

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 248

SPONSOR: Senator Kurth

SUBJECT: Orthotics, Prosthetics, and Pedorthics

DATE: February 12, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Munroe</u>	<u>Wilson</u>	<u>HC</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill extends the deadline for licensure application established in s. 468.805 (1), F.S., from March 1, 1998 to July 1, 1999 to allow a person who has met the experience requirements to practice orthotics, prosthetics, or pedorthics before March 1, 1998, to apply for licensure, based on the person's experience and educational preparation, without meeting the statutory educational requirements for licensure. The bill takes effect upon becoming a law.

This bill creates a provision that has not been assigned to the Florida Statutes.

II. Present Situation:

Part XIV of chapter 468, F.S., provides for the regulation of the practice of orthotics, prosthetics, and pedorthics. The part specifies definitions of practice and creates the Board of Orthotists and Prosthetists. The part establishes education and experience requirements for five licensing categories: orthotist, prosthetist, prosthetic assistant, orthotic assistant, fitter, fitter assistant, and pedorthist.

Section 468.803, F.S., requires each applicant to take the appropriate licensure examination, including a practical examination and when appropriate, a written examination which demonstrates orthotic, prosthetic, or pedorthic problem-solving skills. The board may accept the examination results of a national orthotic, prosthetic, or pedorthic standards organization instead of administering the state examination. To become a *licensed orthotist*, an applicant must have a Bachelor of Science degree in Orthotics and Prosthetics from an accredited college, or a bachelor's degree with an orthotic certificate from a program recognized by the Commission on Accreditation of Allied Health Education Programs (CAAHEP), or its equivalent, as determined by the newly-created Board of Orthotists and Prosthetists, and complete a 1-year internship or residency program recognized by the board. To become a *licensed prosthetist*, an applicant must have a Bachelor of Science degree in Orthotics and Prosthetics from an accredited college, or a bachelor's degree with a prosthetic certificate from a program recognized by CAAHEP, or its

equivalent, as determined by the board, and complete a 1-year internship or residency program recognized by the board. An *orthotic fitter* must have a high school diploma or its equivalent, complete a minimum of 40 hours of training in orthotics and 2 years of experience in orthotics, as approved by the board. An *orthotic fitter assistant* must have a high school diploma or its equivalent, and complete a minimum of 40 hours of training in orthotics, as approved by the board. To become a *pedorthist*, an applicant must have a high school diploma or its equivalent and complete a minimum of 120 hours of training and an internship of 80 hours of experience, as approved by the board. Alternative licensure requirements for orthotists and prosthetists may be satisfied by persons with an associate degree, including courses in the anatomical, biological or physical sciences and a minimum of 3 years' clinical experience under a licensed professional. This alternative is available only until July 1, 2002.

Subsection (1) of section 468.805, F.S., allows a person to become licensed without meeting the educational requirements for the appropriate licensing category: orthotist, prosthetist, prosthetic assistant, orthotic assistant, fitter, fitter assistant, or pedorthist if the person has practiced orthotics, prosthetics, or pedorthics for the required period since July 1, 1990, and applies to the department before March 1, 1998, pays the application fee no greater than \$500, and satisfies an investigation by the Board of Orthotists and Prosthetists into the applicant's background and experience. The board must complete its investigation of the applicant's work history within 6 months after receipt of the application for the person wishing to be licensed without meeting the statutory education requirements. The subsection specifies the period of experience required for any person to obtain licensure to practice orthotics, prosthetics, or pedorthics without meeting the statutory educational requirements: 5 years for either a prosthetist or an orthotist whose scope of practice includes all activities under the practice definition for prosthetics or the practice definition for orthotics, as appropriate; and 2 years for an orthotic fitter, orthotic fitter assistant, or pedorthist.

III. Effect of Proposed Changes:

The bill extends the licensure application deadline established in s. 468.805(1), F.S., to July 1, 1999 to allow certain applicants to waive the statutory education requirements to become licensed to practice orthotics, prosthetics, and pedorthics. Under the bill, any applicant whose experience and educational preparation has been determined by the Board of Orthotists and Prosthetists to have met the required experience for the appropriate licensure category in the practice of orthotics, prosthetics, and pedorthics before March 1, 1998, may apply before July 1, 1999, and obtain a waiver of the statutory educational requirements. The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Subsections 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Persons who have completed the appropriate duration of experience to become licensed to practice orthotics, prosthetics, or pedorthics before March 1, 1998 may apply for licensure up until July 1, 1999 and have the statutory educational requirements for licensure waived.

C. Government Sector Impact:

The Department of Health may implement the provisions of the bill revising licensing requirements for those wishing to practice orthotics, prosthetics, or pedorthics within existing resources with minimal additional costs. The Department of Health estimates that 20 additional applications will be received.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.