

ASSEMBLY BILL

No. 3013

**Introduced by Assembly Member Chu
(Coauthor: Assembly Member Limón)**

February 16, 2018

An act to amend Sections 2620 and 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 introduced, 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 certificate in animal physical rehabilitation to provide animal

physical rehabilitation to an animal if certain conditions are met, including that the animal physical rehabilitation is performed on a veterinary premise registered with the Veterinary Medical Board, an animal rehabilitation facility registered with the Veterinary Medical Board, or a range setting. The bill would define an animal rehabilitation facility and would require an animal 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 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 certificate issued by the Veterinary Medical Board and would authorize the Veterinary Medical Board to charge a fee for issuance and renewal of the advanced certificate. The bill would provide that a physical therapist with an advanced certificate in animal physical rehabilitation is solely liable for any 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.

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*
 6 *animal if practicing under Section 4828.5* by the use of the
 7 physical, chemical, and other properties of heat, light, water,
 8 electricity, sound, massage, and active, passive, and resistive
 9 exercise, and shall include physical therapy evaluation, treatment
 10 planning, instruction and consultative services. The practice of
 11 physical therapy includes the promotion and maintenance of
 12 physical fitness to enhance the bodily movement related health
 13 and wellness of individuals through the use of physical therapy
 14 interventions. The use of roentgen rays and radioactive materials,

1 for diagnostic and therapeutic purposes, and the use of electricity
2 for surgical purposes, including cauterization, are not authorized
3 under the term “physical therapy” as used in this chapter, and a
4 license issued pursuant to this chapter does not authorize the
5 diagnosis of disease.

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

10 SEC. 2. Section 4828.5 is added to the Business and Professions
11 Code, to read:

12 4828.5. (a) Notwithstanding any other law, a physical therapist
13 licensed under Chapter 5.7 (commencing with Section 2600) with
14 an advanced certificate in animal physical rehabilitation issued by
15 the board may provide animal physical rehabilitation to an animal
16 if all of the following are met:

17 (1) The physical therapist is working under the indirect
18 supervision of a licensed veterinarian who has an established
19 veterinarian-client-patient relationship with the animal.

20 (2) (A) The animal physical rehabilitation is performed on a
21 veterinary premise registered with the board, an animal
22 rehabilitation facility registered with the board, or a range setting.

23 (B) “An animal rehabilitation facility” for purposes of this
24 chapter means a facility where a physical therapist with an
25 advanced certificate performs animal physical rehabilitation on an
26 animal pursuant to this section.

27 (3) The physical therapist applies to the board, on an application
28 form approved by the board, and pays the fee for the certificate
29 under Section 4905.

30 (b) An animal rehabilitation facility shall register with the board,
31 on a form approved by the board, and pay the registration fee under
32 Section 4905.

33 (c) (1) The board and the Physical Therapy Board of
34 California, in cooperation, shall determine what qualifications are
35 necessary for a physical therapist to receive an advanced certificate
36 in animal physical rehabilitation issued by the board. When making
37 this determination, the board and the Physical Therapy Board of
38 California shall ensure that the qualifications provide for safe and
39 efficacious treatment of an animal.

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

3 (d) A certificate shall expire two years after the date of issuance.

4 (e) A physical therapist with an advanced certificate in animal
5 physical rehabilitation shall be solely liable for any animal physical
6 rehabilitation provided under the certificate and the veterinarian
7 that referred the animal for rehabilitation shall not be liable for
8 any rehabilitation provided by the physical therapist.

9 SEC. 3. 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*
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 rehabilitation facility pursuant to Section 4828.5 shall be*

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

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