

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 399

By: Rosino

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5
6 AS INTRODUCED

7 An Act relating to physical therapy; amending 59 O.S.
8 2011, Section 887.17, as last amended by Section 46,
9 Chapter 475, O.S.L. 2019 (59 O.S. Supp. 2020, Section
10 887.17), which relates to referrals; extending time
11 period for treatment without referral; updating
12 statutory language; and 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 887.17, as
15 last amended by Section 46, Chapter 475, O.S.L. 2019 (59 O.S. Supp.
16 2020, Section 887.17), is amended to read as follows:

17 Section 887.17. A. 1. Except for workers' compensation
18 claims, any person licensed under the Physical Therapy Practice Act
19 as a physical therapist shall be able to evaluate and treat human
20 ailments by physical therapy on a patient without a referral from a
21 licensed health care practitioner for a period not to exceed ~~thirty~~
22 ~~(30)~~ sixty (60) days. Treatment may be provided by a physical
23 therapist assistant under the supervision of a physical therapist.
24 Any treatment provided beyond the ~~thirty-day~~ sixty-day period shall
be only under the referral of a person licensed as a physician or

1 surgeon with unlimited license, or the physician assistant of the
2 person so licensed, and Doctors of Dentistry, Chiropractic and
3 Podiatry and an Advanced Practice Registered Nurse, with those
4 referrals being limited to their respective areas of training and
5 practice.

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

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

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

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

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

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

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

21 3. Nothing in the Physical Therapy Practice Act shall apply to
22 any person employed by an agency, bureau, or division of the federal
23 government while in the discharge of official duties; however, if
24 such individual engages in the practice of physical therapy outside
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1 the line of official duty, the individual must be licensed as herein
2 provided.

3 SECTION 2. This act shall become effective November 1, 2021.

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