

HB 515

2015

1 A bill to be entitled

2 An act relating to physical therapy; amending s.
3 486.021, F.S.; revising the definitions of the terms
4 "physical therapist" and "practice of physical
5 therapy"; amending s. 486.025, F.S.; authorizing the
6 Board of Physical Therapy to issue advisory opinions;
7 amending s. 486.081, F.S.; revising the letters a
8 licensed physical therapist may use in connection with
9 her or his name or place of business; prohibiting a
10 physical therapist with specified doctorate degrees
11 from using the title "doctor" without informing the
12 public of his or her profession as a physical
13 therapist; amending s. 486.135, F.S.; revising the
14 terms prohibited from use by a person who is not
15 licensed as a physical therapist or physical therapist
16 assistant; prohibiting a physical therapist with
17 specified doctorate degrees from using the title
18 "doctor" without informing the public of his or her
19 profession as a physical therapist; providing an
20 effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Subsections (5) and (11) of section 486.021,
25 Florida Statutes, are amended to read:

26 486.021 Definitions.—In this chapter, unless the context

27 otherwise requires, the term:

28 (5) "Physical therapist" means a person who is licensed
 29 and who practices physical therapy in accordance with the
 30 provisions of this chapter. A physical therapist is responsible
 31 for managing all aspects of the physical therapy care of a
 32 patient. A physical therapist shall provide:

33 (a) The initial evaluation, determination of diagnosis,
 34 prognosis, treatment and intervention plan, and documentation of
 35 each patient visit.

36 (b) Periodic reevaluation of each patient and related
 37 documentation.

38 (c) Documentation of a patient's discharge from treatment,
 39 including the patient's response to treatment and intervention.

40 (d) Communication of the overall plan of care with the
 41 patient or the patient's legally authorized representative.

42 (e) Consultation with or referral of the patient to a
 43 practitioner of record if the patient's condition is found to be
 44 outside the scope of physical therapy or fails to improve within
 45 a reasonably expected time frame. For purposes of this
 46 paragraph, a health care practitioner licensed under chapter
 47 458, chapter 459, chapter 460, chapter 461, or chapter 466 and
 48 engaged in active practice is eligible to serve as a
 49 practitioner of record.

50 (11) (a) "Practice of physical therapy" means:

51 1. The examination, evaluation, and testing of patients
 52 and clients with mechanical, physiological, and developmental

53 impairments; functional limitations; disabilities; or other
54 health and movement-related conditions in order to determine a
55 diagnosis, prognosis, treatment and intervention plan, and to
56 reevaluate the ongoing effect of treatment.

57 2. Alleviating impairments, functional limitations, and
58 disabilities by designing, implementing, and modifying treatment
59 interventions that may include, but are not limited to,
60 therapeutic exercise; functional training in self-care and in
61 home; community or work integration or reintegration; manual
62 therapy, including soft tissue and joint mobilization or
63 manipulation, with the exception of specific chiropractic
64 manipulation; therapeutic massage, prescription, application,
65 and, as appropriate, fabrication of assistive, adaptive,
66 orthotic, prosthetic, protective, and supportive devices and
67 equipment; airway clearance techniques; integumentary protection
68 and repair techniques; debridement and wound care; physical
69 agents or modalities; mechanical and electrotherapeutic
70 modalities; and patient-related instruction.

71 3. Reducing the risk of injury, impairment, functional
72 limitation, and disability through methods including, but not
73 limited to, the promotion and maintenance of fitness, health,
74 and wellness in patients of all ages.

75 4. Engaging in administration, consultation, education,
76 and research ~~the performance of physical therapy assessments and~~
77 ~~the treatment of any disability, injury, disease, or other~~
78 ~~health condition of human beings, or the prevention of such~~

79 ~~disability, injury, disease, or other condition of health, and~~
80 ~~rehabilitation as related thereto by the use of the physical,~~
81 ~~chemical, and other properties of air; electricity; exercise;~~
82 ~~massage; the performance of acupuncture only upon compliance~~
83 ~~with the criteria set forth by the Board of Medicine, when no~~
84 ~~penetration of the skin occurs; the use of radiant energy,~~
85 ~~including ultraviolet, visible, and infrared rays; ultrasound;~~
86 ~~water; the use of apparatus and equipment in the application of~~
87 ~~the foregoing or related thereto; the performance of tests of~~
88 ~~neuromuscular functions as an aid to the diagnosis or treatment~~
89 ~~of any human condition; or the performance of electromyography~~
90 ~~as an aid to the diagnosis of any human condition only upon~~
91 ~~compliance with the criteria set forth by the Board of Medicine.~~

92 ~~(a) A physical therapist may implement a plan of treatment~~
93 ~~developed by the physical therapist for a patient or provided~~
94 ~~for a patient by a practitioner of record or by an advanced~~
95 ~~registered nurse practitioner licensed under s. 464.012. The~~
96 ~~physical therapist shall refer the patient to or consult with a~~
97 ~~practitioner of record if the patient's condition is found to be~~
98 ~~outside the scope of physical therapy. If physical therapy~~
99 ~~treatment for a patient is required beyond 21 days for a~~
100 ~~condition not previously assessed by a practitioner of record,~~
101 ~~the physical therapist shall obtain a practitioner of record who~~
102 ~~will review and sign the plan. For purposes of this paragraph, a~~
103 ~~health care practitioner licensed under chapter 458, chapter~~
104 ~~459, chapter 460, chapter 461, or chapter 466 and engaged in~~

105 ~~active practice is eligible to serve as a practitioner of~~
106 ~~record.~~

107 (b) The use of roentgen rays and radium for diagnostic and
108 therapeutic purposes and the use of electricity for surgical
109 purposes, including cauterization, are not "physical therapy"
110 for purposes of this chapter.

111 (c) The practice of physical therapy does not authorize a
112 physical therapy practitioner to practice chiropractic medicine
113 as defined in chapter 460, including specific spinal
114 manipulation. ~~For the performance of specific chiropractic~~
115 ~~spinal manipulation, a physical therapist shall refer the~~
116 ~~patient to a health care practitioner licensed under chapter~~
117 ~~460.~~

118 (d) This subsection does not authorize a physical
119 therapist to implement a plan of treatment for a patient
120 currently being treated in a facility licensed pursuant to
121 chapter 395.

122 Section 2. Section 486.025, Florida Statutes, is amended
123 to read:

124 486.025 Powers and duties of the Board of Physical Therapy
125 Practice.—The board may administer oaths, summon witnesses, take
126 testimony in all matters relating to its duties under this
127 chapter, establish or modify minimum standards of practice, and
128 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
129 the provisions of this chapter. The board may issue advisory
130 opinions upon request regarding the meaning or interpretation of

131 provisions in this chapter. The board may also review the
132 standing and reputability of any school or college offering
133 courses in physical therapy and whether the courses of such
134 school or college in physical therapy meet the standards
135 established by the appropriate accrediting agency referred to in
136 s. 486.031(3)(a). In determining the standing and reputability
137 of any such school and whether the school and courses meet such
138 standards, the board may investigate and make personal
139 inspection of the same.

140 Section 3. Subsection (1) of section 486.081, Florida
141 Statutes, is amended to read:

142 486.081 Physical therapist; issuance of license without
143 examination to person passing examination of another authorized
144 examining board; fee.—

145 (1) The board may cause a license to be issued through the
146 department without examination to any applicant who presents
147 evidence satisfactory to the board of having passed the American
148 Registry Examination prior to 1971 or an examination in physical
149 therapy before a similar lawfully authorized examining board of
150 another state, the District of Columbia, a territory, or a
151 foreign country, if the standards for licensure in physical
152 therapy in such other state, district, territory, or foreign
153 country are determined by the board to be as high as those of
154 this state, as established by rules adopted pursuant to this
155 chapter. Any person who holds a license pursuant to this section
156 may use the words "physical therapist" or "physiotherapist," or

157 the letters "P.T.~~7~~" or "D.P.T.", in connection with her or his
158 name or place of business to denote her or his licensure
159 hereunder. A physical therapist who holds a degree of Doctor of
160 Physical Therapy or other doctoral degree may not use the title
161 "doctor" without also clearly informing the public of his or her
162 profession as a physical therapist.

163 Section 4. Subsection (1) of section 486.135, Florida
164 Statutes, is amended to read:

165 486.135 False representation of licensure, or willful
166 misrepresentation or fraudulent representation to obtain
167 license, unlawful.—

168 (1) (a) It is unlawful for any person who is not licensed
169 under this chapter as a physical therapist, or whose license has
170 been suspended or revoked, to use in connection with her or his
171 name or place of business the words "physical therapist,"
172 "physiotherapist," "physical therapy," "physiotherapy,"
173 "registered physical therapist," or "licensed physical
174 therapist"; or the letters "P.T.~~7~~" or "D.P.T." "Ph.T.~~7~~"
175 "R.P.T." or "L.P.T."; or any other words, letters,
176 abbreviations, or insignia indicating or implying that she or he
177 is a physical therapist or to represent herself or himself as a
178 physical therapist in any other way, orally, in writing, in
179 print, or by sign, directly or by implication, unless physical
180 therapy services are provided or supplied by a physical
181 therapist licensed in accordance with this chapter. A physical
182 therapist who holds a degree of Doctor of Physical Therapy or

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183 other doctoral degree may not use the title "doctor" without
184 also clearly informing the public of his or her profession as a
185 physical therapist.

186 (b) It is unlawful for any person who is not licensed
187 under this chapter as a physical therapist assistant, or whose
188 license has been suspended or revoked, to use in connection with
189 her or his name the words "physical therapist assistant,"
190 ~~"licensed physical therapist assistant," "registered physical~~
191 ~~therapist assistant," or "physical therapy technician";~~ or the
192 letters "P.T.A.," ~~"L.P.T.A.," "R.P.T.A.," or "P.T.T.";~~ or any
193 other words, letters, abbreviations, or insignia indicating or
194 implying that she or he is a physical therapist assistant or to
195 represent herself or himself as a physical therapist assistant
196 in any other way, orally, in writing, in print, or by sign,
197 directly or by implication.

198 Section 5. This act shall take effect July 1, 2015.