

1 **SENATE FLOOR VERSION**

2 February 28, 2011

3 As Amended

4 SENATE BILL NO. 675

5 By: Jolley of the Senate

6 and

7 Derby of the House

8 [regulation of physical therapy - Physical Therapy
9 Practice Act - legislative intent - modifying
10 definitions - clarifying scope of act - effective
11 date]

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

13 SECTION 1. AMENDATORY 59 O.S. 2001, Section 887.1, is
14 amended to read as follows:

15 Section 887.1 A. This act shall be known and may be cited as
16 the "Physical Therapy Practice Act".

17 B. It is the intent of the Legislature to protect the public
18 health, safety and welfare, and provide for administrative control,
19 supervision, licensure and regulation of the practice of physical
20 therapy. Further, it is the intent of the Legislature that only
21 individuals who meet and maintain prescribed standards of competence
22 and conduct may engage in the practice of physical therapy as
23 authorized by the Physical Therapy Practice Act. The Physical
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1 Therapy Practice Act shall be construed to promote the public
2 interest and to accomplish the purpose stated herein.

3 SECTION 2. AMENDATORY 59 O.S. 2001, Section 887.2, is
4 amended to read as follows:

5 Section 887.2. As used in the Physical Therapy Practice Act:

6 1. "Physical therapy" means ~~the use of selected knowledge and~~
7 ~~skills in planning, organizing and directing programs for the care~~
8 ~~of individuals whose ability to function is impaired or threatened~~
9 ~~by disease or injury, encompassing preventive measures, screening,~~
10 ~~tests in aid of diagnosis by a licensed doctor of medicine,~~
11 ~~osteopathy, chiropractic, dentistry or podiatry, or a physician~~
12 ~~assistant, and evaluation and invasive or noninvasive procedures~~
13 ~~with emphasis on the skeletal system, neuromuscular and~~
14 ~~cardiopulmonary function, as it relates to physical therapy.~~
15 ~~Physical therapy includes screening or evaluations performed to~~
16 ~~determine the degree of impairment of relevant aspects such as, but~~
17 ~~not limited to, nerve and muscle function including transcutaneous~~
18 ~~bioelectrical potentials, motor development, functional capacity and~~
19 ~~respiratory or circulatory efficiency. Physical therapy also~~
20 ~~includes physical therapy treatment performed upon referral by a~~
21 ~~licensed doctor of medicine, osteopathy, dentistry, chiropractic or~~
22 ~~podiatry, or a physician assistant including, but not limited to,~~
23 ~~exercises for increasing or restoring strength, endurance,~~
24 ~~coordination and range of motion, stimuli to facilitate motor~~

1 ~~activity and learning, instruction in activities of daily living and~~
2 ~~the use of assistive devices and the application of physical agents~~
3 ~~to relieve pain or alter physiological status. The use of roentgen~~
4 ~~rays and radium for diagnostic or therapeutic purposes, the use of~~
5 ~~electricity for surgical purposes, including cauterization and~~
6 ~~colonic irrigations are not authorized under the term "physical~~
7 ~~therapy" as used in this chapter care and services provided by or~~
8 ~~under the direction and supervision of a physical therapist who is~~
9 ~~licensed pursuant to the Physical Therapy Practice Act;~~

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

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

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

20 5. "Committee" means the Physical Therapy Committee; and

21 6. "Practice of physical therapy" means:

22 a. examining, evaluating and testing individuals with
23 mechanical, physiological and developmental
24 impairments, functional limitations and disabilities

1 or other health and movement-related conditions in
2 order to determine a diagnosis for physical therapy,
3 prognosis and plan of treatment intervention, and to
4 assess the ongoing effects of intervention,

5 b. alleviating impairments, functional limitations and
6 disabilities involving musculoskeletal, neuromuscular,
7 cardiopulmonary and integumentary function by
8 designing, implementing and modifying treatment
9 interventions that may include, but are not limited
10 to:

11 (1) therapeutic exercise,

12 (2) functional training,

13 (3) motor development,

14 (4) community or work integration or reintegration,

15 (5) functional capacity,

16 (6) manual therapy techniques,

17 (7) therapeutic massage,

18 (8) the prescription, application and fabrication of
19 assistive, adaptive, protective and supportive

20 devices and equipment,

21 (9) integumentary protection and repair techniques,

22 (10) debridement and wound care,

23 (11) physical agents or modalities,

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1 (12) mechanical and electrotherapeutic modalities,
2 including transcutaneous bioelectric potentials,
3 and

4 (13) patient-related instruction,

5 c. reducing the risk of injury, impairment, functional
6 limitation and disability, including the promotion and
7 maintenance of fitness, health and wellness in
8 populations of all ages, and

9 d. engaging in administration, consultation, education
10 and research.

11 SECTION 3. AMENDATORY 59 O.S. 2001, Section 887.17, as
12 last amended by Section 2, Chapter 26, O.S.L. 2008 (59 O.S. Supp.
13 2010, Section 887.17), is amended to read as follows:

14 Section 887.17. A. 1. Any person licensed under ~~this act~~ the
15 Physical Therapy Practice Act as a physical therapist or physical
16 therapist assistant shall treat human ailments by physical therapy
17 only under the referral of a person licensed as a physician or
18 surgeon with unlimited license, or the physician assistant of the
19 person so licensed, and Doctors of Dentistry, Chiropractic and
20 Podiatry, with those referrals being limited to their respective
21 areas of training and practice; provided, however, a physical
22 therapist may provide services within the scope of physical therapy
23 practice without a physician referral to children who receive
24 physical therapy services pursuant to the Individuals with

1 Disabilities Education Improvement Act of 2004, as may be amended,
2 and the Rehabilitation Act of 1973, Section 504, as may be amended.
3 Provided further, a plan of care developed by a person authorized to
4 provide services within the scope of the Physical Therapy Practice
5 Act shall be deemed to be a prescription for purposes of providing
6 services pursuant to the provisions of the Individuals with
7 Disabilities Education Improvement Act of 2004, as may be amended,
8 and Section 504 of the Rehabilitation Act of 1973, as may be
9 amended.

10 2. Nothing in ~~this act~~ the Physical Therapy Practice Act shall
11 prevent a physical therapist from performing screening and
12 educational procedures within the scope of physical therapy practice
13 without a physician referral.

14 3. Nothing in the Physical Therapy Practice Act shall prevent a
15 physical therapist from performing screening related to conditioning
16 or to providing education or activities in a wellness setting for
17 the purpose of injury prevention, reduction of stress or promotion
18 of fitness.

19 4. Nothing in ~~this act~~ the Physical Therapy Practice Act shall
20 be construed as authorization for a physical therapist or physical
21 therapist assistant to practice any branch of the healing art.

22 4. 5. Any person violating the provisions of ~~this act~~ the
23 Physical Therapy Practice Act shall be guilty of a misdemeanor as
24 per Section 887.16 of this title.

1 B. 1. The provisions of ~~this act~~ the Physical Therapy Practice
2 Act are not intended to limit the activities of persons legitimately
3 engaged in the nontherapeutic administration of baths, massage, and
4 normal exercise.

5 2. ~~This act~~ The Physical Therapy Practice Act shall not
6 prohibit students who are enrolled in schools of physical therapy
7 approved by the State Board of Medical Licensure and Supervision
8 from performing such work as is incidental to their course of study;
9 nor shall it prevent any student in any recognized school of the
10 healing art in carrying out prescribed courses of study; provided
11 such school is a recognized institution by the statutes of Oklahoma,
12 and its practitioners are duly licensed as prescribed by law.

13 3. Nothing in ~~this act~~ the Physical Therapy Practice Act shall
14 apply to any person employed by an agency, bureau, or division of
15 the federal government while in the discharge of official duties,
16 however, if such individual engages in the practice of physical
17 therapy outside the line of official duty, the individual must be
18 licensed as herein provided.

19 SECTION 4. This act shall become effective November 1, 2011.

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-23-11 - DO
21 PASS, As Amended and Coauthored.

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