

HOUSE BILL NO. 345

INTRODUCED BY QUILICI, MENAHAN  
BY REQUEST OF THE BOARD OF  
PHYSICAL THERAPY EXAMINERS

IN THE HOUSE

JANUARY 22, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON STATE ADMINISTRATION.

JANUARY 23, 1991                   FIRST READING.

JANUARY 29, 1991                   COMMITTEE RECOMMEND BILL  
DO PASS. REPORT ADOPTED.

JANUARY 30, 1991                   PRINTING REPORT.

JANUARY 31, 1991                   SECOND READING, DO PASS.

FEBRUARY 1, 1991                   ENGROSSING REPORT.

FEBRUARY 2, 1991                   THIRD READING, PASSED.  
AYES, 94; NOES, 0.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 4, 1991                   FIRST READING.

INTRODUCED AND REFERRED TO COMMITTEE  
ON PUBLIC HEALTH, WELFARE, & SAFETY.

MARCH 7, 1991                   COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

MARCH 9, 1991                   CONSENT CALENDAR, QUESTIONS AND ANSWERS.

MARCH 11, 1991                   THIRD READING, CONCURRED IN.  
AYES, 49; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 12, 1991                   RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 345  
 2 INTRODUCED BY Julian Mendenhall  
 3 BY REQUEST OF THE BOARD OF  
 4 PHYSICAL THERAPY EXAMINERS  
 5

6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE NUMBER  
 7 OF TIMES A YEAR THE PHYSICAL THERAPIST'S LICENSING  
 8 EXAMINATION IS OFFERED AND THE NUMBER OF TIMES AN APPLICANT  
 9 MAY TAKE THE LICENSING EXAMINATION; AMENDING SECTIONS  
 10 37-11-201 AND 37-11-304, MCA; AND PROVIDING AN IMMEDIATE  
 11 EFFECTIVE DATE."  
 12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 37-11-201, MCA, is amended to read:

15 "37-11-201. General powers -- rulemaking power --  
 16 records. (1) The board may:

- 17 (a) adopt rules to carry this chapter into effect;
- 18 (b) grant, suspend, and revoke licenses;
- 19 (c) issue subpoenas requiring the attendance of  
 20 witnesses or the production of books and papers; and
- 21 (d) take any other disciplinary action necessary to  
 22 protect the public.

23 (2) The board shall:

- 24 (a) examine applicants for licenses ~~twice~~ three times a  
 25 year at reasonable places and times determined by the board;

1 (b) review the qualifications of applicants who are  
 2 approved for examination for licensure; and

3 (c) conduct written examinations that measure the  
 4 qualifications of individual applicants along with any oral  
 5 or practical examinations when determined by the board to be  
 6 appropriate.

7 (3) The department shall keep a record of the board's  
 8 proceedings under this chapter and a register of persons  
 9 licensed under it. The register ~~shall~~ must show the name of  
 10 every living licensed physical therapist, his last-known  
 11 place of business, last-known place of residence, and the  
 12 date and number of his license and certificate as a licensed  
 13 physical therapist.

14 (4) The department shall, during the month of April  
 15 every year in which the renewal of licenses is required,  
 16 compile a list of licensed physical therapists authorized to  
 17 practice physical therapy in the state and shall mail, upon  
 18 request, a copy of that list to the superintendent of every  
 19 known hospital and every person licensed to practice  
 20 medicine and surgery in the state. An interested person in  
 21 the state is entitled to obtain a copy of the list on  
 22 application to the department and payment of an amount not  
 23 in excess of the cost of the list so furnished.

24 (5) The department may change addresses and surnames on  
 25 the licensee's records only on the specific written request



-2- INTRODUCED BILL  
 HB 345

1 by the individual licensee."

2 **Section 2.** Section 37-11-304, MCA, is amended to read:

3 "37-11-304. Application for examination -- fee. (1)  
4 Unless entitled to a license under 37-11-307, a person who  
5 desires to be licensed as a physical therapist shall apply  
6 to the department in writing, on a form furnished by the  
7 department. He shall:

8 (a) embody in that application evidence under oath,  
9 satisfactory to the board, of his possessing the  
10 qualifications preliminary to the examination required by  
11 37-11-303-; and

12 ~~(2)(b)~~ He ~~shall~~ pay to the department at the time of  
13 filing his application a fee as established by the board by  
14 rule. ~~Said~~ The fee shall must be commensurate with the cost  
15 of the examination and its administration and ~~shall must~~ be  
16 deposited in the state special revenue fund for the use of  
17 the board, subject to 37-1-101(6).

18 ~~(3)(2)~~ Anyone failing to pass the required examination  
19 on his first attempt is entitled to sit for a second  
20 examination within--6--months and, if he fails the second  
21 examination, to sit for a third examination."

22 NEW SECTION. **Section 3.** Effective date. [This act] is  
23 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0345, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:


An act increasing the number of times a year the physical therapist's licensing examination is offered and the number of times an applicant may take the licensing examination; amending sections 37-11-201 and 37-11-304, MCA; and providing an immediate effective date.

ASSUMPTIONS:

1. Proposed legislation will not change or impact current revenues and/or expenditures of state agencies or the political subdivisions of the state.

FISCAL IMPACT:

None

  
ROD SUNDSTED, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning      1-24-91

  
JOE QUILICI, PRIMARY SPONSOR      DATE  
Fiscal Note for HB0345, as introduced.      1-26-91

**HB 345**

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 House BILL NO. 345  
2 INTRODUCED BY Timothy Mendon  
3 BY REQUEST OF THE BOARD OF  
4 PHYSICAL THERAPY EXAMINERS

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16 records. (1) The board may:

- 17 (a) adopt rules to carry this chapter into effect;
- 18 (b) grant, suspend, and revoke licenses;
- 19 (c) issue subpoenas requiring the attendance of  
20 witnesses or the production of books and papers; and
- 21 (d) take any other disciplinary action necessary to  
22 protect the public.

23 (2) The board shall:

- 24 (a) examine applicants for licenses twice three times a  
25 year at reasonable places and times determined by the board;

1 (b) review the qualifications of applicants who are  
2 approved for examination for licensure; and

3 (c) conduct written examinations that measure the  
4 qualifications of individual applicants along with any oral  
5 or practical examinations when determined by the board to be  
6 appropriate.

7 (3) The department shall keep a record of the board's  
8 proceedings under this chapter and a register of persons  
9 licensed under it. The register shall must show the name of  
10 every living licensed physical therapist, his last-known  
11 place of business, last-known place of residence, and the  
12 date and number of his license and certificate as a licensed  
13 physical therapist.

14 (4) The department shall, during the month of April  
15 every year in which the renewal of licenses is required,  
16 compile a list of licensed physical therapists authorized to  
17 practice physical therapy in the state and shall mail, upon  
18 request, a copy of that list to the superintendent of every  
19 known hospital and every person licensed to practice  
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23 in excess of the cost of the list so furnished.

24 (5) The department may change addresses and surnames on  
25 the licensee's records only on the specific written request

1 by the individual licensee."

2 **Section 2.** Section 37-11-304, MCA, is amended to read:

3 **\*37-11-304. Application for examination -- fee. (1)**  
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10 qualifications preliminary to the examination required by  
11 37-11-303; and

12 ~~†2) (b)~~ He shall pay to the department at the time of  
13 filing his application a fee as established by the board by  
14 rule. ~~Said~~ The fee shall must be commensurate with the cost  
15 of the examination and its administration and ~~shall must~~ be  
16 deposited in the state special revenue fund for the use of  
17 the board, subject to 37-1-101(6).

18 ~~†3) (2)~~ Anyone failing to pass the required examination  
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20 examination within--6--months and, if he fails the second  
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22 **NEW SECTION. Section 3. Effective date.** [This act] is  
23 effective on passage and approval.

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