

## House Bill 1055 (COMMITTEE SUBSTITUTE)

By: Representatives Williams of the 4<sup>th</sup>, Dickson of the 6<sup>th</sup>, Tumlin of the 38<sup>th</sup>, and Forster of the 3<sup>rd</sup>

## A BILL TO BE ENTITLED

## AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and  
2 licenses, so as to make revisions to certain provisions relating to professions and licenses;  
3 to provide that a designee of the division director of the professional licensing boards may  
4 sign and attest orders and processes; to amend certain requirements relating to applications  
5 for certification as a registered interior designer; to revise provision relating to inspector at  
6 auctions; to provide for service of documents and applications relating to geologists upon the  
7 division director at his or her office; to repeal certain provisions relating to license by  
8 reciprocity for massage therapists; to revise provisions relating to license by endorsement for  
9 massage therapists; to provide for certain education and training requirements satisfactory  
10 for the issuance of physical therapist licenses; to provide for licensure by endorsement for  
11 physical therapists; to provide for the establishment of the renewal period for expired  
12 licenses for veterinarians and veterinary technicians by the division director; to provide for  
13 related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
17 is amended by revising subsection (b) of Code Section 43-1-3, relating to duties of division  
18 director and serving notice or process on boards through the division director, as follows:

19 "(b) All orders and processes of the professional licensing boards shall be signed and  
20 attested by the division director, or his or her designee, in the name of the particular  
21 professional licensing board, with the seal of such board attached. Any notice or legal  
22 process necessary to be served upon any of the professional licensing boards may be served  
23 upon the division director."

**SECTION 2.**

Said title is further amended by revising paragraph (5) of subsection (b) of Code Section 43-4-32, relating to applications for certificates of registration, requirements, term of certificates, and renewal relative to registered interior designers, as follows:

"(5) Except as otherwise provided in subsection (c) of this Code section, provides proof that the applicant has acquired a minimum four-year degree or first professional degree conferred by a college or university whose program is accredited by the National Architectural Accrediting Board or by another national or regional accrediting organization recognized by the board in a program of study in architecture or in a program of study in interior design approved by the ~~Foundation for Interior Design Research~~ Council for Interior Design Accreditation or in a substantially equivalent program of study approved by the board."

**SECTION 3.**

Said title is further amended by revising Code Section 43-6-18.1, relating to inspector at auctions, as follows:

"43-6-18.1.

The commission shall have ~~a full-time~~ an inspector with full inspection rights and privileges for all auctions conducted in this state. This inspector shall have the right to inspect any activity or lack thereof which may be a violation of this chapter or any documents or records pertaining to auction activities and to report any and all such violations or any improper or unlicensed practice, including but not limited to trust account violations."

**SECTION 4.**

Said title is further amended by revising Code Section 43-19-7, relating to service of appeals, documents, and legal process on division director relative to geologists, as follows:

"43-19-7.

All appeals from a decision of the board, all documents or applications required by law to be filed with the board, and any notice or legal process to be served upon the board shall be filed with or served upon the division director at his or her office ~~in Atlanta~~."

**SECTION 5.**

Said title is further amended by revising Code Section 43-24A-12, relating to license by reciprocity relative to massage therapists, as follows:

1 "43-24A-12.

2 ~~Any applicant for a license by reciprocity as a massage therapist must submit a completed~~  
3 ~~application upon a form and in such manner as the board prescribes, accompanied by~~  
4 ~~applicable fees, and evidence satisfactory to the board that:~~

5 ~~(1) The applicant is at least 18 years of age;~~

6 ~~(2) The applicant is of good moral character. For purposes of this paragraph, 'good moral~~  
7 ~~character' means professional integrity and a lack of any conviction for acts involving~~  
8 ~~moral turpitude where the underlying conduct relates to the applicant's fitness to practice~~  
9 ~~massage therapy;~~

10 ~~(3) The applicant agrees to provide the board with any and all information necessary to~~  
11 ~~perform a criminal background check and expressly consents and authorizes the board~~  
12 ~~or its representative to perform such a check; and~~

13 ~~(4) The applicant is currently licensed as a massage therapist in another jurisdiction,~~  
14 ~~state, or territory of the United States or foreign country which requires standards for~~  
15 ~~licensure considered by the board to be equivalent to the requirements for licensure under~~  
16 ~~this chapter. Reserved.~~

## 17 SECTION 6.

18 Said title is further amended by revising paragraph (4) of Code Section 43-24A-13, relating  
19 to license by endorsement relative to massage therapists, as follows:

20 "(4) The applicant is either:

21 ~~(A) Is currently licensed as a massage therapist in another jurisdiction, state, or~~  
22 ~~territory of the United States or foreign country which requires standards for licensure~~  
23 ~~considered by the board to be equivalent to the requirements for licensure under this~~  
24 ~~chapter; or~~

25 ~~(B) Has current certification by the National Certification Board for Therapeutic~~  
26 ~~Massage and Bodywork or an equivalent certification approved by the National~~  
27 ~~Commission for Certifying Agencies."~~

## 28 SECTION 7.

29 Said title is further amended by revising paragraph (2) of Code Section 43-33-12, relating  
30 to requirements for license to practice physical therapy, as follows:

31 "(2) Has satisfactorily passed an examination prepared or approved by the board and has  
32 acquired any additional education and training required by the board; and"

**SECTION 8.**

Said title is further amended by revising Code Section 43-33-15, relating to reciprocity relative to licenses of physical therapists, as follows:

"43-33-15.

~~The board may grant to a person licensed in another state or territory of the United States full privileges to engage in equivalent practice authorized by this chapter without taking an examination, provided:~~

~~(1) That such person is properly licensed under the laws of another state or territory or the United States; and~~

~~(2) That the requirements for licensing in such other state or territory of the United States are substantially equal to the requirements for a similar license in this state. The board may, in its discretion, waive the examination provided for in paragraph (2) of Code Section 43-33-12 and may, subject to the provisions under Code Sections 43-33-18 and 43-33-19, grant to a person licensed in another state or territory of the United States full privileges to engage in an equivalent practice authorized by this chapter to any person who has qualifications the board determines to be the substantial equivalent of the qualifications described under paragraph (1) of Code Section 43-33-12 and who is properly licensed under the laws of another state or territory of the United States; provided, however, that the license held by such person was issued after an examination which, in the judgment of the board, is the equivalent of the standards established by the board. In waiving the examination requirement, the board may require additional education or training."~~

**SECTION 9.**

Said title is further amended by revising subsection (b) of Code Section 43-50-40, relating to renewal of licenses and registrations, reinstatement, waiver of fee, continuing education, and inactive status relative to veterinarians and veterinary technicians, as follows:

"(b) Any person who shall practice veterinary medicine or veterinary technology after the expiration of his or her license or registration and willfully or by neglect fail to renew such license or registration shall be practicing in violation of this article, provided that any person may renew an expired license or registration within ~~one year of the date of its expiration~~ the period established by the division director in accordance with Code Section 43-1-4 by making written application for renewal and paying the ~~current renewal fee plus all delinquent renewal~~ applicable fees. After ~~one year has elapsed from the date of the expiration~~ the time period established by the division director has elapsed, such license or registration may be reinstated in accordance with the rules of the board."

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- SECTION 10.
- All laws and parts of laws in conflict with this Act are repealed.