

**2023 -- H 5494 SUBSTITUTE A**

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LC001413/SUB A/2  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2023**

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PHYSICAL THERAPISTS

Introduced By: Representatives Potter, Cruz, Giraldo, Voas, and McNamara

Date Introduced: February 10, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-40-7 of the General Laws in Chapter 5-40 entitled "Physical  
2 Therapists" is hereby amended to read as follows:

3 **5-40-7. Licensing of physical therapists.**

4 (a) By Examination. The applicant is required to pass with a grade determined by the board,  
5 an examination approved by the department in consultation with the board; physical therapists  
6 licensed under the provisions of this chapter on August 31, 1982, shall continue to be licensed.

7 (b) Without Examination by Endorsement. A license to practice physical therapy may be  
8 issued without examination to an applicant who has been licensed by examination as a physical  
9 therapist under the laws of another state or territory or District of Columbia, if, in the opinion of  
10 the board, the applicant meets the qualifications required of physical therapists in this state.

11 (c)(1) Graduate Practice. Every graduate of a board-approved physical therapy school who  
12 has filed a physical therapy application may, upon receiving a permit from the department of health,  
13 perform as a physical therapist under the supervision of a physical therapist licensed in this state.

14 (2) During this period, the applicant shall identify him or herself only as a "graduate  
15 physical therapist."

16 (3) If the applicant fails to take the examination, as specified in subsection (a), within ninety  
17 (90) days from effective date of graduate status, without cause, or fails to pass the examination and  
18 receive a license, all privileges provided in subsections (c)(1) and (c)(2) automatically cease.

19 (4) If an applicant takes and fails to pass the examination, the applicant's privileges shall

1 be reinstated upon the applicant filing and registering for a second attempt at the next available  
2 scheduled examination; provided, however, the privileges shall automatically cease if the applicant  
3 fails to pass the second examination attempt.

4 (d)(1) Foreign-Trained Applicants. If the foreign-trained applicant has successfully met the  
5 requirements of the rules and regulations, the applicant's credentials shall be accepted by the board.

6 (2) Prior to becoming licensed in this state, the foreign-trained applicant must also meet all  
7 of the appropriate requirements described in this section or its equivalent as established in rules and  
8 regulations.

9 (e) Sunset provision. The provisions of subsection (c)(4) of this section shall expire three  
10 (3) years from the date of passage and the board shall submit a report addressing said provisions to  
11 the general assembly within six (6) months of its expiration.

12 SECTION 2. This act shall take effect upon passage and certain provisions would sunset  
13 three (3) years from the date of passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would amend the physical therapists' licensing requirement and permit those  
2 applicants who have failed the examination to retain their privileges to practice physical therapy  
3 upon filing and registering for a second attempt at the examination, which privileges would  
4 automatically cease if the applicant fails the second examination. The provisions of this amendment  
5 would expire three (3) years from the date of passage.

6           This act would take effect upon passage and certain provisions would sunset three (3) years  
7 from the date of passage.

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