
HOUSE BILL 1498

State of Washington 58th Legislature 2003 Regular Session

By Representatives Morrell, Campbell, Cody, Kagi and Santos

Read first time 01/28/2003. 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,

1 naturopaths, podiatric physicians and surgeons, dentists, and advanced
2 registered nurse practitioners: PROVIDED, HOWEVER, That nothing herein
3 shall be construed as altering the scope of practice of such
4 practitioners as defined in their respective licensure laws.

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

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

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

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

35 (d) Performing wound debridement and wound management that includes
36 sharp debridement, debridement with other agents, dry dressings, wet
37 dressings, topical agents including enzymes, hydrotherapy, and other

1 similar treatments. Physical therapists may not delegate sharp
2 debridement;

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

7 (f) Engaging in administration, consultation, education, and
8 research.

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

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

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

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

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

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

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

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

8 **Sec. 4.** RCW 18.74.030 and 1983 c 116 s 6 are each amended to read
9 as follows:

10 An applicant for a license as a physical therapist shall have the
11 following minimum qualifications:

- 12 (1) Be of good moral character; and
13 (2) Have obtained either (a) a (~~baccalaureate~~) degree in physical
14 therapy from an institution of higher learning approved by the board or
15 (b) a (~~baccalaureate~~) degree from an institution of higher learning
16 and a certificate or advanced degree from a school of physical therapy
17 approved by the board.

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

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

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

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

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

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

5 (c) A physical therapist licensed in another United States
6 jurisdiction, or a foreign-educated physical therapist credentialed in
7 another country, performing physical therapy as part of teaching or
8 participating in an educational seminar of no more than sixty days in
9 a calendar year.

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

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

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

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

24 (5) A physical therapist may perform electroneuromyographic
25 examinations for the purpose of testing neuromuscular function only by
26 referral from an authorized health care provider.

27 (6)(a) A physical therapist licensed under this chapter may
28 purchase, store, and administer medications such as hydrocortisone,
29 fluocinonide, fluorimethane, silvadine, lidocaine magnesium sulfate,
30 zinc oxide, and other similar medications, and may administer such
31 other drugs or medications as prescribed by a physician. A pharmacist
32 who dispenses such drugs to a licensed physical therapist is not liable
33 for any adverse reactions caused by any method of use by the physical
34 therapist.

35 (b) The secretary, after consultation with representatives of the
36 physical therapy licensing board, the board of pharmacy, and the

1 medical quality assurance commission, may adopt rules that authorize
2 licensed physical therapists to purchase and use legend drugs and
3 devices in addition to the drugs authorized in this chapter.

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

10 (2) Physical therapy aides and other assistive personnel shall
11 perform patient care activities under on-site supervision of a licensed
12 physical therapist.

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

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