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HOUSE BILL 1042

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State of Washington

64th Legislature

2015 Regular Session

By Representative Cody

Prefiled 12/10/14.

1 AN ACT Relating to clarifying that the physical therapist scope  
2 of practice does not include dry needling; and reenacting and  
3 amending RCW 18.74.010.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.74.010 and 2014 c 116 s 3 are each reenacted and  
6 amended to read as follows:

7 The definitions in this section apply throughout this chapter  
8 unless the context clearly requires otherwise.

9 (1) "Authorized health care practitioner" means and includes  
10 licensed physicians, osteopathic physicians, chiropractors,  
11 naturopaths, podiatric physicians and surgeons, dentists, and  
12 advanced registered nurse practitioners: PROVIDED, HOWEVER, That  
13 nothing herein shall be construed as altering the scope of practice  
14 of such practitioners as defined in their respective licensure laws.

15 (2) "Board" means the board of physical therapy created by RCW  
16 18.74.020.

17 (3) "Close supervision" means that the supervisor has personally  
18 diagnosed the condition to be treated and has personally authorized  
19 the procedures to be performed. The supervisor is continuously on-  
20 site and physically present in the operatory while the procedures are

1 performed and capable of responding immediately in the event of an  
2 emergency.

3 (4) "Department" means the department of health.

4 (5) "Direct supervision" means the supervisor must (a) be  
5 continuously on-site and present in the department or facility where  
6 the person being supervised is performing services; (b) be  
7 immediately available to assist the person being supervised in the  
8 services being performed; and (c) maintain continued involvement in  
9 appropriate aspects of each treatment session in which a component of  
10 treatment is delegated to assistive personnel or is required to be  
11 directly supervised under RCW 18.74.190.

12 (6) "Dry needling" means the insertion of a solid filament needle  
13 through the skin for a therapeutic effect. "Dry needling" includes  
14 practices known as intramuscular stimulation, intramuscular manual  
15 therapy, trigger point dry needling, and intramuscular needling.

16 (7) "Indirect supervision" means the supervisor is not on the  
17 premises, but has given either written or oral instructions for  
18 treatment of the patient and the patient has been examined by the  
19 physical therapist at such time as acceptable health care practice  
20 requires and consistent with the particular delegated health care  
21 task.

22 ~~((+7))~~ (8) "Physical therapist" means a person who meets all the  
23 requirements of this chapter and is licensed in this state to  
24 practice physical therapy.

25 ~~((+8))~~ (9)(a) "Physical therapist assistant" means a person who  
26 meets all the requirements of this chapter and is licensed as a  
27 physical therapist assistant and who performs physical therapy  
28 procedures and related tasks that have been selected and delegated  
29 only by the supervising physical therapist. However, a physical  
30 therapist may not delegate sharp debridement to a physical therapist  
31 assistant.

32 (b) "Physical therapy aide" means a person who is involved in  
33 direct physical therapy patient care who does not meet the definition  
34 of a physical therapist or physical therapist assistant and receives  
35 ongoing on-the-job training.

36 (c) "Other assistive personnel" means other trained or educated  
37 health care personnel, not defined in (a) or (b) of this subsection,  
38 who perform specific designated tasks related to physical therapy  
39 under the supervision of a physical therapist, including but not  
40 limited to licensed massage practitioners, athletic trainers, and

1 exercise physiologists. At the direction of the supervising physical  
2 therapist, and if properly credentialed and not prohibited by any  
3 other law, other assistive personnel may be identified by the title  
4 specific to their training or education.

5 ~~((9))~~ (10) "Physical therapy" means the care and services  
6 provided by or under the direction and supervision of a physical  
7 therapist licensed by the state. Except as provided in RCW 18.74.190,  
8 the use of Roentgen rays and radium for diagnostic and therapeutic  
9 purposes, the use of electricity for surgical purposes, including  
10 cauterization, dry needling, and the use of spinal manipulation, or  
11 manipulative mobilization of the spine and its immediate  
12 articulations, are not included under the term "physical therapy" as  
13 used in this chapter.

14 ~~((10))~~ (11) "Practice of physical therapy" is based on movement  
15 science and means:

16 (a) Examining, evaluating, and testing individuals with  
17 mechanical, physiological, and developmental impairments, functional  
18 limitations in movement, and disability or other health and movement-  
19 related conditions in order to determine a diagnosis, prognosis, plan  
20 of therapeutic intervention, and to assess and document the ongoing  
21 effects of intervention;

22 (b) Alleviating impairments and functional limitations in  
23 movement by designing, implementing, and modifying therapeutic  
24 interventions that include therapeutic exercise; functional training  
25 related to balance, posture, and movement to facilitate self-care and  
26 reintegration into home, community, or work; manual therapy including  
27 soft tissue and joint mobilization and manipulation; therapeutic  
28 massage; assistive, adaptive, protective, and devices related to  
29 postural control and mobility except as restricted by (c) of this  
30 subsection; airway clearance techniques; physical agents or  
31 modalities; mechanical and electrotherapeutic modalities; and  
32 patient-related instruction;

33 (c) Training for, and the evaluation of, the function of a  
34 patient wearing an orthosis or prosthesis as defined in RCW  
35 18.200.010. Physical therapists may provide those direct-formed and  
36 prefabricated upper limb, knee, and ankle-foot orthoses, but not  
37 fracture orthoses except those for hand, wrist, ankle, and foot  
38 fractures, and assistive technology devices specified in RCW  
39 18.200.010 as exemptions from the defined scope of licensed orthotic  
40 and prosthetic services. It is the intent of the legislature that the

1 unregulated devices specified in RCW 18.200.010 are in the public  
2 domain to the extent that they may be provided in common with  
3 individuals or other health providers, whether unregulated or  
4 regulated under this title (~~(18-RCW)~~), without regard to any scope of  
5 practice;

6 (d) Performing wound care services that are limited to sharp  
7 debridement, debridement with other agents, dry dressings, wet  
8 dressings, topical agents including enzymes, hydrotherapy, electrical  
9 stimulation, ultrasound, and other similar treatments. Physical  
10 therapists may not delegate sharp debridement. A physical therapist  
11 may perform wound care services only by referral from or after  
12 consultation with an authorized health care practitioner;

13 (e) Reducing the risk of injury, impairment, functional  
14 limitation, and disability related to movement, including the  
15 promotion and maintenance of fitness, health, and quality of life in  
16 all age populations; and

17 (f) Engaging in administration, consultation, education, and  
18 research.

19 (~~(11)~~) (12) "Secretary" means the secretary of health.

20 (~~(12)~~) (13) "Sharp debridement" means the removal of  
21 devitalized tissue from a wound with scissors, scalpel, and tweezers  
22 without anesthesia. "Sharp debridement" does not mean surgical  
23 debridement. A physical therapist may perform sharp debridement, to  
24 include the use of a scalpel, only upon showing evidence of adequate  
25 education and training as established by rule. Until the rules are  
26 established, but no later than July 1, 2006, physical therapists  
27 licensed under this chapter who perform sharp debridement as of July  
28 24, 2005, shall submit to the secretary an affidavit that includes  
29 evidence of adequate education and training in sharp debridement,  
30 including the use of a scalpel.

31 (~~(13)~~) (14) "Spinal manipulation" includes spinal manipulation,  
32 spinal manipulative therapy, high velocity thrust maneuvers, and  
33 grade five mobilization of the spine and its immediate articulations.

34 (~~(14)~~) (15) Words importing the masculine gender may be applied  
35 to females.

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