SENATE DOCKET, NO. 215 FILED ON: 1/18/2011

SENATE . . . . . No. 1072

The Commonwealth of Massachusetts

PRESENTED BY:

Gale D. Candaras

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the registration of clinical exercise physiologists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Gale D. Candaras	☐ *[District]* ☐
Cory Atkins	*14th Middlesex*
Angelo J. Puppolo, Jr.	*12th Hampden*
Jennifer E. Benson	*37th Middlesex*
Karen E. Spilka	☐ *[District]* ☐
Benjamin Swan	*11th Hampden*

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SENATE . . . . . No. 1072

By Ms. Candaras, petition (accompanied by bill, Senate, No. 1072) of Swan, Spilka, Puppolo and other members of the General Court for legislation relative to the registration of clinical exercise physiologists [Joint Committee on Public Health].

The Commonwealth of Massachusetts

An Act relative to the registration of clinical 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:

Section 1: Section 11A of chapter 13 of the General Laws is hereby amended by striking "eleven members" and inserting in place "fourteen members" in the first sentence.

Section 2: Section 11A of chapter 13 of the General Laws is hereby amended by adding the following clause, "three of such members shall be clinical exercise physiologists licensed in accordance with the provisions of section twenty-three B of chapter one hundred and twelve" after the clause "Three of such members shall be athletic trainers licensed in accordance with the provisions of section twenty-three B of chapter one hundred and twelve;".

Section 3: Section 23A of chapter 112 of the General Laws is hereby amended by adding the following language after "Board, the board on allied health professions", established under section eleven A of chapter thirteen:

Clinical Exercise Physiology", an allied health profession that utilizes the application of scientific principles to design, implement, supervise and evaluate outcomes for exercise services provided to individuals with chronic diseases, conditions and/or functional deficits. Clinical Exercise Physiology services focus on the enhancement of physical capabilities for the purpose of: (1) chronic disease management; (2) reducing risks for premature development of or recurrence of chronic diseases; (3) promoting behavioral patterns consistent with maintenance of health; (4) improving performance of activities of daily living; (5) increasing the potential for physical, social and economic independence. The Clinical Exercise Physiologist (hereinafter "CEP") possesses the scientific knowledge, technical skills, interpretive abilities, and practical experiences necessary to provide individualized exercise for clinical populations. The CEP is uniquely competent to educate, motivate and counsel individuals with medical considerations in their efforts to reduce functional deficits, safely improve and maintain their physical fitness and develop healthy lifestyles. The CEP also measures, evaluates, and provides supportive

24 consultation to other allied-health providers relative to multidimensional physical fitness and
25 exercise testing. The CEP formulates, develops and implements exercise protocols and
26 programs, administers graded exercise tests, and provides education regarding such exercise
27 programs and tests and risk factor modification in a rehabilitation or diagnostic setting to
28 individuals with cardiovascular, pulmonary, and metabolic diseases, neoplastic
29 (oncology)/immunologic/hematologic conditions, along with chronic orthopedic and
30 neuromuscular diseases and disabilities.

31 "Clinical Exercise Physiologist", a person who is duly licensed to practice clinical
32 exercise physiology in the commonwealth in accordance with section twenty-three B.

33 "Exercise Protocols and Programs", the intensity, duration, frequency, volume, and mode
34 of activity to improve and/or maintain an individual's functional capacity.

35 Section 4: Section 23B of chapter 112 of the General Laws is hereby amended
36 by adding "clinical exercise physiologists," in the second sentence after "athletic trainers,".

37 Section 5: Section 23B of chapter 112 of the General Laws is hereby amended
38 by adding "twenty-three F1/2," in the fourth sentence after "twenty-three F,".

39 Section 6: Section 23C of chapter 112 of the General Laws is hereby amended
40 by adding "a clinical exercise physiologist or" in the first sentence after "athletic trainer or".

41 Section 7: Section 23C of chapter 112 of the General Laws is hereby amended
42 by adding "as a clinical exercise physiologist;" in the first sentence after "practice as an athletic
43 trainer".

44 Section 8: Section 23D of chapter 112 of the General Laws is hereby amended by adding
45 "or a clinical exercise physiologist," in the first sentence after "license as an athletic trainer".

46 Section 9: Section 23E of chapter 112 of the General Laws is hereby amended
47 by adding "or clinical exercise physiologist" in subsection (b) after "any person employed as an
48 athletic trainer".

49 Section 10: Section 23E of chapter 112 of the General Laws is hereby amended
50 by adding "or clinical exercise physiology" in subsection (c) after "certificate in athletic
51 training".

52 Section 11: Section 23E of chapter 112 of the General Laws is hereby amended
53 by adding "or clinical exercise physiology services" in subsection (e) after "any person
54 performing athletic training services".

55 Section 12: Section 23E of chapter 112 of the General Laws is hereby amended
56 by adding "or clinical exercise physiologist" in subsection (e) after "two days in a calendar year
57 in association with an athletic trainer".

Section 13: Chapter 112 of the General Laws is hereby amended by adding after Section 23F the following section:

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

Section 23I. An applicant for licensure as a clinical exercise physiologist shall:

(a) hold a master's degree or higher with a major course of study in clinical exercise physiology, exercise science, kinesiology, or applied exercise physiology from an accredited college or university approved by the board, or be a graduate of an accredited educational program in Exercise Physiology, and including a minimum of 600 hours of clinical experience as a clinical exercise physiologist,

(b) or have graduated from an educational program in clinical exercise physiology, exercise science, kinesiology, or applied exercise physiology chartered in a sovereign state outside the United States and have furnished to the board such evidence as it may require: (1) that his education is substantially the equivalent of that of graduates of approved programs in the United States, and (2) that he has sufficient qualifications, including the proficiency in the English language, to practice clinical exercise physiology,

(c) and passed the American College of Sports Medicine examination for Registered Clinical Exercise Physiologists or Clinical Exercise Specialists or equivalent as determined by the board.

Section 14: Section 23K of chapter 112 of the General Laws is hereby amended by adding "or clinical exercise physiology" in subsection (c) after "his practice of athletic training".

Section 15: Section 23K of chapter 112 of the General Laws is hereby amended by adding "clinical exercise physiology or" in subsection (f) after ethical standards of the professions of".

Section 16: Section 23L of chapter 112 of the General Laws is hereby amended by adding "clinical exercise," after "athletic trainer,".

Section 17: Chapter 112 of the General Laws is hereby amended by adding after Section 23N the following section:

Chapter 112: Section 23N1/2. Clinical Exercise Physiologists; necessity for licensure

Section 23N1/2. No person shall hold himself out as a clinical exercise physiologist or as being able to practice clinical exercise physiology or to render clinical exercise physiology services in this commonwealth unless he is licensed in accordance with section twenty-three B. No person not so licensed may use in connection with his name the words or letters, "C.E.P.",

91 “R.C.E.P.”, “L.C.E.P.”, or any other words, letters, abbreviations, or insignia indicating that he is
92 a clinical exercise physiologist.

93 Section 18: A license as a clinical exercise physiologist may be issued without
94 examination to an applicant who does not meet the educational requirements of section 23F1/2 of
95 chapter 112 of the General Laws, if the applicant has a bachelor’s degree in exercise science,
96 exercise physiology, or kinesiology and provides to the board's satisfaction that THE
97 APPLICANT has been in paid professional practice in the field of clinical exercise physiology
98 for five years or 10,000 hours out of the last ten years preceding the effective date of THE
99 REGULATIONS IMPLEMENTING THIS ACT.

100 The provisions of this section shall expire one year following the effective date of the
101 IMPLEMENTING REGULATIONS.