

HOUSE BILL No. 5356

February 25, 2014, Introduced by Reps. O'Brien, Foster, Price, Shirkey, Yonker, Robinson, Lipton, Hovey-Wright, Dillon, Slavens, Heise, Potvin, Glardon and Zorn and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 17820 and 17824 (MCL 333.17820 and 333.17824),
section 17820 as amended and section 17824 as added by 2009 PA 55.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17820. (1) ~~A person~~ **AN INDIVIDUAL** shall not engage in the
2 practice of physical therapy or practice as a physical therapist
3 assistant unless licensed or otherwise authorized under this part.
4 ~~A person~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A**
5 **PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT** shall engage in
6 the ~~actual treatment of an individual~~ **A PATIENT** only upon the
7 prescription of ~~an individual holding~~ **A HEALTH CARE PROFESSIONAL**
8 **WHO HOLDS** a license issued under part 166, 170, 175, or 180, or the

equivalent license issued by another state. A PHYSICAL THERAPIST OR A PHYSICAL THERAPIST ASSISTANT MAY ENGAGE IN THE TREATMENT OF A PATIENT WITHOUT THE PRESCRIPTION OF A HEALTH CARE PROFESSIONAL WHO HOLDS A LICENSE ISSUED UNDER PART 166, 170, 175, OR 180, OR THE EQUIVALENT LICENSE ISSUED BY ANOTHER STATE, UNDER EITHER OF THE FOLLOWING CIRCUMSTANCES:

(A) FOR 21 DAYS OR 10 TREATMENTS, WHICHEVER FIRST OCCURS.

(B) THE PATIENT IS SEEKING PHYSICAL THERAPY SERVICES FOR THE PURPOSE OF PREVENTING INJURY OR PROMOTING FITNESS.

(2) The following words, titles, or letters or a combination thereof, ~~OF WORDS, TITLES, OR LETTERS~~, with or without qualifying words or phrases, are restricted in use only to those persons authorized under this part to use the terms and in a way prescribed in this part: "physical therapy", "physical therapist", "DOCTOR OF PHYSIOTHERAPY", "DOCTOR OF PHYSICAL THERAPY", "physiotherapist", "physiotherapy", "registered physical therapist", "licensed physical therapist", "physical therapy technician", "physical therapist assistant", "physical therapy assistant", "physiotherapist assistant", "physiotherapy assistant", "p.t. assistant", "p.t.", "r.p.t.", "l.p.t.", "c.p.t.", "d.p.t.", "m.p.t.", "p.t.a.", "registered p.t.a.", "licensed p.t.a.", "certified p.t.a.", "c.p.t.a.", "l.p.t.a.", "r.p.t.a.", and "p.t.t.".

Sec. 17824. (1) A physical therapist WHO IS TREATING A PATIENT UPON THE PRESCRIPTION OF A HEALTH CARE PROFESSIONAL AS DESCRIBED IN SECTION 17820 shall ~~refer a~~ DO ALL OF THE FOLLOWING, AS APPLICABLE:

(A) REFER THE patient back to the health care professional who

1 issued the prescription for treatment if the physical therapist has
 2 reasonable cause to believe that symptoms or conditions are present
 3 that require services beyond the scope of practice of physical
 4 therapy.

5 (B) ~~(2) A physical therapist shall consult~~ **CONSULT** with the
 6 health care professional who issued the prescription for treatment
 7 if ~~a~~ **THE** patient does not show reasonable response to treatment in
 8 a time period consistent with the standards of practice as
 9 determined by the board.

10 (2) A PHYSICAL THERAPIST WHO IS TREATING A PATIENT WITHOUT A
 11 PRESCRIPTION FROM A HEALTH CARE PROFESSIONAL UNDER THE CONDITIONS
 12 AUTHORIZED IN SECTION 17820 SHALL DO ALL OF THE FOLLOWING, AS
 13 APPLICABLE:

14 (A) REFER THE PATIENT TO AN APPROPRIATE HEALTH CARE
 15 PROFESSIONAL FOR TREATMENT IF THE PHYSICAL THERAPIST HAS REASONABLE
 16 CAUSE TO BELIEVE THAT SYMPTOMS OR CONDITIONS ARE PRESENT THAT
 17 REQUIRE SERVICES BEYOND THE SCOPE OF PRACTICE OF PHYSICAL THERAPY.

18 (B) CONSULT WITH AN APPROPRIATE HEALTH CARE PROFESSIONAL IF
 19 THE PATIENT DOES NOT SHOW REASONABLE RESPONSE TO TREATMENT IN A
 20 TIME PERIOD CONSISTENT WITH THE STANDARDS OF PRACTICE AS DETERMINED
 21 BY THE BOARD.

22 Enacting section 1. This amendatory act does not take effect
 23 unless all of the following bills of the 97th Legislature are
 24 enacted into law:

25 (a) House Bill No. 5357 (request no. H01450'13 **).

26 (b) House Bill No. 5358 (request no. H01452'13 **).

27 (c) House Bill No. 5359 (request no. H01453'13 **).

1 (d) House Bill No. 5360 (request no. H01454'13 **).