

SENATE BILL No. 129

February 26, 1991, Introduced by Senators FAUST, KOIVISTO, EHLERS, SCHWARZ and KELLY and referred to the Committee on Health Policy.

A bill to amend sections 16263, 17801, and 17820 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," section 16263 as amended by Act No. 216 of the Public Acts of 1990 and sections 17801 and 17820 as amended by Act No. 213 of the Public Acts of 1987, being sections 333.16263, 333.17801, and 333.17820 of the Michigan Compiled Laws; and to add sections 17819 and 17823.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 16263, 17801, and 17820 of Act No. 368
2 of the Public Acts of 1978, section 16263 as amended by Act
3 No. 216 of the Public Acts of 1990 and sections 17801 and 17820
4 as amended by Act No. 213 of the Public Acts of 1987, being
5 sections 333.16263, 333.17801, and 333.17820 of the Michigan

1 Compiled Laws, are amended and sections 17819 and 17823 are added
2 to read as follows:

3 Sec. 16263. (1) Except as provided in subsection (2), the
4 following words, titles, or letters or a combination thereof,
5 with or without qualifying words or phrases, are restricted in
6 use only to those persons authorized under this article to use
7 the terms and in a way prescribed in this article:

8 (a) "Chiropractic", "doctor of chiropractic",
9 "chiropractor", "d.c.", and "chiropractic physician".

10 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
11 lofacial surgeon", "orthodontist", "prosthodontist",
12 "periodontist", "endodontist", "oral pathologist", "pediatric
13 dentist", "dental hygienist", "registered dental hygienist",
14 "dental assistant", "registered dental assistant", "R.D.A.",
15 "d.d.s.", "d.m.d.", and "r.d.h.".

16 (c) "Doctor of medicine" and "m.d.".

17 (d) "Physician's assistant" and "p.a.".

18 (e) "Registered professional nurse", "registered nurse",
19 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
20 "nurse anesthetist", "nurse practitioner", "trained attendant",
21 and "t.a.".

22 (f) "Doctor of optometry", "optometrist", and "o.d.".

23 (g) "Osteopath", "osteopathy", "osteopathic practitioner",
24 "doctor of osteopathy", "diplomate in osteopathy", and "d.o.".

25 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",
26 "druggist", "medicine store", "prescriptions", and "r.ph.".

1 (i) "Physical therapy", "physical therapist",
 2 "physiotherapist", "registered physical therapist", "licensed
 3 physical therapist", "physical therapy technician", "CERTIFIED
 4 PHYSICAL THERAPY ASSISTANT", "CERTIFIED PHYSICAL THERAPIST
 5 ASSISTANT", "LICENSED PHYSICAL THERAPY ASSISTANT", "LICENSED
 6 PHYSICAL THERAPIST ASSISTANT", "PHYSIOTHERAPY ASSISTANT",
 7 "REGISTERED PHYSICAL THERAPY ASSISTANT", "REGISTERED PHYSICAL
 8 THERAPIST ASSISTANT", "PHYSICAL THERAPY ASSISTANT", "PHYSICAL
 9 THERAPIST ASSISTANT", "p.t.", "r.p.t.", "l.p.t.", ~~and~~ "p.t.t.",
 10 "C.P.T.A.", "L.P.T.A.", "R.P.T.A.", AND "P.T.A.".

11 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
 12 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
 13 specialist", "podiatric physician and surgeon", and "d.p.m.".

14 (k) "Consulting psychologist", "psychologist",
 15 "psychological assistant", and "psychological examiner",
 16 "licensed psychologist", and "limited licensed psychologist".

17 (l) "Licensed professional counselor", "licensed counselor",
 18 "professional counselor", and "l.p.c.".

19 (m) "Sanitarian", "registered sanitarian", and "r.s.".

20 (n) "Veterinary", "veterinarian", "veterinary doctor",
 21 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
 22 "d.v.m.", "animal technician", or "animal technologist".

23 (o) "Occupational therapist", "occupational therapist
 24 registered", "certified occupational therapist", "o.t.",
 25 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
 26 "occupational therapy assistant", or "c.o.t.a.".

1 (2) Notwithstanding section 16261, a person who was
2 specially trained at an institution of higher education in this
3 state to assist a physician in the field of orthopedics and upon
4 completion of training, received a 2-year associate of science
5 degree as an orthopedic physician's assistant before January 1,
6 1977, may use the title "orthopedic physician's assistant"
7 whether or not the person is licensed under this article.

8 Sec. 17801. (1) As used in this part:

9 (a) "Physical therapist" means an individual licensed under
10 this article to engage in the practice of physical therapy.

11 (b) "PHYSICAL THERAPIST ASSISTANT" MEANS AN INDIVIDUAL REG-
12 ISTERED AS A PHYSICAL THERAPIST ASSISTANT UNDER THIS ARTICLE.

13 (c) ~~-(b)-~~ "Practice of physical therapy" means the evalu-
14 ation of, education of, consultation with, or treatment of an
15 individual by the employment of effective properties of physical
16 measures and the use of therapeutic exercises and rehabilitative
17 procedures, with or without assistive devices, for the purpose of
18 preventing, correcting, or alleviating a physical or mental
19 disability. It includes treatment planning, performance of tests
20 and measurements, interpretation of referrals, initiation of
21 referrals, instruction, consultative services, and supervision of
22 personnel. Physical measures include massage, mobilization,
23 heat, cold, air, light, water, electricity, and sound. Practice
24 of physical therapy does not include the identification of under-
25 lying medical problems or etiologies, establishment of medical
26 diagnoses, or the prescribing of treatment.

1 (2) In addition to the definitions in this part, article 1
2 contains general definitions and principles of construction
3 applicable to all articles in this code and part 161 contains
4 definitions applicable to this part.

5 SEC. 17819. AN INDIVIDUAL SHALL NOT USE THE TITLES
6 "PHYSICAL THERAPIST ASSISTANT" OR "P.T.A." OR SIMILAR WORDS THAT
7 INDICATE THAT HE OR SHE IS A REGISTERED PHYSICAL THERAPIST
8 ASSISTANT UNLESS THE INDIVIDUAL IS REGISTERED UNDER THIS ARTICLE.

9 Sec. 17820. (1) ~~A person~~ AN INDIVIDUAL shall not engage
10 in the practice of physical therapy unless licensed or otherwise
11 authorized by this article. A ~~person~~ LICENSEE shall engage in
12 the actual treatment of an individual only upon the prescription
13 of an individual holding a license, other than a HEALTH
14 PROFESSION subfield license, issued under part 166, 170, 175, or
15 180, or the equivalent license issued by another state.

16 (2) A REGISTERED PHYSICAL THERAPIST ASSISTANT SHALL ENGAGE
17 IN THE PRACTICE OF PHYSICAL THERAPY ONLY UNDER THE SUPERVISION OF
18 A LICENSED PHYSICAL THERAPIST.

19 SEC. 17823. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), THE
20 BOARD SHALL ISSUE A REGISTRATION AS A PHYSICAL THERAPIST ASSIST-
21 ANT TO AN INDIVIDUAL WHO MEETS BOTH OF THE FOLLOWING
22 REQUIREMENTS:

23 (A) HAS SUCCESSFULLY COMPLETED A COURSE OF STUDY IN A PHYSI-
24 CAL THERAPIST ASSISTANT PROGRAM APPROVED BY THE BOARD.

25 (B) FOLLOWING COMPLETION OF THE COURSE OF STUDY REQUIRED
26 UNDER SUBDIVISION (A), HAS SUCCESSFULLY COMPLETED AN EXAMINATION
27 DESIGNED TO EVALUATE THE KNOWLEDGE AND SKILLS REQUIRED TO SAFELY

1 AND COMPETENTLY PERFORM AS A PHYSICAL THERAPIST ASSISTANT AND
2 APPROVED BY THE BOARD.

3 (2) UNTIL THE BOARD APPROVES AN EXAMINATION FOR USE UNDER
4 SUBSECTION (1)(B), THE BOARD SHALL ISSUE A REGISTRATION AS A
5 PHYSICAL THERAPIST ASSISTANT WITHOUT EXAMINATION TO AN APPLICANT
6 WHO HAS SUCCESSFULLY COMPLETED THE REQUIREMENT OF SUBSECTION
7 (1)(A).