



# HOUSE BILL No. 4837

May 16, 1995, Introduced by Reps. Hammerstrom, Baird, McBryde, Martinez, Willard, Law, Leland, Goschka, London, Jellema, DeMars and Gire and referred to the Committee on Health Policy.

A bill to amend sections 16263, 16335, 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, section 16335 as added by Act No. 80 of the Public Acts of 1993, and sections 17801 and 17820 as amended by Act No. 213 of the Public Acts of 1987, being sections 333.16263, 333.16335, 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, 16335, 17801, and 17820 of Act  
2 No. 368 of the Public Acts of 1978, section 16263 as amended by  
3 Act No. 216 of the Public Acts of 1990, section 16335 as added by  
4 Act No. 80 of the Public Acts of 1993, and sections 17801 and  
5 17820 as amended by Act No. 213 of the Public Acts of 1987, being

1 sections 333.16263, 333.16335, 333.17801, and 333.17820 of the  
2 Michigan Compiled Laws, are amended and sections 17819 and 17823  
3 are added to read as follows:

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

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

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

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

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

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

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

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

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

1 (i) "Physical therapy", "PHYSIOTHERAPY", "physical  
2 therapist", "physiotherapist", "registered physical therapist",  
3 "licensed physical therapist", "physical therapy technician",  
4 "CERTIFIED PHYSICAL THERAPY ASSISTANT", "CERTIFIED PHYSICAL THER-  
5 APIST ASSISTANT", "LICENSED PHYSICAL THERAPY ASSISTANT",  
6 "LICENSED PHYSICAL THERAPIST ASSISTANT", "PHYSIOTHERAPY  
7 ASSISTANT", "REGISTERED PHYSICAL THERAPY ASSISTANT", "REGISTERED  
8 PHYSICAL THERAPIST ASSISTANT", "PHYSICAL THERAPY ASSISTANT",  
9 "PHYSICAL THERAPIST ASSISTANT", "p.t.", "r.p.t.", "l.p.t.", ~~and~~  
10 "p.t.t.", "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. 16335. Fees for a person licensed or seeking licensure  
9 to engage in the practice of physical therapy OR FOR A PERSON  
10 SEEKING REGISTRATION AS A PHYSICAL THERAPIST ASSISTANT under part  
11 178 are as follows:

- 12 (a) Application processing fee.....\$ 20.00
- 13 (b) Examination fees:
- 14 (i) PHYSICAL THERAPIST ASSISTANT EXAMINATION.....115.00
- 15 (ii) Jurisprudence examination only..... 25.00
- 16 (c) ~~License~~ PHYSICAL THERAPIST LICENSE fee, per
- 17 year..... 50.00
- 18 (d) ~~Temporary~~ PHYSICAL THERAPIST TEMPORARY license.... 20.00
- 19 (e) ~~Limited~~ PHYSICAL THERAPIST LIMITED license, per
- 20 year..... 25.00
- 21 (F) PHYSICAL THERAPIST ASSISTANT REGISTRATION FEE, PER
- 22 YEAR..... 25.00

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

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

26 (B) "PHYSICAL THERAPIST ASSISTANT" MEANS AN INDIVIDUAL  
27 REGISTERED AS A PHYSICAL THERAPIST ASSISTANT UNDER THIS ARTICLE.

1 (C) ~~(b)~~ "Practice of physical therapy" means the  
2 evaluation of, education of, consultation with, or treatment of  
3 an individual by the employment of effective properties of physi-  
4 cal measures and the use of therapeutic exercises and rehabilita-  
5 tive procedures, with or without assistive devices, for the pur-  
6 pose of preventing, correcting, or alleviating a physical or  
7 mental disability. It includes treatment planning, performance  
8 of tests and measurements, interpretation of referrals, initia-  
9 tion of referrals, instruction, consultative services, and super-  
10 vision of personnel. Physical measures include massage, mobili-  
11 zation, heat, cold, air, light, water, electricity, and sound.  
12 Practice of physical therapy does not include the identification  
13 of underlying medical problems or etiologies, establishment of  
14 medical diagnoses, or the prescribing of treatment.

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

19 SEC. 17819. AN INDIVIDUAL SHALL NOT USE THE TITLES  
20 "PHYSICAL THERAPIST ASSISTANT" OR "P.T.A." OR SIMILAR WORDS THAT  
21 INDICATE THAT HE OR SHE IS A REGISTERED PHYSICAL THERAPIST  
22 ASSISTANT UNLESS THE INDIVIDUAL IS REGISTERED UNDER THIS ARTICLE.

23 Sec. 17820. (1) ~~A person~~ AN INDIVIDUAL shall not engage  
24 in the practice of physical therapy unless licensed or otherwise  
25 authorized by this article. A ~~person~~ LICENSEE shall engage in  
26 the actual treatment of an individual only upon the prescription  
27 of an individual holding a license, other than a HEALTH

1 PROFESSION subfield license, issued under part 166, 170, 175, or  
2 180, or the equivalent license issued by another state.

3 (2) A PHYSICAL THERAPIST ASSISTANT SHALL ENGAGE IN THE PRAC-  
4 TICE OF PHYSICAL THERAPY ONLY UNDER THE SUPERVISION OF A PHYSICAL  
5 THERAPIST.

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

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

12 (B) FOLLOWING COMPLETION OF THE COURSE OF STUDY REQUIRED  
13 UNDER SUBDIVISION (A), HAS SUCCESSFULLY COMPLETED AN EXAMINATION  
14 DESIGNED TO EVALUATE THE KNOWLEDGE AND SKILLS REQUIRED TO SAFELY  
15 AND COMPETENTLY PERFORM AS A PHYSICAL THERAPIST ASSISTANT AND  
16 APPROVED BY THE BOARD.

17 (2) UNTIL THE BOARD APPROVES AN EXAMINATION FOR USE UNDER  
18 SUBSECTION (1)(B), THE BOARD SHALL ISSUE A REGISTRATION AS A  
19 PHYSICAL THERAPIST ASSISTANT WITHOUT EXAMINATION TO AN APPLICANT  
20 WHO HAS SUCCESSFULLY COMPLETED THE REQUIREMENT OF SUBSECTION  
21 (1)(A).