
HOUSE BILL 2951

State of Washington 56th Legislature 2000 Regular Session

By Representatives Veloria, Edmonds, Cody, Kagi, Mitchell and Santos

Read first time 01/24/2000. Referred to Committee on Health Care.

1 AN ACT Relating to physical therapy; amending RCW 18.74.005,
2 18.74.010, and 18.74.012; adding new sections to chapter 18.74 RCW;
3 repealing RCW 18.74.085; and providing an expiration date.

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

5 **Sec. 1.** RCW 18.74.005 and 1983 c 116 s 1 are each amended to read
6 as follows:

7 (~~In order to safeguard the public safety and welfare, to protect~~
8 ~~the public from being misled by incompetent, unethical, and~~
9 ~~unauthorized persons, and to assure the highest degree of professional~~
10 ~~conduct and competency, it is the purpose of this chapter to strengthen~~
11 ~~existing regulation of persons offering physical therapy services to~~
12 ~~the public.)) The purpose of this chapter is to protect the public
13 health, safety, and welfare, and to provide for state administrative
14 control, supervision, licensure, and regulation of the practice of
15 physical therapy. It is the intent of the legislature that only
16 individuals who meet and maintain prescribed standards of competence
17 and conduct be allowed to engage in the practice of physical therapy as
18 defined and authorized by this chapter. This chapter shall be~~

1 liberally construed to promote the public interest and to accomplish
2 its purpose.

3 **Sec. 2.** RCW 18.74.010 and 1997 c 275 s 8 are each amended to read
4 as follows:

5 Unless the context otherwise requires, the definitions in this
6 section apply throughout this chapter.

7 (1) "Board" means the board of physical therapy created by RCW
8 18.74.020.

9 (2) "Department" means the department of health.

10 (3) "Physical therapy" means the ~~((treatment of any bodily or~~
11 ~~mental condition of any person by the use of the physical, chemical,~~
12 ~~and other properties of heat, cold, air, light, water, electricity,~~
13 ~~sound, massage, and therapeutic exercise, which includes posture and~~
14 ~~rehabilitation procedures; the performance of tests and measurements of~~
15 ~~neuromuscular function as an aid to the diagnosis or treatment of any~~
16 ~~human condition; performance of treatments on the basis of test~~
17 ~~findings after consultation with and periodic review by an authorized~~
18 ~~health care practitioner except as provided in RCW 18.74.012;~~
19 ~~supervision of selective forms of treatment by trained supportive~~
20 ~~personnel; and provision of consultative services for health,~~
21 ~~education, and community agencies. The use of Roentgen rays and radium~~
22 ~~for diagnostic and therapeutic purposes, the use of electricity for~~
23 ~~surgical purposes, including cauterization, and the use of spinal~~
24 ~~manipulation or manipulative mobilization of the spine and its~~
25 ~~immediate articulations, are not included under the term "physical~~
26 ~~therapy" as used in this chapter)) care and services provided by or
27 under the direction and supervision of a physical therapist licensed by
28 the state.~~

29 (4) "Physical therapist" means a person who ~~((practices physical~~
30 ~~therapy as defined in this chapter but does not include massage~~
31 ~~operators as defined in RCW 18.108.010)) meets all the requirements of
32 this chapter and is licensed in this state to practice physical
33 therapy.~~

34 (5) "Secretary" means the secretary of health.

35 (6) Words importing the masculine gender may be applied to females.

36 (7) "Authorized health care practitioner" means and includes
37 licensed physicians, osteopathic physicians, chiropractors,
38 naturopaths, podiatric physicians and surgeons, dentists, and advanced

1 registered nurse practitioners: PROVIDED, HOWEVER, That nothing herein
2 shall be construed as altering the scope of practice of such
3 practitioners as defined in their respective licensure laws.

4 (8) "Practice of physical therapy" is based on movement science and
5 means:

6 (a) Examining, evaluating, and testing individuals with mechanical,
7 physiological, and developmental impairments, functional limitations in
8 movement, and disability or other health and movement-related
9 conditions in order to determine a diagnosis, prognosis, plan of
10 therapeutic intervention, and to assess and document the ongoing
11 effects of intervention;

12 (b) Alleviating impairments and functional limitations in movement
13 by designing, implementing, and modifying therapeutic interventions
14 that include, but are not limited to, therapeutic exercise; movement-
15 related functional training in self-care, in-home, community, or work
16 reintegration; manual therapy including soft tissue and joint
17 mobilization and manipulation; therapeutic massage; assistive,
18 adaptive, protective, and supportive devices and equipment, although
19 these procedures are not within the exclusive practice scope of
20 physical therapists; airway clearance techniques; debridement and wound
21 care; physical agents or modalities; mechanical and electrotherapeutic
22 modalities; and patient-related instruction;

23 (c) Reducing the risk of injury, impairment, functional limitation,
24 and disability related to movement, including the promotion and
25 maintenance of fitness, health, and quality of life in all age
26 populations; and

27 (d) Engaging in administration, consultation, education, and
28 research.

29 (9)(a) "Physical therapist assistant" means a person who performs
30 physical therapy procedures and related tasks that have been selected
31 and delegated only by the supervising physical therapist.

32 (b) "Physical therapy aide" means a person trained under the
33 direction of a physical therapist who performs designated and
34 supervised routine physical therapy tasks.

35 (c) "Other assistive personnel" means other trained or educated
36 health care personnel, not defined in (a) or (b) of this subsection,
37 who perform specific designated tasks related to physical therapy under
38 the supervision of a physical therapist. At the direction of the
39 supervising physical therapist, and if properly credentialed and not

1 prohibited by any other law, other assistive personnel may be
2 identified by the title specific to their training or education.

3 (10) "Restricted physical therapy license" means a license to which
4 restrictions or conditions, or both, as to scope of practice, place of
5 practice, supervision of practice, duration of licensed status, or type
6 or condition of patient or client served are imposed by the board.

7 (11) "On-site supervision" means the supervising physical therapist
8 must (a) be continuously on-site and present in the department or
9 facility where assistive personnel or holders of interim permits are
10 performing services; (b) be immediately available to assist the person
11 being supervised in the services being performed; and (c) maintain
12 continued involvement in appropriate aspects of each treatment session
13 in which a component of treatment is delegated to assistive personnel.

14 (12) Assistive, adaptive, protective, and supportive devices and
15 equipment means commercially available knee orthoses used following
16 injury or surgery; spastic muscle tone-inhibiting orthoses; upper
17 extremity adaptive equipment; finger splints; hand splints; custom-
18 made, leather wrist gauntlets; face masks used following burns;
19 wheelchair seating that is an integral part of the wheelchair and not
20 worn by the patient independent of the wheelchair; fabric or elastic
21 supports; corsets; arch supports also known as foot orthotics; low-
22 temperature direct-formed plastic splints; trusses; elastic hose;
23 canes; crutches; cervical collars; prefabricated orthoses; direct-
24 formed orthoses; and other similar devices as determined by the
25 secretary, such as those commonly carried in stock by a pharmacy,
26 department store, corset shop, or surgical supply facility.
27 Prefabricated orthoses, also known as custom-fitted or off-the-shelf,
28 are devices that are manufactured as commercially available stock items
29 for no specific patient. Direct-formed orthoses are devices formed or
30 shaped during the molding process directly on the patient's body or
31 body segment.

32 **Sec. 3.** RCW 18.74.012 and 1991 c 12 s 2 are each amended to read
33 as follows:

34 Notwithstanding the provisions of RCW 18.74.010(~~((+4))~~) (3), a
35 consultation and periodic review by an authorized health care
36 practitioner is not required for treatment of neuromuscular or
37 musculoskeletal conditions(~~(:—PROVIDED, That a physical therapist may~~
38 ~~only provide treatment utilizing orthoses that support, align, prevent,~~

1 ~~or correct any structural problems intrinsic to the foot or ankle by~~
2 ~~referral or consultation from an authorized health care practitioner)).~~

3 NEW SECTION. **Sec. 4.** (1) It is unlawful for any person to
4 practice or in any manner hold himself or herself out to practice
5 physical therapy or designate himself or herself as a physical
6 therapist, unless he or she is licensed in accordance with this
7 chapter.

8 (2) This chapter does not restrict persons licensed under any other
9 law of this state from engaging in the profession or practice for which
10 they are licensed, if they are not representing themselves to be
11 physical therapists or providers of physical therapy.

12 (3) The following persons are exempt from licensure as physical
13 therapists under this chapter when engaged in the following activities:

14 (a) A person who is pursuing a course of study leading to a degree
15 as a physical therapist in an approved professional education program
16 and is satisfying supervised clinical education requirements related to
17 his or her physical therapy education while under on-site supervision
18 of a licensed physical therapist;

19 (b) A physical therapist while practicing in the United States
20 armed services, United States public health service, or veterans
21 administration as based on requirements under federal regulations for
22 state licensure of health care providers; and

23 (c) A physical therapist licensed in another United States
24 jurisdiction, or a foreign-educated physical therapist credentialed in
25 another country, performing physical therapy as part of teaching or
26 participating in an educational seminar of no more than sixty days in
27 a calendar year.

28 NEW SECTION. **Sec. 5.** (1) No person may practice or in any manner
29 hold himself or herself out to be engaging in the practice of physical
30 therapy or designate himself or herself as a physical therapist unless
31 licensed as a physical therapist in accordance with this chapter.

32 (2) A physical therapist licensed under this chapter is fully
33 authorized to practice physical therapy as defined in this chapter.

34 (3) A physical therapist shall refer persons under his or her care
35 to appropriate health care practitioners if the physical therapist has
36 reasonable cause to believe symptoms or conditions are present that

1 require services beyond the scope of practice or when physical therapy
2 is contraindicated.

3 (4) Physical therapists shall adhere to the recognized standards of
4 ethics of the physical therapy profession and as further established by
5 rule.

6 (5) A physical therapist who meets further qualifications as
7 established by rule may penetrate tissue for the purpose of testing
8 neuromuscular performance.

9 (6) A physical therapist may perform wound debridement and wound
10 management that includes, but is not limited to, sharp debridement,
11 debridement with other agents, dry dressings, wet dressings, topical
12 agents including enzymes, and hydrotherapy.

13 (7)(a) A physical therapist licensed under this chapter may
14 purchase, store, and administer medications such as hydrocortisone,
15 fluocinonide, fluorimethane, silvadine, lidocaine magnesium sulfate,
16 zinc oxide, and other similar medications, and may administer such
17 other drugs or medications as prescribed by a physician. A pharmacist
18 who dispenses such drugs to a licensed physical therapist is not liable
19 for any adverse reactions caused by any method of use by the physical
20 therapist.

21 (b) The secretary, after consultation with representatives of the
22 physical therapy licensing board, the board of pharmacy, and the
23 medical quality assurance commission, may adopt rules that authorize
24 licensed physical therapists to purchase and use legend drugs and
25 devices in addition to the drugs authorized in this chapter.

26 NEW SECTION. **Sec. 6.** (1) Physical therapists are responsible for
27 patient care given by assistive personnel under their supervision. A
28 physical therapist may delegate to assistive personnel and supervise
29 selected acts, tasks, or procedures that fall within the scope of
30 physical therapy practice but do not exceed the education or training
31 of the assistive personnel.

32 (2) Physical therapist assistants shall at all times be under the
33 supervision of a licensed physical therapist as further set forth in
34 rule.

35 (3) Physical therapy aides and other assistive personnel shall
36 perform patient care activities under on-site supervision of a licensed
37 physical therapist.

1 NEW SECTION. **Sec. 7.** (1) The public has access to the following
2 information:

3 (a) A listing of physical therapists licensed in the state,
4 including place of practice, license number, date of expiration, and
5 status of license. This listing shall also include interim permit
6 holders;

7 (b) A listing of physical therapist assistants licensed in the
8 state, including place of employment, license number, and date of
9 expiration; and

10 (c) A listing of official actions taken by the board.

11 (2) Home addresses and telephone numbers of physical therapists and
12 physical therapist assistants are not public records and shall be kept
13 confidential by the board.

14 (3) Physical therapists shall disclose in writing to patients if a
15 referring practitioner is deriving direct or indirect compensation from
16 the referral to physical therapy.

17 (4) Physical therapists shall disclose in writing any financial
18 interest in products they endorse and recommend to their patients.

19 (5) Physical therapists have the responsibility to ensure that the
20 patient has knowledge of freedom of choice in services and products.

21 (6) Information relating to the physical therapist/patient
22 relationship is confidential and may not be communicated to a third
23 party not involved in that patient's care without the prior written
24 consent of the patient. The physical therapist/patient privilege does
25 not extend to cases in which the physical therapist has a duty to
26 report information as required by law.

27 (7) Any person may submit a complaint regarding any licensee or any
28 other person potentially in violation of this chapter. Confidentiality
29 shall be maintained subject to law.

30 (8) The board shall keep all information relating to the receiving
31 and investigation of complaints filed against licensees confidential
32 until the information becomes public record or as required by law.

33 (9) Each licensee shall display a copy of his or her license or
34 current renewal verification in a location accessible to public view at
35 his or her place of practice.

36 NEW SECTION. **Sec. 8.** In order to use spinal manipulation as a
37 treatment technique, a physical therapist must meet further

1 qualifications as established by rule. This section expires January 1,
2 2005.

3 NEW SECTION. **Sec. 9.** RCW 18.74.085 (Advertising of spinal
4 manipulation or mobilization prohibited) and 1988 c 185 s 4 are each
5 repealed.

6 NEW SECTION. **Sec. 10.** Sections 4 through 8 of this act are each
7 added to chapter 18.74 RCW.

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