

By Senator Grimsley

21-00474-16

2016450\_\_

1                   A bill to be entitled  
2       An act relating to physical therapy; amending s.  
3       486.021, F.S.; revising the definition of the term  
4       "practice of physical therapy"; amending s. 486.081,  
5       F.S.; providing that a licensed physical therapist who  
6       holds a specified doctoral degree may use specified  
7       letters in connection with her or his name or place of  
8       business; prohibiting a physical therapist with a  
9       specified doctoral degree from using the title  
10      "doctor" without informing the public of his or her  
11      profession as a physical therapist; amending s.  
12      486.135, F.S.; revising the terms and specified  
13      letters prohibited from being used by certain  
14      unlicensed persons; providing a criminal penalty;  
15      amending s. 486.151, F.S.; prohibiting an unlicensed  
16      person from using specified letters; providing an  
17      effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21       Section 1. Paragraph (a) of subsection (11) of section  
22       486.021, Florida Statutes, is amended to read:

23       486.021 Definitions.—In this chapter, unless the context  
24       otherwise requires, the term:

25       (11) "Practice of physical therapy" means the performance  
26       of physical therapy assessments and the treatment of any  
27       disability, injury, disease, or other health condition of human  
28       beings, or the prevention of such disability, injury, disease,  
29       or other condition of health, and rehabilitation as related

21-00474-16

2016450\_\_

30 thereto by the use of the physical, chemical, and other  
31 properties of air; electricity; exercise; massage; the  
32 performance of acupuncture only upon compliance with the  
33 criteria set forth by the Board of Medicine, when no penetration  
34 of the skin occurs; the use of radiant energy, including  
35 ultraviolet, visible, and infrared rays; ultrasound; water; the  
36 use of apparatus and equipment in the application of the  
37 foregoing or related thereto; the performance of tests of  
38 neuromuscular functions as an aid to the diagnosis or treatment  
39 of any human condition; or the performance of electromyography  
40 as an aid to the diagnosis of any human condition only upon  
41 compliance with the criteria set forth by the Board of Medicine.

42 (a) A physical therapist may implement a plan of treatment  
43 developed by the physical therapist for a patient or provided  
44 for a patient by a practitioner of record or by an advanced  
45 registered nurse practitioner licensed under s. 464.012. The  
46 physical therapist shall refer the patient to or consult with a  
47 practitioner of record if the patient's condition is found to be  
48 outside the scope of physical therapy. If physical therapy  
49 treatment for a patient is required beyond 30 ~~21~~ days for a  
50 condition not previously assessed by a practitioner of record,  
51 the physical therapist shall have ~~obtain~~ a practitioner of  
52 record ~~who will~~ review and sign the plan. The requirement that a  
53 physical therapist have a practitioner of record review and sign  
54 a plan of treatment does not apply when a patient has been  
55 physically examined by a physician licensed in another state,  
56 the patient has been diagnosed by the physician as having a  
57 condition for which physical therapy is required, and the  
58 physical therapist is treating the condition. For purposes of

21-00474-16

2016450\_\_

59 this paragraph, a health care practitioner licensed under  
60 chapter 458, chapter 459, chapter 460, chapter 461, or chapter  
61 466 and engaged in active practice is eligible to serve as a  
62 practitioner of record.

63 Section 2. Subsection (1) of section 486.081, Florida  
64 Statutes, is amended to read:

65 486.081 Physical therapist; issuance of license without  
66 examination to person passing examination of another authorized  
67 examining board; fee.—

68 (1) The board may cause a license to be issued through the  
69 department without examination to any applicant who presents  
70 evidence satisfactory to the board of having passed the American  
71 Registry Examination prior to 1971 or an examination in physical  
72 therapy before a similar lawfully authorized examining board of  
73 another state, the District of Columbia, a territory, or a  
74 foreign country, if the standards for licensure in physical  
75 therapy in such other state, district, territory, or foreign  
76 country are determined by the board to be as high as those of  
77 this state, as established by rules adopted pursuant to this  
78 chapter. Any person who holds a license pursuant to this section  
79 may use the words "physical therapist" or "physiotherapist~~7~~" or  
80 the letters "P.T.~~7~~" in connection with her or his name or place  
81 of business to denote her or his licensure hereunder. A person  
82 who holds a license pursuant to this section and obtains a  
83 doctoral degree in physical therapy may use the letters "D.P.T."  
84 and "P.T." A physical therapist who holds a degree of Doctor of  
85 Physical Therapy may not use the title "doctor" without also  
86 clearly informing the public of his or her profession as a  
87 physical therapist.

21-00474-16

2016450\_\_

88 Section 3. Subsection (1) of section 486.135, Florida  
89 Statutes, is amended, subsection (2) is renumbered as subsection  
90 (3), and a new subsection (2) is added to that section, to read:

91 486.135 False representation of licensure, or willful  
92 misrepresentation or fraudulent representation to obtain  
93 license, unlawful.—

94 (1) (a) It is unlawful for any person who is not licensed  
95 under this chapter as a physical therapist, or whose license has  
96 been suspended or revoked, to use in connection with her or his  
97 name or place of business the words "physical therapist,"  
98 "physiotherapist," "physical therapy," "physiotherapy,"  
99 "registered physical therapist," or "licensed physical  
100 therapist"; ~~or~~ the letters "P.T.," "Ph.T.," "R.P.T.," or  
101 "L.P.T.,"; or any other words, letters, abbreviations, or  
102 insignia indicating or implying that she or he is a physical  
103 therapist or to represent herself or himself as a physical  
104 therapist in any other way, orally, in writing, in print, or by  
105 sign, directly or by implication, unless physical therapy  
106 services are provided or supplied by a physical therapist  
107 licensed in accordance with this chapter.

108 (b) It is unlawful for a person who is not licensed under  
109 this chapter as a physical therapist and who does not hold a  
110 doctoral degree in physical therapy to use the letters "D.P.T."  
111 in connection with his or her name or place of business.

112 (c) ~~(b)~~ It is unlawful for any person who is not licensed  
113 under this chapter as a physical therapist assistant, or whose  
114 license has been suspended or revoked, to use in connection with  
115 her or his name the words "physical therapist assistant,"  
116 ~~"licensed physical therapist assistant," "registered physical~~

21-00474-16

2016450\_\_

117 ~~therapist assistant," or "physical therapy technician"; or the~~  
118 ~~letters "P.T.A.," "L.P.T.A.," "R.P.T.A.," or "P.T.T.";~~ or any  
119 other words, letters, abbreviations, or insignia indicating or  
120 implying that she or he is a physical therapist assistant or to  
121 represent herself or himself as a physical therapist assistant  
122 in any other way, orally, in writing, in print, or by sign,  
123 directly or by implication.

124 (2) An unlawful act under this section is a violation of s.  
125 486.151.

126 Section 4. Paragraph (d) of subsection (1) of section  
127 486.151, Florida Statutes, is amended to read:

128 486.151 Prohibited acts; penalty.—

129 (1) It is unlawful for any person to:

130 (d) Use the name or title "Physical Therapist" or "Physical  
131 Therapist Assistant" or any other name or title which would lead  
132 the public to believe that the person using the name or title is  
133 licensed to practice physical therapy, unless such person holds  
134 a valid license, or use the letters "D.P.T.," unless such person  
135 holds a valid license under this chapter and a doctoral degree  
136 in physical therapy.

137 Section 5. This act shall take effect upon becoming a law.