
HOUSE BILL 2590

State of Washington

57th Legislature

2002 Regular Session

By Representatives Ruderman, Cody, DeBolt, Veloria, Schual-Berke and Kagi

Read first time 01/22/2002. Referred to Committee on Health Care.

1 AN ACT Relating to physical therapy; amending RCW 18.74.005,
2 18.74.010, 18.74.012, and 18.74.030; and adding new sections to chapter
3 18.74 RCW.

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.

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; assistive,
18 adaptive, protective, and supportive devices related to postural
19 control and mobility; airway clearance techniques; physical agents or
20 modalities; mechanical and electrotherapeutic modalities; and patient-
21 related instruction;

22 (c) Training for, and the evaluation of, the function of a patient
23 wearing an orthosis or prosthesis as defined in RCW 18.200.010.
24 Physical therapists may provide those direct-formed and prefabricated
25 upper limb, knee, and ankle-foot orthoses, but not fracture orthoses
26 except those for hand, wrist, ankle, and foot fractures, and assistive
27 technology devices specified in RCW 18.200.010 as exemptions from the
28 defined scope of licensed orthotic and prosthetic services. It is the
29 intent of the legislature that the unregulated devices specified in RCW
30 18.200.010 are in the public domain to the extent that they may be
31 provided in common with individuals or other health providers, whether
32 unregulated or regulated under Title 18 RCW, without regard to any
33 scope of practice;

34 (d) Performing wound debridement and wound management that includes
35 sharp debridement, debridement with other agents, dry dressings, wet
36 dressings, topical agents including enzymes, hydrotherapy, and other
37 similar treatments. Physical therapists may not delegate sharp
38 debridement;

1 (e) Reducing the risk of injury, impairment, functional limitation,
2 and disability related to movement, including the promotion and
3 maintenance of fitness, health, and quality of life in all age
4 populations; and

5 (f) Engaging in administration, consultation, education, and
6 research.

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

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

13 (c) "Other assistive personnel" means other trained or educated
14 health care personnel, not defined in (a) or (b) of this subsection,
15 who perform specific designated tasks related to physical therapy under
16 the supervision of a physical therapist. At the direction of the
17 supervising physical therapist, and if properly credentialed and not
18 prohibited by any other law, other assistive personnel may be
19 identified by the title specific to their training or education.

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

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

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

33 ~~((Notwithstanding the provisions of RCW 18.74.010(3),))~~ A
34 consultation and periodic review by an authorized health care
35 practitioner is not required for treatment of neuromuscular or
36 musculoskeletal conditions(~~(: PROVIDED, That a physical therapist may~~
37 ~~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 **Sec. 4.** RCW 18.74.030 and 1983 c 116 s 6 are each amended to read
4 as follows:

5 An applicant for a license as a physical therapist shall have the
6 following minimum qualifications:

7 (1) Be of good moral character; and

8 (2) Have obtained either (a) a ((baccalaureate)) degree in physical
9 therapy from an institution of higher learning approved by the board or
10 (b) a ((baccalaureate)) degree from an institution of higher learning
11 and a certificate or advanced degree from a school of physical therapy
12 approved by the board.

13 The applicant shall present proof of qualification to the board in
14 the manner and on the forms prescribed by it.

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

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

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

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

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

35 (c) A physical therapist licensed in another United States
36 jurisdiction, or a foreign-educated physical therapist credentialed in
37 another country, performing physical therapy as part of teaching or

1 participating in an educational seminar of no more than sixty days in
2 a calendar year.

3 NEW SECTION. **Sec. 6.** (1) No person may practice or in any manner
4 hold himself or herself out to be engaging in the practice of physical
5 therapy or designate himself or herself as a physical therapist unless
6 licensed as a physical therapist in accordance with this chapter.

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

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

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

17 (5) A physical therapist may perform electroneuromyographic
18 examinations for the purpose of testing neuromuscular function.

19 (6)(a) A physical therapist licensed under this chapter may
20 purchase, store, and administer medications such as hydrocortisone,
21 fluocinonide, fluorimethane, silvadine, lidocaine magnesium sulfate,
22 zinc oxide, and other similar medications, and may administer such
23 other drugs or medications as prescribed by a physician. A pharmacist
24 who dispenses such drugs to a licensed physical therapist is not liable
25 for any adverse reactions caused by any method of use by the physical
26 therapist.

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

32 NEW SECTION. **Sec. 7.** (1) Physical therapists are responsible for
33 patient care given by assistive personnel under their supervision. A
34 physical therapist may delegate to assistive personnel and supervise
35 selected acts, tasks, or procedures that fall within the scope of
36 physical therapy practice but do not exceed the education or training
37 of the assistive personnel.

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

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

7 NEW SECTION. **Sec. 8.** Sections 5 through 7 of this act are each
8 added to chapter 18.74 RCW.

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