

1 context clearly indicates otherwise:

2 * * *

3 "Accommodative." Designed with a primary goal of conforming
4 to an individual's anatomy.

5 * * *

6 "Custom-fabricated device." A prosthesis, orthosis or
7 pedorthic device that is fabricated to ~~original~~ COMPREHENSIVE ←
8 measurements or a mold for use by a patient in accordance with a
9 prescription ~~or work order~~ and which requires substantial ←
10 clinical and technical judgment in its design FABRICATION and ←
11 fitting.

12 "Custom-fitted device." A prefabricated prosthesis, orthosis
13 or pedorthic device TO ACCOMMODATE THE PATIENT'S MEASUREMENT ←
14 that is sized or modified for use by the patient in accordance
15 with a prescription ~~or work order~~ and which requires substantial ←
16 clinical judgment and substantive alteration IN ITS DESIGN for ←
17 appropriate use.

18 * * *

19 "ICE." The Institute for Credentialing Excellence,
20 previously known as the National Organization for Competency
21 Assurance (NOCA).

22 * * *

23 "NCCA." The National Commission for Certifying Agencies or
24 its successor.

25 ~~"Nontherapeutic devices." Devices that do not address a~~ ←
26 ~~medical condition.~~

27 "ORTHOISIS." A CUSTOM-FABRICATED OR CUSTOM-FITTED DEVICE ←
28 DESIGNED TO EXTERNALLY PROVIDE SUPPORT, ALIGNMENT OR PREVENTION
29 TO THE BODY OR A LIMB FOR THE PURPOSES OF CORRECTING OR
30 ALLEVIATING A NEUROMUSCULAR OR MUSCULOSKELETAL DISEASE, INJURY

1 OR DEFORMITY.

2 "Orthotic fitter." An individual who is licensed under this
3 act to ~~practice orthotics~~ PROPERLY FIT, DISPENSE AND ADJUST ←
4 PREFABRICATED ORTHOTIC DEVICES pursuant to a written
5 prescription of a physician, podiatrist, certified registered
6 nurse practitioner or physician assistant ~~or pursuant to a work~~ ←
7 order.

8 "Orthotics." ~~Evaluating~~ THE PRACTICE OF EVALUATING, ←
9 measuring, designing, fabricating, assembling, fitting,
10 adjusting or servicing an orthosis for the correction or
11 alleviation of neuromuscular or musculoskeletal dysfunction,
12 disease, injury or deformity, as provided in this act.

13 "Orthotist." An individual other than A LICENSED PHYSICAL ←
14 THERAPIST, A LICENSED OCCUPATIONAL THERAPIST OR an orthotic
15 fitter licensed under this act to practice orthotics pursuant to
16 a written prescription of a physician, podiatrist, certified
17 registered nurse practitioner or physician assistant ~~or pursuant~~ ←
18 to a work order.

19 "Over-the-counter prostheses, orthoses and pedorthic
20 devices." Prefabricated, mass-produced items that are
21 prepackaged and require no professional advice or judgment in
22 either size selection or use, including fabric or elastic
23 supports, corsets, generic arch supports and elastic hose.

24 "Pedorthic device." Includes therapeutic shoes, shoe
25 modifications made for therapeutic purposes, partial foot
26 prostheses, foot orthoses and below-the-knee pedorthic
27 modalities. The term does not include nontherapeutic,
28 accommodative inlays and nontherapeutic accommodative footwear,
29 regardless of method of manufacture; unmodified, nontherapeutic
30 over-the-counter shoes; or prefabricated unmodified or

1 unmodifiable foot care and footwear products.

2 "Pedorthics." ~~Evaluating~~ THE PRACTICE OF EVALUATING, ←
3 measuring, designing, fabricating, assembling, fitting,
4 adjusting or servicing necessary to accomplish the application
5 of a pedorthic device for the prevention or amelioration of
6 painful or disabling conditions related to the lower
7 extremities.

8 "Pedorthist." An individual licensed under this act to
9 practice pedorthics pursuant to a written prescription of a
10 physician, podiatrist, certified registered nurse practitioner
11 or physician assistant ~~or pursuant to a work order.~~ ←

12 * * *

13 "Podiatrist." An individual licensed under the act of March
14 2, 1956 (1955 P.L.1206, No.375), known as the Podiatry Practice
15 Act, to practice podiatry.

16 "Prefabricated orthosis." A brace or support designed to
17 provide for alignment, correction or prevention of neuromuscular
18 or musculoskeletal dysfunction, disease, injury or deformity.
19 The term does not include fabric or elastic support, corsets,
20 arch supports, low-temperature plastic splints, trusses, elastic
21 hose, canes, crutches, soft cervical collars, dental appliances
22 or other similar devices carried in stock and sold as over-the-
23 counter items by a drug store, department store, corset shop or
24 surgical supply facility.

25 "Prosthesis." A custom-designed, custom-fabricated, custom-
26 fitted or custom-modified device to replace an absent external
27 limb for purposes of restoring physiological function ~~or~~ ←
28 cosmesis THAT IS NOT SURGICALLY IMPLANTED. The term does not ←
29 include artificial eyes, ears, fingers or toes, dental
30 appliances, cosmetic devices, such as artificial breasts,

1 eyelashes or wigs, or other devices that do not have a
2 significant impact on the musculoskeletal functions of the body.

3 "Prosthetics." ~~Evaluating~~ THE PRACTICE OF EVALUATING, ←
4 measuring, designing, fabricating, assembling, fitting,
5 adjusting or servicing a prosthesis.

6 "Prosthetist." An individual, OTHER THAN A LICENSED PHYSICAL ←
7 THERAPIST OR OCCUPATIONAL THERAPIST, licensed under this act to
8 practice prosthetics pursuant to a written prescription of a
9 physician, podiatrist, certified registered nurse practitioner
10 or physician assistant ~~or pursuant to a work order.~~ ←

11 * * *

12 ~~"Therapeutic devices." Devices that address a medical~~ ←
13 ~~condition.~~

14 * * *

15 Section 2. The act is amended by adding a section to read:
16 Section ~~13.4~~ 13.5. Prosthetists, orthotists, pedorthists and ←
17 orthotic fitters.

18 (a) Licensure qualifications.--To qualify for licensure to
19 practice prosthetics, orthotics, pedorthics or orthotic fitting,
20 an applicant shall:

21 (1) Be of good moral character.

22 (2) Possess the following education:

23 ~~(i) For prosthetists, at least four years of~~ ←
24 ~~education, training and/or work experience, consisting of~~
25 ~~a bachelor's degree with a major in prosthetics or~~
26 ~~orthotics and prosthetics, an associate degree in~~
27 ~~prosthetics or orthotics and prosthetics or two or more~~
28 ~~years of education, training and/or work experience in~~
29 ~~the field of prosthetics; and a minimum of two years~~
30 ~~(3,800 hours) of experience in providing direct patient~~

~~care services. Patient logs must be kept and available for audit purposes.~~

~~(ii) For orthotists, at least four years of education, training and/or work experience, consisting of a bachelor's degree with a major in orthotics or orthotics and prosthetics, an associate degree in orthotics or orthotics and prosthetics or two or more years of education, training and/or work experience in the field of orthotics; and a minimum of two years (3,800 hours) of experience in providing direct patient care services. Patient logs must be kept and available for audit purposes.~~

(I) FOR PROSTHETISTS, AT LEAST FOUR YEARS OF EDUCATION, TRAINING AND/OR WORK EXPERIENCE, CONSISTING OF:

(A) A BACHELOR'S DEGREE WITH A MAJOR IN PROSTHETICS OR ORTHOTICS AND PROSTHETICS; AND

(B) A MINIMUM OF TWO YEARS (3,800 HOURS) OF EXPERIENCE IN PROVIDING DIRECT PATIENT CARE SERVICES.

(II) FOR ORTHOTISTS, AT LEAST FOUR YEARS OF EDUCATION, TRAINING AND/OR WORK EXPERIENCE, CONSISTING OF:

(A) A BACHELOR'S DEGREE WITH A MAJOR IN ORTHOTICS OR OTHOTICS AND PROSTHETICS; AND

(B) A MINIMUM OF TWO YEARS (3,800 HOURS) OF EXPERIENCE IN PROVIDING DIRECT PATIENT CARE SERVICES.

(iii) For pedorthists, a successfully completed board-approved entry-level pedorthic education program and a minimum of 1,000 hours of supervised patient fitting experience.



1 (iv) For orthotic fitters, a successfully completed
2 board-approved entry-level education program specific to
3 orthotic fitting and a minimum of 1,000 hours of
4 documented patient care.

5 (3) Have fulfilled all educational and training required
6 for certification AND RECEIVED CERTIFICATION by a prosthetic, ←
7 orthotic, pedorthic and orthotic fitting credentialing
8 organization recognized by ICE, accredited by NCCA and
9 approved by the board.

10 (4) Pass all examinations that are required for
11 certification by a prosthetic, orthotic, pedorthic or
12 orthotic fitting credentialing organization recognized by
13 ICE, accredited by NCCA and approved by the board.

14 (5) Submit a board-approved application and any fees as
15 prescribed by the board by regulation.

16 (6) KEEP AND MAKE AVAILABLE ALL PATIENT LOGS FOR AUDIT ←
17 PURPOSES OF THE EXPERIENCE REQUIREMENT.

18 ~~(6)~~ (7) Not be addicted to alcohol, narcotics or other ←
19 habit-forming drugs.

20 ~~(7)~~ (8) Not been convicted of a felony under the act of ←
21 April 14, 1972 (P.L.233, No.64), known as The Controlled
22 Substance, Drug, Device and Cosmetic Act, or of an offense
23 under the laws of another jurisdiction which, if committed in
24 this Commonwealth, would be a felony under The Controlled
25 Substance, Drug, Device and Cosmetic Act, unless the
26 following apply:

27 (i) Ten years have elapsed from the date of
28 conviction.

29 (ii) The applicant satisfactorily demonstrates to
30 the board that the applicant has made significant

1 progress in personal rehabilitation since the conviction
2 and the licensure of the applicant is not expected to
3 create a substantial risk of harm to the health and
4 safety of the applicant's clients or the public or a
5 substantial risk of further criminal violations.

6 (iii) The applicant otherwise satisfies the
7 qualifications required under this act.

8 (b) Term of license.--A license issued pursuant to this
9 section shall be valid for two years and may be renewed
10 biennially with the board as provided in subsection (g).

11 (c) Prosthetic, orthotic, pedorthic and orthotic fitting
12 treatment requirements.--Prior to administering the first
13 prosthetic, orthotic, pedorthic or orthotic fitting treatment, a ←
14 prosthetist, orthotist, pedorthist or orthotics fitter shall do
15 all of the following:

16 (1) Ensure the patient has secured a prescription ~~or~~ ←
17 ~~work order~~ along with clinical notes for treatment BY THE ←
18 PRESCRIBING AUTHORITY using prosthetics, orthotics,
19 pedorthics or orthotic fitting from a physician, podiatrist,
20 certified registered nurse practitioner or physician
21 assistant. A prescription ~~or work order~~ under this paragraph ←
22 shall place conditions and restrictions BY THE PRESCRIBING ←
23 AUTHORITY on the course of treatment if required as a matter
24 of sound medical practice.

25 (2) Ensure the patient has undergone a medical
26 diagnostic examination or has had the results of a recently
27 performed medical diagnostic examination reviewed by a
28 physician, podiatrist, certified registered nurse
29 practitioner or physician assistant.

30 (3) ~~Keep~~ RETAIN a copy of the prescription ~~or work order~~ ←

1 and the results of the medical diagnostic examination in the
2 patient's file.

3 (d) Exceptions.--

4 (1) Nothing in this section shall prohibit students
5 enrolled in a prosthetics, orthotics, pedorthics or orthotics
6 fitter educational program from performing prosthetics,
7 orthotics, pedorthics or orthotic fitting in the course of
8 their instruction, provided that a physician or podiatrist is
9 readily available for consultations and that a prosthetist,
10 orthotist, pedorthist or orthotic fitter, respectively, is on
11 site and responsible for the direct supervision of students.

12 (2) Nothing in this section shall prohibit an individual
13 from engaging in the practice for which that individual is
14 licensed or certified to practice or to act within the scope
15 of that license or certification held in this Commonwealth.

16 Nothing in this act shall prohibit an individual who is ←

17 (3) NOTHING IN THIS ACT SHALL PROHIBIT AN INDIVIDUAL WHO ←
18 IS employed by the Federal Government from engaging in the
19 practice of a prosthetist, orthotist, pedorthist or orthotic
20 fitter while in the discharge of the employee's official
21 duties.

22 ~~(3)~~ (4) Nothing in this section shall prohibit the sale ←
23 of over-the-counter prostheses, orthoses or pedorthic
24 devices.

25 ~~(4)~~ (5) Nothing in this section shall prohibit a ←
26 representative of a ~~medical~~ AN ORTHOSIS device manufacturer ←
27 registered with the United States Food and Drug
28 Administration from measuring, fitting and adjusting ~~orthoses~~ ←
29 AN ORTHOSIS when the representative is supervised by a THE ←
30 physician or other licensed health care professional ←

1 PERFORMING THE PROCEDURE PURSUANT TO A WRITTEN AGREEMENT. ←

2 (e) License requirement effective.--Commencing two years
3 after the effective date of this section, individuals shall not
4 practice or hold themselves out as being able to practice
5 prosthetics, orthotics, pedorthics or orthotic fitting in this
6 Commonwealth unless the individuals are licensed in accordance
7 with this section.

8 ~~(f) License without examination. Within two years after the~~ ←

9 (F) LICENSE WITHOUT EXAMINATION.-- ←

10 (1) WITHIN TWO YEARS AFTER THE effective date of this
11 section, an individual may be granted a prosthetic, orthotic,
12 pedorthotic or orthotic fitting license by the board if the
13 individual DOES ALL OF THE FOLLOWING: ←

14 ~~(1) Complies with subsection (a) (1), (2), (5), (6) and~~ ←
15 ~~(7); and~~

16 ~~(2) Complies with the following:~~

17 ~~(i) holds a valid national certification as a~~

18 (I) COMPLIES WITH SUBSECTION (A) (1), (5), (6) AND ←

19 (7).

20 (II) MEETS THE FOLLOWING:

21 (A) FOR PROSTHETISTS, A COMBINATION OF AT LEAST
22 FOUR YEARS OF EDUCATION, TRAINING AND/OR WORK
23 EXPERIENCE, CONSISTING OF:

24 (I) A BACHELOR'S DEGREE WITH A MAJOR IN
25 PROSTHETICS OR ORTHOTICS AND PROSTHETICS;

26 (II) AN ASSOCIATE'S DEGREE IN PROSTHETICS OR
27 ORTHOTICS AND PROSTHETICS OR TWO OR MORE YEARS OF
28 EDUCATION, TRAINING AND/OR WORK EXPERIENCE IN THE
29 FIELD OF PROSTHETICS; AND

30 (III) A MINIMUM OF TWO YEARS OR 3,800 HOURS

1 OF EXPERIENCE IN PROVIDING DIRECT PATIENT CARE
2 SERVICES.

3 (B) FOR ORTHOTISTS, A COMBINATION OF AT LEAST
4 FOUR YEARS OF EDUCATION, TRAINING AND/OR WORK
5 EXPERIENCE, CONSISTING OF:

6 (I) A BACHELOR'S DEGREE WITH A MAJOR IN
7 ORTHOTICS OR ORTHOTICS AND PROSTHETICS;

8 (II) AN ASSOCIATE'S DEGREE IN ORTHOTICS OR
9 ORTHOTICS AND PROSTHETICS OR TWO OR MORE YEARS OF
10 EDUCATION, TRAINING AND/OR WORK EXPERIENCE IN THE
11 FIELD OF ORTHOTICS; AND

12 (III) A MINIMUM OF TWO YEARS OR 3,800 HOURS
13 OF EXPERIENCE IN PROVIDING DIRECT PATIENT CARE
14 SERVICES.

15 (C) FOR PEDORTHISTS, A SUCCESSFULLY COMPLETED
16 BOARD-APPROVED ENTRY-LEVEL PEDORTHIC EDUCATION
17 PROGRAM AND A MINIMUM OF 1,000 HOURS OF SUPERVISED
18 PATIENT FITTING EXPERIENCE.

19 (D) FOR ORTHOTIC FITTERS, A SUCCESSFULLY
20 COMPLETED BOARD-APPROVED ENTRY-LEVEL EDUCATION
21 PROGRAM SPECIFIC TO ORTHOTIC FITTING AND A MINIMUM OF
22 1,000 HOURS OF DOCUMENTED PATIENT CARE.

23 (III) COMPLIES WITH THE FOLLOWING:

24 (A) HOLDS A VALID NATIONAL CERTIFICATION FROM AN
25 ORGANIZATION APPROVED BY THE BOARD AS A prosthetist,
26 orthotist, pedorthist or orthotic fitter; and

27 ~~(ii) has been in active, continuous practice for the~~ ←

28 (B) HAS BEEN IN ACTIVE, CONTINUOUS PRACTICE FOR ←
29 THE three years immediately preceding the effective
30 date of this section.



1 (2) THIS SUBSECTION SHALL EXPIRE 730 DAYS FROM THE
2 EFFECTIVE DATE OF THIS SUBSECTION.

3 (g) Biennial license renewal.--For biennial renewal of a
4 license:

5 (1) A prosthetist and orthotist must provide
6 certification of successful completion of a minimum of 24
7 hours of continuing education as approved by the board.

8 (2) An orthotic fitter and a pedorthist must provide
9 certification of successful completion of a minimum of 13
10 hours of continuing education as approved by the board.

11 (3) Certification of continuing education credit hours
12 submitted by the prosthetist, orthotist, pedorthist or
13 orthotic fitter shall be verified as being correct and true
14 by the applicant.

15 (4) A licensee must file a completed board-approved
16 renewal application.

17 (5) A licensee must pay any fees established by
18 regulation by the board.

19 (6) No credit for continuing education may be given for
20 courses in office management or practice building.

21 (7) The board may waive all or part of the continuing
22 education requirements to a licensee who shows to the
23 satisfaction of the board that the licensee was unable to
24 complete the requirement due to illness, emergency or
25 hardship.

26 (h) Orthotic fitter scope of practice.--The scope of
27 practice of an orthotic fitter is limited to measuring, fitting,
28 dispensing and adjusting prefabricated devices not requiring
29 more than minor modification of:

30 (1) Cervical soft foam collars.

1 (2) Thoraco-lumbo-sacral orthoses.

2 (3) Lumbo-sacral orthoses.

3 (4) Knee orthoses.

4 (5) Ankle foot orthoses.

5 (6) Foot orthoses.

6 (7) Elbow orthoses.

7 (8) Shoulder orthoses.

8 (9) Abdominal and pelvic:

9 (i) Trusses.

10 (ii) Flexible supports.

11 (iii) Maternity supports.

12 (10) Compression devices:

13 (i) Lymphedema garments.

14 (ii) Compression garments.

15 (iii) Burn garments.

16 (11) Breast prosthesis and ancillary supplies.

17 (i) Liability insurance coverage.--An individual licensed to
18 practice prosthetics, orthotics, pedorthics or orthotic fitting
19 in this Commonwealth shall maintain a level of professional
20 liability insurance coverage in the minimum amount of \$1,000,000
21 per occurrence or claims made and shall verify to the board the
22 required coverage. Failure to maintain insurance coverage as
23 required shall subject the licensee to disciplinary proceedings.
24 The licensee must provide proof of coverage to the board upon
25 request. The board shall accept from a licensee as satisfactory
26 evidence of insurance coverage any of the following:

27 (1) Personally purchased liability insurance.

28 (2) Professional liability insurance coverage provided
29 by the individual licensee's employer or similar insurance
30 coverage acceptable to the board.

1 (j) Practice by unregistered persons.--Any person who is not
2 licensed as a prosthetist, orthotist, pedorthist or orthotic
3 fitter shall not practice prosthetics, orthotics, pedorthics or
4 orthotic fitting nor in any written or printed circular or in
5 any business card, letterhead or sign or otherwise assume the
6 title "Prosthetist," "Orthotist," "Pedorthist" or "Orthotic
7 Fitter" nor any other title, abbreviation, name or description
8 implying or calculated to lead to the belief that he is
9 qualified to practice prosthetics, orthotics, pedorthics or
10 orthotic fitting.

11 Section 3. The board shall promulgate regulations to
12 implement the amendment or addition of sections 2 and ~~13.4~~ 13.5 ←
13 of the act within 18 months of the effective date of this
14 section. The amendment or addition of sections 2 and ~~13.4~~ 13.5 ←
15 of the act shall not be enforceable by the State Board of
16 Medicine until the publication of final regulations under this
17 section or 24 months following the effective date of this
18 section, whichever occurs first.

19 Section 4. This act shall take effect immediately.