

Stafford

#9 - Am

93 LSO-1530

HOUSE BILL 2367

T

HB0367

AN ACT to create W.S. 33-42-101 through 33-42-118 relating to board of respiratory care; creating a board of respiratory care within the department of commerce; specifying membership; specifying duties and powers; providing for licensure of respiratory care practitioners; specifying requirements for licensure; providing exception; granting rulemaking authority; providing definitions; specifying grounds for denial, suspension or revocation of license; providing for appeals; providing penalties; providing an appropriation; and providing for an effective date.

HOUSE BILL 2367

Introduced by:

HOUSE ACTION ON HOUSE BILL

1/29 ☒ Introduced
Aye No Ex Ab
☒ Read First Time and Ref. to Committee No. 9
☐ Failed Introduction
Aye No Ex Ab
☐ Returned from Committee No. _____
with Recommendation:
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. _____
☐ Re-referred to Committee No. _____
☐ Returned from Committee No. _____
with Recommendation:
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. _____
☐ Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: _____
☐ Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
☐ Read Third Time
☐ Amended
☐ Passed ☐ Failed
Aye No Ex Ab
☐ Held for Reconsideration
☐ Motion to Reconsider
☐ Passed ☐ Failed
Aye No Ex Ab
☐ Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye No Ex Ab
☐ Sent to Senate (No Amendments)
☐ Sent to LSO for Engrossing
ENGROSSED
☐ Sent to Senate

(SEE REVERSE SIDE OF BILL JACKET FOR SUMMARY OF SENATE ACTION)

(HOUSE ACTION CONT'D)

☐ Received from Senate with Request to Concur in Amendments.
☐ House Concurred in Senate Amendments.
☐ House Did not Concur in Senate Amendments.
☐ JCC# _____
House Members _____ Senate Members _____
Ch. Ch.
☐ Request for New Committee.
☐ House Did Not Adopt JCC# _____
☐ House Adopted JCC# _____
☐ Senate Adopted
☐ Senate Did not Adopt
☐ JCC# _____
House Members _____ Senate Members _____
Ch. Ch.
☐ Request for New Committee.
☐ House Did Not Adopt JCC# _____
☐ House Adopted JCC# _____
☐ Senate Adopted
☐ Senate Did not Adopt
☐ JCC# _____
House Members _____ Senate Members _____
Ch. Ch.
☐ Request for New Committee.
☐ House Did Not Adopt JCC# _____
☐ House Adopted JCC# _____
☐ Senate Adopted
☐ Senate Did not Adopt
☐ Sent for Enrolling
Received from LSO
HEA No. _____
☐ Signed by Speaker
☐ Signed by President
☐ Approved by Governor
Chapter No. _____

SENATE ACTION ON HOUSE BILL

 Received from House
 Read First Time and Ref. to
 Committee No.
 Returned from Committee No.
 with Recommendation:
 ☐ Do Pass; ☐ Amend & Do
 ☐ Pass; ☐ Do Not Pass;
 ☐ W/O Recomm; ☐ Re-Refer
 to Committee No.
 Re-referred to Committee No.
 Returned from Committee No.
 with Recommendation:
 ☐ Do Pass; ☐ Amend & Do
 ☐ Pass; ☐ Do Not Pass;
 ☐ W/O Recomm; ☐ Re-Refer
 to Committee No.
 Considered in Comm. of Whole
 ☐ Amended
 ☐ Recommended Do Pass
 ☐ Failed Comm. of Whole
 ☐ Indefinitely Postponed
 ☐ Other:
 Read Second Time
 ☐ Amended
 ☐ Do Pass
 ☐ Do Not Pass
 ☐ Accelerated to 3rd Rdg.
 Read Third Time
 ☐ Amended
 ☐ Passed ☐ Failed
 Aye No Ex Ab
 ☐ Held for Reconsideration
 / Motion to Reconsider
 ☐ Passed ☐ Failed
 Aye No Ex Ab
 / Third Reading Vote
 (On Reconsideration)
 ☐ Passed ☐ Failed
 Aye No Ex Ab
 Sent to House
 Sent to ISO for ENROLLING

NOTES: ADDITIONAL HOUSE / SENATE ACTION

3/1 Died in Committee

(SEE REVERSE SIDE OF BILL JACKET FOR
 SUMMARY OF HOUSE ACTION)

House of Intro				Second House			
To Com. No. _____				To Com No. _____			
_____	Stand Report	Do _____	Amd _____ Not _____	_____	Stand Report	Do _____	Amd _____ Not _____
_____	Com Whole	Do _____	Amd _____ Not _____	_____	Com Whole	Do _____	Amd _____ Not _____
_____	2nd Reading	Amd _____		_____	2nd Reading	Amd _____	
_____	3rd Reading	Amd _____	Pass _____ Fail _____	_____	3rd Reading	Amd _____	Pass _____ Fail _____

1993

STATE OF WYOMING

93LSO-0530.01

HOUSE BILL NO. 0367

Board of respiratory care.

Sponsored by: Representative(s) STAFFORD and Senator(s) GERINGER

A BILL

for

1 AN ACT to create W.S. 33-42-101 through 33-42-118 relating
 2 to board of respiratory care; creating a board of respira-
 3 tory care within the department of commerce; specifying
 4 membership; specifying duties and powers; providing for
 5 licensure of respiratory care practitioners; specifying
 6 requirements for licensure; providing exception; granting
 7 rulemaking authority; providing definitions; specifying
 8 grounds for denial, suspension or revocation of license;
 9 providing for appeals; providing penalties; providing an
 10 appropriation; and providing for an effective date.

11 Be It Enacted by the Legislature of the State of Wyoming:

12 Section 1. W.S. 33-42-101 through 33-42-118 are cre-

1 ated to read:

2 CHAPTER 42

3 RESPIRATORY CARE PRACTITIONERS

4 33-42-101. Short title. This act shall be known and
5 may be cited as the "Respiratory Care Practice Act of
6 1993."

7 33-42-102. Definitions.

8 (a) As used in this chapter:

9 (i) "Board" means the state board for respira-
10 tory care;

11 (ii) "Performance of respiratory care" means
12 respiratory care in accordance with the prescription of a
13 licensed physician and includes the diagnostic and thera-
14 peutic use of the following:

15 (A) Administration of aerosols,
16 humidification and medical gases, except for the purpose
17 of anesthesia;

18 (B) Hyperbaric therapy;

19 (C) Pharmacologic agents related to respi-

1 ratory care procedures;

2 (D) Mechanical or physiological ventilatory
3 support;

4 (E) Bronchopulmonary hygiene;

5 (F) Cardiopulmonary resuscitation;

6 (G) Maintenance of the natural airway;

7 (H) Insertion and maintenance of artificial
8 airways;

9 (J) Specific diagnostic and testing tech-
10 niques employed in the monitoring, treatment and research
11 of pulmonary abnormalities, including measurements of
12 ventilatory volumes, pressures and flows, collection of
13 specimens of blood and blood gases, expired and inspired
14 gas samples, respiratory secretions and pulmonary function
15 testing; and

16 (K) Hemodynamic and other related
17 physiologic measurements of the cardiopulmonary system.

18 (iii) "Practice of respiratory care" means ser-
19 vices which may be performed in any clinic, hospital,
20 skilled nursing facility, and private dwelling or other

1 place deemed appropriate or necessary by the board, in
2 accordance with the prescription or verbal order of a phy-
3 sician and shall be performed under the supervision of a
4 qualified medical director and shall include:

5 (A) Direct and indirect respiratory care
6 services, including the administration of pharmacological,
7 diagnostic and therapeutic agents related to respiratory
8 care procedures necessary to implement a treatment, dis-
9 ease prevention, pulmonary rehabilitative, or diagnostic
10 regimen prescribed by a physician;

11 (B) Transcription and implementation of the
12 written or verbal orders of a physician pertaining to the
13 practice of respiratory care;

14 (C) Observing and monitoring signs and
15 symptoms, general behavior, general physical response to
16 respiratory care treatment and diagnostic testing, includ-
17 ing determining whether the signs, symptoms, reactions,
18 behavior or general response exhibit abnormal characteris-
19 tics;

20 (D) Implementation based on observed abnor-
21 malities, of appropriate reporting, referral, respiratory
22 care protocols or changes in treatment, pursuant to a pre-

1 scription by a person authorized to practice medicine
2 under the laws of the state of Wyoming;

3 (E) Initiation of emergency procedures
4 under the regulations of the board or as otherwise permit-
5 ted in the act.

6 (iv) "Qualified medical director" means a
7 licensed physician who has a special interest in the diag-
8 nosis and treatment of respiratory problems. The physi-
9 cian shall be an active medical staff member of a licensed
10 health care facility, and wherever possible shall be qual-
11 ified by special training or experience in the management
12 of acute and chronic respiratory disorders. The physician
13 shall be competent to monitor and assess the quality,
14 safety and appropriateness of the respiratory care ser-
15 vices being provided. The medical director shall be
16 accessible to and assure the competency of the respiratory
17 care practitioner as well as require that respiratory care
18 be ordered by a physician who has medical responsibility
19 for that patient;

20 (v) "Respiratory care" means the allied health
21 profession responsible for the treatment, management,
22 diagnostic testing, control and care of patients with

1 deficiencies and abnormalities associated with the cardio-
2 pulmonary systems under the supervision of a qualified
3 medical director and includes the terms "inhalation ther-
4 apy" and "respiratory therapy";

5 (vi) "Respiratory care practitioner" means:

6 (A) A person employed in the practice of
7 respiratory care who has the knowledge and skill necessary
8 to administer respiratory care as defined in paragraphs
9 (ii) and (iii) of this subsection;

10 (B) A person who is capable of serving as a
11 resource to the physician in relation to the technical
12 aspects of respiratory care as to safe and effective meth-
13 ods for administering respiratory care modalities;

14 (C) A person who is able to function in
15 situations of unsupervised patient contact requiring indi-
16 vidual judgment; and

17 (D) A person capable of supervising,
18 directing or teaching less skilled personnel in the provi-
19 sion of respiratory care services.

20 (vii) "This act" means W.S. 33-42-101 through
21 33-42-118.

1 33-42-103. Board created; members; appointment;
2 terms; qualification; removal; vacancies.

3 (a) There is created a state board for respiratory
4 care within the department of commerce to administer the
5 provisions of this act. The board shall consist of three
6 (3) members. There shall be one (1) public member, one
7 (1) physician member who is a member of the Wyoming medi-
8 cal society, and one (1) member engaged in the practice of
9 respiratory care for a period of not less than five (5)
10 years immediately preceding his appointment to the board
11 and who is a member of the American association for respi-
12 ratory care and the Wyoming society for respiratory care.

13 (b) The governor shall appoint the members of the
14 board and may consider lists submitted by the Wyoming med-
15 ical society and the Wyoming society for respiratory care.
16 The terms of office of the members appointed shall begin
17 when they are appointed and shall continue thereafter for
18 the following periods:

- 19 (i) Physician member, three (3) years;
20 (ii) Practitioner member, two (2) years;
21 (iii) Public member, one (1) year.

1 (c) Vacancies in the board shall be filled by
2 appointment by the governor as provided in subsection (b)
3 of this section for the balance of an unexpired term and
4 each member shall serve until his successor is appointed
5 and qualified.

6 (d) The governor may remove any member from the board
7 as provided in W.S. 9-1-202.

8 33-42-104. Board meetings; elections; quorum.

9 (a) The board shall meet at least twice each year and
10 shall elect a chairman at the first meeting each year.
11 The board may convene at the request of the chairman or as
12 the board may determine for any other meeting as may be
13 deemed necessary to transact its business.

14 (b) Two (2) board members constitute a quorum.

15 33-42-105. Board responsibilities; duties.

16 (a) The board shall:

17 (i) Examine, license and renew the licenses of
18 duly qualified applicants;

19 (ii) Maintain an up-to-date list of every person
20 licensed to practice respiratory therapy under this act.

1 The list shall show the licensee's last known place of
2 employment, last known place of residence and the date and
3 number of his license;

4 (iii) Keep a record of all proceedings of the
5 board and make the record available to the public for
6 inspection during reasonable business hours;

7 (iv) Maintain an up-to-date list of persons
8 whose licenses have been suspended, revoked or denied.
9 This list shall include the names, social security num-
10 bers, type and cause of action, date and penalty incurred,
11 and the length of penalty. This list shall be available
12 for public inspection during reasonable business hours.
13 This list shall be supplied to similar boards in other
14 state upon request;

15 (v) Establish fees for examinations, licenses,
16 permits, renewals and reinstatements in accordance with
17 W.S. 33-1-201.

18 33-42-106. Board; general powers.

19 (a) The board may:

20 (i) In accordance with the Wyoming Administra-
21 tive Procedure Act, adopt rules and regulations not incon-

1 sistent with the law as may be necessary to enable it to
2 carry into effect the provisions of this act;

3 (ii) Employ personnel as necessary to perform
4 the functions of the board;

5 (iii) Establish relicensure requirements and
6 procedures as are appropriate;

7 (iv) Secure the services of resource consultants
8 as deemed necessary by the board. Resource consultants
9 shall receive travel and per diem expenses in the same
10 manner and amount as state employees, while engaged in
11 consultative service to the board;

12 (v) Enter into agreements or contracts with out-
13 side organizations for the purpose of developing, adminis-
14 tering, grading or reporting the results of licensing
15 examinations. The contracting organizations shall be
16 capable of providing an examination which meets the stan-
17 dards of the national commission for health certifying
18 agencies, or their equivalent, be validated, and nation-
19 ally recognized as testing respiratory care competencies.

20 33-42-107. Compensation of board members. Members of
21 the board shall not receive compensation for their ser-

1 vices but shall receive mileage and per diem in the same
2 manner and amount as state employees while engaged in the
3 discharge of official duties.

4 33-42-108. Application for license; qualifications.

5 (a) An applicant for a license to practice respira-
6 tory care shall submit to the board written evidence, ver-
7 ified by oath, that the applicant:

8 (i) Has completed an approved four (4) year high
9 school course of study or the equivalent thereof deter-
10 mined by the appropriate educational agency; and

11 (ii) Has completed a respiratory care educa-
12 tional program. A respiratory care educational program
13 means a program accredited by the American medical
14 association's committee on allied health education and
15 accreditation (CAHEA) in collaboration with the joint
16 review committee for respiratory therapy education
17 (JRCRTE) or their successor organizations.

18 (b) The applicant, except as otherwise provided in
19 this act, shall be required to pass an examination. The
20 board shall establish a passing score for the examination.
21 After the applicant passes the test successfully the board

1 shall issue to the applicant a license to practice respi-
2 ratory care.

3 (c) The board may issue a license to practice respi-
4 ratory care by endorsement to:

5 (i) An applicant who is currently licensed to
6 practice respiratory care under the laws of another state,
7 territory or country if the qualifications of the appli-
8 cant are deemed by the board to be equivalent to those
9 required in this state;

10 (ii) Applicants holding credentials, conferred
11 by the national board for respiratory care, as a certified
12 respiratory therapy technician (CRTT) or as a registered
13 respiratory therapist (RRT), provided the credential has
14 not been suspended or revoked;

15 (iii) Applicants applying for licensure under
16 this subsection shall be required to certify under oath
17 that their credentials have not been suspended or revoked.

18 33-42-109. Examinations; fees.

19 (a) Examination for the licensure in respiratory care
20 shall be conducted not less than two (2) times a year and
21 at such places as may be determined by the national board

1 for respiratory care.

2 (b) An applicant applying for license to practice
3 respiratory care shall pay an administrative fee to the
4 board. A fee shall be required for each reexamination.
5 Fees under this section shall be set by the board in
6 accordance with W.S. 33-1-201. If an applicant fails to
7 complete the requirements for licensing within three (3)
8 years from the date of filing, the application is deemed
9 to be abandoned.

10 33-42-110. Temporary permits. Upon payment of a fee
11 set by the board in accordance with W.S. 33-1-201, the
12 board may issue a temporary permit to practice respiratory
13 care for a period of six (6) months to an applicant for
14 licensing, pending compliance with the requirements for
15 licensing, providing the applicant shows written evidence,
16 verified by oath, that the applicant is currently practic-
17 ing, or has within the last six (6) months practiced
18 respiratory care in another state, territory or country
19 and was licensed to practice respiratory care in that
20 state or is a student in a joint review committee for
21 respiratory therapy education approved respiratory care
22 education program who expects to graduate within the next
23 thirty (30) calendar days. On expiration of the permit

1 and on payment of an additional fee set by the board in
2 accordance with W.S. 33-1-201, the board may issue a per-
3 mit to perform respiratory care for an additional period
4 not to exceed twelve (12) months from the date of issuance
5 of the original permit, pending reexamination. Reapplica-
6 tion following abandonment of an application shall not
7 entitle the applicant to a permit.

8 33-42-111. Temporary licenses. The board shall issue
9 a license to perform respiratory care to an applicant,
10 who, prior to July 1, 1993, has passed the entry level or
11 advanced practitioner examinations administered by the
12 national board for respiratory care or its equivalent.
13 Other applicants who are not students in a respiratory
14 care education program and have not passed either of the
15 examinations under this section or their equivalents prior
16 to July 1, 1993, and who through written evidence, veri-
17 fied by oath, demonstrate that they are presently func-
18 tioning in the capacity of a respiratory care practitioner
19 as defined by this act, shall be given a temporary license
20 to practice respiratory care for a period up to twenty-
21 four (24) months from July 1, 1993. The applicants must
22 pass the licensure examination administered by the board
23 during the twenty-four (24) month period in order to be

1 issued a license to practice respiratory care.

2 33-42-112. Licensed respiratory care practitioner;
3 use of L.R.C.P. professional.

4 (a) A person holding a license to practice respira-
5 tory care in this state may use the title, "licensed
6 respiratory care practitioner" and the abbreviation,
7 "L.R.C.P.".

8 (b) A licensee shall show his license when requested.

9 33-42-113. Renewal of license; lapse; reinstatement.

10 (a) A license shall be renewed annually except as
11 hereafter provided. The board shall mail notices and
12 applications for renewal at least thirty (30) calendar
13 days prior to expiration for renewal of licenses to every
14 person to whom a license was issued or renewed during the
15 preceding renewal period. The licensee shall complete the
16 application for renewal and return it to the board with
17 the renewal fee set by the board in accordance with W.S.
18 33-1-201 before the date of expiration.

19 (b) Upon receipt of the application for renewal and
20 the fee, the board shall verify its contents and shall
21 issue the license for the current renewal period, which

1 shall be valid for the period stated thereon. The board
2 may establish continuing education requirements for annual
3 renewal of the license.

4 (c) A licensee who allows his license to lapse by
5 failing to renew it, may be reinstated by the board upon
6 payment of the renewal fee and reinstatement fee set by
7 the board in accordance with W.S. 33-1-201 provided that
8 the request for reinstatement is made within thirty (30)
9 days of the end of the renewal period.

10 (d) A respiratory care practitioner who does not
11 engage in the practice of respiratory care during the suc-
12 ceeding renewal period is not required to pay the renewal
13 fee as long as he remains inactive. If he desires to
14 resume the practice of respiratory care, he shall notify
15 the board of his intent and shall satisfy the current
16 requirements of the board in addition to remitting the
17 renewal fee for the current renewal period and the rein-
18 statement fee. Requirements of the board shall include a
19 specific period of time of continuous inactivity after
20 which retesting is required.

21 (e) The board is authorized to establish reasonable
22 fees for replacement and duplicate licenses.

1 33-42-114. Disposition of fees. Fees received by the
2 board and any monies collected under this act shall be
3 deposited in the state treasurer's office and credited to
4 the general fund.

5 33-42-115. License revocation; discipline.

6 (a) The board may revoke, suspend or refuse to renew
7 any license or permit or place on probation, or otherwise
8 reprimand a licensee or permit holder or deny a license to
9 an applicant if, after hearing, it finds that the person:

10 (i) Is guilty of fraud or deceit in procuring or
11 attempting to procure a license or renewal of license to
12 practice respiratory care;

13 (ii) Is unfit or incompetent by reason of negli-
14 gence, habits or other causes of incompetency as defined
15 in the rules and regulations promulgated by the board;

16 (iii) Is habitually intemperate in the use of
17 alcoholic beverages;

18 (iv) Is addicted to, or has improperly obtained,
19 possessed, used or distributed habit-forming drugs or nar-
20 cotics;

- 1 (v) Is guilty of dishonest or unethical conduct;
- 2 (vi) Has practiced respiratory care after his
3 license or permit has expired or has been suspended;
- 4 (vii) Has practiced respiratory care under cover
5 of any permit or license illegally or fraudulently
6 obtained or issued;
- 7 (viii) Has violated or aided or abetted others
8 in violation of any provision of this act.

9 33-42-116. Board hearings; investigations.

10 (a) Upon filing of written complaint with the board,
11 charging a person with having been guilty of any of the
12 acts described in W.S. 33-42-115, the administrative sec-
13 retary, or other authorized employee of the board shall
14 make an investigation. If the board finds reasonable
15 grounds for the complaint, a time and place for a hearing
16 shall be set, notice of which shall be served on the
17 licensee, permit holder or applicant at least fifteen (15)
18 calendar days prior thereto. The notice shall be by per-
19 sonal service or by certified or registered mail sent to
20 the last known address of the person.

21 (b) The board may issue subpoenas for the attendance

1 of witnesses and the production of necessary evidence in
2 any hearing before it. Upon request of the respondent or
3 his counsel, the board shall issue subpoenas in behalf of
4 the respondent.

5 (c) Unless otherwise provided in this act, hearing
6 procedures shall be promulgated in accordance with, and a
7 person who feels aggrieved by a decision of the board may
8 take an appeal pursuant to the Wyoming Administrative Pro-
9 cedure Act.

10 33-42-117. Exceptions.

11 (a) No person shall practice respiratory care or rep-
12 resent himself to be a respiratory care practitioner
13 unless he is licensed under this act, except as otherwise
14 provided by this act.

15 (b) This act does not prohibit:

16 (i) The practice of respiratory care which is an
17 integral part of the program of study by students enrolled
18 in a respiratory care education program recognized by the
19 joint review committee on respiratory therapy education
20 and the American medical association council on allied
21 health education or their successors. Students enrolled

1 in a respiratory therapy care education program shall be
2 identified as "student-respiratory care practitioner" and
3 shall only provide respiratory care under direct clinical
4 supervision;

5 (ii) Self-care by a patient, or gratuitous care
6 by a friend or family member who does not represent or
7 hold himself out to be a respiratory care practitioner;

8 (iii) Respiratory care services rendered in the
9 course of an emergency;

10 (iv) Persons in the military services or working
11 in federal facilities shall be exempted from the provi-
12 sions of this act when functioning in the course of their
13 assigned duties;

14 (v) The respiratory care practitioner from per-
15 forming advances in the art and techniques of respiratory
16 care learned through formalized or specialized training.

17 (c) Nothing in the act is intended to limit, preclude
18 or otherwise interfere with the practices of other persons
19 and health providers licensed by appropriate agencies of
20 the state of Wyoming.

21 (d) An individual who, by passing an examination

1 which includes content in one (1) or more of the functions
2 included in this act, and the testing body offering the
3 examination is certified by the national commission for
4 health certifying agencies or its equivalent, shall not be
5 prohibited from performing such procedures for which they
6 were tested.

7 (e) Nothing in this act shall be construed to permit
8 the practice of medicine.

9 33-42-118. Offenses.

10 (a) It is a violation of this act for any person to:

11 (i) Sell, fraudulently obtain or furnish any
12 respiratory care permit, license or record, or aid or abet
13 therein;

14 (ii) Practice respiratory care under cover of
15 any respiratory care diploma, permit, license or record
16 illegally or fraudulently obtained or issued;

17 (iii) Practice respiratory care unless duly
18 licensed or otherwise authorized to do so under the provi-
19 sions of this act;

20 (iv) Impersonate in any manner or pretend to be

1 a respiratory care practitioner or use the title,
2 "licensed respiratory care practitioner," the letters,
3 "L.R.C.P.," or any other words, letters, signs, symbols or
4 devices to indicate the person using them is a licensed
5 respiratory care practitioner, unless duly authorized by
6 license or permit to perform under the provisions of this
7 act;

8 (v) Practice respiratory care during the time
9 his license or permit is suspended, revoked or expired;

10 (vi) Fail to notify the board of the suspension,
11 probation or revocation of any past or currently held
12 licenses, certifications or registrations required to
13 practice respiratory care in this or any other jurisdic-
14 tion;

15 (vii) Knowingly employ unlicensed persons in the
16 practice of respiratory care in the capacity of a respira-
17 tory care practitioner;

18 (viii) Make false representations or impersonate
19 or act as a proxy for another person or allow or aid any
20 person to impersonate him in connection with any examina-
21 tion for licensing or request to be examined or licensed;

1 (ix) Otherwise violate any provisions of this
2 act.

(b) Any violation of this act is a misdemeanor and upon conviction shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), imprisonment for not more than six (6) months, or both fine and imprisonment for each offense.

8 Section 2.

9 (a) There is appropriated from the general fund
10 twelve thousand dollars (\$12,000.00) or as much thereof as
11 is necessary to the board for respiratory care for the
12 fiscal year beginning July 1, 1993 to implement the pur-
13 poses of this act.

(b) The general fund shall be reimbursed by the amount appropriated under subsection (a) of this section from collections of fees and any other funds by the board of respiratory care.

18 Section 3. This act is effective July 1, 1993.

19 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
General Fund	\$15,000.00	\$12,000.00	\$12,000.00
TOTAL ESTIMATED REVENUE	\$15,000.00	\$12,000.00	\$12,000.00

<u>Anticipated COST to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
General Fund	\$12,000.00	\$12,000.00	\$12,000.00
TOTAL ESTIMATED COST	\$12,000.00	\$12,000.00	\$12,000.00

<u>Anticipated SAVINGS to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED SAVINGS	_____	_____	_____

<u>Anticipated Change in Personnel:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
Full-Time			
Part-Time	1	1	1
Temporary			
Time-Limited, Other			
TOTAL PERSONNEL IMPACT	1	1	1

This bill provides for an appropriation of \$12,000.00 from the General fund.