findings, and within the orders of the referring physician; and
 3. Administering treatment through the use of therapeutic exercise, massage, mechanical devices, and therapeutic agents which employ the physical, chemical, and other properties of air, water, electricity, sound, and radiant energy;

but does not include the use of Roentgen rays or radium, nor the use of electricity for cauterization or surgery.

SEC. 605. "Physical therapist" defined.

"Physical therapist", as defined in this subtitle, means a person who practices physical therapy. (1961, ch. 892.)

SEC. 606. State Board of Physical Therapy Examiners.

1966

The State Board of Physical Therapy Examiners as it existed prior to June 1, 1966 is hereby continued, except that on and after this date, the Board shall consist of seven members. The five members of the Board serving on June 1, 1966 shall be continued in office until the expiration of their terms. The two additional members added to the Board on June 1, 1966 shall be initially appointed by the Governor, one for a term of three years and the other for a term of five years, and thereafter these terms shall be for five years. The two additional members initially appointed and thereafter at all times two members of the Board shall be physical therapists who are licensed to practice physical therapy under this subtitle and who are actively engaged in physical therapy in the State. At all times five members of the Board shall be licensed to practice medicine under the provisions of this article. Members of the Board shall be appointed by the Governor for terms of five years each. All appointments shall be made from lists of qualified persons submitted to the Governor by the Medical and Chirurgical Faculty of Maryland and shall contain not less than three names for each appointment to be made. Vacancies shall be filled by the Governor for the unexpired term in the manner provided herein. A quorum of the Board for the transaction of business shall be four members. Members of the Board shall be entitled to receive such compensation as it may determine from time to time, not to exceed ten dollars (\$10.00) per day for each day they are engaged in transacting the business of the Board. The members shall receive also their necessary traveling expenses. The Board shall elect

annually one of its members as chairman, and shall also elect annually a secretary, who need not be a member of the Board. The secretary shall receive such compensation as may be provided in the budget; and the compensation of the members, the secretary, and all expenses of the Board shall be paid from its receipts. The Board shall have the authority to obtain information which it may require in the field of physical therapy and, for that purpose, may secure the advice of experts and consultants to be paid out of the funds of the Board. (An. Code, 1951, sec. 567; 1947, ch. 906, sec. 533; 1949, ch. 569, sec. 533.)

SEC. 607. Examinations.

Annually after January 1, 1948, or more often if the Board shall deem it necessary, the said Board shall hold an examination for applicants for licenses to practice physical therapy in this State. Notice of time and place of such examination shall be given by one or more announcements in a daily newspaper published in the City of Baltimore and by such other methods as the said Board may see fit to use. (An. Code, 1951, sec. 568; 1947, ch. 906, sec. 534.)

SEC. 608. Qualifications of applicants; rules and regulations.

The said Board is empowered to pass upon the qualifications of applicants for licenses and shall make such rules and regulations, not inconsistent with this subtitle, as are necessary for the examination and licensing of applicants, and for suspension or revocation of licenses. (An. Code, 1951, sec. 569; 1947, ch. 906, sec. 535.)

SEC. 609. Suspension and revocation of licenses.

(a) The Board may refuse to grant a license to an applicant, or it may suspend or revoke a license on any of the following grounds:

- (1) Habitual indulgence in the use of narcotic drugs or other habit-forming drugs or in the use of alcoholic liquors to an extent which affects professional competency;
- (2) The treatment or attempt to treat ailments or other health conditions of human beings by means other than physical therapy, EXCEPT WHERE SPECIFICALLY LICENSED TO DO SO;
- (3) Conviction of a felony or a crime involving moral turpitude;
- (4) Conviction of a violation of any municipal, state, or federal narcotic law;
- (5) Obtaining or attempting to obtain licensure by fraud or deception;
- (6) The practice of physical therapy other than under the written or verbal order of a physician licensed to practice medicine and surgery.

(b) Before revoking or suspending any license, the Board shall furnish a copy of the complaint and charges to the person charged, and afford that person an opportunity for a hearing before the Board, in person or by his attorney. The Board's action shall be made in writing, giving the reasons for its action, and a copy shall be delivered or mailed to

the person charged. Within sixty days after receipt of notice of revocation or suspension the person charged may appeal the action of the Board to the circuit court of the county or the Baltimore City Court where the person resides. Either party to the appeal has a further right to appeal to the Court of Appeals from the decision of the court on appeal from the Board. (1961, ch. 892.)

SEC. 610. Licenses - In general.

(a) Without examination. - Any person practicing physical therapy in the State of Maryland on June 1, 1947 shall be entitled to be licensed as a physical therapist if:

(1) He or she is a member of the Maryland State Registry of Physical Therapists, or Maryland State Physical Therapy Society, Inc., or

(2) if: (A) He or she produces statements from three (3) active reputable licensed doctors of medicine certifying that he or she is of good moral character and has treated patients under the direction and supervision of the certifying doctor of medicine for a period of not less than two years in the State of Maryland prior to the application for license, or if: (B) He or she produces satisfactory evidence to the State Board of Physical Therapy Examiners, of experience and training in physical therapy for a period of not less than one year in an approved hospital. No applications for licenses without examination shall be accepted after January 1, 1948, unless the applicant shall be engaged in the military service of the United States or any of its allies, in which case such application shall be accepted at any time within six (6) months after honorable discharge from such military service.

(b) By examination. -

(1) Every person other than those covered by subsection (a), of good moral character, who has completed physical therapy training prior to June 1, 1947 or who is attending a course in physical therapy on June 1, 1947, may make application for examination for license providing that he or she produce evidence satisfactory to the Maryland State Board of Physical Therapy Examiners of his or her graduation from a school, college, hospital or university which has a complete and acceptable course in physical therapy and which is accredited by the Maryland State Board of Physical Therapy Examiners.

(2) Persons who shall enter physical therapy training after June 1, 1947, shall be required to meet one of the following educational requirements in order to be eligible to take the examination for license in the State of Maryland:

(A) Graduation from an accredited school of nursing plus an accredited course in physical therapy of not less than 9 months; or

(B) Graduation from an accredited school of physical education plus an accredited course in physical therapy of not less than 9 months; or

(C) Completion of three years of college with science courses plus an accredited course in physical therapy of not less than 9 months; or

(D) Graduation from a high school plus a four (4) year college course with a major in physical therapy; or

(E) Graduation in medical technology with B. S. degree plus an accredited course in physical therapy of not less than 9 months.

(c) Persons licensed outside of State. - Any physical therapist licensed or registered in any other State which has heretofore or which will hereafter establish such licensing or registering requirements by a legally constituted board with standards approved by the State Board of Physical Therapy Examiners of Maryland, and whose qualifications are equal to those of this State, in the discretion of said Board, may be eligible to receive a license as a physical therapist in this State without examination. (An. Code, 1951, sec. 571; 1947, ch. 906, sec. 537.)

SEC. 611. Same - Fees and renewal.

All persons licensed as physical therapists under the provisions of this subtitle shall, as a condition precedent to the granting of such license, pay to the State Board of Physical Therapy Examiners, a fee of ten dollars (\$10.00) which shall accompany the application for the license. Said fee shall be retained by the Board, whether or not the license is issued. All licenses heretofore issued under the provisions of this subtitle shall expire on January 1, 1950, and shall be renewed by application to the Board, upon payment of a renewal fee of five dollars (\$5.00), and shall be granted unless the licensee improperly or unlawfully obtained the license in the first instance or since its issuance, has committed a substantial violation of any of the provisions of this subtitle. Each license issued or renewed after June 1, 1951, shall be renewed annually upon payment of a renewal fee of five dollars (\$5.00). [Any licensee who fails to make application for renewal of his or her license within three months of its expiration, accompanied by the required renewal fee, shall be refused a renewal until he or she shall have successfully passed the examination as set forth in subsection (b) of Sec. 610 of this subtitle and paid the ten dollars (\$10.00) fee hereinbefore set forth for such examination. (An. Code, 1951, sec. 572; 1947, ch. 906, sec. 538; 1949, ch. 569, sec. 538; 1951, ch. 246.)

SEC. 612. Use of letters "P.T."

All persons licensed as physical therapists under the provisions of this subtitle, and no others, shall be known as physical therapists and shall be entitled to use the abbreviation "P.T." or any other words, letters or symbols which indicate that the person using the same is a licensed physical therapist and authorized to practice as such in this State. The State Board of Physical Therapy Examiners shall send to the State Board of Health and Mental Hygiene the name and address of each person licensed as a physical therapist. (An. Code, 1951, sec. 573; 1947, ch. 906, sec. 539.)

SEC. 613. Penalty.

Subject to the provisions of this subtitle, no person shall practice as a physical therapist as defined herein, nor use the abbreviation "P.T." or any other words, letters or symbols approved by the State Board of Physical Therapy Examiners indicating that he or she is a licensed physical therapist in this State unless licensed as herein provided. Any person violating any provision of this subtitle shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than one thousand dollars (\$1,000.00). The State Board of Physical Therapy Examiners shall cause to be presented to the State's Attorney of Baltimore City or of the county wherein any violation occurs, evidence of such violation and may incur any necessary expense in the performance of such duty; such expense to be paid out of the receipts of said Board. (1961, ch. 892.)

SEC. 614. Inconsistent laws; scope.

All laws or parts of laws inconsistent herewith are repealed to the extent of such inconsistency, but nothing herein contained shall be construed to apply to students in the fulfillment of a physical Therapy educational program of a school of Physical Therapy which is approved by the Board where the students are under the direct supervision of a licensed physical therapist, or to amend the laws relating to the practice of chiropractic, osteopathy, dentistry, chiropody, nursing, optometry, medicine and surgery or to prohibit chiropractors from practicing physical therapy in their practice as chiropractors; nor to the practice of beauty culture, hairdressing or in the operation of health clubs, in nonmedical treatments, except as specifically provided in this subtitle, provided, that nothing in this subtitle shall be construed as to prohibit or prevent the advertising of health clubs as health clubs, nor shall any action be taken under the authority of this subtitle to accomplish such a result.

(An. Code, 1951, sec. 575; 1947, ch. 906, sec. 541.)

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