

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1592

By: Jolley

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5
6 AS INTRODUCED

7 An Act relating to the practice of physical therapy;
8 amending 59 O.S. 2011, Sections 887.2 and 887.17,
9 which relate to the Physical Therapy Practice Act;
10 adding definition; modifying definition; permitting
11 certain activities by a physical therapist; and
12 providing an effective date.

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

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

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

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

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

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

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

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

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

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

11 3. Nothing in the Physical Therapy Practice Act shall prevent a
12 physical therapist from performing services that are provided for
13 the purpose of fitness, wellness, or prevention that is not related
14 to the treatment of an injury or ailment.

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

18 4. 5. Any person violating the provisions of ~~this act~~ the
19 Physical Therapy Practice Act shall be guilty of a misdemeanor as
20 per Section 887.16 of this title.

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

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

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

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

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