

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2612

By: Leist

AS INTRODUCED

An Act relating to physical therapy; amending 59 O.S. 1991, Sections 887.17, which relates to the practice of physical therapy, and 887.2, which relates to definitions; authorizing the practice of physical therapy in accordance with certain rules promulgated by the State Board of Medical Licensure and Supervision; providing for certain limitations; and declaring an emergency.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 887.17, is amended to read as follows:

Section 887.17 ~~Any~~ A. Except as provided by subsection B of this section, any person licensed under this act as a physical therapist or physical therapist assistant shall treat human ailments by physical therapy only under the referral of a person licensed as a physician or surgeon with unlimited license and Doctors of Dentistry, Chiropractic and Podiatry, with those referrals being limited to their respective areas of training and practice. Nothing in this act shall prevent a physical therapist from performing

screening and educational procedures within the scope of physical therapy practice without a physician referral.

B. The State Board of Medical Licensure and Supervision shall promulgate rules authorizing the practice of physical therapy without the direct referral by or supervision of a licensed doctor of medicine, osteopathy, chiropractic, dentistry, or podiatry for the purpose of providing physical therapy services in accordance with the provisions of an Individual Education Program (IEP), prepared pursuant to the provisions of the Individuals with Disabilities Education Act, P.L. No. 101-476.

C. Nothing in this act shall be construed as authorization for a physical therapist or physical therapist assistant to practice any branch of the healing arts. Any person violating the provisions of this act shall be guilty of a misdemeanor as per Section 887.16 of this title.

D. The provisions of this act are not intended to limit the activities of persons legitimately engaged in the nontherapeutic administration of baths, massage, and normal exercise. This act shall not prohibit students who are enrolled in schools of physical therapy approved by the Board from performing such work as is incidental to their course of study; nor shall it prevent any student in any recognized school of the healing arts in carrying out prescribed courses of study; provided such school is a recognized institution by the statutes of Oklahoma, and its practitioners are duly licensed as prescribed by law. Nothing in this act shall apply to any person employed by an agency, bureau, or division of the federal government while in the discharge of official duties; 7i however, if such individual engages in the practice of physical therapy outside the line of official duty, he must be licensed as herein provided.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 887.2, is amended to read as follows:

Section 887.2 As used in the Physical Therapy Practice Act:

1. "Physical therapy" means the use of selected knowledge and skills in planning, organizing and directing programs for the care of individuals whose ability to function is impaired or threatened by disease or injury, encompassing preventive measures, screening, tests in aid of diagnosis by a licensed doctor of medicine, osteopathy, chiropractic, dentistry, or podiatry and evaluation and invasive or noninvasive procedures with emphasis on the skeletal system, neuromuscular and cardiopulmonary function, as it relates to physical therapy. Physical therapy includes screening or evaluations performed to determine the degree of impairment of relevant aspects such as, but not limited to, nerve and muscle function including transcutaneous bioelectrical potentials, motor development, functional capacity and respiratory or circulatory efficiency.

a. Physical therapy also includes physical therapy treatment performed upon referral by a licensed doctor of medicine, osteopathy, dentistry, chiropractic or podiatry including, but not limited to, exercises for increasing or restoring strength, endurance, coordination and range of motion, stimuli to facilitate motor activity and learning, instruction in activities of daily living and the use of assistive devices and the application of physical agents to relieve pain or alter physiological status.

b. Physical therapy also includes physical therapy treatment provided pursuant to an Individual Education Plan (IEP) in accordance with the rules promulgated by the Board pursuant to Section 887.17 of this title.

c. The use of roentgen rays and radium for diagnostic or therapeutic purposes, the use of electricity for surgical purposes, including cauterization and colonic

irrigations are not authorized under the term

"physical therapy" as used in this chapter;

2. "Physical therapist assistant" means a person who assists in the practice of physical therapy subject to the direction and supervision of a licensed physical therapist, who meets all the educational requirements, and who is licensed pursuant to the provisions of the Physical Therapy Practice Act;

3. "Licensed physical therapist" means a person who is licensed as required in the Physical Therapy Practice Act and who regularly practices physical therapy;

4. "Board" means the State Board of Medical Licensure and Supervision; and

5. "Committee" means the Physical Therapy Committee.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-8678

CLD