

GENERAL LAWS OF MASSACHUSETTS
TITLE XVI.
PUBLIC HEALTH

CHAPTER 112. REGISTRATION OF CERTAIN PROFESSIONS AND OCCUPATIONS.

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CHAPTER 112. REGISTRATION OF CERTAIN PROFESSIONS AND OCCUPATIONS
REGISTRATION OF PHYSICAL THERAPISTS
Definitions

Section 23A. The following words as used in sections twenty-three A to twenty-three P, inclusive, unless the context otherwise requires, shall have the following meanings:--

"**Athletic trainer**", any person who is duly licensed in accordance with this section as an athletic trainer and who limits his practice to schools, teams or organizations with whom he is associated and who is under the direction of a physician or dentist duly registered in the commonwealth.

"Athletic training", the application of principles, methods and procedures of evaluation and treatment of athletic injuries, preconditioning, conditioning and reconditioning of the athlete through the use of appropriate preventative and supportive devices, temporary splinting and bracing, physical modalities of heat, cold, massage, water, electric stimulation, sound, exercise and exercise equipment under the discretion of a physician. Athletic training includes instruction to coaches, athletes, parents, medical personnel and communities in the area of care and prevention of athletic injuries.

"Board", the board on allied health professions, established under section eleven A of chapter thirteen.

"Occupational therapy",

"Physical therapy"

Section 23B Examinations; applications for licensure; fees; renewal of license

Section 23B. The board shall examine applicants for licensure in each of the fields it supervises at such times and places as it may determine and shall conduct at least two such examinations in each field in each calendar year. The board shall establish examination and testing procedures to enable the board to ascertain the competency of persons wishing to be licensed as qualified **athletic trainers**, occupational therapists, occupational therapy assistants, physical therapists and physical therapist assistants. Applications for such licenses, signed and sworn by the applicants shall be made on forms furnished by the board. An applicant who furnished satisfactory proof that he is of good moral character and that he has met the educational and clinical practice requirements set forth in section

twenty-three F, twenty-three G, twenty-three H, twenty-three I, or twenty-three J, shall, upon payment of a fee determined by the secretary of administration and finance, be examined by the board, and if found qualified, and if he passes the examination, shall be licensed to practice.

Every person licensed hereunder shall, during January of every even numbered year, apply to the board for renewal of his license and pay a fee determined by the secretary of administration and finance to the board and thereupon the board shall issue a license showing that the holder is entitled to practice for the period covered by said payment. The board may require specific continuing education as a condition for license renewal. The board may provide for the late renewal of a license which has lapsed and may require the payment of a late fee, an examination, continuing education and supervised experience prior to issuing said renewed license.

Section 23C Practice upon filing of license application

Section 23C. A person who meets the qualifications to be admitted to the examination for licensure as an athletic trainer or an occupational therapist or occupational therapy assistant or physical therapist or physical therapist assistant, may between the date of filing an application for licensure and the announcement of the results of the next succeeding examination for licensure, according to which application he has filed, practice as an athletic trainer; as an occupational therapist or as an occupational therapy assistant under the direction of an occupational therapist duly licensed under this chapter; as a physical therapist or physical therapist assistant under direction of a physical therapist duly licensed under this chapter. If any person so practicing fails to qualify for or pass the first announced examination after filing for licensure, all privileges under this section shall automatically cease upon due notice to the applicant of such failure. Such privileges shall be renewed upon filing for a second examination for licensure and shall automatically cease upon notice to the applicant that he has failed to pass the second examination. Such privileges may again be renewed upon the applicant petitioning the board for permission to file a third application and said permission being granted by the board, and shall automatically cease upon due notice that he has failed to pass the third examination. The privilege shall not exceed beyond the third examination.

Chapter 112: Section 23D Licensing of persons registered or licensed in other states, territories, etc.; fees

Section 23D. The board may without examination, license as an **athletic trainer**, or an occupational therapist or occupational therapy assistant, or physical therapist or physical therapist assistant, any applicant who is duly licensed or registered under the laws of another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. At the time of making such application, the applicant shall pay a fee determined by the secretary of administration and finance to the board.

Chapter 112: Section 23E Construction

Section 23E. Nothing in this section shall be construed as preventing or restricting the practice, services, or activities of:

- (a) any person licensed in this commonwealth by any other statute from engaging in the profession or occupation for which he is licensed, or
- (b) any person employed as an **athletic trainer** or occupational therapist or occupational therapy assistant or physical therapist or physical therapist assistant by the Government of the United States or any agency of it, if such person provides occupational therapy or physical therapy solely under the direction or control of the organization by which he is employed, or

(c) any person pursuing a supervised course of study leading to a degree or certificate in **athletic training** or occupational therapy or physical therapy at an accredited or approved educational program, if the person is designated by a title which clearly indicates his status as a student or trainee, or

(d) any person fulfilling the supervised field work experience requirements of this section, if the experience constitutes a part of the experience necessary to meet the requirement of that section, or

(e) any person performing **athletic training services** or occupational therapy services or physical therapy services in the commonwealth if these services are performed for no more than two days in a calendar year in association with an **athletic trainer** or occupational therapist or physical therapist licensed under this section, if the person is licensed under the law of another state which has licensure requirements at least as stringent as the requirements of this section.

Section 23F Athletic trainers; qualifications

Section 23F. An applicant for licensure as an athletic trainer shall:

(a) be a graduate of a college or university approved by the board and completed such college's or university's curriculum in athletic training, or other curricula deemed acceptable to the board: and has completed a program of practical training in athletic training deemed acceptable to the board.

(b) have passed an examination administered by the board. Such examination shall be written, and, in addition, at the discretion of the board, may be oral and demonstrative, and shall test the applicant's knowledge of the basic and clinical sciences as they apply to athletic training theory and practice, including the applicant's professional skills and judgment in the utilization of athletic training techniques and methods, and such other subjects as the board may deem useful to determine the applicant's fitness to act as an athletic trainer. The examination shall be conducted at least twice a year at times and places to be determined by the board.

G – Occupational Therapists

H – Occupational Therapy Assistant

I – Physical Therapist

J – Physical Therapist Assistant

Section 23K Revocation, suspension, etc. of licensee

Section 23K. The board may, after a hearing pursuant to chapter thirty, revoke, suspend, cancel the license of or place on probation, reprimand, censure or otherwise discipline a licensee upon proof satisfactory to a majority of the board that said person:

(a) obtained or attempted to obtain a license by fraud or deception,

(b) been convicted of a felony or of a crime involving moral turpitude,

(c) has been grossly negligent in his practice of athletic training or occupational therapy or physical therapy,

(d) been adjudged mentally ill or incompetent by the court of competent jurisdiction,

(e) used drugs or intoxicating liquors to the extent which adversely affects his practice,

(f) acted in manner which is professionally unethical according to ethical standards of the professions of occupational therapy or physical therapy.

Section 23L Practice of medicine or other form of healing

Section 23L. Nothing in this section shall be construed as authorizing an **athletic trainer**, occupational therapist, occupational therapy assistant, physical therapist, or physical therapist assistant to practice medicine or any other form or method of healing not specified in said section.

Section 23M Rules and regulations; record of proceedings; roster of licensees

Section 23M. The board shall adopt reasonable rules and regulations to carry into effect sections twenty-three A to twenty-three P inclusive and may amend and revoke such rules and regulations at its discretion. The board shall keep a record of its proceedings and a roster of all persons licensed by it under this section. The roster shall include the licensee's name, last known business and residential address; date of licensing, and license number.

Section 23N Athletic trainers; necessity for licensure

Section 23N. No person shall hold himself out as an athletic trainer or as being able to practice athletic training or to render athletic training services in this commonwealth unless he is licensed in accordance with section twenty-three B

Section 23O & P concern occupational and physical therapists

Section 23Q Citation

Section 23Q. Sections twenty-three A to twenty-three P, inclusive, shall be known and may be cited as the Registered Physical Therapists Law.

23R-BB – Respiratory Therapists

BOARD OF REGISTRATION IN MEDICINE

Chapter 13: Section 11A Board; membership; appointment; term; removal; election of officers; expenses; powers and duties

Section 11A. There shall be a board of allied health professions, hereinafter called the board, which shall consist of eleven members to be appointed by the governor. Members of the board shall be residents of the commonwealth and citizens of the United States. Three of such members shall be **athletic trainers** licensed in accordance with the provisions of section twenty-three B of chapter one hundred and twelve; two of such members shall be occupational therapists licensed in accordance with the provisions of section twenty-three B of chapter one hundred and twelve, one such member shall be an occupational therapy assistant licensed in accordance with the provisions of said section twenty-three B; two of such members shall be physical therapists licensed in accordance with the provisions of said section twenty-three B; one such member shall be a physical therapist assistant licensed in accordance with the provisions of said section twenty-three B; except that such members constituting the first board shall be persons who are eligible for licensing as practitioners of said allied health profession. One of such members shall be a physician licensed in accordance with the provisions of section two of chapter one hundred and twelve, and one of such members shall be selected from and shall represent the general public.

Each member of the board shall serve for a term of three years. No member shall be appointed to more than two consecutive full terms, provided, however, that a member appointed for less than a full term may serve two full terms in addition to such part of a full term, and a former member shall again be eligible for appointment after a lapse of one or more years.

A member of the board may be removed by the governor for neglect of duty, misconduct, malfeasance or misfeasance in office after being given a written statement of the charges against him and sufficient opportunity to be heard thereon. Upon the death, resignation or removal for cause of any member of the board, the governor shall fill such vacancy for the remainder of that member's year.

The board shall, at its first meeting, and annually thereafter, elect from among its members a chairman, vice-chairman, and a secretary. Such officers shall serve until their successors are elected and qualified. The board shall meet at least once a month or more often upon the call of the chairman at such times and places as the chairman shall designate.

Each member shall be reimbursed for necessary expenses incurred in the discharge of his official duties.

The board shall have the following powers and duties:

(a) The board shall administer, coordinate, and enforce the provisions of this section, evaluate the qualifications, and approve the examinations for licensure under this section, and may issue subpoenas, examine witnesses, and administer oaths, and may investigate allegations of practices violating the provisions of this section.

(b) The board shall adopt rules and regulations relating to professional conduct to carry out the policy of this section including, but not limited to, regulations relating to professional licensure and to the

establishment of ethical standards of practice for persons holding a license to practice athletic training, occupational therapy, or physical therapy in the commonwealth.

(c) The board shall conduct such hearings and keep such records and minutes as are necessary to carry out its duties. The board shall provide reasonable public notice of the times and places of all hearings authorized under this section, in such manner and at such times as it may determine.