

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

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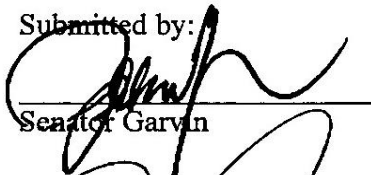
COMMITTEE AMENDMENT

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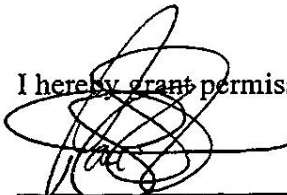
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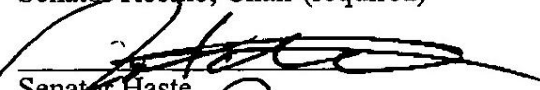
I move to amend Senate Bill No. 1613, by substituting the attached floor substitute (Request #3642) for the title, enacting clause and entire body of the measure.

Submitted by:

  
\_\_\_\_\_  
Senator Garvin

I hereby grant permission for the floor substitute to be adopted.

  
\_\_\_\_\_  
Senator Rosino, Chair (required)

  
\_\_\_\_\_  
Senator Haste

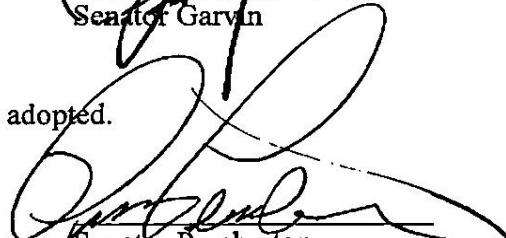
  
\_\_\_\_\_  
Senator Daniels

  
\_\_\_\_\_  
Senator Gollihare

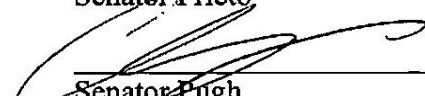
\_\_\_\_\_  
Senator Hall

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Senator Hicks

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Senator Treat, President Pro Tempore

  
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Senator Pemberton

  
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Senator Prieto

  
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Senator Pugh

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Senator Standridge

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Senator Stanley

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Senator Young

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Senator McCortney, Majority Floor Leader

Note: Health and Human Services committee majority requires seven (7) members' signatures.

Garvin-DC-FS-SB1613  
3/12/2024 4:36 PM

(Floor Amendments Only)

Date and Time Filed: 3-12-24 5:12pm JG

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1613

By: Garvin of the Senate

and

Stinson of the House

7  
8  
9  
10 FLOOR SUBSTITUTE

11 [ medicine - graduate physician practice - licensure  
12 - supervision requirements - identification badges -  
13 specialties - practice settings - report - liability  
14 insurance - collaborative practice arrangement -  
15 course - disciplinary actions - information - rules -  
16 titles - codification - effective date ]

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 479.1 of Title 59, unless there  
20 is created a duplication in numbering, reads as follows:

21 This act shall be known and may be cited as the "Graduate  
22 Physicians Act".  
23  
24

1           SECTION 2.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 479.2 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4           As used in this act:

5           1. "Graduate physician" means a medical school graduate who:

6           a.    is a resident and citizen of the United States or a  
7                legal resident alien in the United States,

8           b.    has successfully completed Step 1 and Step 2 of the  
9                United States Medical Licensing Examination (USMLE) or  
10               Level 1 and 2 of the Comprehensive Osteopathic Medical  
11               Licensing Examination of the United States (COMLEX-  
12               USA) or the equivalent of such steps of any other  
13               medical licensing examination or combination of  
14               examinations approved by the State Board of Medical  
15               Licensure and Supervision or the State Board of  
16               Osteopathic Examiners, within the two-year period  
17               immediately preceding the date of the person's  
18               application for licensure as a graduate physician, but  
19               not more than three (3) years after graduation from a  
20               medical school or school of osteopathic medicine, and  
21           c.    has not completed an approved postgraduate residency  
22               and has successfully completed Step 2 of the USMLE or  
23               Level 2 of the COMLEX-USA or the equivalent of such  
24               step of any other medical licensing examination

1 approved by the State Board of Medical Licensure and  
2 Supervision or the State Board of Osteopathic  
3 Examiners, within the two-year period immediately  
4 preceding the date of the person's application for  
5 licensure as a graduate physician unless when such  
6 two-year anniversary occurred he or she was serving as  
7 a resident physician in an accredited residency in the  
8 United States and continued to do so within thirty  
9 (30) calendar days prior to application for licensure  
10 as a graduate physician;

11 2. "Graduate physician collaborative practice arrangement" or  
12 "collaborative practice arrangement" means an agreement between a  
13 licensed physician and a graduate physician that meets the  
14 requirements of this act; and

15 3. "Medical school graduate" means any person who has graduated  
16 from a medical school as described in Section 493.1 of Title 59 of  
17 the Oklahoma Statutes or a school of osteopathic medicine as  
18 described in Section 630 of Title 59 of the Oklahoma Statutes.

19 SECTION 3. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 479.3 of Title 59, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. 1. The State Board of Medical Licensure and Supervision  
23 shall have the power and duty to license, and to otherwise implement  
24 this act as it relates to, graduate physicians who have graduated

1 from a medical school as described in Section 493.1 of Title 59 of  
2 the Oklahoma Statutes.

3 2. The State Board of Osteopathic Examiners shall have the  
4 power and duty to license, and to otherwise implement this act as it  
5 relates to, graduate physicians who have graduated from a school of  
6 osteopathic medicine as described in Section 630 of Title 59 of the  
7 Oklahoma Statutes.

8 B. The licensure of graduate physicians shall occur in  
9 accordance with processes established by rules of the State Board of  
10 Medical Licensure and Supervision and the State Board of Osteopathic  
11 Examiners under Section 8 of this act.

12 C. A graduate physician license issued under this act shall  
13 only be valid for two (2) years from the date of issuance and shall  
14 not be subject to renewal.

15 D. The State Board of Medical Licensure and Supervision or the  
16 State Board of Osteopathic Examiners may deny an application for  
17 licensure or suspend or revoke the license of a graduate physician  
18 for violation of the standards provided in the Oklahoma Allopathic  
19 Medical and Surgical Licensure and Supervision Act or the Oklahoma  
20 Osteopathic Medicine Act, or such other standards of conduct  
21 established by the State Board of Medical Licensure and Supervision  
22 or the State Board of Osteopathic Examiners by rule.

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24

1 SECTION 4. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 479.4 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. A graduate physician shall not practice, or attempt to  
5 practice:

6 1. Unless the graduate physician is licensed by the State Board  
7 of Medical Licensure and Supervision or the State Board of  
8 Osteopathic Examiners under this act; and

9 2. Without a graduate physician collaborative practice  
10 arrangement, except as otherwise provided in this act.

11 B. The licensed physician collaborating with a graduate  
12 physician shall be responsible for supervising the activities of the  
13 graduate physician and shall accept full responsibility for the  
14 services provided by the graduate physician.

15 C. Graduate physicians shall be subject to the supervision  
16 requirements established in any controlling federal law, any  
17 supervision requirements provided in this act, and any supervision  
18 requirements established by the State Board of Medical Licensure and  
19 Supervision or the State Board of Osteopathic Examiners. Graduate  
20 physicians are not subject to any additional supervision  
21 requirements, other than the supervision requirements specified in  
22 this subsection.

23

24

1 D. A graduate physician shall clearly identify himself or  
2 herself as a graduate physician and shall be permitted to use the  
3 identifiers "doctor" or "Dr."

4 E. All collaborating physicians and graduate physicians under a  
5 graduate physician collaborative practice arrangement shall wear  
6 identification badges while acting within the scope of the  
7 arrangement. The identification badges shall prominently display  
8 the licensure status of the collaborating physician and the graduate  
9 physician.

10 SECTION 5. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 479.5 of Title 59, unless there  
12 is created a duplication in numbering, reads as follows:

13 A. A graduate physician shall practice within the specialty in  
14 which he or she intends to practice as a fully licensed physician,  
15 as evidenced by:

16 1. The graduate physician's application for postgraduate  
17 residency; or

18 2. If the graduate physician did not apply for postgraduate  
19 residency prior to application for licensure as a graduate  
20 physician, an attestation by the graduate physician submitted to the  
21 State Board of Medical Licensure and Supervision or the State Board  
22 of Osteopathic Examiners stating the specialty in which the graduate  
23 physician intends to practice as a fully licensed physician.

24

1 B. 1. If the graduate physician is a graduate of a medical  
2 school or school of osteopathic medicine located within this state,  
3 the graduate physician may practice anywhere in this state, subject  
4 to the collaborative practice arrangement and subject to the  
5 limitations provided by Section 6 of this act.

6 2. If the graduate physician is a graduate of a medical school  
7 or school of osteopathic medicine located outside of this state, the  
8 graduate physician may only practice in:

- 9 a. a medically underserved area of this state as  
10 designated by the Health Resources and Services  
11 Administration,  
12 b. a rural community of this state as determined by the  
13 Health Care Workforce Training Commission, or  
14 c. a rural health clinic as defined under Sections 1861  
15 and 1905 of the federal Social Security Act (42  
16 U.S.C., Sections 1395x and 1396d).

17 C. While licensed and practicing as a graduate physician, a  
18 graduate physician shall complete such educational methods and  
19 programs as may be prescribed by rules promulgated by the State  
20 Board of Medical Licensure and Supervision and the State Board of  
21 Osteopathic Examiners under Section 8 of this act.

22 D. 1. At the conclusion of the graduate physician's period of  
23 licensure, the collaborating physician shall prepare a detailed  
24



1 report on the graduate physician. The report shall include, but not  
2 be limited to:

- 3 a. a description of the types services provided by the  
4 graduate physician,
- 5 b. a description, to the best of the collaborating  
6 physician's information and belief, of the performance  
7 of the graduate physician,
- 8 c. a statement as to whether the collaborating physician  
9 believes the graduate physician is fit to enter a  
10 postgraduate residency, and
- 11 d. any other criteria required by the State Board of  
12 Medical Licensure and Supervision and the State Board  
13 of Osteopathic Examiners.

14 2. The collaborating physician shall submit the report to:

- 15 a. his or her licensing board,
- 16 b. the licensing board of the graduate physician, if  
17 different than the licensing board of the  
18 collaborating physician, and
- 19 c. the medical school or school of osteopathic medicine  
20 from which the graduate physician graduated.

21 E. A collaborating physician shall maintain liability insurance  
22 for each graduate physician with which the collaborating physician  
23 has a collaborative practice arrangement in an amount determined by  
24 rules promulgated by the State Board of Medical Licensure and

1 Supervision and the State Board of Osteopathic Examiners under  
2 Section 8 of this act.

3 SECTION 6. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 479.6 of Title 59, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. To be eligible to practice as a graduate physician, a  
7 licensed graduate physician must enter into a graduate physician  
8 collaborative practice arrangement with a licensed physician no  
9 later than sixty (60) calendar days after the date on which the  
10 graduate physician obtains initial licensure.

11 B. 1. Only a physician licensed by and in good standing with  
12 the State Board of Medical Licensure and Supervision or the State  
13 Board of Osteopathic Examiners may enter into a graduate physician  
14 collaborative practice arrangement with a graduate physician.

15 2. A collaborating physician shall either:

16 a. have not less than ten (10) years of experience in the  
17 specialty that the graduate physician is practicing,

18 or

19 b. have not less than five (5) years of experience in the  
20 specialty that the graduate physician is practicing  
21 and be board-certified in the specialty that the  
22 graduate physician is practicing.

23 3. In addition to other limitations provided by law or rule, a  
24 collaborating physician shall not enter into a graduate physician

1 collaborative practice arrangement with more than three graduate  
2 physicians at the same time.

3 C. 1. Graduate physician collaborative practice arrangements  
4 shall take the form of a written agreement that includes mutually  
5 agreed-upon protocols and any standing orders for the delivery of  
6 services.

7 2. Graduate physician collaborative practice arrangements may  
8 delegate to a graduate physician the authority to prescribe,  
9 administer, or dispense drugs and provide treatment, as long as the  
10 delivery of the services is within the scope of the graduate  
11 physician's practice and is consistent with the graduate physician's  
12 skill, training, competence, and specialty and the skill, training,  
13 competence, and specialty of the collaborating physician; except  
14 that a graduate physician shall not prescribe controlled dangerous  
15 substances.

16 D. The graduate physician collaborative practice arrangement  
17 shall contain the following provisions:

18 1. Complete names, home and business addresses, and telephone  
19 numbers of the collaborating physician and the graduate physician;

20 2. A requirement that the graduate physician practice at the  
21 same location as the collaborating physician;

22 3. A requirement that a prominently displayed disclosure  
23 statement informing patients that they may be seen by a graduate  
24 physician, and advising patients that the patient has the right to

1 see the collaborating physician, be posted in every office where the  
2 graduate physician is authorized to prescribe;

3 4. All specialty or board certifications of the collaborating  
4 physician and all certifications of the graduate physician;

5 5. The manner of collaboration between the collaborating  
6 physician and the graduate physician, including how the  
7 collaborating physician and the graduate physician will:

8 a. engage in collaborative practice consistent with each  
9 professional's skill, training, education, and  
10 competence, and

11 b. maintain geographic proximity. However, the graduate  
12 physician collaborative practice arrangement may only  
13 allow for geographic proximity to be waived for no  
14 more than twenty-eight (28) days per calendar year for  
15 rural health clinics, as long as the graduate  
16 physician collaborative practice arrangement includes  
17 alternative plans as required by the State Board of  
18 Medical Licensure and Supervision or the State Board  
19 of Osteopathic Examiners. The exception to the  
20 geographic proximity requirement applies only to  
21 independent rural health clinics, provider-based rural  
22 health clinics if the provider is a critical access  
23 hospital as provided in 42 U.S.C., Section 1395i-4,  
24 and provider-based rural health clinics if the primary

1 location of the hospital sponsor is more than twenty-  
2 five (25) miles from the clinic. The collaborating  
3 physician shall maintain documentation related to the  
4 geographic proximity requirement and present the  
5 documentation to the State Board of Medical Licensure  
6 and Supervision or the State Board of Osteopathic  
7 Examiners upon request;

8 6. A requirement that the graduate physician shall not provide  
9 patient care during an absence of the collaborating physician for  
10 any reason;

11 7. A list of all other graduate physician collaborative  
12 practice arrangements of the collaborating physician and the  
13 graduate physician;

14 8. The duration of the graduate physician collaborative  
15 practice arrangement between the collaborating physician and the  
16 graduate physician; and

17 9. A requirement that a collaborating physician be on premises  
18 if the graduate physician performs services in a hospital or  
19 emergency department.

20 E. A graduate physician collaborative practice arrangement  
21 shall supersede current hospital licensing regulations governing  
22 hospital medication orders under protocols or standing orders for  
23 the purpose of delivering inpatient or emergency care within a  
24 hospital as defined in Section 1-701 of Title 63 of the Oklahoma

1 Statutes, if the protocols or standing orders have been approved by  
2 the hospital's medical staff and pharmaceutical therapeutics  
3 committee.

4 SECTION 7. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 479.7 of Title 59, unless there  
6 is created a duplication in numbering, reads as follows:

7 A. The collaborating physician shall complete a certification  
8 course, which may include material on the laws pertaining to the  
9 professional relationship. The certification course shall be  
10 approved by the State Board of Medical Licensure and Supervision or  
11 the State Board of Osteopathic Examiners.

12 B. The State Board of Medical Licensure and Supervision or the  
13 State Board of Osteopathic Examiners shall not deny, revoke,  
14 suspend, or otherwise take disciplinary action against a  
15 collaborating physician for services delegated to a graduate  
16 physician as long as the provisions of this act and any applicable  
17 rules promulgated by the State Board of Medical Licensure and  
18 Supervision or the State Board of Osteopathic Examiners are  
19 satisfied.

20 C. 1. Within thirty (30) days of any licensure change, the  
21 State Board of Medical Licensure and Supervision and the State Board  
22 of Osteopathic Examiners shall require every physician to identify  
23 whether the physician is engaged in a graduate physician  
24 collaborative practice arrangement, and to report to the physician's

1 licensing board the name of each graduate physician with whom the  
2 physician has entered into an arrangement.

3 2. Each board shall:

4 a. make the information available to the public, and

5 b. track the reported information and may routinely  
6 conduct reviews or inspections to ensure that the  
7 arrangements are being carried out in compliance with  
8 this act.

9 D. A contract or other agreement shall not require a physician  
10 to act as a collaborating physician for a graduate physician against  
11 the physician's will. A physician has the right to refuse to act as  
12 a collaborating physician, without penalty, for a particular  
13 graduate physician. A contract or other agreement shall not limit  
14 the collaborating physician's authority over any protocols or  
15 standing orders, or delegate the physician's authority to a graduate  
16 physician. However, this subsection does not authorize a physician  
17 in implementing protocols, standing orders, or delegation to violate  
18 applicable standards for safe medical practice established by a  
19 hospital's medical staff.

20 E. A contract or other agreement shall not require a graduate  
21 physician to serve as a graduate physician for any collaborating  
22 physician against the graduate physician's will. A graduate  
23 physician has the right to refuse to collaborate, without penalty,  
24 with a particular physician.

1           SECTION 8.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 479.8 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4           The State Board of Medical Licensure and Supervision and the  
5 State Board of Osteopathic Examiners shall collaborate to promulgate  
6 a uniform set of rules implementing the provisions of this act  
7 including, but not limited to, rules:

8           1. To establish the process for licensure of graduate  
9 physicians, supervision requirements, and additional requirements  
10 for graduate physician collaborative practice arrangements;

11           2. To set fees in an amount greater than or equal to the total  
12 costs necessary to facilitate the graduate physician collaborative  
13 practice arrangement each year;

14           3. Regulating graduate physician collaborative practice  
15 arrangements for graduate physicians including, but not limited to,  
16 the collaborating physician's review of the graduate physician's  
17 delivery of services;

18           4. Specifying, at the discretion of the boards, any educational  
19 methods and programs to be performed during the collaborative  
20 practice service, developed in consultation with deans of medical  
21 schools and residency program directors in this state, which shall  
22 facilitate the advancement of the graduate physician's medical  
23 knowledge and capabilities, the successful completion of which may  
24 lead to credit toward a future residency program that deems the



1 documented educational achievements of the graduate physician  
2 through the methods and programs acceptable;

3 5. Establishing liability insurance requirements for graduate  
4 physicians including, but not limited to, coverage amounts;

5 6. Applicable to graduate physicians that are consistent with  
6 the guidelines established for federally funded clinics. The  
7 rulemaking authority granted under this paragraph does not extend to  
8 graduate physician collaborative practice arrangements of hospital  
9 employees providing inpatient care within hospitals; and

10 7. To address any other matters necessary to protect the public  
11 and discipline the profession.

12 SECTION 9. AMENDATORY 59 O.S. 2021, Section 725.2, as  
13 amended by Section 2, Chapter 149, O.S.L. 2022 (59 O.S. Supp. 2023,  
14 Section 725.2), is amended to read as follows:

15 Section 725.2. A. The following ten classes of persons may use  
16 the word "Doctor", or an abbreviation thereof, and shall have the  
17 right to use, whether or not in conjunction with the word "Doctor",  
18 or any abbreviation thereof, the following designations:

19 1. The letters "D.P.M." or the words podiatrist, doctor of  
20 podiatry, podiatric surgeon, or doctor of podiatric medicine by a  
21 person licensed to practice podiatry under the Podiatric Medicine  
22 Practice Act;

23

24

1           2. The letters "D.C." or the words chiropractor or doctor of  
2 chiropractic by a person licensed to practice chiropractic under the  
3 Oklahoma Chiropractic Practice Act;

4           3. The letters "D.D.S." or "D.M.D.", as appropriate, or the  
5 words dentist, doctor of dental surgery, or doctor of dental  
6 medicine, as appropriate, by a person licensed to practice dentistry  
7 under the State Dental Act;

8           4. The letters "M.D." or the words surgeon, medical doctor, or  
9 doctor of medicine by a person licensed to practice medicine and  
10 surgery under the Oklahoma Allopathic Medical and Surgical Licensure  
11 and Supervision Act or by a person licensed as a graduate physician  
12 under this act;

13           5. The letters "O.D." or the words optometrist or doctor of  
14 optometry by a person licensed to practice optometry under Sections  
15 581 through 606 of this title;

16           6. The letters "D.O." or the words surgeon, osteopathic  
17 surgeon, osteopath, doctor of osteopathy, or doctor of osteopathic  
18 medicine by a person licensed to practice osteopathy under the  
19 Oklahoma Osteopathic Medicine Act or by a person licensed as a  
20 graduate physician under this act;

21           7. The letters "Ph.D.", "Ed.D.", or "Psy.D." or the words  
22 psychologist, therapist, or counselor by a person licensed as a  
23 health service psychologist pursuant to the Psychologists Licensing  
24 Act;

1           8. The letters "Ph.D.", "Ed.D.", or other letters representing  
2 a doctoral degree or the words language pathologist, speech  
3 pathologist, or speech and language pathologist by a person licensed  
4 as a speech and language pathologist pursuant to the Speech-Language  
5 Pathology and Audiology Licensing Act and who has earned a doctoral  
6 degree from a regionally accredited institution of higher learning  
7 in the field of speech and language pathology;

8           9. The letters "Ph.D.", "Ed.D.", or other letters representing  
9 a doctoral degree or the word audiologist by a person licensed as an  
10 audiologist pursuant to the Speech-Language Pathology and Audiology  
11 Licensing Act and who has earned a doctoral degree from a regionally  
12 accredited institution of higher learning in the field of audiology;  
13 and

14          10. The letters "D.P.T." or the title Doctor of Physical  
15 Therapy by a person licensed to practice physical therapy under the  
16 Physical Therapy Practice Act who has earned a Doctor of Physical  
17 Therapy degree from a program approved by a national accrediting  
18 body recognized by the State Board of Medical Licensure and  
19 Supervision.

20          B. Unless otherwise specifically provided in a particular  
21 section or chapter of the Oklahoma Statutes, the word "doctor" or  
22 "doctors" shall mean and include each of the ten classes of persons  
23 listed in subsection A and the word "physician" or "physicians", as  
24 provided in subsection C of this section. Any other person using

1 the term doctor, or any abbreviation thereof, shall designate the  
2 authority under which the title is used or the college or honorary  
3 degree that gives rise to use of the title.

4 C. Unless otherwise specifically provided in a particular  
5 section or chapter of the Oklahoma Statutes, the word "physician" or  
6 "physicians" shall mean and include each of the classes of persons  
7 listed in paragraphs 1 through 6 of subsection A of this section and  
8 the word "doctor" or "doctors" as provided in subsection B of this  
9 section. The term "physician" shall not include any person  
10 specified in paragraphs 7 through 10 of subsection A of this section  
11 unless such person is otherwise authorized to use such designation  
12 pursuant to this section.

13 D. For purposes of this section, "provider" means and includes:

14 1. Each of the ten classes of persons listed in subsection A of  
15 this section and referred to in subsections B and C of this section;  
16 and

17 2. Any other person using the term doctor or any abbreviation  
18 thereof.

19 E. Persons in each of the ten classes listed in subsection A of  
20 this section, and referred to in subsections B and C of this section  
21 shall identify through written notice, which may include the wearing  
22 of a name tag, the type of license under which the doctor is  
23 practicing, utilizing the designations provided in subsections A, B  
24 and C of this section. Each applicable licensing board is

1 authorized by rule to determine how its license holders may comply  
2 with this disclosure requirement.

3 F. 1. Any advertisement for health care services naming a  
4 provider shall:

5 a. identify the type of license of the doctor utilizing  
6 the letters or words set forth in this section if the  
7 person is one of the classes of persons listed in  
8 subsection A of this section, and referred to in  
9 subsections B and C of this section, or

10 b. utilize appropriate, accepted, and easily understood  
11 words or letters, which clearly show and indicate the  
12 branch of the healing art in which the person is  
13 licensed to practice and is engaged in, if the person  
14 is not one of the ten classes of persons listed in  
15 subsection A of this section, or referred to in  
16 subsections B and C of this section.

17 2. The term "advertisement" includes any printed document  
18 including letterhead, video clip, or audio clip created by, for, or  
19 at the direction of the provider or providers and advertised for the  
20 purpose of promoting the services of the doctor or provider.

21 G. 1. It shall be unlawful for any medical doctor, doctor of  
22 osteopathic medicine, doctor of dental surgery, doctor of dental  
23 medicine, doctor of optometry, doctor of podiatry, or doctor of  
24 chiropractic to make any deceptive or misleading statement, or

1 engage in any deceptive or misleading act, that deceives or misleads  
2 the public or a prospective or current patient, regarding the  
3 training and the license under which the person is authorized to  
4 practice.

5 2. The term "deceptive or misleading statement or act"  
6 includes, but is not limited to:

- 7 a. such statement or act in any advertising medium,
- 8 b. making a false statement regarding the education,  
9 skills, training, or licensure of a person, or
- 10 c. in any other way describing the profession, skills,  
11 training, expertise, education, or licensure of a  
12 person in a fashion that causes the public, a  
13 potential patient, or current patient to believe that  
14 the person is a medical doctor, doctor of osteopathic  
15 medicine, doctor of dental surgery, doctor of dental  
16 medicine, doctor of optometry, doctor of podiatry, or  
17 doctor of chiropractic when that person does not hold  
18 such credentials.

19 H. Notwithstanding any other provision of this section, a  
20 person licensed in this state to perform speech pathology or  
21 audiology services is designated to be a practitioner of the healing  
22 art for purposes of making a referral for speech pathology or  
23 audiology services pursuant to the provisions of the Individuals  
24

1 with Disabilities Education Act, Amendment of 1997, Public Law 105-  
2 17, and Section 504 of the Rehabilitation Act of 1973.

3 SECTION 10. This act shall become effective November 1, 2024.

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