

**DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PROFESSIONAL REGULATION
2600 Board of Physical Therapists and Athletic Trainers
Statutory Authority: 24 Delaware Code,
Section 2604(1) (24 Del.C. §2604(1))
24 DE Admin. Code 2600**

PROPOSED

PUBLIC NOTICE

The Delaware Examining Board of Physical Therapists and Athletic Trainers in accordance with 24 **Del.C.** §2604(1) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the practice of physical therapy and athletic training.

A public hearing will be held on January 18, 2005 at 6:30 p.m. in the Second Floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Examining Board of Physical Therapists and Athletic Trainers, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

Proposed Rules and Regulations

13.0 Crimes substantially related to the practice of physical therapy and athletic training:

13.1 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of solicitation to commit any of the following crimes, is deemed to be substantially related to the practice of physical therapy and athletic training in the State of Delaware without regard to the place of conviction:

- 13.1.1 Offensive touching. 11 Del.C. 601.**
- 13.1.2 Aggravated menacing. 11 Del.C. §602 (b)**
- 13.1.3 Abuse of a pregnant female in the second degree. 11 Del.C. § 605.**
- 13.1.4 Abuse of a pregnant female in the first degree. 11 Del.C. §606.**
- 13.1.5 Assault in the second degree. 11 Del.C. §612**
- 13.1.6 Assault in the first degree. 11 Del.C. §613.**
- 13.1.7 Assault by abuse or neglect. 11 Del.C. §615.**
- 13.1.8 Unlawfully administering drugs. 11 Del.C. §625.**
- 13.1.9 Unlawfully administering controlled substance or counterfeit substance or narcotic drugs. 11 Del.C. §626.**
- 13.1.10 Criminally negligent homicide. 11 Del.C. §631.**
- 13.1.11 Manslaughter. 11 Del.C. §632.**
- 13.1.12 Murder by abuse or neglect in the second degree. 11 Del.C. §633**
- 13.1.13 Murder by abuse or neglect in the first degree. 11 Del.C. §634.**
- 13.1.14 Murder in the second degree; class A felony. 11 Del.C. §635.**
- 13.1.15 Murder in the first degree. 11 Del.C. §636.**
- 13.1.16 Promoting suicide. 11 Del.C. §645.**
- 13.1.17 Abortion. 11 Del.C. §651.**
- 13.1.18 Issuing abortifacient articles. 11 Del.C. §653.**
- 13.1.19 Incest. 11 Del.C. §766.**
- 13.1.20 Unlawful sexual contact in the third degree. 11 Del.C. §767.**
- 13.1.21 Unlawful sexual contact in the second degree. 11 Del.C. §768.**
- 13.1.22 Unlawful sexual contact in the first degree. 11 Del.C. §769.**
- 13.1.23 Rape in the fourth degree. 11 Del.C. §770.**
- 13.1.24 Rape in the third degree. 11 Del.C. §771.**
- 13.1.25 Rape in the second degree. 11 Del.C. §772.**
- 13.1.26 Rape in the first degree. 11 Del.C. §773.**

13.1.27 Sexual extortion. 11 Del.C. § 776.
13.1.28 Bestiality. 11 Del.C. § 777.
13.1.29 Continuous sexual abuse of a child. 11 Del.C. §778.
13.1.30 Dangerous crime against a child. 11 Del.C. §779.
13.1.31 Female genital mutilation. 11 Del.C. §780.
13.1.32 Unlawful imprisonment in the first degree. 11 Del.C. §782.
13.1.33 Kidnapping in the second degree. 11 Del.C. §783.
13.1.34 Kidnapping in the first degree. 11 Del.C. §783A.
13.1.35 Arson in the first degree. 11 Del.C. §803.
13.1.36 Burglary in the third degree. 11 Del.C. §824.
13.1.37 Burglary in the second degree. 11 Del.C. §825.
13.1.38 Burglary in the first degree. 11 Del.C. §826.
13.1.39 Robbery in the second degree. 11 Del.C. §831.
13.1.40 Robbery in the first degree. 11 Del.C. §832.
13.1.41 Carjacking in the second degree. 11 Del.C. §835.
13.1.42 Carjacking in the first degree. 11 Del.C. §836.
13.1.43 Theft; felony. 11 Del.C. §841.
13.1.44 Extortion. 11 Del.C. §846.
13.1.45 Identity theft. 11 Del.C. §854.
13.1.46 Forgery. 11 Del.C. § 861.
13.1.47 Falsifying business records. 11 Del.C. §871.
13.1.48 Tampering with public records in the second degree. 11 Del.C. §873.
13.1.49 Tampering with public records in the first degree. 11 Del.C. §876.
13.1.50 Offering a false instrument for filing. 11 Del.C. §877.
13.1.51 Issuing a false certificate. 11 Del.C. §878.
13.1.52 Reencoder and scanning devices. 11 Del.C. §903A.
13.1.53 Criminal impersonation of a police officer. 11 Del.C. §907B.
13.1.54 Insurance fraud. 11 Del.C. §913.
13.1.55 Health care fraud. 11 Del.C. §913A.
13.1.56 Dealing in children. 11 Del.C. §1100.
13.1.57 Sexual exploitation of a child. 11 Del.C. §1108.
13.1.58 Unlawfully dealing in child pornography. 11 Del.C. §1109.
13.1.59 Possession of child pornography. 11 Del.C. §1111.
13.1.60 Sexual solicitation of a child. 11 Del.C. §1112A.
13.1.61 Bribery. 11 Del.C. §1201
13.1.62 Receiving a bribe; felony. 11 Del.C. §1203.
13.1.63 Perjury in the second degree. 11 Del.C. §1222.
13.1.64 Perjury in the first degree. 11 Del.C. §1223.
13.1.65 Escape after conviction. 11 Del.C. §1253.
13.1.66 Assault in a detention facility. 11 Del.C. §1254.
13.1.67 Promoting prison contraband; felony. 11 Del.C. §1256.
13.1.68 Bribing a witness. 11 Del.C. §1261.
13.1.69 Bribe receiving by a witness. 11 Del.C. §1262.
13.1.70 Tampering with a witness. 11 Del.C. §1263.
13.1.71 Interfering with child witness; class F. 11 Del.C. §1263A.
13.1.72 Bribing a juror. 11 Del. C. §1264.
13.1.73 Bribe receiving by a juror. 11 Del.C. §1265.
13.1.74 Tampering with physical evidence. 11 Del.C. §1269.
13.1.75 Riot. 11 Del.C. §1302.
13.1.76 Hate crimes; felony. 11 Del.C. §1304.
13.1.77 Aggravated harassment. 11 Del.C. §1312.
13.1.78 Stalking; felony. 11 Del.C. §1312A.
13.1.79 Abusing a corpse. 11 Del.C. §1332.
13.1.80 Violation of privacy; felony. 11 Del.C. §1335.

- 13.1.81 Bombs, incendiary devices, Molotov cocktails and explosive devices. 11 **Del.C.** §1338.
13.1.82 Adulteration. 11 **Del.C.** §1339.
13.1.83 Promoting prostitution in the second degree. 11 **Del.C.** §1352.
13.1.84 Promoting prostitution in the first degree. 11 **Del.C.** § 1353.
13.1.85 Obscenity. 11 **Del.C.** §1361.
13.1.86 Carrying a concealed deadly weapon; Class E (if previous conviction within 5 years). 11 **Del.C.** §1442.
13.1.87 Possessing a destructive weapon. 11 **Del.C.** §1444.
13.1.88 Unlawfully dealing with a dangerous weapon; felony 11 **Del.C.** §1445.
13.1.89 Possession of a deadly weapon during commission of a felony. 11 **Del.C.** §1447.
13.1.90 Possession of a firearm during commission of a felony. 11 **Del.C.** §1447A.
13.1.91 Possession and purchase of deadly weapons by persons prohibited. 11 **Del.C.** §1448.
13.1.92 Engaging in a firearms transaction on behalf of another. 11 **Del.C.** §1455.
13.1.93 Organized Crime and Racketeering. 11 **Del.C.** §1504.
13.1.94 Victim or Witness Intimidation. 11 **Del.C.** §§3532 & 3533.
13.1.95 Abuse, neglect, mistreatment or financial exploitation of residents or patients; felony or under subsection (c). 16 **Del.C.** §1136(a), (b) and (c).
13.1.96 Prohibited acts A under the Uniform Controlled Substances Act. 16 **Del.C.** §4751(a), (b) and (c).
13.1.97 Prohibited acts B under the Uniform Controlled Substances Act. 16 **Del.C.** §4752(a) and (b).
13.1.98 Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, Lysergic Acid Diethylamide (LS.D.), designer drugs, or 3,4-methylenedioxymethamphetamine (MDMA). 16 **Del.C.** §4753A (a)(1)-(9).
13.1.99 Prohibited acts E under the Uniform Controlled Substances Act. 16 **Del.C.** §4755.(a)(1) and (2)
13.1.100 Prohibited acts under the Uniform Controlled Substances Act. 16 **Del.C.** §4756(a)(1)-(5) and (b).
13.1.101 Distribution to persons under 21 years of age. 16 **Del.C.** §4761.
13.1.102 Purchase of drugs from minors. 16 **Del.C.** §4761A
13.1.103 Operation of a vessel or boat while under the influence of intoxicating liquor and/or drugs; felony. 23 **Del.C.** §2302(a) and § 2305 (3) and (4).
13.1.104 Failure to collect or pay over tax. 30 **Del.C.** §572.
13.1.105 Driving a vehicle while under the influence or with a prohibited alcohol content; felony. 21 **Del.C.** §4177 (3) and (4).
13.1.106 Duty of driver involved in accident resulting in injury or death to any person; felony. 21 **Del.C.** §4202.
13.1.107 Prohibition of Intimidation under the Fair Housing Act; felony. 6 **Del.C.** §2581.
13.1.108 Interception of Communications Generally; Divulging Contents of Communications; felony. 11 **Del.C.** §2402
13.1.109 Breaking and Entering, Etc. to Place or Remove Equipment 11 **Del.C.** §2410.
13.1.110 Aggravated Act of Intimidation. 11 **Del.C.** §3533
13.1.111 Attempt to Intimidate. 11 **Del.C.** §3534
13.1.112 Providing false information when seeking employment in a public school. 11 **Del.C.** §8572
13.1.113 Abuse, neglect, exploitation or mistreatment of infirm adult; felony. 31 **Del.C.** §3913(a), (b) and (c).
13.2 Crimes substantially related to the practice of physical therapy and athletic training shall be deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.