

1                                   A bill to be entitled  
 2           An act relating to physical therapy; amending s. 486.021,  
 3           F.S.; revising definitions; removing a provision relating  
 4           to physical therapy treatments needed beyond 21 days;  
 5           amending s. 486.135, F.S.; prohibiting unlicensed physical  
 6           therapists from using the letters "D.P.T." to represent  
 7           themselves; providing an effective date.

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 9   Be It Enacted by the Legislature of the State of Florida:

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 11           Section 1. Subsections (9), (10), and (11) of section  
 12           486.021, Florida Statutes, are amended to read:

13           486.021 Definitions.--In this chapter, unless the context  
 14           otherwise requires, the term:

15           (9) "Direct supervision" means supervision by a physical  
 16           therapist who is licensed pursuant to this chapter. Except in a  
 17           case of emergency, direct supervision requires the physical  
 18           presence of the licensed physical therapist for consultation and  
 19           direction ~~of the actions of a physical therapist or physical~~  
 20           ~~therapist assistant who is practicing under a temporary permit~~  
 21           ~~and who is a candidate for licensure by examination.~~

22           (10) "Physical therapy evaluation ~~assessment~~" means  
 23           observational, verbal, or manual determinations of the function  
 24           of the musculoskeletal or neuromuscular system relative to  
 25           physical therapy, including, but not limited to, range of motion  
 26           of a joint, motor power, postural attitudes, biomechanical  
 27           function, locomotion, or functional abilities, for the purpose

HB 1165

2007

28 | of making a physical therapy diagnosis and recommendations for  
29 | treatment.

30 |       (11) "Practice of physical therapy" means the performance  
31 | of physical therapy evaluations ~~assessments~~ and the treatment of  
32 | any disability, injury, disease, or other health condition of  
33 | human beings, or the prevention of such disability, injury,  
34 | disease, or other condition of health, and rehabilitation as  
35 | related thereto by the use of the physical, chemical, and other  
36 | properties of air; electricity; exercise; massage; the  
37 | performance of acupuncture only upon compliance with the  
38 | criteria set forth by the Board of Medicine, when no penetration  
39 | of the skin occurs; the use of radiant energy, including  
40 | ultraviolet, visible, and infrared rays; ultrasound; water; the  
41 | use of apparatus and equipment in the application of the  
42 | foregoing or related thereto; the performance of tests of  
43 | neuromuscular functions as an aid to the diagnosis or treatment  
44 | of any human condition; or the performance of electromyography  
45 | as an aid to the diagnosis of any human condition only upon  
46 | compliance with the criteria set forth by the Board of Medicine.  
47 | A physical therapist may implement a plan of treatment for a  
48 | patient. The physical therapist shall refer the patient to or  
49 | consult with a health care practitioner licensed under chapter  
50 | 458, chapter 459, chapter 460, chapter 461, or chapter 466, if  
51 | the patient's condition is found to be outside the scope of  
52 | physical therapy. ~~If physical therapy treatment for a patient is~~  
53 | ~~required beyond 21 days for a condition not previously assessed~~  
54 | ~~by a practitioner of record, the physical therapist shall obtain~~  
55 | ~~a practitioner of record who will review and sign the plan. A~~

56 ~~health care practitioner licensed under chapter 458, chapter~~  
 57 ~~459, chapter 460, chapter 461, or chapter 466 and engaged in~~  
 58 ~~active practice is eligible to serve as a practitioner of~~  
 59 ~~record.~~ The use of roentgen rays and radium for diagnostic and  
 60 therapeutic purposes and the use of electricity for surgical  
 61 purposes, including cauterization, are not authorized under the  
 62 term "physical therapy" as used in this chapter. The practice of  
 63 physical therapy as defined in this chapter does not authorize a  
 64 physical therapy practitioner to practice chiropractic medicine  
 65 as defined in chapter 460, including specific spinal  
 66 manipulation. For the performance of specific chiropractic  
 67 spinal manipulation, a physical therapist shall refer the  
 68 patient to a health care practitioner licensed under chapter  
 69 460. Nothing in this subsection authorizes a physical therapist  
 70 to implement a plan of treatment for a patient currently being  
 71 treated in a facility licensed pursuant to chapter 395.

72 Section 2. Paragraph (a) of subsection (1) of section  
 73 486.135, Florida Statutes, is amended to read:

74 486.135 False representation of licensure, or willful  
 75 misrepresentation or fraudulent representation to obtain  
 76 license, unlawful.--

77 (1)(a) It is unlawful for any person who is not licensed  
 78 under this chapter as a physical therapist, or whose license has  
 79 been suspended or revoked, to use in connection with her or his  
 80 name or place of business the words "physical therapist,"  
 81 "physiotherapist," "physical therapy," "physiotherapy,"  
 82 "registered physical therapist," or "licensed physical  
 83 therapist"; or the letters "D.P.T.," "P.T.," "Ph.T.," "R.P.T.,"

HB 1165

2007

84 or "L.P.T."; or any other words, letters, abbreviations, or  
85 insignia indicating or implying that she or he is a physical  
86 therapist or to represent herself or himself as a physical  
87 therapist in any other way, orally, in writing, in print, or by  
88 sign, directly or by implication, unless physical therapy  
89 services are provided or supplied by a physical therapist  
90 licensed in accordance with this chapter.

91 Section 3. This act shall take effect July 1, 2007.