

House Bill 752

By: Representatives Belton of the 112<sup>th</sup>, Bonner of the 72<sup>nd</sup>, Bennett of the 94<sup>th</sup>, Glanton of the 75<sup>th</sup>, and Carson of the 46<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 33 of Title 43 of the Official Code of Georgia Annotated,  
2 relating to general provisions regarding physical therapists, so as to provide for national  
3 background checks by the submission of fingerprints to the Federal Bureau of Investigation  
4 through the Georgia Crime Information Center for licensing to practice as a physical  
5 therapist or physical therapist assistant; to provide for related matters; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 33 of Title 43 of the Official Code of Georgia Annotated, relating to  
10 general provisions regarding physical therapists, is amended by revising paragraph (13) of  
11 Code Section 43-33-10, relating to general powers and duties of board, as follows:

12 "(13) Conduct ~~criminal history records checks as determined by the board~~ national  
13 background checks by the submission of fingerprints to the Federal Bureau of  
14 Investigation through the Georgia Crime Information Center and ~~Federal Bureau of~~  
15 Investigation for purposes of issuing licenses; provided, however, that reports from such  
16 record background checks shall not be shared with entities outside of this state."

17 **SECTION 2.**

18 Said article is further amended by revising paragraph (4) of Code Section 43-33-12, relating  
19 to requirements for license to practice physical therapy, as follows:

20 "(4) Has successfully passed a criminal history records check as determined by the board  
21 satisfactory results from a fingerprint record check report conducted by the Georgia  
22 Crime Information Center and the Federal Bureau of Investigation, as determined by the  
23 board. Application for the issuance of a license under this Code section shall constitute  
24 express consent and authorization for the board or its representative to perform a criminal  
25 background check. Each applicant who submits an application to the board for licensure

26 agrees to provide the board with any and all information necessary to run a criminal  
 27 background check, including, but not limited to, classifiable sets of fingerprints. Such  
 28 applicant shall be responsible for all fees associated with the performance of such  
 29 background check."

30 **SECTION 3.**

31 Said article is further amended by revising Code Section 43-33-13, relating to requirements  
 32 for license to practice as physical therapist assistant, as follows:

33 "43-33-13.

34 A license to practice as a physical therapist assistant shall be issued to any person who:

35 (1) Is a graduate of an educational program that prepares physical therapist assistants and  
 36 which is accredited by a recognized accrediting agency and approved by the board or, in  
 37 the case of an applicant who has graduated from an educational program which prepares  
 38 physical therapist assistants conducted in a foreign country, has submitted, in a manner  
 39 prescribed by the board, credentials approved by the board and who has further  
 40 demonstrated the ability to speak, write, and understand the English language and has  
 41 satisfactorily completed a three-month board approved traineeship under the supervision  
 42 of a physical therapist licensed under this article;

43 (2) Has satisfactorily passed an examination prepared or approved by the board; ~~and~~

44 (3) Is not disqualified to receive a license under the provisions of Code Section 43-33-18  
 45 or subsection (b) or (c) of Code Section 43-1-19; and

46 (4) Has satisfactory results from a fingerprint record check report conducted by the  
 47 Georgia Crime Information Center and the Federal Bureau of Investigation, as  
 48 determined by the board. Application for the issuance of a license under this Code  
 49 section shall constitute express consent and authorization for the board or its  
 50 representative to perform a criminal background check. Each applicant who submits an  
 51 application to the board for licensure agrees to provide the board with any and all  
 52 information necessary to run a criminal background check, including, but not limited to,  
 53 classifiable sets of fingerprints. Such applicant shall be responsible for all fees associated  
 54 with the performance of such background check."

55 **SECTION 4.**

56 All laws and parts of laws in conflict with this Act are repealed.