
HOUSE BILL 1531

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Veloria, Lisk, R. Johnson, Jacobsen, King, Jones, Pruitt, Karahalios, Quall, Van Luven, Valle, Eide and Anderson

Read first time 01/29/93. Referred to Committee on Health Care.

1 AN ACT Relating to licensure of physical therapist assistants who
2 are supervised by physical therapists; amending RCW 18.74.010,
3 18.74.020, 18.74.027, 18.74.060, 18.74.070, and 18.74.090; reenacting
4 and amending RCW 18.74.023; and adding new sections to chapter 18.74
5 RCW.

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

7 **Sec. 1.** RCW 18.74.010 and 1991 c 12 s 1 are each amended to read
8 as follows:

9 Unless the context otherwise requires, the definitions in this
10 section apply throughout this chapter.

11 (1) "Board" means the board of physical therapy created by RCW
12 18.74.020.

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

14 (3) "Physical therapy" means the treatment of any bodily or mental
15 condition of any person by the use of the physical, chemical, and other
16 properties of heat, cold, air, light, water, electricity, sound,
17 massage, and therapeutic exercise, which includes posture and
18 rehabilitation procedures; the performance of tests and measurements of
19 neuromuscular function as an aid to the diagnosis or treatment of any

1 human condition; performance of treatments on the basis of test
2 findings after consultation with and periodic review by an authorized
3 health care practitioner except as provided in RCW 18.74.012;
4 supervision of selective forms of treatment by trained supportive
5 personnel; and provision of consultative services for health,
6 education, and community agencies. The use of Roentgen rays and radium
7 for diagnostic and therapeutic purposes, the use of electricity for
8 surgical purposes, including cauterization, and the use of spinal
9 manipulation or manipulative mobilization of the spine and its
10 immediate articulations, are not included under the term "physical
11 therapy" as used in this chapter.

12 (4) "Physical therapist" means a person who practices physical
13 therapy as defined in this chapter but does not include massage
14 operators as defined in RCW 18.108.010.

15 (5) "Physical therapist assistant" means:

16 (a) A person under the indirect supervision of a licensed physical
17 therapist who assists in the practice of physical therapy and who is
18 licensed pursuant to this chapter;

19 (b) A person who has graduated from an approved school of physical
20 therapy within the preceding twelve months; or

21 (c) A person who has graduated from an approved school of physical
22 therapy and who has been a resident of this state less than twelve
23 months.

24 (6) "Indirect supervision" of a physical therapist assistant means
25 that a supervising physical therapist:

26 (a) Initially evaluates each patient;

27 (b) Interprets all referrals received from other health care
28 providers;

29 (c) Plans each patient's treatment program and determines which
30 elements can be delegated;

31 (d) Provides periodic reevaluation of the treatment program and the
32 assistant's performance in relation to the patient;

33 (e) Performs discharge planning; and

34 (f) Provides either written or oral instructions for treatment of
35 the patient by the assistant, but is not required to be on the physical
36 premises.

37 (7) "Secretary" means the secretary of health.

38 ((+6+)) (8) Words importing the masculine gender may be applied to
39 females.

1 (~~(7)~~) (9) "Authorized health care practitioner" means and
2 includes licensed physicians, osteopathic physicians, chiropractors,
3 naturopaths, (~~(podiatrists)~~) podiatric physicians and surgeons, and
4 dentists: PROVIDED, HOWEVER, That nothing herein shall be construed as
5 altering the scope of practice of such practitioners as defined in
6 their respective licensure laws.

7 **Sec. 2.** RCW 18.74.020 and 1991 c 3 s 174 are each amended to read
8 as follows:

9 The state board of physical therapy is hereby created. The board
10 shall consist of (~~(five)~~) seven members who shall be appointed by the
11 governor. Of the initial appointments, two shall be appointed for a
12 term of two years, two for a term of three years, and one for a term of
13 four years. Thereafter, all appointments shall be for terms of four
14 years. (~~(Four)~~) Five members of the board shall be physical therapists
15 licensed under this chapter and residing in this state, shall have not
16 less than five years' experience in the practice of physical therapy,
17 and shall be actively engaged in practice within two years of
18 appointment. One member of the board shall be a physical therapist
19 assistant who shall only have a vote on matters affecting physical
20 therapist assistants. The (~~(fifth)~~) seventh member shall be appointed
21 from the public at large, shall have an interest in the rights of
22 consumers of health services, and shall not be or have been a member of
23 any other licensing board, a licensee of any health occupation board,
24 an employee of any health facility nor derive his or her primary
25 livelihood from the provision of health services at any level of
26 responsibility. In the event that a member of the board for any reason
27 cannot complete his or her term of office, another appointment shall be
28 made by the governor in accordance with the procedure stated above to
29 fill the remainder of the term. No member may serve for more than two
30 successive four-year terms. To the maximum extent practicable, the
31 members of the board shall reflect different practice settings,
32 physical therapy specialties, geographic regions of the state, and
33 diverse ethnic heritage.

34 The secretary of health shall furnish such secretarial, clerical
35 and other assistance as the board may require. Each member of the
36 board shall, in addition to travel expenses in accordance with RCW
37 43.03.050 and 43.03.060, be compensated in accordance with RCW
38 43.03.240.

1 **Sec. 3.** RCW 18.74.023 and 1991 c 12 s 3 and 1991 c 3 s 175 are
2 each reenacted and amended to read as follows:

3 The board has the following powers and duties:

4 (1) To administer examinations to applicants for a license under
5 this chapter.

6 (2) To pass upon the qualifications of applicants for a license and
7 to certify to the secretary duly qualified applicants.

8 (3) To make such rules not inconsistent with the laws of this state
9 as may be deemed necessary or proper to carry out the purposes of this
10 chapter.

11 (4) To establish and administer requirements for continuing
12 competency, which shall be a prerequisite to renewing a license under
13 this chapter.

14 (5) To keep an official record of all its proceedings, which record
15 shall be evidence of all proceedings of the board which are set forth
16 therein.

17 (6) To adopt rules not inconsistent with the laws of this state,
18 when it deems appropriate, in response to questions put to it by
19 professional health associations, physical therapists, physical
20 therapist assistants, and consumers in this state concerning the
21 authority of physical therapists and physical therapist assistants to
22 perform particular acts.

23 **Sec. 4.** RCW 18.74.027 and 1983 c 116 s 5 are each amended to read
24 as follows:

25 The board shall elect from its members a chairperson and vice
26 chairperson-secretary, who shall serve for one year and until their
27 successors are elected. The board shall meet at least once a year and
28 upon the call of the chairperson at such times and places as the
29 chairperson designates. (~~Three~~) Four members constitute a quorum of
30 the full board for the transaction of any business. Meetings of the
31 board shall be open and public, except the board may hold executive
32 sessions to the extent permitted by chapter 42.30 RCW.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.74 RCW
34 to read as follows:

35 An applicant for a license as a physical therapist assistant shall
36 have the following qualifications:

37 (1) Be of good moral character; and

1 (2) Have successfully completed a board-approved program of study
2 for physical therapist assistants or an equivalent educational program
3 that meets criteria established by the board and that has been approved
4 by the board.

5 Applications for licensure must be submitted on forms provided by
6 the board. The board may require any information and documentation
7 which reasonably relates to the need to determine whether the applicant
8 meets the criteria for licensure provided for in this chapter and
9 chapter 18.130 RCW. Each applicant shall pay a fee determined by the
10 secretary as provided in RCW 43.70.250, which shall accompany the
11 application.

12 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.74 RCW
13 to read as follows:

14 All qualified applicants for a license as a physical therapist
15 assistant shall be examined by the board at such time and place within
16 the state as the board may determine. The examination shall include
17 subjects as the board deems useful to test the applicant's fitness to
18 be licensed as a physical therapist assistant. Examinations shall be
19 held at least twice a year. Applicants who fail the examination may
20 apply for reexamination upon payment of a reexamination fee determined
21 by the secretary.

22 The secretary of health shall license as a physical therapist
23 assistant each applicant who successfully passes the examination for
24 licensure as a physical therapist assistant and shall furnish a license
25 to those applicants.

26 **Sec. 7.** RCW 18.74.060 and 1991 c 3 s 179 are each amended to read
27 as follows:

28 Upon the recommendation of the board, the secretary shall license
29 as a physical therapist ~~((and shall furnish a license to))~~ or as a
30 physical therapist assistant any person who is a physical therapist
31 ~~((registered or licensed))~~ or physical therapist assistant under the
32 laws of another state or territory, or the District of Columbia, if the
33 qualifications ~~((for such registration or license))~~ required of the
34 applicant were substantially equal to the requirements under this
35 chapter. At the time of making application, the applicant shall pay to
36 the state treasurer a fee determined by the secretary as provided in
37 RCW 43.70.250.

1 **Sec. 8.** RCW 18.74.070 and 1991 c 3 s 180 are each amended to read
2 as follows:

3 Every licensed physical therapist and physical therapist assistant
4 shall apply to the secretary for a renewal of the license and pay to
5 the state treasurer a fee determined by the secretary as provided in
6 RCW 43.70.250. The license of a physical therapist or of a physical
7 therapist assistant who fails to renew the license within thirty days
8 of the date set by the secretary for renewal shall automatically lapse.
9 Within three years from the date of lapse and upon the
10 ~~((recommendation))~~ approval of the board, the secretary may revive a
11 lapsed license upon the payment of all past unpaid renewal fees and a
12 penalty fee to be determined by the secretary. The board may require
13 reexamination of an applicant whose license has lapsed for more than
14 three years and who has not continuously engaged in lawful practice in
15 another state or territory, or waive reexamination in favor of evidence
16 of continuing education satisfactory to the board.

17 **Sec. 9.** RCW 18.74.090 and 1991 c 3 s 181 are each amended to read
18 as follows:

19 (1) A person who is not licensed with the secretary of health as a
20 physical therapist under the requirements of this chapter shall not
21 represent him or herself as being so licensed and shall not use in
22 connection with his or her name the words or letters "P.T.", "R.P.T.",
23 "L.P.T.", "physical therapy", "physiotherapy", "physical therapist" or
24 "physiotherapist", or any other letters, words, signs, numbers, or
25 insignia indicating or implying that he or she is a physical therapist.
26 No person may practice physical therapy without first having a valid
27 license.

28 (2) A person who is not licensed with the secretary as a physical
29 therapist assistant and not working under the indirect supervision of
30 a licensed physical therapist under the requirements of this chapter
31 shall not represent himself or herself as being so licensed and shall
32 not use in connection with his or her name the words or letters
33 "P.T.A.," "L.P.T.A.," "physical therapist assistant," "physical therapy
34 assistant," "physical therapy technician," "physiotherapy assistant,"
35 "physiotherapist assistant," or any other letters, words, signs,
36 numbers, or insignia indicating or implying that he or she is a
37 physical therapist assistant or licensed physical therapist assistant.

1 (3) Nothing in this chapter prohibits any person licensed in this
2 state under any other act from engaging in the practice for which he or
3 she is licensed. It shall be the duty of the prosecuting attorney of
4 each county to prosecute all cases involving a violation of this
5 chapter arising within his or her county. The attorney general may
6 assist in such prosecution and shall appear at all hearings when
7 requested to do so by the board.

8 NEW SECTION. **Sec. 10.** A new section is added to chapter 18.74 RCW
9 to read as follows:

10 The board shall waive the examination requirements and grant a
11 license to a person engaged in practice as a physical therapist
12 assistant on the effective date of this act if the person meets the
13 education requirements as established by rule of the board.

14 NEW SECTION. **Sec. 11.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.

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