

HOUSE No. 2252

By Mr. Spellane of Worcester (by request), petition of Robert P. Spellane and others for legislation to establish a board of registration of licensed clinical exercise physiologists. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

Robert P. Spellane	Robert K. Coughlin
Harriette L. Chandler	Jeffrey Davis Perry
Janet Langerman	Martin J. Walsh
Kerry Smith	Karen E. Spilka
Kirsten Ward	Elizabeth A. Poirier
Karen Gates	

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE LICENSURE OF EXERCISE PHYSIOLOGISTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 13: Section 11A. of the General Laws is
2 hereby amended by striking “eleven members” and inserting in place
3 “fourteen members” in the first sentence.

1 SECTION 2. Chapter 13: Section 11A. of the General Laws is
2 hereby amended by adding in the following clause “three of such
3 members shall be clinical exercise physiologists licensed in accor-
4 dance with the provisions of section twenty-three B of chapter one
5 hundred and twelve;” after the clause “Three of such members shall
6 be athletic trainers licensed in accordance with the provisions of
7 section twenty-three B of chapter one hundred and twelve;” and
8 before the clause “ two of such members shall be occupational thera-
9 pists”.

1 SECTION 3. Chapter 112: Section 23A of the General Laws is
2 hereby amended by adding the following language after “Board”,

3 the board on allied health professions, established under section
4 eleven A of chapter thirteen.” And before “Occupational therapy”:
5 “Clinical Exercise Physiology”, an allied health profession that
6 involves the use of exercise and physical activity to reduce the risk
7 of developing chronic diseases or conditions, and as a complemen-
8 tary (adjunctive) treatment for chronic diseases or conditions
9 including, but not limited to, cardiovascular disease, pulmonary dis-
10 ease, metabolic disease, and immunological/ hematological disor-
11 ders. .The practice of clinical exercise physiology involves the
12 application of scientific, evidence based primary and secondary pre-
13 ventive and rehabilitative exercise and physical activity services
14 designed to improve physical fitness to populations ranging from
15 children to older adults. The Clinical Exercise Physiologist (CEP)
16 performs health risk appraisal, exercise and physical fitness testing,
17 exercise and physical activity prescription, exercise and physical
18 activity counseling, exercise and physical activity supervision, exer-
19 cise and physical activity and health education/promotion, and the
20 measurement and evaluation of exercise and physical activity out-
21 come measures. The practice and supervision of clinical exercise
22 physiology is guided by published professional clinical guidelines
23 and standards and applicable state regulations.
24 “Clinical Exercise Physiologist”, a person who is duly licensed to
25 practice clinical exercise physiology in the commonwealth in accord-
26 dance with section twenty-three B.

1 SECTION 4. Chapter 112: Section 23B of the General Laws is
2 hereby amended by adding “clinical exercise physiologists,” in the
3 second sentence after “qualified athletic trainers,” and before “occu-
4 pational therapists,”.

1 SECTION 5. Chapter 112: Section 23B of the General Laws is
2 hereby amended by adding “twenty-three F1/2,” in the fourth sen-
3 tence after “section twenty-three F,“ and before “twenty-three G,”.

1 SECTION 6. Chapter 112: Section 23C of the General Laws is
2 hereby amended by adding “or a clinical exercise physiologist” in
3 the first sentence after “as an athletic trainer” and before “or an
4 occupational therapist”.

1 SECTION 7. Chapter 112: Section 23C of the General Laws is
2 hereby amended by adding “as a clinical exercise physiologist;” in
3 the first sentence after “as an athletic trainer;” and before “as an
4 occupational therapist;”.

1 SECTION 8. Chapter 112: Section 23D of the General Laws is
2 hereby amended by adding “or a clinical exercise physiologist,” in
3 the first sentence after “as an athletic trainer;” and before “or an
4 occupational therapist”.

1 SECTION 9. Chapter 112: Section 23E of the General Laws is
2 hereby amended by adding “or clinical exercise physiologist” in (b)
3 after “as an athletic trainer” and before “or occupational therapist”.

1 SECTION 10. Chapter 112: Section 23E of the General Laws is
2 hereby amended by adding “or clinical exercise physiology” in (c)
3 after “in athletic training” and before “or occupational therapy”.

1 SECTION 11. Chapter 112: Section 23E of the General Laws is
2 hereby amended by adding “or clinical exercise physiology services”
3 in (e) after “performing athletic training services” and before “or
4 occupational therapy services”, and by adding “or clinical exercise
5 physiologist” in (e) after “in association with an athletic trainer” and
6 before “or occupational therapist”.

1 SECTION 12. Chapter 112: of the General Laws is hereby
2 amended by adding after section 23F the following section:

3 Chapter 112: Section 23F1/2. Clinical Exercise Physiologist;
4 qualifications

5 Section 23F1/2. An applicant for licensure as a clinical exercise
6 physiologist shall:

7 (a) hold a master’s degree or higher with a major course of study
8 in clinical exercise physiology, exercise science, kinesiology, or
9 applied exercise physiology from a college or university approved
10 by the board, including a minimum of 600 hours of supervised clin-
11 ical experience as a clinical exercise physiologist, or be a graduate of
12 an accredited educational program leading to professional qualifica-
13 tion in clinical exercise physiology and approved by the board

14 (c) or have graduated from an educational program in clinical
15 exercise physiology, exercise science, kinesiology, or applied exer-
16 cise physiology chartered in a sovereign state outside the United
17 States and have furnished to the board such evidence as it may
18 require: (1) that his education is substantially the equivalent of that
19 of graduates of approved programs in the United States, and (2) that
20 he has sufficient qualifications, including the proficiency in the Eng-
21 lish language, to practice clinical exercise physiology,
22 (d) and have met the educational and clinical experience require-
23 ments and passed the American College of Sports Medicine registry
24 examination for Clinical Exercise Physiologists or equivalent as
25 determined by the board.

1 SECTION 13. Chapter 112: Section 23K of the General Laws is
2 hereby amended by adding “or clinical exercise physiology” in (c)
3 after “of athletic training” and before “or occupational therapy”.

1 SECTION 14. Chapter 112: Section 23K of the General Laws is
2 hereby amended by adding “clinical exercise physiology or” in (f)
3 after “ethical standards of the profession of” and before “occupa-
4 tional therapy”.

1 SECTION 15. Chapter 112: Section 23L of the General Laws is
2 hereby amended by adding “clinical exercise physiologist,” after “an
3 athletic trainer,” and before “occupational therapist”.

1 SECTION 16. Chapter 112: of the General Laws is hereby
2 amended by adding after section 23N the following section:
3 Chapter 112: Section 23N1/2. Clinical Exercise Physiologists;
4 necessity for licensure
5 Section 23N1/2. No person shall hold himself out as a clinical
6 exercise physiologist or as being able to practice clinical exercise
7 physiology or to render clinical exercise physiology services in this
8 commonwealth unless he is licensed in accordance with section
9 twenty-three B. No person not so licensed may use in connection
10 with his name the words or letters, “C.E.P.”, “R.C.E.P.”, “L.C.E.P.”,
11 or any other words, letters, abbreviations, or insignia indicating that
12 he is a clinical exercise physiologist.

1 SECTION 17. A license as a clinical exercise physiologist may be
2 issued without examination to an applicant who meets the require-
3 ments of section 23F1/2 of chapter 112 of the General Laws and pro-
4 vides to the board's satisfaction that the applicant has been in
5 practice in the field of clinical exercise physiology for five years out
6 of the last ten years preceding the effective date of the regulations
7 implementing this Act. The board in its discretion may waive the
8 education requirements for an applicant if it determines that an
9 applicant's combined professional and education credentials meet
10 the intent of this act.

11 The provisions of this section shall expire one year following the
12 effective date of the implementing regulations.