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CS/CS/CS/HB 799, Engrossed 1

2012 Legislature

1  
 2 An act relating to physical therapy; creating ss.  
 3 486.0715 and 486.1065, F.S.; authorizing issuance of a  
 4 temporary permit to practice as a physical therapist  
 5 or physical therapist assistant; providing  
 6 requirements for issuing a temporary permit; providing  
 7 for voiding of a temporary permit; providing  
 8 requirements for the supervision of temporary  
 9 permittees; amending s. 486.151, F.S.; prohibiting  
 10 certain acts concerning temporary permits; providing  
 11 an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15 Section 1. Section 486.0715, Florida Statutes, is created  
 16 to read:

17 486.0715 Physical therapist; issuance of temporary  
 18 permit.-

19 (1) The board shall issue a temporary physical therapist  
 20 permit to an applicant who meets the following requirements:

21 (a) Completes an application for a temporary permit on a  
 22 form approved by the department.

23 (b) Is a graduate of an approved United States physical  
 24 therapy educational program and meets all the eligibility  
 25 requirements for licensure under ch. 456, s. 486.031(1)-(3)(a),  
 26 and related rules, except passage of a national examination  
 27 approved by the board is not required.

28 (c) Submits an application for licensure under s. 486.041.

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29           (d) Demonstrates proof of possessing malpractice  
 30 insurance.

31           (e) Submits documentation, under rules adopted by the  
 32 board, verifying that the applicant will practice under the  
 33 direct supervision of a licensed physical therapist as provided  
 34 in subsection (3).

35           (2) A temporary permit is not renewable and is valid until  
 36 a license is granted by the board. A temporary permit is void if  
 37 the permittee does not pass a national examination approved by  
 38 the board within 6 months after the date of graduation from a  
 39 physical therapy training program.

40           (3) An applicant for a temporary permit may not work as a  
 41 physical therapist until a temporary permit is issued by the  
 42 board. A physical therapist who is practicing under a temporary  
 43 permit must do so under the direct supervision of a licensed  
 44 physical therapist. A supervising physical therapist shall  
 45 supervise only one permittee at any given time. The supervising  
 46 physical therapist must be licensed for a minimum of 6 months  
 47 before the supervision period begins and must cosign all patient  
 48 records produced by the physical therapist who is practicing  
 49 under a temporary permit.

50           Section 2. Section 486.1065, Florida Statutes, is created  
 51 to read:

52           486.1065 Physical therapist assistant; issuance of  
 53 temporary permit.—

54           (1) The board shall issue a temporary physical therapist  
 55 assistant permit to an applicant who meets the following  
 56 requirements:

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57 (a) Completes an application for a temporary permit on a  
 58 form approved by the department.

59 (b) Is a graduate of an approved United States physical  
 60 therapy assistant educational program and meets all the  
 61 eligibility requirements for licensure under ch. 456, s.  
 62 486.102(1)-(3)(a), and related rules, except passage of a  
 63 national examination approved by the board is not required.

64 (c) Submits an application for licensure under s. 486.103.

65 (d) Demonstrates proof of possessing malpractice  
 66 insurance.

67 (e) Submits documentation, under rules adopted by the  
 68 board, verifying that the applicant will practice under the  
 69 direct supervision of a licensed physical therapist as provided  
 70 in subsection (3).

71 (2) A temporary permit is not renewable and is valid until  
 72 a license is granted by the board. A temporary permit is void if  
 73 the permittee does not pass a national examination approved by  
 74 the board within 6 months after the date of graduation from a  
 75 physical therapy assistant training program.

76 (3) An applicant for a temporary permit may not work as a  
 77 physical therapist assistant until a temporary permit is issued  
 78 by the board. A physical therapist assistant who is practicing  
 79 under a temporary permit must do so under the direct supervision  
 80 of a licensed physical therapist. A supervising physical  
 81 therapist shall supervise only one permittee at any given time.  
 82 The supervising physical therapist must be licensed for a  
 83 minimum of 6 months before the supervision period begins and  
 84 must cosign all patient records produced by the physical

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85 therapist assistant who is practicing under a temporary permit.

86 Section 3. Subsection (1) of section 486.151, Florida  
87 Statutes, is amended to read:

88 486.151 Prohibited acts; penalty.—

89 (1) It is unlawful for any person to:

90 (a) Practice physical therapy or attempt to practice  
91 physical therapy without an active license or temporary permit.

92 (b) Use or attempt to use a license or temporary permit to  
93 practice physical therapy which is suspended, ~~or~~ revoked, or  
94 void.

95 (c) Obtain or attempt to obtain a license or temporary  
96 permit to practice physical therapy by fraudulent  
97 misrepresentation.

98 (d) Use the name or title "Physical Therapist" or  
99 "Physical Therapist Assistant" or any other name or title which  
100 would lead the public to believe that the person using the name  
101 or title is licensed to practice physical therapy, unless such  
102 person holds a valid license.

103 (e) Make any willfully false oath or affirmation whenever  
104 an oath or affirmation is required by this chapter.

105 (f) Knowingly conceal information relating to violations  
106 of this chapter.

107 Section 4. This act shall take effect June 1, 2012.