

SB173 INTRODUCED



1 SB173
2 G5IN22C-1
3 By Senator Shelnett
4 RFD: Healthcare
5 First Read: 28-Feb-24



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SYNOPSIS:

The Physical Therapy Practice Act defines the scope of practice of physical therapists licensed in Alabama.

This bill would allow licensed physical therapists to conduct initial screenings of patients.

This bill would eliminate the requirement that physical therapy be practiced only upon a referral from a licensed physician, licensed dentist, licensed chiropractor, licensed physician assistant, or licensed certified registered nurse practitioner.

A BILL
TO BE ENTITLED
AN ACT

Relating to the practice of physical therapy; to amend Sections 34-24-191 and 34-24-210.1, Code of Alabama 1975, to allow licensed physical therapists to conduct initial screenings of patients and to eliminate the requirement that physical therapy be practiced only upon a referral from a licensed physician, licensed dentist, licensed chiropractor, licensed physician assistant, or licensed certified registered nurse practitioner.



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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. Section 34-24-191, Code of Alabama 1975, is
31 amended to read as follows:

32 "§34-24-191

33 (a) For the purposes of this article, the following
34 ~~words and phrases shall~~ terms have the following meanings
35 ~~respectively ascribed by this section:~~

36 (1) BOARD. The Board of Physical Therapy established by
37 Section 34-24-192.

38 (2) COMMISSION. The Physical Therapy Compact
39 Commission, the national administrative body whose membership
40 consists of all states that have enacted the interstate
41 compact.

42 (3) COMPACT PRIVILEGE. The authorization granted by a
43 remote state to allow a licensee from another state to
44 practice as a physical therapist or work as a physical
45 therapist assistant in the remote state under its laws and
46 rules. The practice of physical therapy occurs in the state
47 where the patient/client is located at the time of the
48 patient/client encounter.

49 (4) COMPACT PRIVILEGE HOLDER. An individual licensed as
50 a physical therapist or physical therapist assistant in a
51 compact state who has been granted a compact privilege by the
52 commission.

53 (5) FOREIGN EDUCATED PHYSICAL THERAPIST. A person
54 trained or educated in the practice of physical therapy
55 outside of the United States or any of its territorial
56 possessions.



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57 (6) IMPAIRED. The inability of a physical therapy
58 licensee to practice physical therapy with reasonable skill
59 and safety to patients by reason of illness, inebriation,
60 excessive use of drugs, narcotics, alcohol, chemicals, or
61 other substances, or as a result of any physical or mental
62 condition.

63 (7) PHYSICAL THERAPIST. A person who practices physical
64 therapy.

65 (8) PHYSICAL THERAPIST ASSISTANT. A person who assists
66 in the practice of physical therapy and whose activities
67 require an understanding of physical therapy but do not
68 require professional or advanced training in the anatomical,
69 biological, and physical sciences involved in the practice of
70 physical therapy. The physical therapist assistant shall
71 practice only under the direction of a licensed physical
72 therapist.

73 (9) PHYSICAL THERAPY. The treatment of a human being by
74 the use of exercise, massage, heat, cold, water, radiant
75 energy, electricity, or sound for the purpose of correcting or
76 alleviating any physical or mental condition or preventing the
77 development of any physical or mental disability, or the
78 performance of neuromuscular-skeletal tests and measurements
79 to determine the existence and extent of body malfunction;
80 ~~provided, that physical therapy shall be practiced only upon~~
81 ~~the referral of a physician licensed to practice medicine or~~
82 ~~surgery, a dentist licensed to practice dentistry, a licensed~~
83 ~~chiropractor, a licensed assistant to a physician acting~~
84 ~~pursuant to a valid supervisory agreement, or a licensed~~



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85 ~~certified registered nurse practitioner in a collaborative~~
86 ~~practice agreement with a licensed physician, except as~~
87 ~~otherwise provided in this chapter.~~ Physical therapy does not
88 include radiology or electrosurgery.

89 (10) PHYSICAL THERAPY AIDE. A person trained under the
90 direction of a physical therapist who performs designated and
91 supervised routine tasks related to physical therapy services.

92 (11) PHYSICAL THERAPY LICENSEE. A physical therapist or
93 physical therapist assistant who is licensed under this
94 article.

95 (12) PHYSIOTHERAPIST. Synonymous with the term
96 "physical therapist," and the term shall be used to identify
97 only those persons licensed under this article. The physical
98 therapist may use the letters "P.T." or "R.P.T." in connection
99 with his or her name or place of business to denote his or her
100 registration hereunder.

101 (13) RESTRICTED LICENSE.

102 a. For a physical therapist, a license on which the
103 board has placed restrictions or conditions, or both, as to
104 the scope of practice, place of practice, supervision of
105 practice, duration of licensed status, or type or condition of
106 patient to whom the physical therapist may provide services.

107 b. For a physical therapist assistant, a license on
108 which the board has placed any restriction.

109 (b) Words importing the masculine gender shall include
110 the feminine."

111 Section 2. Section 34-24-210.1, Code of Alabama 1975,
112 is amended to read as follows:



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113 "§34-24-210.1

114 ~~(a) Without prescription or referral, a licensed~~
115 ~~physical therapist or compact privilege holder may perform an~~
116 ~~initial evaluation or consultation of a screening nature to~~
117 ~~determine the need for physical therapy and may perform the~~
118 ~~physical therapy and other services provided in subdivisions~~
119 ~~(b) (1) through (5). Implementation of physical therapy shall~~
120 ~~otherwise be based on the referral of a person licensed to~~
121 ~~practice medicine, surgery, dentistry, chiropractic, licensed~~
122 ~~assistant to a physician acting pursuant to a valid~~
123 ~~supervising agreement, or a licensed certified registered~~
124 ~~nurse practitioner in a valid collaborative practice agreement~~
125 ~~with a licensed physician.~~

126 ~~(b) The physical therapy and other services referred to~~
127 ~~in subsection (a), which may be performed without prescription~~
128 ~~or referral, include and are limited to the following:~~

129 ~~(1) To a child with a diagnosed developmental~~
130 ~~disability pursuant to the plan of care for the child.~~

131 ~~(2) To a patient of a home health care agency pursuant~~
132 ~~to the plan of care for the patient.~~

133 ~~(3) To a patient in a nursing home pursuant to the plan~~
134 ~~of care for the patient.~~

135 ~~(4) Related to conditioning or to providing education~~
136 ~~or activities in a wellness setting for the purpose of injury~~
137 ~~prevention, reduction of stress, or promotion of fitness.~~

138 ~~(5) To an individual for a previously diagnosed~~
139 ~~condition or conditions for which physical therapy services~~
140 ~~are appropriate after informing the health care provider~~



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141 ~~rendering the diagnosis. The diagnosis shall have been made~~
142 ~~within the immediately preceding 90 days. The physical~~
143 ~~therapist shall provide the health care provider who rendered~~
144 ~~the diagnosis with a plan of care for physical therapy~~
145 ~~services within the first 15 days of physical therapy~~
146 ~~intervention.~~ A licensed physical therapist may perform an
147 initial evaluation or consultation of a screening nature to
148 determine the need for physical therapy, establish a plan of
149 care, and initiate physical therapy services as appropriate.
150 The physical therapist shall refer patients to other providers
151 as needed. If a referral is received, a plan of care will be
152 sent to the referring provider."

153 Section 3. This act shall become effective on October
154 1, 2024.