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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/21/2020	.	
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The Committee on Health Policy (Albritton) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(10) "Physical therapy assessment" means observational,



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11 verbal, or manual determinations of the function of the movement  
12 ~~musculoskeletal or neuromuscular~~ system relative to physical  
13 therapy, including, but not limited to, range of motion of a  
14 joint, motor power, motor control, posture ~~postural attitudes,~~  
15 biomechanical function, locomotion, or functional abilities, for  
16 the purpose of physical therapy ~~making recommendations for~~  
17 treatment.

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



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40 ~~related thereto~~; the performance of tests of neuromuscular  
41 functions as an aid to the diagnosis or treatment of any human  
42 condition; or the performance of electromyography as an aid to  
43 the diagnosis of any human condition only upon compliance with  
44 the criteria set forth by the Board of Medicine.

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

66 (b) The use of roentgen rays and radium for diagnostic and  
67 therapeutic purposes and the use of electricity for surgical  
68 purposes, including cauterization, are not "physical therapy"



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69 for purposes of this chapter.

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

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

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

85 (13) "Myofascial trigger point" means an irritable section  
86 of the tissue often associated with palpable taut bands of  
87 muscle fibers.

88 Section 2. Section 486.025, Florida Statutes, is amended to  
89 read:

90 486.025 Powers and duties of the Board of Physical Therapy  
91 Practice.—

92 (1) The board may administer oaths, summon witnesses, take  
93 testimony in all matters relating to its duties under this  
94 chapter, establish or modify minimum standards of practice of  
95 physical therapy as defined in s. 486.021, including, without  
96 limitation, standards of practice for the performance of dry  
97 needling by physical therapists, and adopt rules pursuant to ss.



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98 120.536(1) and 120.54 to implement ~~the provisions of this~~  
99 chapter. The board may also review the standing and reputability  
100 of any school or college offering courses in physical therapy  
101 and whether the courses of such school or college in physical  
102 therapy meet the standards established by the appropriate  
103 accrediting agency referred to in s. 486.031(3)(a). In  
104 determining the standing and reputability of any such school and  
105 whether the school and courses meet such standards, the board  
106 may investigate and personally inspect the school and courses  
107 ~~make personal inspection of the same.~~

108 (2) The board shall establish minimum standards of practice  
109 for the performance of dry needling by physical therapists, to  
110 include, at a minimum, all of the following:

111 (a) Completion of 2 years of licensed practice as a  
112 physical therapist.

113 (b) Completion of 50 hours of face-to-face continuing  
114 education from an entity accredited in accordance with s.  
115 486.109 on the topic of dry needling which must include a  
116 determination by the physical therapist instructor that the  
117 physical therapist demonstrates the requisite psychomotor skills  
118 to safely perform dry needling. The continuing education must  
119 include instruction on all of the following areas:

120 1. Theory of dry needling.

121 2. Selection and safe handling of needles and other  
122 apparatus and equipment used in dry needling, including  
123 instruction on the proper handling of biohazardous waste.

124 3. Indications and contraindications for dry needling.

125 4. Psychomotor skills needed to perform dry needling.

126 5. Postintervention care, including adverse responses,



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127 adverse event recordkeeping, and any reporting obligations.

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

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

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

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

142 (3) The performance of dry needling in the practice of  
143 physical therapy may not be construed to limit the scope of  
144 practice of other licensed health care practitioners not  
145 governed by this chapter.

146 Section 3. This act shall take effect July 1, 2020.

147  
148 ===== T I T L E A M E N D M E N T =====

149 And the title is amended as follows:

150 Delete everything before the enacting clause  
151 and insert:

152 A bill to be entitled  
153 An act relating to physical therapy practice; amending  
154 s. 486.021, F.S.; revising and defining terms;  
155 amending s. 486.025, F.S.; revising the powers and



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156 duties of the Board of Physical Therapy Practice;  
157 requiring the board to establish minimum standards of  
158 practice for the performance of dry needling by  
159 physical therapists; providing construction; providing  
160 an effective date.