

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2687

By: Banz

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5
6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2011, Sections 887.2 and 887.17,
9 which relate to the Physical Therapy Practice Act;
10 modifying definitions; providing exception; and
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 59 O.S. 2011, Section 887.2, is
14 amended to read as follows:

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

16 1. "Physical therapy" means the care and services provided by
17 or under the direction and supervision of a physical therapist who
18 is licensed pursuant to this act;

19 2. "Practice of physical therapy" means the use of selected
20 knowledge and skills in planning, organizing and directing programs
21 for the care of individuals whose ability to function is impaired or
22 threatened by disease or injury, encompassing preventive measures,
23 screening, tests in aid of diagnosis by a licensed doctor of
24 medicine, osteopathy, chiropractic, dentistry or podiatry, or a

1 physician assistant, and evaluation and invasive or noninvasive
2 procedures with emphasis on the skeletal system, neuromuscular and
3 cardiopulmonary function, as it relates to physical therapy.
4 Physical therapy includes screening or evaluations performed to
5 determine the degree of impairment of relevant aspects such as, but
6 not limited to, nerve and muscle function including transcutaneous
7 bioelectrical potentials, motor development, functional capacity and
8 respiratory or circulatory efficiency. Physical therapy also
9 includes physical therapy treatment performed upon referral by a
10 licensed doctor of medicine, osteopathy, dentistry, chiropractic or
11 podiatry, or a physician assistant including, but not limited to,
12 exercises for increasing or restoring strength, endurance,
13 coordination and range of motion, stimuli to facilitate motor
14 activity and learning, instruction in activities of daily living and
15 the use of assistive devices and the application of physical agents
16 to relieve pain or alter physiological status. The use of roentgen
17 rays and radium for diagnostic or therapeutic purposes, the use of
18 electricity for surgical purposes, including cauterization and
19 colonic irrigations are not authorized under the term "physical
20 therapy" as used in this chapter;

21 ~~2.~~ 3. "Physical therapist assistant" means a person who assists
22 in the practice of physical therapy subject to the direction and
23 supervision of a licensed physical therapist, who meets all the

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1 educational requirements, and who is licensed pursuant to the
2 provisions of the Physical Therapy Practice Act;

3 ~~3.~~ 4. "Licensed physical therapist" means a person who is
4 licensed as required in the Physical Therapy Practice Act and who
5 regularly practices physical therapy;

6 ~~4.~~ 5. "Board" means the State Board of Medical Licensure and
7 Supervision; and

8 ~~5.~~ 6. "Committee" means the Physical Therapy Committee.

9 SECTION 2. AMENDATORY 59 O.S. 2011, Section 887.17, is
10 amended to read as follows:

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

1 Physical Therapy Practice Act shall be deemed to be a prescription
2 for purposes of providing services pursuant to the provisions of the
3 Individuals with Disabilities Education Improvement Act of 2004, as
4 may be amended, and Section 504 of the Rehabilitation Act of 1973,
5 as may be amended.

6 2. Nothing in this act shall prevent a physical therapist from
7 performing screening and educational procedures within the scope of
8 physical therapy practice without a physician referral.

9 3. Nothing in this act shall prevent a physical therapist from
10 performing services that are provided for the purpose of fitness,
11 wellness, or prevention that is not related to the treatment of an
12 injury or ailment.

13 4. Nothing in this act shall be construed as authorization for
14 a physical therapist or physical therapist assistant to practice any
15 branch of the healing art.

16 ~~4.~~ 5. Any person violating the provisions of this act shall be
17 guilty of a misdemeanor as per Section 887.16 of this title.

18 B. 1. The provisions of this act are not intended to limit the
19 activities of persons legitimately engaged in the nontherapeutic
20 administration of baths, massage, and normal exercise.

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

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

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

10 SECTION 3. This act shall become effective November 1, 2012.

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