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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984



# ENROLLED

HOUSE BILL No. 1319

(By Mr. Del. Ashcraft)



Passed March 10, 1984

In Effect Ninty Days From Passage



ENROLLED

# H. B. 1319

(By DELEGATE ASHCRAFT)

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[Passed March 10, 1984; in effect ninety days from passage.]

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AN ACT to amend sections eight and nine, article twenty, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to physical therapists; issuance of licenses; renewal of licenses; renewal fee; display of license and temporary permits.

*Be it enacted by the Legislature of West Virginia:*

That sections eight and nine, article twenty, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 20. PHYSICAL THERAPISTS.**

**§30-20-8. Issuance of license; renewal of license; renewal fee; display of license.**

1 (a) Whenever the board finds that an applicant meets all  
2 of the requirements of this article for a license to engage  
3 in the practice of physical therapy or to act as a physical  
4 therapy assistant, as the case may be, it shall forthwith issue  
5 to him such license; and otherwise the board shall deny the  
6 same.

7 (b) Every licensee shall renew his license on or before  
8 January one of each year by payment of a fee of thirty-five  
9 dollars in the case of a license to engage in the practice of  
10 physical therapy and twenty dollars in the case of a license  
11 to act as a physical therapy assistant. Any license which  
12 is not so renewed shall automatically lapse. A license which

13 has lapsed may be renewed within five years of its expiration  
14 date by payment to the board of the appropriate renewal  
15 fee for each year or part thereof during which the license  
16 was not renewed. After the expiration of such five-year  
17 period, a license may be renewed only by complying with the  
18 provisions herein relating to the issuance of an original  
19 license.

20 (c) A licensee desiring to cease engaging in the prac-  
21 tice of physical therapy temporarily or to cease acting  
22 temporarily as a physical therapy assistant shall send a  
23 written notice to the board. Upon receipt of such notice,  
24 the board shall place the name of such person upon the  
25 inactive list. While his name remains on this list, such  
26 person shall not be subject to the payment of any fee and  
27 shall not engage in the practice of physical therapy or act  
28 as a physical therapy assistant, as the case may be, in this  
29 state. When such person again desires to engage in the  
30 practice of physical therapy or to act as a physical therapy  
31 assistant, application for renewal of the license and the  
32 payment of a renewal fee for the then current year shall be  
33 made to the board.

34 (d) The board may deny any application for renewal of a  
35 license for any reason which would justify the denial of an  
36 original application for a license.

37 (e) The board shall prescribe the form of licenses and  
38 each license shall be conspicuously displayed by the licensee  
39 at his principal place of practice, or, in the case of a license  
40 to act as a physical therapy assistant, at his place of em-  
41 ployment.

42 (f) Any license issued under the former provisions of  
43 this article, which license remains unsuspended and unre-  
44 voked, shall be valid and considered for all purposes as  
45 having been issued under the provisions of this article and  
46 may be renewed, suspended or revoked as licenses issued  
47 under the provisions of this article, and any license issued  
48 under the former provisions of this article which has lapsed  
49 or shall hereafter lapse shall be subject to the provisions  
50 of subsection (b) of this section pertaining to the lapse of

51 a license issued under the provisions of this article and the  
52 renewal thereof.

**§30-20-9. Temporary permits.**

1 (a) Upon proper application and the payment of a non-  
2 refundable fee of thirty-five dollars the board may issue,  
3 without examination, a temporary permit to engage in the prac-  
4 tice of physical therapy in this state:

5 (1) Pending examination, to any applicant who meets the  
6 requirements of subdivisions (1) through (5), subsection  
7 (a), section six of this article, which temporary permit shall  
8 expire thirty days after the board gives written notice of  
9 the results of the examination held next following the issuance  
10 of such temporary permit, but upon such expiration, one  
11 additional temporary permit may be obtained by such applicant,  
12 upon proper application therefor and the payment of a nonre-  
13 fundable fee of thirty-five dollars; and

14 (2) To an applicant who is not a resident of this state  
15 and who meets the requirements of subdivisions (1) through  
16 (5), subsection (a), section six of this article, which tem-  
17 porary permit shall be valid only for a period of ninety days  
18 in the calendar year in which issued and such permit may  
19 not be renewed nor another thereof issued to the same  
20 person in the same calendar year.

21 (b) Upon proper application and the payment of a non-  
22 refundable fee of twenty dollars, the board may issue, without  
23 examination, a temporary permit to act as a physical therapy  
24 assistant in this state:

25 (1) Pending examination, to an applicant who meets the  
26 requirements of subdivisions (1) and (2), subsection (b),  
27 section six of this article, which temporary permit shall  
28 expire thirty days after the board gives written notice of the  
29 results of the examination held next following the issuance of  
30 such temporary permit, but upon such expiration, one addi-  
31 tional temporary permit may be obtained by such applicant,  
32 upon proper application therefor and the payment of a non-  
33 refundable fee of ten dollars; and

34 (2) To an applicant who is not a resident of this state and

35 who meets the requirements of subdivisions (1) and (2), sub-  
36 section (b), section six of this article, which temporary permit  
37 shall be valid only for a period of ninety days in the calendar  
38 year in which issued and such permit may not be renewed nor  
39 another thereof issued to the same person in the same calendar  
40 year.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*James L. Davis*  
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Chairman Senate Committee

*Ronald Anello*  
-----  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Todd C. Nichols*  
-----  
Clerk of the Senate

*Donald L. Kopp*  
-----  
Clerk of the House of Delegates

*Walter R. McHarris*  
-----  
President of the Senate

*W. M. Lee, Jr.*  
-----  
Speaker House of Delegates

The within *is approved* this the *30*  
day of *March*, 1984.

*Paul R. Dwyer*  
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Governor

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