

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1777

By: Roberts (Sean)

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5
6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2001, Sections 887.1, 887.2 and
9 887.17, as last amended by Section 2, Chapter 26,
10 O.S.L. 2008 (59 O.S. Supp. 2010, Section 887.17),
11 which relate to the Physical Therapy Practice Act;
12 establishing legislative intent; modifying
13 definitions; adding definition; providing for certain
14 interpretation; and providing an effective date.

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

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

18 Section 887.1. A. This act shall be known as the "Physical
19 Therapy Practice Act".

20 B. The Physical Therapy Practice Act is enacted for the purpose
21 of protecting the public health, safety and welfare, and provides
22 for state administrative control, supervision, licensure and
23 regulation of the practice of physical therapy. It is the intent of
24 the Legislature that only individuals who meet and maintain
prescribed standards of competence and conduct may engage in the

1 practice of physical therapy as authorized by the Physical Therapy
2 Practice Act. It is the intent of the Legislature that this act be
3 liberally construed to promote the public interest and to accomplish
4 the purpose stated herein.

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

7 Section 887.2 As used in the Physical Therapy Practice Act:

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

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

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

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

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

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

23 6. "Practice of physical therapy" means:

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- 1 a. examining, evaluating and testing individuals with
2 mechanical, physiological and developmental
3 impairments, functional limitations, and disabilities
4 or other health and movement-related conditions in
5 order to determine a diagnosis for physical therapy,
6 prognosis and plan of treatment intervention, and to
7 assess the ongoing effects of intervention, and
- 8 b. alleviating impairments, functional limitations and
9 disabilities involving musculoskeletal, neuromuscular,
10 cardiopulmonary and integumentary function by
11 designing, implementing and modifying treatment
12 interventions that may include, but are not limited
13 to: therapeutic exercise; functional training; motor
14 development; community or work integration or
15 reintegration; functional capacity; manual therapy
16 techniques; therapeutic massage; prescription,
17 application, fabrication of assistive, adaptive,
18 protective and supportive devices and equipment;
19 integumentary protection and repair techniques;
20 debridement and wound care; physical agents or
21 modalities, mechanical and electrotherapeutic
22 modalities including transcutaneous bioelectric
23 potentials; and patient-related instruction.

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

4 Section 887.17 A. 1. Any person licensed under ~~this act~~ the
5 Physical Therapy Practice Act as a physical therapist or physical
6 therapist assistant shall treat human ailments by physical therapy
7 only under the referral of a person licensed as a physician or
8 surgeon with unlimited license, or the physician assistant of the
9 person so licensed, and Doctors of Dentistry, Chiropractic and
10 Podiatry, with those referrals being limited to their respective
11 areas of training and practice; provided, however, a physical
12 therapist may provide services within the scope of physical therapy
13 practice without a physician referral to children who receive
14 physical therapy services pursuant to the Individuals with
15 Disabilities Education Improvement Act of 2004, as may be amended,
16 and the Rehabilitation Act of 1973, Section 504, as may be amended.
17 Provided further, a plan of care developed by a person authorized to
18 provide services within the scope of the Physical Therapy Practice
19 Act shall be deemed to be a prescription for purposes of providing
20 services pursuant to the provisions of the Individuals with
21 Disabilities Education Improvement Act of 2004, as may be amended,
22 and Section 504 of the Rehabilitation Act of 1973, as may be
23 amended.

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

5 3. Nothing in the Physical Therapy Practice Act shall prevent a
6 physical therapist from performing screening related to conditioning
7 or to providing education or activities in a wellness setting for
8 the purpose of injury prevention, reduction of stress, or promotion
9 of fitness without a physician referral.

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

13 4- 5. Any person violating the provisions of ~~this act~~ the
14 Physical Therapy Practice Act shall be guilty of a misdemeanor ~~as~~
15 ~~per~~ pursuant to Section 887.16 of this title.

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

20 2. ~~This act~~ The Physical Therapy Practice Act shall not
21 prohibit students who are enrolled in schools of physical therapy
22 approved by the ~~State Board of Medical Licensure and Supervision~~
23 from performing such work as is incidental to their course of study;
24 nor shall it prevent any student in any recognized school of the

1 healing art in carrying out prescribed courses of study; provided
2 such school is a recognized institution by the Statutes of Oklahoma,
3 and its practitioners are duly licensed as prescribed by law.

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

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

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