

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative Stevenson offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (10) and (11) of section 486.021,
 8 Florida Statutes, are amended, and subsections (12) and (13) are
 9 added to that section, to read:

10 486.021 Definitions.—In this chapter, unless the context
 11 otherwise requires, the term:

12 (10) "Physical therapy assessment" means observational,
 13 verbal, or manual determinations of the function of the movement
 14 ~~musculoskeletal or neuromuscular~~ system relative to physical
 15 therapy, including, but not limited to, range of motion of a
 16 joint, motor power, motor control, posture ~~postural attitudes,~~

Amendment No. 1

17 biomechanical function, locomotion, or functional abilities, for
18 the purpose of physical therapy ~~making recommendations for~~
19 treatment.

20 (11) "Practice of physical therapy" means the performance
21 of physical therapy assessments and the treatment of any
22 disability, injury, disease, or other health condition of human
23 beings, or the prevention of such disability, injury, disease,
24 or other health condition of health, and the rehabilitation of
25 such disability, injury, disease, or other health condition as
26 related thereto by alleviating impairments, functional movement
27 limitations, and disabilities by designing, implementing, and
28 modifying treatment interventions through therapeutic exercise;
29 functional movement training in self-management and in-home,
30 community, or work integration or reintegration; manual therapy;
31 massage; airway clearance techniques; maintaining and restoring
32 the integumentary system and wound care; physical agent or
33 modality; mechanical or electrotherapeutic modality; patient-
34 related instruction ~~the use of the physical, chemical, and other~~
35 ~~properties of air; electricity; exercise; massage; the~~
36 ~~performance of acupuncture only upon compliance with the~~
37 ~~criteria set forth by the Board of Medicine, when no penetration~~
38 ~~of the skin occurs; the use of radiant energy, including~~
39 ~~ultraviolet, visible, and infrared rays; ultrasound; water; the~~
40 use of apparatus and equipment in the application of such
41 treatment, prevention, or rehabilitation ~~the foregoing or~~

923073 - h0467-strike.docx

Published On: 2/17/2020 7:59:23 PM

Amendment No. 1

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.

47 (a) A physical therapist may implement a plan of treatment
48 developed by the physical therapist for a patient or provided
49 for a patient by a practitioner of record or by an advanced
50 practice registered nurse licensed under s. 464.012. The
51 physical therapist shall refer the patient to or consult with a
52 practitioner of record if the patient's condition is found to be
53 outside the scope of physical therapy. If physical therapy
54 treatment for a patient is required beyond 30 days for a
55 condition not previously assessed by a practitioner of record,
56 the physical therapist shall have a practitioner of record
57 review and sign the plan. The requirement that a physical
58 therapist have a practitioner of record review and sign a plan
59 of treatment does not apply when a patient has been physically
60 examined by a physician licensed in another state, the patient
61 has been diagnosed by the physician as having a condition for
62 which physical therapy is required, and the physical therapist
63 is treating the condition. For purposes of this paragraph, a
64 health care practitioner licensed under chapter 458, chapter
65 459, chapter 460, chapter 461, or chapter 466 and engaged in

Amendment No. 1

66 active practice is eligible to serve as a practitioner of
67 record.

68 (b) The use of roentgen rays and radium for diagnostic and
69 therapeutic purposes and the use of electricity for surgical
70 purposes, including cauterization, are not "physical therapy"
71 for purposes of this chapter.

72 (c) The practice of physical therapy does not authorize a
73 physical therapy practitioner to practice chiropractic medicine
74 as defined in chapter 460, including specific spinal
75 manipulation, or acupuncture as defined in chapter 457. For the
76 performance of specific chiropractic spinal manipulation, a
77 physical therapist shall refer the patient to a health care
78 practitioner licensed under chapter 460.

79 (d) This subsection does not authorize a physical
80 therapist to implement a plan of treatment for a patient
81 currently being treated in a facility licensed pursuant to
82 chapter 395.

83 (12) "Dry needling" means a skilled technique based on
84 western medical concepts using apparatus or equipment of
85 filiform needles to stimulate a myofascial trigger point for the
86 evaluation and management of neuromusculoskeletal conditions,
87 pain, movement impairments, and disabilities.

88 (13) "Myofascial trigger point" means an irritable section
89 of the tissue often associated with palpable taut bands of
90 muscle fibers.

923073 - h0467-strike.docx

Published On: 2/17/2020 7:59:23 PM

Amendment No. 1

91 Section 2. Section 486.025, Florida Statutes, is amended
92 to read:

93 486.025 Powers and duties of the Board of Physical Therapy
94 Practice.—

95 (1) The board may administer oaths, summon witnesses, take
96 testimony in all matters relating to its duties under this
97 chapter, establish or modify minimum standards of practice of
98 physical therapy as defined in s. 486.021, including, but not
99 limited to, standards of practice for the performance of dry
100 needling by physical therapists, and adopt rules pursuant to ss.
101 120.536(1) and 120.54 to implement ~~the provisions of~~ this
102 chapter. The board may also review the standing and reputability
103 of any school or college offering courses in physical therapy
104 and whether the courses of such school or college in physical
105 therapy meet the standards established by the appropriate
106 accrediting agency referred to in s. 486.031(3)(a). In
107 determining the standing and reputability of any such school and
108 whether the school and courses meet such standards, the board
109 may investigate and personally inspect the school and courses
110 ~~make personal inspection of the same.~~

111 Section 3. Section 486.117, Florida Statutes, is created
112 to read:

113 486.117 Physical therapist; performance of dry needling.—

Amendment No. 1

114 (1) The board shall establish minimum standards of
115 practice for the performance of dry needling by physical
116 therapists, to include, at a minimum, all of the following:

117 (a) Completion of 2 years of licensed practice as a
118 physical therapist.

119 (b) Completion of 50 hours of face-to-face continuing
120 education from an entity accredited in accordance with s.
121 486.109 on the topic of dry needling which must include a
122 determination by the physical therapist instructor that the
123 physical therapist demonstrates the requisite psychomotor skills
124 to safely perform dry needling. The continuing education must
125 include instruction on all of the following areas:

126 1. Theory of dry needling.

127 2. Selection and safe handling of needles and other
128 apparatus and equipment used in dry needling, including
129 instruction on the proper handling of biohazardous waste.

130 3. Indications and contraindications for dry needling.

131 4. Psychomotor skills needed to perform dry needling.

132 5. Postintervention care, including adverse responses,
133 adverse event recordkeeping, and any reporting obligations.

134 (c)1. Completion of 25 patient sessions of dry needling
135 performed under the indirect supervision of a physical therapist
136 who holds an active license to practice physical therapy in any
137 state or the District of Columbia and who has actively practiced
138 dry needling for at least 1 year; or

Amendment No. 1

139 2. Completion of 25 patient sessions of dry needling
140 performed as a physical therapist licensed in another state or
141 in the United States Armed Forces.

142 (d) A requirement that dry needling may not be performed
143 without patient consent and must be a part of a patient's
144 documented plan of care.

145 (e) A requirement that dry needling may not be delegated
146 to any person other than a physical therapist who is authorized
147 to engage in dry needling under this chapter.

148 (2) The performance of dry needling in the practice of
149 physical therapy may not be construed to limit the scope of
150 practice of other licensed health care practitioners not
151 governed by this chapter.

152 Section 4. This act shall take effect July 1, 2020.

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T I T L E A M E N D M E N T

156

Remove line 7 and insert:

157

Practice; creating s. 486.117, F.S.; requiring the board to

158

establish minimum standards of practice for the performance of

159

dry needling by physical therapists; providing construction;

160

providing an effective date.