
ENGROSSED SUBSTITUTE HOUSE BILL 1498

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Morrell, Campbell, Cody, Kagi and Santos)

READ FIRST TIME 02/20/03.

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 Roentgen rays and radium for diagnostic and
28 therapeutic purposes, the use of electricity for surgical purposes,
29 including cauterization, and the use of spinal manipulation, or
30 manipulative mobilization of the spine and its immediate articulations,
31 are not included under the term "physical therapy" as used in this
32 chapter.~~

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

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

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

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

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

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

16 (b) Alleviating impairments and functional limitations in movement
17 by designing, implementing, and modifying therapeutic interventions
18 that include therapeutic exercise; functional training related to
19 balance, posture, and movement to facilitate self-care and
20 reintegration into home, community, or work; manual therapy including
21 soft tissue and joint mobilization and manipulation; therapeutic
22 massage; assistive, adaptive, protective, and devices related to
23 postural control and mobility except as restricted by (c) of this
24 subsection; airway clearance techniques; physical agents or modalities;
25 mechanical and electrotherapeutic modalities; and patient-related
26 instruction;

27 (c) Training for, and the evaluation of, the function of a patient
28 wearing an orthosis or prosthesis as defined in RCW 18.200.010.
29 Physical therapists may provide those direct-formed and prefabricated
30 upper limb, knee, and ankle-foot orthoses, but not fracture orthoses
31 except those for hand, wrist, ankle, and foot fractures, and assistive
32 technology devices specified in RCW 18.200.010 as exemptions from the
33 defined scope of licensed orthotic and prosthetic services. It is the
34 intent of the legislature that the unregulated devices specified in RCW
35 18.200.010 are in the public domain to the extent that they may be
36 provided in common with individuals or other health providers, whether
37 unregulated or regulated under Title 18 RCW, without regard to any
38 scope of practice;

1 (d) Performing wound management that is limited to sharp
2 debridement, debridement with other agents, dry dressings, wet
3 dressings, topical agents including enzymes, hydrotherapy, electrical
4 stimulation, ultrasound, and other similar treatments. Physical
5 therapists may not delegate sharp debridement. A physical therapist
6 may perform wound care services only by referral from or after
7 consultation with an authorized health care practitioner;

8 (e) Reducing the risk of injury, impairment, functional limitation,
9 and disability related to movement, including the promotion and
10 maintenance of fitness, health, and quality of life in all age
11 populations; and

12 (f) Engaging in administration, consultation, education, and
13 research.

14 (9)(a) "Physical therapist assistant" means a person who has
15 successfully completed a board-approved physical therapist assistant
16 program.

17 (b) "Physical therapy aide" means a person who is involved in
18 direct physical therapy patient care who does not meet the definition
19 of a physical therapist or physical therapist assistant and receives
20 ongoing on-the-job training.

21 (c) "Other assistive personnel" means other trained or educated
22 health care personnel, not defined in (a) or (b) of this subsection,
23 who perform specific designated tasks related to physical therapy under
24 the supervision of a physical therapist. At the direction of the
25 supervising physical therapist, and if properly credentialed and not
26 prohibited by any other law, other assistive personnel may be
27 identified by the title specific to their training or education.

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

35 (11) "Sharp debridement" means the removal of devitalized tissue
36 from a wound with scissors, scalpel, and tweezers without anesthesia.
37 "Sharp debridement" does not mean surgical debridement.

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

3 (~~Notwithstanding the provisions of RCW 18.74.010(3),~~) A
4 consultation and periodic review by an authorized health care
5 practitioner is not required for treatment of neuromuscular or
6 musculoskeletal conditions(~~(+ PROVIDED, That a physical therapist may~~
7 ~~only provide treatment utilizing orthoses that support, align, prevent,~~
8 ~~or correct any structural problems intrinsic to the foot or ankle by~~
9 ~~referral or consultation from an authorized health care practitioner)).~~

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

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

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

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

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

30 (c) A physical therapist licensed in another United States
31 jurisdiction, or a foreign-educated physical therapist credentialed in
32 another country, performing physical therapy as part of teaching or
33 participating in an educational seminar of no more than sixty days in
34 a calendar year.

35 NEW SECTION. **Sec. 5.** (1) No person may practice or in any manner

1 hold himself or herself out to be engaging in the practice of physical
2 therapy or designate himself or herself as a physical therapist unless
3 licensed as a physical therapist in accordance with this chapter.

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

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

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

14 (5) A physical therapist may perform electroneuromyographic
15 examinations for the purpose of testing neuromuscular function only by
16 referral from an authorized health care provider and only upon
17 demonstration of further education and training in
18 electroneuromyographic examinations as established by rule.

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

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

33 (2) Nothing in this chapter may be construed to prohibit other
34 licensed health care providers from using the services of physical
35 therapist assistants, physical therapist aides, or other assistive
36 personnel as long as the licensed health care provider is responsible

1 for the activities of such assistants, aides, and other personnel and
2 provides appropriate supervision.

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

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