

By Senator Lawson

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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.
8

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

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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 criteria
38 set forth by the Board of Medicine, when no penetration of the
39 skin occurs; the use of radiant energy, including ultraviolet,
40 visible, and infrared rays; ultrasound; water; the use of
41 apparatus and equipment in the application of the foregoing or
42 related thereto; the performance of tests of neuromuscular
43 functions as an aid to the diagnosis or treatment of any human
44 condition; or the performance of electromyography as an aid to
45 the diagnosis of any human condition only upon compliance with
46 the criteria set forth by the Board of Medicine. A physical
47 therapist may implement a plan of treatment for a patient. The
48 physical therapist shall refer the patient to or consult with a
49 health care practitioner licensed under chapter 458, chapter 459,
50 chapter 460, chapter 461, or chapter 466, if the patient's
51 condition is found to be outside the scope of physical therapy.
52 ~~If physical therapy treatment for a patient is required beyond 21~~
53 ~~days for a condition not previously assessed by a practitioner of~~
54 ~~record, the physical therapist shall obtain a practitioner of~~
55 ~~record who will review and sign the plan. A health care~~
56 ~~practitioner licensed under chapter 458, chapter 459, chapter~~
57 ~~460, chapter 461, or chapter 466 and engaged in active practice~~
58 ~~is eligible to serve as a practitioner of record.~~ The use of

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59 | roentgen rays and radium for diagnostic and therapeutic purposes
60 | and the use of electricity for surgical purposes, including
61 | cauterization, are not authorized under the term "physical
62 | therapy" as used in this chapter. The practice of physical
63 | therapy as defined in this chapter does not authorize a physical
64 | therapy practitioner to practice chiropractic medicine as defined
65 | in chapter 460, including specific spinal manipulation. For the
66 | performance of specific chiropractic spinal manipulation, a
67 | physical therapist shall refer the patient to a health care
68 | practitioner licensed under chapter 460. Nothing in this
69 | subsection authorizes a physical therapist to implement a plan of
70 | treatment for a patient currently being treated in a facility
71 | 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 license,
76 | 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.,"
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

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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, 2008.