



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 2242

PRINTERS NO. 3869

PRIME SPONSOR: Toohil

### COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
State Board of Medicine Restricted Account	\$0	\$0

**SUMMARY:** Amends the Medical Practice Act (Act 112 of 1985) to exempt pharmacists, podiatrists and physicians from licensure with respect to dispensing durable medical equipment and provides licensure without examination for prosthetists, orthotists, pedorthists and orthotic fitters. This legislation would take effect immediately.

**ANALYSIS:** This legislation explicitly exempts pharmacists, podiatrists and physicians from licensure with respect to dispensing durable medical equipment

This legislation amends Section 13.5 of the Medical Practice Act of 1985 (relating to prosthetists, orthotists, pedorthists and orthotic fitters) to allow persons who are currently dispensing diabetic shoes to receive a license without taking an examination. The person must meet the following requirements:

- Be of good moral character
- Submit a State Board of Medicine-approved application, and any fees set by the Board via regulation
- Keep and make available all patient logs
- Not be addicted to alcohol, narcotics or other habit-forming drugs
- Not have a felony conviction under the PA Controlled Substance, Drug, Device and Cosmetic Act, or a similar law in another jurisdiction.

In addition to the above requirements, the person must comply with one of the following:

- For a prosthetic or orthotic license:
  - Holds a national certification as a prosthetist or orthotist issued by a national organization approved by the Board.
- For a pedorthotic or orthotic fitters license:
  - Holds a national certification as a pedorthist or orthotic fitter issued by a national organization approved by the Board;
- For an orthotic fitters license:
  - Has been dispensing over-the-counter prostheses, orthoses or pedorthic devices for two years immediately prior to the bill's effective date under the supervision of a nationally certified pedorthist or is employed by an entity approved by an accredited organization under the Center for Medicare and Medicaid Services (CMS).

This legislation also removes language in the orthotic fitter scope of practice to align with federal standards and certification requirements for post-mastectomy products and adds therapeutic shoes to an orthotic fitter's scope of practice.

**FISCAL IMPACT:** This legislation would have no adverse fiscal impact on Commonwealth funds.

**PREPARED BY:** Tim Rodrigo  
House Appropriations Committee (R)

**DATE:** June 30, 2014

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*