

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H2/21/97 S3/4/97 S3/7/97

A Bill

HOUSE BILL 1415

5 By: Representatives Molinaro, Wren, Judy Smith, Roberts, Horn, Wallis, Willems, Bryant, Stalnaker, Bennett, Dietz, Curran, Hendren,
6 Kidd, Johnson, Fletcher, and Booker

For An Act To Be Entitled

10 "AN ACT TO REDEFINE THE TERMS PHYSICAL THERAPIST, PHYSICAL
11 THERAPY PRACTICE, AND PHYSICAL THERAPY AIDE; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "TO REDEFINE THE TERMS PHYSICAL
16 THERAPIST, PHYSICAL THERAPY PRACTICE,
17 AND PHYSICAL THERAPY AIDE."

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21 SECTION 1. Arkansas Code 17-93-102 is amended to read as follows:

22 "17-93-102. Definitions.

23 As used in this chapter, unless the context otherwise requires:

24 (1) Practice of Physical physical therapy means: ~~the treatment of a~~
25 ~~human being by the use of exercise, massage, heat or cold, air, light, water,~~
26 ~~electricity, or sound for the purpose of correcting or alleviating any~~
27 ~~physical or mental condition, or preventing the development of any physical or~~
28 ~~mental disability, or the performance of tests of neuromuscular function as an~~
29 ~~aid to the diagnosis or treatment of any human condition. However, physical~~
30 ~~therapy shall not include radiology or electrosurgery;~~

31 (A) Examining and evaluating patients with mechanical,
32 physiological and developmental impairments, functional limitations, and
33 disability or other health-related conditions in order to determine a physical
34 therapy diagnosis, prognosis, and planned therapeutic intervention.

35 (B) Alleviating impairments and functional limitations by
36 designing, implementing, and modifying therapeutic interventions that include:

1 therapeutic exercise, functional training in self care as it relates to
 2 patient mobility and community access, manual therapy techniques, including
 3 soft tissue massage, manual traction, connective tissue massage, therapeutic
 4 massage, and mobilization (passive movement accomplished within normal range
 5 of motion of the joint, but excluding spinal manipulation and adjustment),
 6 assistive and adaptive devices and equipment as it relates to patient mobility
 7 and community access, physical agents, mechanical and electrotherapeutic
 8 modalities, and patient-related instruction. The therapeutic intervention of
 9 bronchopulmonary hygiene, and debridement and wound care requires a physician
 10 referral prior to initiation of treatment. Physical therapy shall not include
 11 radiology or electrosurgery.

12 (C) Preventing injury, impairments, functional limitations, and
 13 disability, including the promotion and maintenance of fitness, health, and
 14 quality of life in all age populations.

15 (D) Engaging in consultation, testing, education and research.

16 (2) Physical therapist means a person who practices physical therapy
 17 as defined in this chapter ~~under the referral of a licensed practitioner~~
 18 having successfully completed a curriculum of physical therapy as accredited
 19 by the Commission of Accreditation for Physical Therapy Education and having
 20 passed a nationally recognized licensing examination;

21 (3) Board means the Arkansas State Board of Physical Therapy;

22 (4) Physical therapist assistant means a person who assists in the
 23 practice of physical therapy under the ~~frequent~~ supervision of a physical
 24 therapist and ~~whose activities require an understanding of physical therapy~~
 25 ~~but do not require professional or advanced training in the anatomical,~~
 26 ~~biological, and physical sciences involved in the practice of physical~~
 27 ~~therapy.~~ who has graduated from an accredited physical therapist assistant
 28 program and who has passed a nationally recognized licensing examination.

29 ~~_____ (A) The definition of frequent will be established by the State~~
 30 ~~Examining Committee for Physical Therapists.~~

31 ~~_____ (B)~~(A) The physical therapist assistant's function is:

32 (i) To assist the physical therapist in the patient-related
 33 activities;

34 (ii) To perform procedures delegated to him by the licensed
 35 physical therapists that are commensurate with his education and training;

36 (iii) To function as a participating team member who

1 contributes to total patient care and assists the physical therapist in
2 carrying out complete procedures and programs; and

3 ~~_____ (iv) To perform treatment procedures in accordance with the~~
4 ~~physician's referral; and~~

5 ~~_____ (v)(iv) To observe and report to his supervisor conditions,~~
6 ~~reactions, and responses related to his assigned duties.~~

7 ~~_____ (C)(B) The physical therapist assistant shall not interpret the~~
8 ~~physician's referral or orders, perform evaluation procedures, or assume~~
9 ~~responsibility for planning patient care; and~~

10 (5) Physical therapy aide means an unlicensed member of the physical
11 therapy team who ~~may perform under direct supervision of a registered physical~~
12 ~~therapist ("direct" is defined as readily available for patient care but not~~
13 ~~necessarily on the premises):-~~

14 ~~_____ (A) Those procedures designated by the Health Care Financing~~
15 ~~Administration of the United States Department of Health and Human Services as~~
16 ~~not requiring either the services of a licensed physical therapist or a~~
17 ~~licensed physical therapist assistant but which may be reimbursed through a~~
18 ~~physical therapy cost center; and~~

19 ~~_____ (B) Those other duties and responsibilities which may be assigned by~~
20 ~~the registered physical therapist in charge of the service, may perform~~
21 ~~treatments reviewed and supervised weekly by an on-site physical therapist or~~
22 ~~physical therapist assistant."~~

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24 SECTION 2. Subchapter 3 of Chapter 93 of Title 17 is amended by adding
25 the following new sections:

26 17-93-312. Continuing education requirements.

27 (a)(1) A licensed physical therapist shall complete two (2) continuing
28 education units (CEUs), equivalent to twenty (20) contact hours, in each
29 biennium.

30 (2) A licensed physical therapist assistant shall complete one
31 (1) continuing education unit (CEU), equivalent to ten (10) contact hours, in
32 each biennium.

33 (b) The board shall approve continuing education units (CEUs) and their
34 program content.

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36 17-93-313. Notice of malpractice.

1 (a) Every physical therapist and physical therapist assistant, within
2 ten (10) days after receipt of notification of a claim or a filing of a
3 lawsuit against him for malpractice, shall notify the board of the claim or
4 lawsuit.

5 (b) The board shall prepare and adopt regulations as are necessary and
6 proper to assure compliance with this section.

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8 SECTION 3. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 4. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 5. All laws and parts of laws in conflict with this act are
19 hereby repealed

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/s/Rep. Molinaro et al

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