
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2242 Session of
2014

INTRODUCED BY TOOHIL, EVERETT, BAKER, MURT, YOUNGBLOOD,
CALTAGIRONE, MILLARD, WATSON, DAVIS, V. BROWN, MAHER,
MARSICO, KNOWLES, REED, TRUITT, SAYLOR AND BROWNLEE,
MAY 5, 2014

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MAY 5, 2014

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
2 entitled "An act relating to the right to practice medicine
3 and surgery and the right to practice medically related acts;
4 reestablishing the State Board of Medical Education and
5 Licensure as the State Board of Medicine and providing for
6 its composition, powers and duties; providing for the
7 issuance of licenses and certificates and the suspension and
8 revocation of licenses and certificates; providing penalties;
9 and making repeals," further providing for prosthetists,
10 orthotists, pedorthists and orthotic fitters.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 13.5(d) and (h) of the act of December
14 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of
15 1985, added July 5, 2012 (P.L.873, No.90), are amended and the
16 section is amended by adding a subsection to read:

17 Section 13.5. Prosthetists, orthotists, pedorthists and
18 orthotic fitters.

19 * * *

20 (d) Exceptions.--

21 (1) Nothing in this section shall prohibit students

1 enrolled in a prosthetics, orthotics, pedorthics or orthotics
2 fitter educational program from performing prosthetics,
3 orthotics, pedorthics or orthotic fitting in the course of
4 their instruction, provided that a physician or podiatrist is
5 readily available for consultations and that a prosthetist,
6 orthotist, pedorthist or orthotic fitter, respectively, is on
7 site and responsible for the direct supervision of students.

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

12 (3) Nothing in this act shall prohibit an individual who
13 is employed by the Federal Government from engaging in the
14 practice of a prosthetist, orthotist, pedorthist or orthotic
15 fitter while in the discharge of the employee's official
16 duties.

17 (4) Nothing in this section shall prohibit the sale of
18 over-the-counter prostheses, orthoses or pedorthic devices.

19 (5) Nothing in this section shall prohibit a
20 representative of a medical device manufacturer registered
21 with the United States Food and Drug Administration from
22 measuring, fitting and adjusting a medical device when the
23 representative pursuant to a written agreement is supervised
24 by the physician performing the procedure.

25 (6) Nothing in this section shall prohibit pharmacists,
26 appropriately trained pharmacy personnel or durable medical
27 equipment provider personnel from fitting and patient
28 management of off-the-shelf therapeutic diabetic shoes and
29 inserts. This paragraph includes the measuring, fitting or
30 adjusting of any device utilizing a crush box impression

1 system, scanning or a noncustom fabricated and fitted device,
2 including, but not limited to, over-the-counter devices.

3 * * *

4 (h) Orthotic fitter scope of practice.--The scope of
5 practice of an orthotic fitter is limited to measuring, fitting,
6 dispensing and adjusting prefabricated devices not requiring
7 more than minor modification of:

8 (1) Cervical soft foam collars.

9 (2) Thoraco-lumbo-sacral orthoses.

10 (3) Lumbo-sacral orthoses.

11 (4) Knee orthoses.

12 (5) Ankle foot orthoses.

13 (6) Foot orthoses.

14 (7) Elbow orthoses.

15 (8) Shoulder orthoses.

16 (9) Abdominal and pelvic:

17 (i) Trusses.

18 (ii) Flexible supports.

19 (iii) Maternity supports.

20 [(10) Compression devices:

21 (i) Lymphedema garments.

22 (ii) Compression garments.

23 (iii) Burn garments.

24 (11) Breast prosthesis and ancillary supplies.]

25 * * *

26 (k) Definition.--As used in this section, the term
27 "appropriately trained" means the satisfactory completion of one
28 of the following:

29 (1) A course of study approved by the National
30 Commission of Orthotic and Prosthetic Education (NCOPE) that

1 covers fitting and patient management of therapeutic diabetic
2 shoes and inserts.

3 (2) An appropriate manufacturer's training course
4 consisting of fitting of therapeutic shoes and inserts with
5 documented satisfactory completion of an assessment.

6 (3) A course of study that covers fitting and patient
7 management of therapeutic diabetic shoes and inserts that is
8 approved by a nationally recognized orthotic and prosthetic
9 certification or accreditation organization.

10 Section 2. Notwithstanding section 3 of the act of July 5,
11 2012 (P.L.873, No.90), entitled "An act amending the act of
12 December 20, 1985 (P.L.457, No.112), entitled 'An act relating
13 to the right to practice medicine and surgery and the right to
14 practice medically related acts; reestablishing the State Board
15 of Medical Education and Licensure as the State Board of
16 Medicine and providing for its composition, powers and duties;
17 providing for the issuance of licenses and certificates and the
18 suspension and revocation of licenses and certificates;
19 providing penalties; and making repeals,' adding definitions;
20 and providing for licensure of prosthetists, orthotists,
21 pedorthists and orthotic fitters," the State Board of Medicine
22 shall promulgate regulations to implement section 13.5 of the
23 act within 12 months of the effective date of this section.

24 Section 13.5 of the act shall not be enforceable by the State
25 Board of Medicine until the publication of final regulations
26 under this section.

27 Section 3. This act shall take effect immediately.