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HOUSE BILL 2256

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Veloria, Edmonds and Cody

Read first time . Referred to Committee on .

1 AN ACT Relating to physical therapy; amending RCW 18.74.005,  
2 18.74.010, and 18.74.012; and adding new sections to chapter 18.74 RCW.

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

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

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

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

3       (~~Unless the context otherwise requires,~~) The definitions in this  
4 section apply throughout this chapter unless the context clearly  
5 requires otherwise.

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

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

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

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

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

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

37       (7) "Authorized health care practitioner" means and includes  
38 licensed physicians, osteopathic physicians, chiropractors,  
39 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; orthotic,  
18 assistive, adaptive, protective, and supportive devices related to  
19 postural control and mobility that are not defined as a prosthesis or  
20 orthosis in RCW 18.200.010, although these procedures are not within  
21 the exclusive practice scope of physical therapists; airway clearance  
22 techniques; debridement and wound care; physical agents or modalities;  
23 mechanical and electrotherapeutic modalities; and patient-related  
24 instruction;

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

29 (d) Engaging in administration, consultation, education, and  
30 research; and

31 (e) Training for, and the evaluation of, the function of a patient  
32 wearing a prosthesis or orthosis as defined in RCW 18.200.010.  
33 Physical therapists may consult with a licensed prosthetist or  
34 orthotist in order to make recommendations to provide or adjust a  
35 prosthesis or orthosis.

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

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

4 (c) "Other assistive personnel" means other trained or educated  
5 health care personnel, not defined in (a) or (b) of this subsection,  
6 who perform specific designated tasks related to physical therapy under  
7 the supervision of a physical therapist. At the direction of the  
8 supervising physical therapist, and if properly credentialed and not  
9 prohibited by any other law, other assistive personnel may be  
10 identified by the title specific to their training or education.

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

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

22 **Sec. 3.** RCW 18.74.012 and 2000 c 171 s 24 are each amended to read  
23 as follows:

24 ~~((Notwithstanding the provisions of RCW 18.74.010(3),))~~ A  
25 consultation and periodic review by an authorized health care  
26 practitioner is not required for treatment of neuromuscular or  
27 musculoskeletal conditions(~~(: PROVIDED, That a physical therapist may~~  
28 ~~only provide treatment utilizing orthoses that support, align, prevent,~~  
29 ~~or correct any structural problems intrinsic to the foot or ankle by~~  
30 ~~referral or consultation from an authorized health care practitioner)).~~

31 NEW SECTION. Sec. 4. (1) It is unlawful for any person to  
32 practice or in any manner hold himself or herself out to practice  
33 physical therapy or designate himself or herself as a physical  
34 therapist, unless he or she is licensed in accordance with this  
35 chapter.

36 (2) This chapter does not restrict persons licensed under any other  
37 law of this state from engaging in the profession or practice for which

1 they are licensed, if they are not representing themselves to be  
2 physical therapists or providers of physical therapy.

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

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

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

14 (c) A physical therapist licensed in another United States  
15 jurisdiction, or a foreign-educated physical therapist credentialed in  
16 another country, performing physical therapy as part of teaching or  
17 participating in an educational seminar of no more than sixty days in  
18 a calendar year.

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

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

25 (3) A physical therapist shall refer persons under his or her care  
26 to appropriate health care practitioners if the physical therapist has  
27 reasonable cause to believe symptoms or conditions are present that  
28 require services beyond the scope of practice or when physical therapy  
29 is contraindicated.

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

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

36 (6) A physical therapist may perform wound debridement and wound  
37 management that includes, but is not limited to, sharp debridement,

1 debridement with other agents, dry dressings, wet dressings, topical  
2 agents including enzymes, and hydrotherapy.

3 (7)(a) A physical therapist licensed under this chapter may  
4 purchase, store, and administer medications such as hydrocortisone,  
5 fluocinonide, fluorimethane, silvadine, lidocaine magnesium sulfate,  
6 zinc oxide, and other similar medications, and may administer such  
7 other drugs or medications as prescribed by a physician. A pharmacist  
8 who dispenses such drugs to a licensed physical therapist is not liable  
9 for any adverse reactions caused by any method of use by the physical  
10 therapist.

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

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

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

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

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

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