

By Senator Justice

16-1229-07

See HB

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A bill to be entitled

An act relating to physical therapy; amending s. 486.021, F.S.; revising definitions; removing a provision relating to physical therapy treatments needed beyond 21 days; amending s. 486.135, F.S.; prohibiting unlicensed physical therapists from using the letters "D.P.T." to represent themselves; providing an effective date.

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

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

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

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

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

1 for the purpose of making a physical therapy diagnosis and
2 recommendations for treatment.

3 (11) "Practice of physical therapy" means the
4 performance of physical therapy evaluations ~~assessments~~ and
5 the treatment of any disability, injury, disease, or other
6 health condition of human beings, or the prevention of such
7 disability, injury, disease, or other condition of health, and
8 rehabilitation as related thereto by the use of the physical,
9 chemical, and other properties of air; electricity; exercise;
10 massage; the performance of acupuncture only upon compliance
11 with the criteria set forth by the Board of Medicine, when no
12 penetration of the skin occurs; the use of radiant energy,
13 including ultraviolet, visible, and infrared rays; ultrasound;
14 water; the use of apparatus and equipment in the application
15 of the foregoing or related thereto; the performance of tests
16 of neuromuscular functions as an aid to the diagnosis or
17 treatment of any human condition; or the performance of
18 electromyography as an aid to the diagnosis of any human
19 condition only upon compliance with the criteria set forth by
20 the Board of Medicine. A physical therapist may implement a
21 plan of treatment for a patient. The physical therapist shall
22 refer the patient to or consult with a health care
23 practitioner licensed under chapter 458, chapter 459, chapter
24 460, chapter 461, or chapter 466, if the patient's condition
25 is found to be outside the scope of physical therapy. ~~If~~
26 ~~physical therapy treatment for a patient is required beyond 21~~
27 ~~days for a condition not previously assessed by a practitioner~~
28 ~~of record, the physical therapist shall obtain a practitioner~~
29 ~~of record who will review and sign the plan. A health care~~
30 ~~practitioner licensed under chapter 458, chapter 459, chapter~~
31 ~~460, chapter 461, or chapter 466 and engaged in active~~

1 ~~practice is eligible to serve as a practitioner of record.~~ The
2 use of roentgen rays and radium for diagnostic and therapeutic
3 purposes and the use of electricity for surgical purposes,
4 including cauterization, are not authorized under the term
5 "physical therapy" as used in this chapter. The practice of
6 physical therapy as defined in this chapter does not authorize
7 a physical therapy practitioner to practice chiropractic
8 medicine as defined in chapter 460, including specific spinal
9 manipulation. For the performance of specific chiropractic
10 spinal manipulation, a physical therapist shall refer the
11 patient to a health care practitioner licensed under chapter
12 460. Nothing in this subsection authorizes a physical
13 therapist to implement a plan of treatment for a patient
14 currently being treated in a facility licensed pursuant to
15 chapter 395.

16 Section 2. Paragraph (a) of subsection (1) of section
17 486.135, Florida Statutes, is amended to read:

18 486.135 False representation of licensure, or willful
19 misrepresentation or fraudulent representation to obtain
20 license, unlawful.--

21 (1)(a) It is unlawful for any person who is not
22 licensed under this chapter as a physical therapist, or whose
23 license has been suspended or revoked, to use in connection
24 with her or his name or place of business the words "physical
25 therapist," "physiotherapist," "physical therapy,"
26 "physiotherapy," "registered physical therapist," or "licensed
27 physical therapist"; or the letters "D.P.T.," "P.T.," "Ph.T.,"
28 "R.P.T.," or "L.P.T."; or any other words, letters,
29 abbreviations, or insignia indicating or implying that she or
30 he is a physical therapist or to represent herself or himself
31 as a physical therapist in any other way, orally, in writing,

1 | in print, or by sign, directly or by implication, unless
2 | physical therapy services are provided or supplied by a
3 | physical therapist licensed in accordance with this chapter.

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