

House Bill 828 (AS PASSED HOUSE AND SENATE)

By: Representative Parham of the 122<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to  
2 physicians, physician´s assistants, and respiratory care, so as to provide for the licensing of  
3 the practice of orthotics and prosthetics; to provide for a short title; to provide for legislative  
4 intent; to provide for definitions; to prohibit the practice of orthotics and prosthetics except  
5 by certain licensed persons; to provide for exceptions; to provide for licensing standards; to  
6 provide for examinations and fees; to provide for assistants and technicians; to provide for  
7 transitional authorization to practice; to provide for penalties; to limit the provision of  
8 services; to provide for license renewal and restoration; to provide for continuing education;  
9 to provide for sanctions for certain conduct and actions; to provide for an advisory  
10 committee; to provide for effective dates; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,  
14 physician´s assistants, and respiratory care, is amended by inserting a new article to read as  
15 follows:

16 style="text-align:center">"ARTICLE 7

17 43-34-60.

18 This article shall be known and may be cited as the 'Orthotics and Prosthetics Practice Act.'

19 43-34-61.

20 The General Assembly finds that the practice of orthotics and prosthetics in this state is an  
21 allied health profession recognized by the American Medical Association, with educational  
22 standards established by the Commission on Accreditation of Allied Health Education  
23 Programs. The increasing population of elderly and physically challenged individuals who

1 need orthotic and prosthetic services requires that the orthotic and prosthetic professions  
2 be regulated to ensure the provision of high-quality services and devices. The people of  
3 this state deserve the best care available and will benefit from the assurance of initial and  
4 ongoing professional competence of the orthotists and prosthetists practicing in this state.  
5 The practice of orthotics and prosthetics serves to improve and enhance the lives of  
6 individuals with disabilities by enabling them to resume productive lives following serious  
7 illness, injury, or trauma. Unregulated dispensing of orthotic and prosthetic care does not  
8 adequately meet the needs or serve the interests of the public. In keeping with  
9 requirements imposed on similar health disciplines, licensure of the orthotic and prosthetic  
10 professions will help ensure the health and safety of consumers, as well as maximize their  
11 functional abilities and productivity levels. This article shall be liberally construed to best  
12 carry out these subjects and purposes.

13 43-34-62.

14 As used in this article, the term:

15 (1) 'Assistant' means a person who assists an orthotist, prosthetist, or prosthetist orthotist  
16 with patient care services and fabrication of orthoses or prostheses under the supervision  
17 of a licensed orthotist or prosthetist.

18 (2) 'Board' means the Composite Board of State Medical Examiners created by Code  
19 Section 43-34-21.

20 (3) 'Custom fabricated and fitted device' means that an orthosis or prosthesis is fabricated  
21 to original measurements or a mold, or both, for use by a patient in accordance with a  
22 prescription and which requires substantial clinical and technical judgment in its design  
23 and fitting.

24 (4) 'Custom fitted device' means a prefabricated orthosis or prosthesis sized, or modified,  
25 or both, for use by a patient in accordance with a prescription and which requires  
26 substantial clinical judgment and substantive alteration for appropriate use.

27 (5) 'Facility' means the business location where orthotic or prosthetic care is provided  
28 and has the appropriate clinical and laboratory space and equipment to provide  
29 comprehensive orthotic or prosthetic care. Licensed orthotists and prosthetists must be  
30 available to either provide care or supervise the provision of care by nonlicensed staff.

31 (6) 'Level of competence' means a hierarchical position that an individual occupies  
32 within a field or profession relative to other practitioners in the profession.

33 (7) 'Licensed orthotist' means a person licensed under this article to practice orthotics and  
34 who represents himself or herself to the public by title and description of services that  
35 includes the term 'orthotic,' 'orthotist,' 'brace,' or a similar title or description of services.

1 (8) 'Licensed physician' means a person licensed to practice medicine under Article 2 of  
2 this chapter.

3 (9) 'Licensed podiatrist' means a person licensed to practice podiatry under Chapter 35  
4 of this title, the 'Georgia Podiatry Practice Act.'

5 (10) 'Licensed prosthetist' means a person licensed under this article to practice  
6 prosthetics and who represents himself or herself to the public by title and description of  
7 services that includes the term 'prosthetic,' 'prosthetist,' 'artificial limb,' or a similar title  
8 or description of services.

9 (11) 'Off-the-shelf device' means a prefabricated prosthesis or orthosis sized or modified,  
10 or both, for use by a patient in accordance with a prescription and which does not require  
11 substantial clinical judgment and substantive alteration for appropriate use.

12 (12) 'Orthosis' means a custom designed, fabricated, fitted, modified, or fitted and  
13 modified device to correct, support, or compensate for a neuromusculoskeletal disorder  
14 or acquired condition. Orthosis does not include fabric or elastic supports, corsets, arch  
15 supports, low-temperature plastic splints, trusses, elastic hoses, canes, crutches, soft  
16 cervical collars, dental appliances, or other similar devices that are carried in stock and  
17 sold as over-the-counter items by a drug store, department store, corset shop, or surgical  
18 supply facility.

19 (13) 'Orthotic and prosthetic education program' means a course of instruction accredited  
20 by the Commission on Accreditation of Allied Health Education Programs consisting of:

21 (A) A basic curriculum of college level instruction in math, physics, biology,  
22 chemistry, and psychology; and

23 (B) A specific curriculum in orthotic or prosthetic courses, including:

24 (i) Lectures covering pertinent anatomy, biomechanics, pathomechanics, prosthetic  
25 or orthotic components and materials, training and functional capabilities, prosthetic  
26 or orthotic performance evaluation, prescription considerations, etiology of  
27 amputations and disease processes necessitating prosthetic or orthotic use, and  
28 medical management;

29 (ii) Subject matter related to pediatric and geriatric problems;

30 (iii) Instruction in acute care techniques, such as immediate and early postsurgical  
31 prosthetics and fracture bracing techniques; and

32 (iv) Lectures, demonstrations, and laboratory experiences related to the entire process  
33 of measuring, casting, fitting, fabricating, aligning, and completing prostheses or  
34 orthoses.

35 (14) 'Orthotic and prosthetic scope of practice' means a list that includes the role played  
36 by an occupant of a particular level of competence, what he or she can be expected to do  
37 and not to do, and his or her relation to others in the field. These should be based on

1 nationally accepted standards of orthotic and prosthetic certifying agencies with  
2 accreditation by the National Commission for Certifying Agencies.

3 (15) 'Orthotics' means the science and practice of evaluating, measuring, designing,  
4 fabricating, assembling, fitting, adjusting, or servicing an orthosis under an order from  
5 a licensed physician or podiatrist for the correction or alleviation of neuromuscular or  
6 musculoskeletal dysfunction, disease, injury, or deformity.

7 (16) 'Orthotist' means an allied health professional who is specifically trained and  
8 educated to provide or manage the provision of a custom designed, fabricated, or  
9 modified and fitted external orthosis to an orthotic patient based on a clinical assessment  
10 and a physician's or podiatrist's prescription, to restore physiological function or  
11 cosmesis or both and represents himself or herself to the public by such title as providing  
12 orthotic services.

13 (17) 'Over-the-counter device' means a prefabricated, mass produced device that is  
14 prepackaged and requires no professional advice or judgment in either size selection or  
15 use and includes fabric or elastic supports, corsets, generic arch supports, and elastic  
16 hoses.

17 (18) 'Person' means a natural person.

18 (19) 'Prosthesis' means a custom designed, fabricated, fitted, modified, or fitted and  
19 modified device to replace an absent external limb for purposes of restoring physiological  
20 function or cosmesis or both. Prosthesis does not include artificial eyes, ears, fingers or  
21 toes, dental appliances, cosmetic devices such as artificial breasts, eyelashes, or wigs, or  
22 other devices that do not have a significant impact on the musculoskeletal functions of  
23 the body.

24 (20) 'Prosthetics' means the science and practice of evaluating, measuring, designing,  
25 fabricating, assembling, fitting, adjusting, or servicing a prosthesis under an order from  
26 a licensed physician or podiatrist.

27 (21) 'Prosthetist' means an allied health professional who is specifically trained and  
28 educated to provide or manage the provision of a custom designed, fabricated, modified,  
29 and fitted external limb prosthesis to a prosthetic patient based on a clinical assessment  
30 and a physician's or podiatrist's prescription, to restore physiological function or  
31 cosmesis or both and represents himself or herself to the public by such title as providing  
32 prosthetic services.

33 (22) 'Prosthetist orthotist' means a person who practices both disciplines of prosthetics  
34 and orthotics and who represents himself or herself to the public by such title as  
35 providing prosthetic and orthotic services.

1 (23) 'Resident' means a person who has completed an education program in either  
2 orthotics or prosthetics and is continuing his or her clinical education in a residency  
3 accredited by the National Commission on Orthotic and Prosthetic Education.

4 (24) 'Technician' means a person who assists an orthotist, prosthetist, or prosthetist  
5 orthotist with fabrication of orthoses or prostheses but does not provide direct patient  
6 care.

7 43-34-63.

8 This article shall not be construed to prohibit:

9 (1) A licensed physician from engaging in the practice for which he or she is licensed;

10 (2) A person licensed in this state under any other law from engaging in the practice for  
11 which he or she is licensed;

12 (3) The practice of orthotics or prosthetics by a person who is employed by the federal  
13 government or any bureau, division, or agency of the federal government while in the  
14 discharge of the employee's official duties;

15 (4) The practice of orthotics or prosthetics by:

16 (A) A student enrolled in a school of orthotics or prosthetics; or

17 (B) A resident continuing his or her clinical education in a residency accredited by the  
18 National Commission on Orthotic and Prosthetic Education;

19 (5) The practice of orthotics or prosthetics by a person who is an orthotist or prosthetist  
20 licensed under the laws of another state or territory of the United States or another  
21 country and has applied in writing to the board, in a form and substance satisfactory to  
22 the board, for a license as an orthotist or prosthetist and who is qualified to receive the  
23 license until:

24 (A) The expiration of six months after the filing of the written application;

25 (B) The withdrawal of the application; or

26 (C) The denial of the application by the board;

27 (6) A person licensed by this state as a physical therapist or occupational therapist from  
28 engaging in his or her profession;

29 (7) A licensed podiatrist from engaging in his or her profession;

30 (8) A licensed athletic trainer from engaging in his or her profession;

31 (9) A registered pharmacist from engaging in the practice by which he or she is  
32 registered;

33 (10) Any person licensed under any other article of this chapter from engaging in the  
34 practice for which he or she is licensed;

35 (11) The measuring, molding, or fitting of knee braces by any person; or

1 (12) Employees or authorized representatives of an orthotic manufacturer from engaging  
2 in one or more of the following: evaluating, adjusting, measuring, designing, fabricating,  
3 assembling, fitting, servicing, training, repairing, replacing, or delivering an orthotic  
4 device under the order, direction, or prescription of a physician or health provider  
5 operating within his or her licensed scope of practice.

6 43-34-64.

7 An application for an original license shall be made to the board on a form prescribed  
8 thereby and shall be accompanied by the required fee, which shall not be refundable. An  
9 application shall require information that in the judgment of the board will enable it to  
10 determine the qualifications of the applicant for a license.

11 43-34-65.

12 (a) To qualify for a license to practice orthotics or prosthetics, a person shall:

13 (1)(A) Possess a baccalaureate degree from a college or university;

14 (B) Have completed the amount of formal training, including, but not limited to, any  
15 hours of classroom education and clinical practice established and approved by the  
16 board; and

17 (C) Complete a clinical residency in the professional area for which a license is sought  
18 in accordance with standards, guidelines, or procedures for residencies inside or outside  
19 this state established and approved by the board. The majority of training must be  
20 devoted to services performed in the discipline for which the license will be sought and  
21 under the supervision of a practitioner licensed in orthotics or prosthetics or a person  
22 certified as an orthotist, prosthetist, or prosthetist orthotist provided the certification  
23 was obtained before the date this article becomes effective; or

24 (2)(A) Possess an associates degree from a college or university with specific courses  
25 of study in human anatomy, physiology, physics, chemistry, biology; and

26 (B) Have completed at least five years of continued work experience performed in the  
27 discipline for which the license will be sought under the supervision of a practitioner  
28 licensed in such discipline or certified in such discipline by an agency accredited by the  
29 National Commission for Certifying Agencies;

30 (3) Pass all written, practical, and oral examinations that are required and approved by  
31 the board;

32 (4) Be qualified to practice in accordance with nationally accepted standards of orthotic  
33 and prosthetic care; and

34 (5) Have met such other requirements as may be prescribed by the board.

1 (b) The standards and requirements for licensure established by the board shall be  
2 substantially equal to or in excess of standards commonly accepted in the profession of  
3 orthotics or prosthetics. The board shall adopt rules as necessary to set the standards and  
4 requirements.

5 (c) A person may be licensed in more than one discipline.

6 43-34-66.

7 The board, in consultation with the advisory committee, shall have the power and  
8 responsibility to:

9 (1) Determine the qualifications and fitness of applicants for licensure and renewal of  
10 licensure;

11 (2) Adopt and revise rules consistent with the laws of this state that are necessary to  
12 conduct its business, carry out its duties, and administer this article;

13 (3) Examine for, approve, issue, deny, revoke, suspend, sanction, and renew the licenses  
14 of board applicants for licensure as licensed orthotists and prosthetists and provisional  
15 licensed orthotists and prosthetists under this article and conduct hearings in connection  
16 with these actions;

17 (4) Conduct hearings on complaints concerning violations of this article and the rules  
18 adopted under this article and cause the prosecution and enjoinder of the violations;

19 (5) Establish application, examination, and licensure fees;

20 (6) Request and receive the assistance of state educational institutions or other state  
21 agencies and prepare information of consumer interest describing the regulatory functions  
22 of the board and the procedures by which consumer complaints are filed with and  
23 resolved by the board. The board shall make the information available to the public and  
24 appropriate state agencies; and

25 (7) Establish education, examination, and continuing education requirements.

26 43-34-67.

27 (a) No person shall work as an assistant to an orthotist, prosthetist, or prosthetist orthotist  
28 and provide patient care services or fabrication of orthoses or prostheses unless he or she  
29 is doing the work under the supervision of a licensed orthotist, prosthetist, or prosthetist  
30 orthotist.

31 (b) No person shall work as a technician unless the work is performed under the  
32 supervision of a person licensed under this article.

1 43-34-68.

2 (a) Until one year after the date this article becomes effective, a person certified as an  
3 Orthotist, Prosthetist, or Prosthetist Orthotist by the American Board for Certification in  
4 Orthotics and Prosthetics, Incorporated or the Board of Othortist/Prothetist Certification  
5 or holding similar certifications from other accrediting bodies with equivalent educational  
6 requirements and examination standards, may apply for and may be granted orthotic or  
7 prosthetic licensure under this article upon payment of the required fee. After that date, any  
8 applicant for licensure as an orthotist or a prosthetist shall meet the requirements of  
9 subsection (a) of Code Section 43-34-65.

10 (b) On and after one year after the date this article becomes effective, no person shall  
11 practice orthotics or prosthetics in this state and hold himself or herself out as being able  
12 to practice such professions unless he or she is licensed in accordance with this article or  
13 is exempt from such licensing. A person who violates this subsection shall, upon  
14 conviction thereof, be guilty of a misdemeanor.

15 (c) Within 60 days after the date this article becomes effective, a person who has practiced  
16 full time for a minimum of the past seven years in this state in a prosthetic orthotic facility  
17 as an orthotist or prosthetist may file with the board an application and the license fee  
18 determined by the board in order to continue to practice orthotics or prosthetics without  
19 satisfaction of the examination and education requirements. The board shall investigate the  
20 work history, qualifications, and fitness of the applicant. The investigation may include,  
21 but not be limited to, completion by the applicant of a questionnaire regarding the  
22 applicant's work history and scope of practice. The board shall complete its investigation  
23 for purposes of this Code section within six months of receipt of a fully completed  
24 application. If, after receipt of the application fee, a fully completed application, and the  
25 completion of the investigation, the board determines that the applicant satisfied the work  
26 history requirements of this Code section and met all other qualifications for licensure,  
27 except the examination and education requirements, the board shall issue a license to  
28 practice orthotics or prosthetics. A license issued to a person under this subsection shall  
29 not be renewed without compliance with the requirements of Code Section 43-34-65.

30 43-34-69.

31 A licensed orthotist may provide care or services only if the care or services are provided  
32 pursuant to an order from a licensed physician or podiatrist. A licensed prosthetist may  
33 provide care or services only if the care or services are provided pursuant to an order from  
34 a licensed physician or podiatrist.

1 43-34-70.

2 (a) The expiration date and renewal period for each license issued under this article shall  
3 be set by the board. A license shall be valid for a period of up to two years and shall be  
4 renewed biennially as provided by rule of the board. The board shall establish continuing  
5 education requirements for the renewal of a license. These requirements shall be based on  
6 established standards of competence in the field of orthotics or prosthetics.

7 (b) A person who has permitted his or her license to expire or who has had his or her  
8 license on inactive status may have his or her license restored by:

9 (1) Making application to the board;

10 (2) Filing proof acceptable to the board of his or her fitness to have his or her license  
11 restored including, but not limited to, sworn evidence certifying to active practice in  
12 another jurisdiction satisfactory to the board, and

13 (3) Paying the required restoration fee.

14 If the person has not maintained an active practice in another jurisdiction satisfactory to the  
15 board, the board shall determine, by an evaluation program established by rule, such  
16 person's fitness to resume active status and may require the person to complete a period  
17 of evaluated clinical experience and successful completion of an examination.

18 (c) A person whose license expired while he or she was:

19 (1) In federal service on active duty within the armed forces of the United States or with  
20 the state militia and called into service or training; or

21 (2) In training or education under the supervision of the United States preliminary to  
22 induction into military service

23 may have his or her license renewed or restored without paying a lapsed renewal fee if,  
24 within two years after termination from the service, training, or education except under  
25 conditions other than honorable, he or she furnished the board with satisfactory evidence  
26 that he or she has been so engaged and that his or her service, training, or education has  
27 been terminated.

28 43-34-71.

29 A person who notifies the board on forms prescribed thereby may elect to place his or her  
30 license on an inactive status and shall, subject to rules of the board, be excused from  
31 payment of renewal fees until he or she notifies the board of his or her desire to resume  
32 active status. A person requesting restoration from inactive status shall be required to pay  
33 the current renewal fee and shall be required to restore his or her license as provided in  
34 Code Section 43-34-70. An orthotist or prosthetist whose license is on inactive status shall  
35 not practice orthotics or prosthetics in this state.

1 43-34-72.

2 The board may, at its discretion, license as an orthotist or prosthetist, without examination  
3 and on payment of the required fee, an applicant who is an orthotist or prosthetist and is:

4 (1) Licensed under the laws of another state, territory, or country, if the requirements for  
5 licensure in that state, territory, or country in which the applicant is licensed were, at the  
6 date of his or her licensure, equal to or more stringent than the requirements in force in  
7 this state on that date; or

8 (2) Certified as an orthotist or prosthetist by a national certifying organization that is  
9 accredited by the National Commission for Certifying Agencies and has educational and  
10 testing standards equal to or more stringent than the licensing requirements of this state.

11 43-34-73.

12 (a) The board, in consultation with the advisory committee, may:

13 (1) Refuse to grant or renew a license to an applicant;

14 (2) Administer a public or private reprimand, but a private reprimand shall not be  
15 disclosed to any person except the licensee;

16 (3) Suspend any license for a definite period or for an indefinite period in connection with  
17 any condition which may be attached to the restoration of said license;

18 (4) Limit or restrict any license as the board deems necessary for the protection of the  
19 public;

20 (5) Revoke any license;

21 (6) Levy a fine; and

22 (7) Condition any penalty or withhold formal disposition of any matter pending the  
23 applicant's or licensee's submission to such care, counseling, or treatment as the board  
24 may direct.

25 (b) The board may take any action specified in subsection (a) of this Code section upon  
26 a finding by the board that the licensee or applicant has:

27 (1) Failed to demonstrate the qualifications or standards for licensure contained in this  
28 article, or under the laws, rules, or regulations under which licensure is sought or held;  
29 it shall be incumbent upon the applicant to demonstrate to the satisfaction of the board  
30 that he or she meets all the requirements for issuance of a license, and, if the board is not  
31 satisfied as to the applicant's qualifications, it may deny a license without a prior hearing;  
32 provided, however, that the applicant shall be allowed to appear before the board if he or  
33 she so desires;

34 (2) Knowingly made misleading, deceptive, untrue, or fraudulent representations in the  
35 practice of a business or profession licensed under this title or on any document  
36 connected therewith, practiced fraud or deceit or intentionally made any false statement

1 in obtaining certification to practice a licensed business or profession, or made a false  
2 statement or deceptive registration with the board;

3 (3) Been convicted of any felony or of any crime involving moral turpitude in the courts  
4 of this state or any other state, territory, or country or in the courts of the United States.

5 As used in this paragraph and paragraph (4) of this subsection, the term 'felony' shall  
6 include any offense which, if committed in this state, would be deemed a felony, without  
7 regard to its designation elsewhere; and, as used in this paragraph, the term 'conviction'  
8 shall include a finding or verdict of guilty or a plea of guilty, regardless of whether an  
9 appeal of the conviction has been sought;

10 (4) Been arrested, charged, and sentenced for the commission of any felony or any crime  
11 involving moral turpitude where:

12 (A) A plea of nolo contendere was entered to the charge;

13 (B) First offender treatment without adjudication of guilt pursuant to the charge was  
14 granted; or

15 (C) An adjudication or sentence was otherwise withheld or not entered on the charge.

16 The plea of nolo contendere or the order entered pursuant to the provisions of Article 3  
17 of Chapter 8 of Title 42, relating to probation of first offenders, or other first offender  
18 treatment shall be conclusive evidence of arrest and sentencing for such crime;

19 (5) Had his or her license under this article revoked, suspended, or annulled by any  
20 lawful authority other than the board; or had other disciplinary action taken against him  
21 or her by any such lawful authority other than the board; or was refused the renewal of  
22 a license by any such lawful authority other than the board, pursuant to disciplinary  
23 proceedings;

24 (6) Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct  
25 or practice harmful to the public, which conduct or practice materially affects the fitness  
26 of the licensee or applicant to practice a business or profession licensed under this article,  
27 or of a nature likely to jeopardize the interest of the public, which conduct or practice  
28 need not have resulted in actual injury to any person or be directly related to the practice  
29 of the licensed business or profession but shows that the licensee or applicant has  
30 committed any act or omission which is indicative of bad moral character or  
31 untrustworthiness. Unprofessional conduct shall include any departure from, or the  
32 failure to conform to, the minimal standards of acceptable and prevailing practice of the  
33 business or profession licensed under this article;

34 (7) Knowingly performed any act which in any way aids, assists, procures, advises, or  
35 encourages any unlicensed person or any licensee whose license has been suspended or  
36 revoked by the board to engage in any practice outside the scope of any disciplinary  
37 limitation placed upon the licensee by the board;

1 (8) Violated, without regard to whether the violation is criminally punishable, a statute,  
 2 law, or any rule or regulation of this state, any other state, the professional licensing  
 3 board regulating the business or profession licensed under this title, the United States, or  
 4 any other lawful authority, which statute, law, or rule or regulation relates to or in part  
 5 regulates the practice of a business or profession licensed under this article, when the  
 6 licensee or applicant knows or should know that such action is violative of such statute,  
 7 law, or rule; or violated a lawful order of the board previously entered by the board in a  
 8 disciplinary hearing, consent decree, or license reinstatement;

9 (9) Been adjudged mentally incompetent by a court of competent jurisdiction inside or  
 10 outside this state. Any such adjudication shall automatically suspend the license of any  
 11 such person and shall prevent the reissuance of renewal of any license so suspended for  
 12 as long as the adjudication of incompetence is in effect; or

13 (10) Displayed any inability to practice a business or profession licensed under this  
 14 article with reasonable skill and safety to the public or has become unable to practice the  
 15 licensed business or profession with reasonable skill and safety to the public by reason  
 16 of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material.

17 43-34-74.

18 The board shall appoint the advisory committee. The advisory committee shall be  
 19 representative of a cross section of the cultural backgrounds of the licensed orthotists and  
 20 prosthetists licensed under this article and such members as the board in its discretion may  
 21 determine. Members shall receive no compensation for service on the committee. The  
 22 committee shall have such advisory duties and responsibilities as the board may determine.  
 23 The initial members of the advisory committee may include persons eligible for licensing  
 24 under this article. Subsequent advisory committee members must be licensed pursuant to  
 25 this article."

## 26 SECTION 2.

27 (a)(1) For purposes of promulgating rules and regulations, Section 1 of this Act shall  
 28 become effective on July 1 of the fiscal year in which this Act becomes effective as  
 29 provided by paragraph (3) of this subsection.

30 (2) For all other purposes, Section 1 of this Act shall become effective July 1 of the fiscal  
 31 year following the year in which this Act becomes effective as provided by paragraph (3)  
 32 of this subsection.

33 (3) Section 1 of this Act shall become effective only upon the specific appropriation of  
 34 funds for purposes of said section of this Act, including without limitation those positions

1 necessary for implementation, as expressed in an appropriations Act enacted by the  
2 General Assembly.

3 (b) All sections of this Act other than Section 1 shall become effective July 1, 2002.

4 **SECTION 3.**

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