

AMENDED IN ASSEMBLY APRIL 2, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL**No. 3013****Introduced by Assembly Member Chu
(Coauthor: Assembly Member Limón)**

February 16, 2018

An act to amend ~~Sections 2620 and~~ *Section* 4905 of, and to add Section 4828.5 to, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 3013, as amended, Chu. Veterinary medicine: animal physical rehabilitation.

Existing law, the Physical Therapy Practice Act, provides for the licensure and regulation of physical therapists by the Physical Therapy Board of California, which is within the Department of Consumer Affairs, and defines physical therapy as the art and science of physical or corrective rehabilitation or of physical or corrective treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, light, water, electricity, sound, massage, and active, passive, and resistive exercise.

Existing law, the Veterinary Medicine Practice Act, provides for the licensure and regulation of veterinarians and the practice of veterinary medicine by the Veterinary Medical Board, which is within the Department of Consumer Affairs. That act makes it unlawful for any person to practice veterinary medicine in this state without a license and provides that the practice of veterinary medicine includes, among other things, the treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of an animal.

This bill would authorize a licensed physical therapist with ~~an advanced~~ a certificate in animal physical rehabilitation to provide animal physical rehabilitation to an animal if certain ~~conditions~~ requirements are met, including that the animal physical rehabilitation is performed on a veterinary premise registered with the Veterinary Medical Board, *in an animal physical rehabilitation facility registered with the Veterinary Medical Board, or in a mobile or range setting. The bill would authorize unlicensed assistants to perform animal physical rehabilitation tasks under the direct supervision of a licensed physical therapist with a certificate in animal physical rehabilitation.* The bill would define an ~~animal rehabilitation facility~~ “*animal physical rehabilitation facility*” and would require an animal physical rehabilitation facility to register with the Veterinary Medical Board and pay specified registration fees. The bill would require the Veterinary Medical Board to create an application *form* and determine the application process for the certificate. The bill would require the Veterinary Medical Board and the Physical Therapy Board of California, in cooperation, to determine the qualifications necessary for a physical therapist to receive ~~the advanced~~ a certificate issued by the Veterinary Medical Board ~~Board, as provided,~~ and would authorize the Veterinary Medical Board to charge a fee for issuance and renewal of ~~the advanced~~ a certificate. The bill would provide that a physical therapist with ~~an advanced~~ a certificate in animal physical rehabilitation is solely liable for any *animal physical* rehabilitation provided under the certificate. The bill would ~~also redefine physical therapy to include the art and science of physical or corrective rehabilitation or of physical or corrective treatment of any bodily or mental condition of an animal if practicing under the above-described advanced certificate.~~ *authorize the Veterinary Medical Board to discipline a physical therapist with a certificate in animal physical rehabilitation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. ~~Section 2620 of the Business and Professions~~
- 2 ~~Code is amended to read:~~
- 3 2620. —(a) Physical therapy means the art and science of
- 4 physical or corrective rehabilitation or of physical or corrective
- 5 treatment of any bodily or mental condition of any person or an

1 animal if practicing under Section 4828.5 by the use of the
2 physical, chemical, and other properties of heat, light, water,
3 electricity, sound, massage, and active, passive, and resistive
4 exercise, and shall include physical therapy evaluation, treatment
5 planning, instruction and consultative services. The practice of
6 physical therapy includes the promotion and maintenance of
7 physical fitness to enhance the bodily movement related health
8 and wellness of individuals through the use of physical therapy
9 interventions. The use of roentgen rays and radioactive materials,
10 for diagnostic and therapeutic purposes, and the use of electricity
11 for surgical purposes, including cauterization, are not authorized
12 under the term “physical therapy” as used in this chapter, and a
13 license issued pursuant to this chapter does not authorize the
14 diagnosis of disease.

15 (b) Nothing in this section shall be construed to restrict or
16 prohibit other healing arts practitioners licensed or registered under
17 this division from practice within the scope of their license or
18 registration.

19 ~~SEC. 2.~~

20 *SECTION 1.* Section 4828.5 is added to the Business and
21 Professions Code, to read:

22 4828.5. (a) Notwithstanding any other law, a physical therapist
23 licensed under Chapter 5.7 (commencing with Section 2600) with
24 ~~an advanced~~ a certificate in animal physical rehabilitation issued
25 by the board may provide animal physical rehabilitation to an
26 animal if all of the following *requirements* are met:

27 (1) The physical therapist is working under the indirect
28 supervision of a licensed veterinarian who has an established
29 veterinarian-client-patient relationship with the ~~animal~~. *animal,*
30 *the veterinarian makes a referral to the physical therapist with a*
31 *certificate in animal physical rehabilitation, and the veterinarian*
32 *is available for immediate consultation by telephone or other*
33 *electronic means if immediate veterinary medical care is necessary.*

34 (2) *Unlicensed assistants may perform animal physical*
35 *rehabilitation tasks under the direct supervision of a licensed*
36 *physical therapist with a certificate in animal physical*
37 *rehabilitation pursuant to this chapter.*

38 ~~(2)(A) The~~

39 (3) *The animal physical rehabilitation is performed on a*
40 *veterinary premise registered with the board, in an animal physical*

1 rehabilitation facility registered with the board, or *in a mobile or*
2 *range setting.*

3 ~~(B) “An animal rehabilitation facility” for purposes of this~~
4 ~~chapter means a facility where a physical therapist with an~~
5 ~~advanced certificate performs animal physical rehabilitation on an~~
6 ~~animal pursuant to this section.~~

7 ~~(3)~~

8 (4) The physical therapist applies to the board, on an application
9 form approved by the board, and pays the fee for ~~the a~~ certificate
10 ~~under in animal physical rehabilitation described in Section 4905.~~

11 (b) (1) An animal *physical* rehabilitation facility shall register
12 with the board, ~~an~~ on a form approved by the board, and pay the
13 registration fee ~~under~~ *described in Section 4905.*

14 (2) *A licensed physical therapist with a certificate in animal*
15 *physical rehabilitation may register an animal rehabilitation*
16 *facility with the board.*

17 (3) *The board may inspect an animal rehabilitation facility for*
18 *safety and compliance with this chapter.*

19 (c) (1) The board and the Physical Therapy Board of
20 California, in cooperation, shall determine what qualifications are
21 necessary for a physical therapist *licensed under Chapter 5.7*
22 *(commencing with Section 2600)* to receive ~~an advanced a~~
23 *certificate in animal physical rehabilitation issued by the board.*
24 When making this determination, the board and the Physical
25 Therapy Board of California shall ensure that the qualifications
26 provide for safe and efficacious treatment of an ~~animal.~~ *animal*
27 *and are consistent with the Veterinary Medical Board’s Animal*
28 *Rehabilitation Task Force findings and approved motions.*

29 (2) The board shall create the application form and determine
30 the application process for the certificate.

31 (d) A certificate shall expire two years after the date of ~~issuance.~~
32 *issuance and may be renewed.*

33 (e) A physical therapist with ~~an advanced a~~ certificate in animal
34 physical rehabilitation shall be solely liable for any animal physical
35 rehabilitation provided under the certificate and the veterinarian
36 that referred the animal for *animal physical* rehabilitation shall not
37 be liable for any *animal physical* rehabilitation provided by the
38 physical therapist.

1 (f) Consistent with this chapter, the board shall have the
2 authority to discipline a physical therapist with a certificate in
3 animal physical rehabilitation.

4 (g) For purposes of this chapter, “animal physical rehabilitation
5 facility” means a facility where a licensed physical therapist with
6 a certificate in animal physical rehabilitation performs animal
7 physical rehabilitation on an animal.

8 ~~SEC. 3.~~

9 SEC. 2. Section 4905 of the Business and Professions Code is
10 amended to read:

11 4905. The following fees shall be collected by the board and
12 shall be credited to the Veterinary Medical Board Contingent Fund:

13 (a) The fee for filing an application for examination shall be set
14 by the board in an amount it determines is reasonably necessary
15 to provide sufficient funds to carry out the purpose of this chapter,
16 not to exceed three hundred fifty dollars (\$350).

17 (b) The fee for the California state board examination shall be
18 set by the board in an amount it determines is reasonably necessary
19 to provide sufficient funds to carry out the purpose of this chapter,
20 not to exceed three hundred fifty dollars (\$350).

21 (c) The fee for the Veterinary Medicine Practice Act
22 examination shall be set by the board in an amount it determines
23 reasonably necessary to provide sufficient funds to carry out the
24 purpose of this chapter, not to exceed one hundred dollars (\$100).

25 (d) The initial license fee shall be set by the board not to exceed
26 five hundred dollars (\$500) except that, if the license is issued less
27 than one year before the date on which it will expire, then the fee
28 shall be set by the board not to exceed two hundred fifty dollars
29 (\$250). The board may, by appropriate regulation, provide for the
30 waiver or refund of the initial license fee where the license is issued
31 less than 45 days before the date on which it will expire.

32 (e) The renewal fee shall be set by the board for each biennial
33 renewal period in an amount it determines is reasonably necessary
34 to provide sufficient funds to carry out the purpose of this chapter,
35 not to exceed five hundred dollars (\$500).

36 (f) The temporary license fee shall be set by the board in an
37 amount it determines is reasonably necessary to provide sufficient
38 funds to carry out the purpose of this chapter, not to exceed two
39 hundred fifty dollars (\$250).

1 (g) The fee for filing an application for a university license shall
2 be one hundred twenty-five dollars (\$125), which may be revised
3 by the board in regulation but shall not exceed three hundred fifty
4 dollars (\$350).

5 (h) The initial license fee for a university license shall be two
6 hundred ninety dollars (\$290), which may be revised by the board
7 in regulation but shall not exceed five hundred dollars (\$500).

8 (i) The biennial renewal fee for a university license shall be two
9 hundred ninety dollars (\$290), which may be revised by the board
10 in regulation but shall not exceed five hundred dollars (\$500).

11 (j) The delinquency fee shall be set by the board, not to exceed
12 fifty dollars (\$50).

13 (k) The fee for issuance of a duplicate license is twenty-five
14 dollars (\$25).

15 (l) Any charge made for duplication or other services shall be
16 set at the cost of rendering the service, except as specified in
17 subdivision (k).

18 (m) The fee for failure to report a change in the mailing address
19 is twenty-five dollars (\$25).

20 (n) The initial and annual renewal fees for registration of
21 veterinary premises shall be set by the board in an amount not to
22 exceed four hundred dollars (\$400) annually.

23 (o) If the money transferred from the Veterinary Medical Board
24 Contingent Fund to the General Fund pursuant to the Budget Act
25 of 1991 is redeposited into the Veterinary Medical Board
26 Contingent Fund, the fees assessed by the board shall be reduced
27 correspondingly. However, the reduction shall not be so great as
28 to cause the Veterinary Medical Board Contingent Fund to have
29 a reserve of less than three months of annual authorized board
30 expenditures. The fees set by the board shall not result in a
31 Veterinary Medical Board Contingent Fund reserve of more than
32 10 months of annual authorized board expenditures.

33 (p) The fee for the issuance and renewal of ~~an advanced~~ a
34 certificate in animal physical rehabilitation pursuant to Section
35 4828.5 shall be set by the board in an amount not to exceed the
36 reasonable regulatory costs to the board.

37 (q) The initial and annual renewal fees for registration of an
38 animal *physical* rehabilitation facility pursuant to Section 4828.5

- 1 shall be set by the board in an amount not to exceed the reasonable
- 2 regulatory costs to the board.

O