

**Physical Therapy Board of California**

**PROPOSED LANGUAGE**

**PHYSICAL THERAPY REGULATIONS**

(1) *Add Section 1398.14 of Division 13.2 of Title 16 of the California Code of Regulations, to read as follows:*

**Article 1. General Provisions**

**1398.14. Response to Board Inquiry.**

- (a) A licensee shall respond to any inquiry by the Board or its appointed representatives within 30 days.
- (b) A licensee shall provide true and accurate information and responses.
- (c) A licensee shall provide all files, working papers and other records requested.
- (d) A licensee shall not take any action for the purpose of obstructing any Board inquiry, investigation, hearing or proceeding.

NOTE: Authority cited: Section 2615 Business and Professions Code. Reference: Section 2615 Business and Professions Code.

(2) *Add Section TBD of Division 13.2 of Title 16 of the California Code of Regulations, to read as follows:*

**Article: To Be Determined**

**Fingerprint and Disclosure Requirements for Renewal of License.**

- (a) As a condition of renewal for a license that expires on or after (TBD), a licensee who was initially licensed prior to January 1, 1998, or for whom an electronic record of the submission of fingerprints no longer exists, shall furnish to the Department of Justice a full set of fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice.
  - (1) The licensee shall pay any costs for furnishing the fingerprints and conducting the searches.
  - (2) A licensee shall certify when applying for renewal whether his or her fingerprints have been furnished to the Department of Justice in compliance with this section.
  - (3) This requirement is waived if the license is renewed in an inactive status, or if the licensee is actively serving in the military outside the country.

**AGENDA ITEM# 13B (i)**

49           (4) A licensee shall retain, for at least three years from the renewal date,  
50           either a receipt showing the electronic transmission his or her fingerprints  
51           to the Department of Justice or a receipt evidencing that the licensee's  
52           fingerprints were taken.

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54           (b) As a condition of renewal, a licensee shall disclose whether, since the licensee  
55           last applied for renewal, he or she has been convicted of any violation of the law  
56           in this or any other state, the United States, or other country, omitting infractions  
57           not involving alcohol, dangerous drugs, or controlled substances.

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59           (c) As a condition of renewal, a licensee shall disclose whether, since the licensee  
60           last applied for renewal, he or she has been denied a license or had a license  
61           disciplined by another licensing authority of this state, of another state, of any  
62           agency of the federal government, or of another country.

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64           (d) Failure to comply with the requirements of this section renders any application for  
65           renewal incomplete and the license will not be renewed until the licensee  
66           demonstrates compliance with all requirements.

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68           (e) Failure to furnish a full set of fingerprints to the Department of Justice as required  
69           by this section on or before the date required for renewal of a license is grounds  
70           for discipline by the Board.

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72           NOTE: Authority cited: Section 2615, 2634 Business and Professions Code. Reference:  
73           Section 2615, 2634 Business and Professions Code.