

SENATE BILL REPORT

ESSB 5292

As Passed Senate, March 13, 2007

Title: An act relating to physical therapist assistants.

Brief Description: Requiring the licensing of physical therapist assistants.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Fairley, Roach, Kohl-Welles, Keiser and Parlette).

Brief History:

Committee Activity: Health & Long-Term Care: 1/25/07, 2/12/07 [DPS].

Passed Senate: 3/13/07, 44-3.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5292 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Carrell, Fairley, Kohl-Welles, Marr and Parlette.

Staff: Edith Rice (786-7444)

Background: Physical therapists are licensed by the State of Washington to examine, evaluate, and test individuals with mechanical, physiological, and functional impairments. They are licensed to use a variety of therapeutic interventions to alleviate these impairments. Some examples are the design of therapeutic exercise, massage, or training relating to posture or movement. Physical therapists must pass an exam administered by the State Board of Physical Therapy in order to receive a license.

Current law defines a physical therapist assistant as a person who has successfully completed a board of physical therapy approved physical therapist assistant program. A physical therapist assistant is not required to be licensed.

Summary of Engrossed Substitute Bill: A physical therapy assistant is defined as one who performs physical therapy procedures and tasks delegated by a supervising physical therapist. A physical therapy assistant must be of good moral character, have successfully completed a board-approved physical therapist assistant program, and pass a board-approved physical therapist assistant examination in order to be licensed.

The state board of physical therapy must include a licensed physical therapist assistant as a member. Provisions are made for licensure of those physical therapist assistants who are

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licensed in another state if the qualification for the applicant were substantially equal to qualifications under this chapter. Provisions are made for license renewal, inactive status, use of the title "physical therapist assistant," and exemption from licensure.

A new section is added that clarifies that insurers are not required to contract with physical therapist assistants; the requirements that health carriers permit every category of provider do not apply to physical therapist assistants. A definition is provided for indirect supervision. The word "assistive" replaces "supportive." Instead of taking effect 90 days after session, Section 2 takes effect December 1, 2008, and the remainder of the bill takes effect July 1, 2008.

Appropriation: None.

Fiscal Note: Requested on January 20, 2007.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: People undergoing medical procedures can be easily injured by someone who is untrained. We need experienced, trained physical therapy assistants working with patients who need physical therapy. Citizens should be protected and requiring licensure will ensure that physical therapy assistants are accountable. Washington is one of few states that doesn't require licensure of physical therapy assistants and is becoming a haven for those who have had problems in other states. Physical therapy assistants work as a team and are indirectly supervised by a physical therapist.

OTHER: This could make contracting with every category of provider even more complex. Physical therapy assistant licensing has gone through the sunrise review process in 1992 and 1999, in which the public benefit is balanced against the risk to the public for not requiring licensure. Licensure was not recommended either time. If there appears to be a need and the situation has changed, another sunrise review could be done.

Persons Testifying: PRO: Senator Fairley, prime sponsor; Melissa Johnson, Physical Therapy Association of Washington; Anna Neil, Rich Bettesworth, Physical Therapy Association of Washington.

OTHER: Nancy Wildermuth, Regence Blue Shield; Laurie Jinkins, Department of Health.