

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2341

By: Roberts (Sean)

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8 COMMITTEE SUBSTITUTE

9 An Act relating to physical therapy; amending 59 O.S.
10 2011, Section 887.17, as last amended by Section 3,
11 Chapter 324, O.S.L. 2014 (59 O.S. Supp. 2018, Section
12 887.17), which relates to referrals by physicians,
13 surgeons, or assistants thereof; broadening
14 practitioners who may make referrals; updating
15 statutory language; and providing an effective date.

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

17 SECTION 1. AMENDATORY 59 O.S. 2011, Section 887.17, as
18 last amended by Section 3, Chapter 324, O.S.L. 2014 (59 O.S. Supp.
19 2018, Section 887.17), is amended to read as follows:

20 Section 887.17 A. 1. Except for workers' compensation claims,
21 any person licensed under the Physical Therapy Practice Act as a
22 physical therapist shall be able to evaluate and treat human
23 ailments by physical therapy on a patient without a referral from a
24 licensed health care practitioner for a period not to exceed thirty
 (30) days. Treatment may be provided by a physical therapist

1 assistant under the supervision of a physical therapist. Any
2 treatment provided beyond the thirty-day period shall be only under
3 the referral of a person licensed as a physician or surgeon with
4 unlimited license, or the physician assistant of the person so
5 licensed, and Doctors of Dentistry, Chiropractic and Podiatry and an
6 Advanced Practice Registered Nurse, with those referrals being
7 limited to their respective areas of training and practice.

8 2. A physical therapist may provide services within the scope
9 of physical therapy practice without a physician referral to
10 children who receive physical therapy services pursuant to the
11 Individuals with Disabilities Education Improvement Act of 2004, as
12 may be amended, and Section 504 of the Rehabilitation Act of 1973,
13 ~~Section 504~~, as may be amended. Provided further, a plan of care
14 developed by a person authorized to provide services within the
15 scope of the Physical Therapy Practice Act shall be deemed to be a
16 prescription for purposes of providing services pursuant to the
17 provisions of the Individuals with Disabilities Education
18 Improvement Act of 2004, as may be amended, and Section 504 of the
19 Rehabilitation Act of 1973, as may be amended.

20 3. Nothing in the Physical Therapy Practice Act shall prevent a
21 physical therapist from performing screening and educational
22 procedures within the scope of physical therapy practice without a
23 physician referral.

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

5 5. Nothing in the Physical Therapy Practice Act shall be
6 construed as authorization for a physical therapist or physical
7 therapist assistant to practice any branch of the healing art.

8 6. Any person violating the provisions of the Physical Therapy
9 Practice Act shall be guilty of a misdemeanor as per Section 887.16
10 of this title.

11 B. 1. The provisions of the Physical Therapy Practice Act are
12 not intended to limit the activities of persons legitimately engaged
13 in the nontherapeutic administration of baths, massage, and normal
14 exercise.

15 2. The Physical Therapy Practice Act shall not prohibit
16 students who are enrolled in schools of physical therapy approved by
17 the State Board of Medical Licensure and Supervision from performing
18 such work as is incidental to their course of study; nor shall it
19 prevent any student in any recognized school of the healing art in
20 carrying out prescribed courses of study; provided such school is a
21 recognized institution by the statutes of Oklahoma, and its
22 practitioners are duly licensed as prescribed by law.

23 3. Nothing in the Physical Therapy Practice Act shall apply to
24 any person employed by an agency, bureau, or division of the federal

1 government while in the discharge of official duties; however, if
2 such individual engages in the practice of physical therapy outside
3 the line of official duty, the individual must be licensed as herein
4 provided.

5 SECTION 2. This act shall become effective November 1, 2019.

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7 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/21/2019 -
8 DO PASS, As Amended.
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