

APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 589

Department or Agency Alabama State Board of Prosthetists and Orthotists

Rule No. 746-X-9

Rule Title: Licensure of Therapeutic Shoe Fitters

<input checked="" type="checkbox"/> New	<input type="checkbox"/> Amend	<input type="checkbox"/> Repeal	<input type="checkbox"/> Adopt by Reference
Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?			YES
Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare:			YES
Is there another, less restrictive method of regulation available that could adequately protect the public?			NO
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?			NO
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?			N/A
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?			YES
Does the proposed rule have an economic impact?			NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with Subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer  Date April 16, 2012

APA-2

**ALABAMA STATE BOARD OF PROSTHETISTS AND ORTHOTISTS
Notice of Intended Action**

**AGENCY NAME: ALABAMA STATE BOARD OF
PROSTHETISTS AND ORTHOTISTS**

**RULE NO. & TITLE: 746-X-9
Licensure of Therapeutic Shoe Fitters**

INTENDED ACTION: NEW RULE

SUBSTANCE OF PROPOSED ACTION: Set forth requirements for licensure of any individual who desires to be a Therapeutic Shoe Fitter.

TIME, PLACE, MANNER OF PRESENTING VIEWS: The board will provide the public with an opportunity to present their views orally by contacting the Board at 334-420-1111 or in writing at the following address: Alabama State Board of Prosthetists and Orthotists, P.O. Box 1052, Montgomery, 36101; or via electronic mail at rezell113@aol.com. Physical Address: 441 High Street, Montgomery, AL 36104. All oral and written comments to be received no later than 4:00 PM on, June 5, 2012.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
The record shall be closed on, June 5, 2012 at 4:00 PM.**

**CONTACT PERSON AT AGENCY: Ronald E. Ezell, Executive Director,
Alabama State Board of Prosthetists and Orthotists, P.O. Box 1052, Montgomery,
AL 36101; 441 High Street, Montgomery, AL 36104; Phone: 334-420-1111.**


Ronald E. Ezell, Executive Director

April 16, 2012
Date

ALABAMA STATE BOARD OF PROSTHETISTS AND ORTHOTISTS

ADMINISTRATIVE CODE

CHAPTER 746-X-9
LICENSURE OF THERAPEUTIC SHOE FITTERS

TABLE OF CONTENTS

<u>746-X-9-.01</u>	<u>Purpose</u>
<u>746-X-9-.02</u>	<u>Application Required</u>
<u>746-X-9-.03</u>	<u>Scope of Practice</u>
<u>746-X-9-.04</u>	<u>Requirements for License</u>
<u>746-X-9-.05</u>	<u>Continuing Education</u>
<u>746-X-9-.06</u>	<u>Renewal of License</u>
<u>746-X-9-.07</u>	<u>Effective Date</u>

746-X-9-.01 **Purpose.** The purpose of this section is to set forth requirements for licensure of any individual who desires to be a Therapeutic Shoe Fitter as that term and function is defined in Code of Alabama (1975),§34-25A-1-14.

Authors: Glenn Crumpton

Statutory Authority: Code of Ala.1975, §34-25A-1-14, 34-25A-3(24), 34-25-A-7; and 34-25A-12.

History: New Rule: Filed _____ ; Effective _____

746-X-9-.02 **APPLICATION REQUIRED.**

(1) _____ Application forms for licensure as a therapeutic shoe fitter shall be adopted by the Board and shall be disseminated to prospective applicants. Application forms for licensure shall require educational and work experience.

(2) _____ The Board directs the staff to prepare and create new forms to be used in the application and/or renewal process. Application forms shall require applicants to submit all information required by the law as established in the Code of Alabama.

(3) _____ Application forms may be obtained upon written request from the Board office.

(4) _____ The application and forms shall be submitted to the Board accompanied by an application fee of \$175 and a license fee of \$125. Any incomplete or missing information, documentation, or fees shall render the application incomplete.

No license shall be issued unless all application requirements have been met. Incomplete application will be considered abandoned after one year. Any applicable fees paid shall not be refunded.

(5) The Board may request additional information and further clarification of material submitted by an applicant to determine the applicant's ability as a therapeutic shoe fitter.

(6) The applicant shall be provided a copy of the Board rules on unprofessional conduct. The applicant shall review such rules and state candidly and honestly whether the applicant has committed any acts that would constitute grounds for disciplinary action by the Board under the rules of the Board.

(7) The applicant will need to pay all application and license fees.

(8) It is the responsibility of the applicant to verify the applicant's identity and the validity of all documents or information submitted to the Board.

(9) The Board may contact other sources as necessary to verify information provided during the application process.

(10) Any applicant must be a citizen of the United States or if not a citizen of the United States, a person who is legally present with appropriate documentation from the federal government which should be submitted with the application.

(1) Any individual desiring licensure as a Therapeutic Shoe Fitter shall submit an application in the form and manner approved and adopted by the Board. The application fee shall be One Hundred Seventy-Five and 00/100s Dollars (\$175.00) and the licensure fee shall be One Hundred Twenty-Five and 00/100s Dollars (\$125.00) which must be submitted with the application. Any application which is not complete shall not be processed until all required information is submitted. The applicant shall be notified of any deficiency in the application and informed of the time in which the deficiency must be corrected. If the deficiency is not timely corrected, the application shall be considered denied for lack of compliance. Application fees shall not be refunded.

(2) All applicants shall be familiar with the applicable statutes and rules. The application will contain an acknowledgment that the applicant has read the applicable statutes and rules, agrees to abide by them and understands a failure to comply may result in disciplinary action.

(3) In the event false information is submitted, the application may be denied and/or any license issued may be subject to discipline.

Author: Glenn Crumpton

Statutory Authority: Code of Ala. 1975, §34-25A-1-14, 34-25A-3(6), 34-25A-7, 34-25A-12.

History: New Rule: Filed _____ ; Effective _____

746-X-9-.03 Scope of Practice

(1) A licensed therapeutic shoe fitter is a health care professional who is specifically educated and trained to provide non-custom therapeutic shoes and non-custom multi-density inserts. This includes patient assessment, formulation of a plan, implementation of the treatment plan, follow-up, and practice management which is consistent with nationally recognized programs accredited by the National Commission for Certifying Agencies.

The practice of a licensed therapeutic shoe fitter includes, but is not limited to:

a. Assessment of specific prescription or patient's needs for therapeutic shoes as it relates to or includes, but is not limited to, the evaluation of the following:

- physical assessment
- circulation
- skin integrity
- protective sensation
- pain
- therapeutic shoe requirements
- environmental barriers including social, home, and work reintegration

b. Formulation of a treatment plan based upon an assessment to alleviate limitations and enhance function. The therapeutic shoe fitter's practice includes, but is not limited to:

- verification of prescription/documentation
- analysis of shoe construction needs and design requirements
- consultation with and/or referral to other health care professionals

c. Implementation of the therapeutic shoe fitter's treatment plan includes, but is not limited to:

- measuring patient for shoes
- material selection
- shoe fitter evaluation

- minor adjustments to accommodate individual anatomic contours
- patient education and instruction
- d. Utilization of a follow-up treatment plan that ensures successful outcomes, patient health and quality of life which includes, but is not limited to:
 - documentation of functional changes
 - minor adjustments to the fit of the shoe to ensure successful outcomes
 - confirmation of patient education and instruction
- e. Compliance with practice management plans to develop and document policies and procedures to ensure patient well being which includes, but is not limited to:
 - adherence to applicable local, state and federal laws and regulations
 - following patient care guidelines and procedures
 - maintaining a safe and professional environment for patient care
 - understanding claims development and submission
- f. Promotion of competency and enhancement of professional practice to contribute to the profession's body of knowledge includes, but is not limited to, participation in:
 - continuing education
 - promotion of public awareness of the profession
 - consumer organizations, governmental and non-governmental organizations

Author: Glenn Crumpton

Statutory Authority: Code of Ala. 1975, §34-25A-1-14, 34-25A-3(6), 34-25A-7, 34-25A-12.

History: New Rule: Filed _____ ; Effective _____

746-X-9-.04

Requirements for License.

(1) Applicants must possess a high school diploma, GED, or college degree.

(2) Applicants must have successfully completed a National Commission on Orthotic and Prosthetic Education (NCOPE) approved therapeutic shoe fitter educational course. NCOPE approved courses are provided by:

- Acor and NIPCO
- Aetrex and NIPCO
- CFS Allied Health Education

- Dr. Comfort
- International School of Pedorthics
- National Pedorthic Services
- Preferred Medical Supply Company, Inc.
- P. W. Minor and NIPCO

The Board may approve other similar courses in addition to NCOPE.

Applicants must have documentation of 500 hours of Therapeutic shoe fitter experience obtained either before or after the fitter educational course. The 500 hours shall be audited for the purpose of verifying the training.

- (3) Applicants shall be employed with a business entity which is located in the State of Alabama.

Author: Glenn Crumpton

Statutory Authority: Code of Ala. 1975, §34-25A-1-14, 34-25A-3(6), 34-25A-7, 34-25A-12.

History: New Rule: Filed _____ ; Effective _____

746-X-9-.05 Continuing Education.

(1) All licensed therapeutic shoe fitters must certify that they have completed seven (7) hours of continuing education credit for each calendar year. Two (2) of the required hours shall be in Alabama Law and Ethics.

(2) All continuing education courses shall be conducted by vendors in the business of supplying products to therapeutic shoe fitters, the Alabama Prosthetic and Orthotic Association, and other Board approved educational organizations.

Author: Glenn Crumpton

Statutory Authority: Code of Ala. 1975, §34-25A-1-14, 34-25A-3(6), 34-25A-7, 34-25A-12.

History: New Rule: Filed April 20, 2010; Effective July 22, 2010

746-X-9-.06 Renewal of License

(1) Licensees must renew their license by January 1 of each year on an application form provided by the Board.

(2) Licensees must pay annual renewal fee (\$125.00) required by the Board.

Author: Glenn Crumpton

Statutory Authority: Code of Ala. 1975, §34-25A-1-14, 34-25A-3(6), 34-25A-7, 34-25A-12.

History: New Rule: Filed _____ ; Effective _____

746-X-9-.07 _____ Effective Date.

(1) _____ All therapeutic shoe fitters must become licensed by January 1, 2013. Anyone practicing as a therapeutic shoe fitter after that date without a license shall be considered acting as such without a license and subject to any appropriate enforcement action initiated by the board.

Author: Glenn Crumpton

Statutory Authority: Code of Ala. 1975, §34-25A-1-14, 34-25A-3(6), 34-25A-7, 34-25A-12.

History: New Rule: Filed _____ ; Effective _____