# An Act

ENROLLED SENATE
BILL NO. 1592

By: Jolley of the Senate

and

Banz, Roberts (Sean), Shelton, Roan and Walker of the House

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

SUBJECT: Physical Therapy Practice Act

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

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

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

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

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

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

~~2.~~ 3. "Physical therapist assistant" means a person who assists in the practice of physical therapy subject to the direction and supervision of a licensed physical therapist, who meets all the educational requirements, and who is licensed pursuant to the provisions of the Physical Therapy Practice Act;

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

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

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

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

Section 887.17. A. 1. Any person licensed under ~~this act~~ the Physical Therapy Practice Act as a physical therapist or physical therapist assistant shall treat human ailments by physical therapy only under the referral of a person licensed as a physician or

surgeon with unlimited license, or the physician assistant of the person so licensed, and Doctors of Dentistry, Chiropractic and Podiatry, with those referrals being limited to their respective areas of training and practice; provided, however, a physical therapist may provide services within the scope of physical therapy practice without a physician referral to children who receive physical therapy services pursuant to the Individuals with Disabilities Education Improvement Act of 2004, as may be amended, and the Rehabilitation Act of 1973, Section 504, as may be amended. Provided further, a plan of care developed by a person authorized to provide services within the scope of the Physical Therapy Practice Act shall be deemed to be a prescription for purposes of providing services pursuant to the provisions of the Individuals with Disabilities Education Improvement Act of 2004, as may be amended, and Section 504 of the Rehabilitation Act of 1973, as may be amended.

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

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

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

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

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

2. ~~This act~~ The Physical Therapy Practice Act shall not prohibit students who are enrolled in schools of physical therapy

approved by the State Board of Medical Licensure and Supervision from performing such work as is incidental to their course of study; nor shall it prevent any student in any recognized school of the healing art in carrying out prescribed courses of study; provided such school is a recognized institution by the statutes of Oklahoma, and its practitioners are duly licensed as prescribed by law.

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

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

Passed the Senate the 12th day of March, 2012.

Presiding Officer of the Senate

Passed the House of Representatives the 2nd day of April, 2012.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 3rd

day of April, 2012,

at 3:30 o'clock P.M.

By: Jessica R. Rogers

Approved by the Governor of the State of Oklahoma the 9th day of

April, 2012, at 1592 o'clock P.M.

Mary Fallin

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

9th day of April, 2012

at 4:57 o'clock P.M.

By: Michelle R. Day