

HB 1319 -- Orthotics, Prosthetics, and Pedorthics Practice Act

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This bill establishes the Orthotics, Prosthetics, and Pedorthics Practice Act and allows an orthotist, pedorthist, prosthetist, and Prosthetist Orthotist, to receive a license from the State Board of Registration for the Healing Arts within the Missouri Department of Insurance, Financial Institutions and Professional Registration. These provisions must not prohibit any currently licensed professional or practice that currently works with orthotics, prosthetics, or pedorthics from engaging in his or her licensed profession as specified in these provisions.

This bill defines the following professions under Sections 334.1600 - 334.1642, RSMo:

- (1) "Licensed orthotic fitter," an individual licensed to fit specified noncustom orthotic devices;
- (2) "Licensed orthotist," an individual licensed to practice orthotics that provides services that include the term orthotic, orthotist, brace, or a similar title or description of services;
- (3) "Licensed pedorthist," an individual licensed to practice pedorthics and provides services that include the term pedorthic, pedorthist, or a similar title or description of services;
- (4) "Licensed prosthetist," an individual licensed to practice prosthetics and provides services that include the term prosthetic, prosthetist, artificial limb, or a similar title or description of services; and
- (5) "Licensed prosthetist orthotist," an individual who is licensed in both prosthetics and orthotics and who provides services that include the term prosthetic, prosthetist, artificial limb, orthotic, orthotist, brace, or a similar title or description of services.

To qualify for a license to practice orthotics, prosthetics, pedorthics, or orthotic fitter, an individual must complete the specified education program, residency or patient care hours, be certified by the appropriate board or certifying agency, and any other requirements as specified by the board.

To qualify for a license to operate an orthotic, prosthetic, or pedorthic facility, an owner must follow the established requirements for the accreditation and renewal of an accreditation from a CMS-deemed accrediting organization in orthotics,

prosthetics, or pedorthics and employ an orthotist, prosthetist, or pedorthist licensed by the board in the discipline for which a facility license is sought. The owner must submit applications for licensure and employ an orthotist, prosthetist, or pedorthist licensed by the board for the service the facility license provides.

The board must have the power and responsibility to:

- (1) Determine the qualifications and fitness of an applicant for licensure and renewal of licensure;
- (2) Adopt and revise rules consistent with the laws of this state that are necessary to conduct its business, carry out its duties, and administer these provision;
- (3) Examine, approve, issue, deny, revoke, suspend, sanction, and renew the licenses of applicants for licensure as licensed orthotists, prosthetists, pedorthists, and orthotic fitters and provisionally licensed orthotists, prosthetists, pedorthists, and orthotic fitters;
- (4) Conduct hearings on complaints regarding violations of these provisions and the rules adopted;
- (5) Establish application and licensure fees;
- (6) Make the information that is of interest to the consumer available to the public and appropriate state agencies;
- (7) Establish the reporting of continuing education requirements;
- (8) Establish rules for the supervision of nonlicensed individuals providing orthotic, prosthetic, or pedorthic devices; and
- (9) Establish a classification system for custom fabricated and fitted, custom fitted, off-the-shelf, and over-the-counter orthotic, prosthetic, and pedorthic devices.

Beginning August 28, 2016 an individual may not practice orthotics, prosthetics, or pedorthics in Missouri without a license and any individual who violates this provision will be guilty of a class C misdemeanor. The bill allows an individual who is currently certified to perform the practices specified in these provisions to be granted a license upon payment of the required fee.

The bill provides provisions for an individual with a minimum of three years of full-time service in a prosthetic, orthotic, or pedorthic facility as an orthotist, prosthetist, pedorthist, or

orthotic fitter. Beginning November 30, 2015, the individual may file an application with the board and pay the required license fee to continue to practice orthotics, prosthetics, or pedorthics without education requirements. The bill requires the board to investigate the work history, qualifications, and fitness of the applicant and to complete the investigation within six months from receiving the completed application. If all of the qualifications are met, except for the education requirement, a license will be issued allowing him or her to work without the required certification. The license will not be renewed without a valid certification for the specified profession.

The bill requires the professions in these provisions to only provide care or services when ordered by a licensed physician or podiatrist and to provide the patient with all costs, including co-pays before starting any services.