

319B.010 Definitions for chapter.

As used in this chapter, unless the context requires otherwise:

- (1) "Board" means the Kentucky Board of Prosthetics, Orthotics, and Pedorthics;
- (2) "CAAHEP" means the Commission on Accreditation of Allied Health Education Programs;
- (3) "Custom fabricated and fitted device" means an orthosis, prosthesis, or pedorthic device that is fabricated to original measurements, or to a mold for use by a patient in accordance with a prescription from a health care practitioner or provider authorized by law to write such prescriptions, and that requires substantial clinical and technical judgment in its design and fitting;
- (4) "Custom fitted device" means a prefabricated orthosis, prosthesis, or pedorthic device sized or modified for use by the patient in accordance with a prescription from a health care practitioner or provider authorized by law to write such prescriptions that requires substantial clinical judgment and substantive alteration for appropriate use;
- (5) "Facility" means the business location where orthotic, prosthetic, or pedorthic care is provided. The orthotic/prosthetic/pedorthic facility has the appropriate clinical and laboratory space and equipment to provide comprehensive orthotic, prosthetic, and pedorthic care. Licensed orthotists, prosthetists, and pedorthists shall be available to either provide care or to supervise the provision of care by nonlicensed staff;
- (6) "Licensed orthotic fitter" means a person who receives a license under this chapter to fit the following noncustom orthotic devices:
 - (a) Cervical orthoses, except those requiring more than minor modification or those used to treat an unstable cervical condition;
 - (b) Pressure gradient hose;
 - (c) Trusses;
 - (d) Prefabricated spinal orthoses, except those used in the treatment of scoliosis or unstable spinal conditions, rigid body jackets made of thermoformable materials, and "halo" devices; and
 - (e) Prefabricated orthoses of upper and lower extremities, except those used in the treatment of bone fractures and dislocations, therapeutic (diabetic) shoes or inserts, and functional electrical stimulation orthoses, such as myo-orthosis or neuroprosthesis;
- (7) "Licensed orthotist" means a person who is licensed under this chapter to practice orthotics and who represents the person to the public by title or description of services that includes the term "orthotic," "orthotist," "brace," or a similar title or description of services;
- (8) "Licensed pedorthist" means a person who is licensed under this chapter to practice pedorthics and who represents the person to the public by the title or description of services that includes the term "pedorthic," "pedorthist," or a similar title or description of services;
- (9) "Licensed prosthetist" means a person who is licensed under this chapter to practice prosthetics and who represents the person to the public by title or description of services that includes the term "prosthetic," "prosthetist,"

- "artificial limb," or a similar title or description of services;
- (10) "NCOPE" means the National Commission on Orthotic and Prosthetic Education;
 - (11) "Orthosis" means a custom-designed, fabricated, fitted, or modified device to correct, support, or compensate for a neuro-musculoskeletal disorder or acquired condition. "Orthosis" does not include fabric or elastic supports, corsets, arch supports, low-temperature plastic splints, trusses, elastic hoses, canes, crutches, soft cervical collars, dental appliances, or other similar devices that are carried in stock and sold without modification as "over-the-counter" items by a pharmacy, department store, corset shop, or surgical supply facility;
 - (12) "Orthotic and prosthetic education program" means a course of instruction accredited by CAAHEP, consisting of:
 - (a) An adequate curriculum of college level training and instruction in math, physics, biology, chemistry, and psychology; and
 - (b) A specific curriculum in orthotic or prosthetic courses, including:
 1. Lectures covering pertinent anatomy, biomechanics, pathomechanics, prosthetic-orthotic components and materials, training and functional capabilities, prosthetic or orthotic performance evaluation, prescription considerations, etiology of amputations and disease processes necessitating prosthetic or orthotic use, and medical management;
 2. Subject matter related to pediatric and geriatric problems;
 3. Instruction in acute care techniques, such as immediate and early postsurgical prosthetics and fracture-bracing techniques; and
 4. Lectures, demonstrations, and laboratory experiences related to the entire process of measuring, casting, fitting, fabricating, aligning, and completing prostheses or orthoses;
 - (13) "Orthotics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting, or servicing an orthosis, under an order from a licensed health care practitioner or provider authorized by law to issue such an order, for the correction or alleviation of neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity;
 - (14) "Orthotist" means a person who is specifically trained and educated to provide or manage the provision of a custom-designed, fabricated, modified, and fitted external orthosis to an orthotic patient, based on a clinical assessment and a prescription from a health care practitioner or provider authorized by law to write such prescriptions, to restore physiological function or cosmesis;
 - (15) "Over-the-counter device" means a prefabricated, mass-produced device that is prepackaged and requires no professional advice or judgment in either size selection or use, including fabric or elastic supports, corsets, generic arch supports, and elastic hoses;
 - (16) "Pedorthic device" means therapeutic footwear, foot orthoses, or orthotics for use at the ankle or below, below the ankle partial foot prostheses, and modified footwear made for therapeutic purposes, as prescribed by a licensed health care practitioner or provider authorized by law to issue such a prescription.

"Pedorthic device" does not include nontherapeutic accommodative inlays or nontherapeutic accommodative footwear, regardless of method of manufacture; shoe modifications made for nontherapeutic purposes; unmodified over-the-counter shoes; or prefabricated foot care products;

- (17) "Pedorthic education program" means a course of instruction accredited by NCOPE, consisting of:
 - (a) A basic curriculum of instruction in foot-related pathology of diseases, anatomy, and biomechanics;
 - (b) A specific curriculum in pedorthic courses, including lectures covering shoes, foot orthoses, and shoe modifications, pedorthic components and materials, training and functional capabilities, pedorthic performance evaluation, prescription considerations, etiology of disease processes necessitating use of pedorthic devices, medical management, and subject matter related to pediatric and geriatric problems; and
 - (c) Lectures, demonstrations, and laboratory experiences related to the entire process of measuring and casting, fitting, fabricating, aligning, and completing pedorthic devices;
- (18) "Pedorthics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting, or servicing a pedorthic device, under an order from a licensed health care practitioner or provider authorized by law to issue such an order for the correction or alleviation of neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity;
- (19) "Pedorthist" means a person who measures, designs, fabricates, fits, or services pedorthic devices and assists in the formulation of the order of pedorthic devices, as ordered by a licensed health care practitioner or provider authorized by law to issue such an order for the support or correction of disabilities caused by neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity;
- (20) "Person" means a natural person;
- (21) "Prosthesis" means a custom designed, fabricated, fitted, or modified device to replace an absent external limb, for the purpose of restoring physiological function or cosmesis. "Prosthesis" does not include artificial eyes or ears, dental appliances, artificial breasts, cosmetic devices such as artificial eyelashes or wigs, or other devices that do not have a significant impact on the musculoskeletal functions of the body;
- (22) "Prosthetics" means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting, or servicing a prosthesis, under an order from a licensed health care practitioner or provider authorized by law to issue such an order;
- (23) "Prosthetist" means a person who is specifically trained and educated to provide or manage the provision of a custom designed, fabricated, modified, and fitted external limb prosthesis to a prosthetic patient, based on a clinical assessment and a prescription from a health care practitioner or provider authorized to write such prescriptions, to restore physiological function or cosmesis;
- (24) "Prosthetist/Orthotist" means a person who practices both disciplines of

prosthetics and orthotics and who represents the person to the public by title or by description of services;

- (25) "Resident" means a person who has completed a CAAHEP accredited education program in orthotics, prosthetics, or both and is obtaining his or her clinical training in a residency accredited by NCOPE;
- (26) "Residency" means a minimum of a one-year NCOPE accredited program to acquire practical clinical training in orthotics, prosthetics, or both, in a patient care setting; and
- (27) "Supervision" means the act of critical observing and directing the work or tasks of another who may lack full knowledge of the concept at hand.

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Legislative Research Commission Note (7/15/2010) 2010 Ky. Acts ch. 109, sec. 18, provides: "Section 2 to 18 of this Act shall be known and may be cited as the 'Henry Brown Prosthetics, Orthotics, and Pedorthics Act'."