

**House Bill 5759**

**Sponsor: Rep. Pat Gagliardi**

**Committee: Conservation, Environment  
and Recreation**

**Complete to 5-8-98**

**A SUMMARY OF HOUSE BILL 5759 AS INTRODUCED 4-23-98**

The Natural Resources and Environmental Protection Act (NREPA) allows a handicapped person to receive a crossbow permit under certain circumstances. The applicant must submit a signed statement from a physician, based on a physical therapist's test findings, certifying the applicant's percentage of disability. The physician may certify that the applicant is permanently disabled if he or she has at least 80 percent impairment of a hand, elbow or shoulder. In making this determination, the physician and physical therapist must use certain standards and criteria, including a "coordination assessment." House Bill 5759 would amend the act to delete the provision for evaluations by a physical therapist, to change the current definition of "coordination," and to provide additional standards and criteria for evaluating an applicant's disability.

Permit Requirements. Under the bill, a disabled applicant would have to submit certification from a physician indicating the degree of his or her disability. The physician would have to perform objective tests to make this determination, and would certify that the applicant was permanently disabled if either of the following were found:

- That the permit applicant had muscle weakness in one arm equivalent to Grade 4 out of 5, or weaker, in the muscle weakness grading scheme in Hislop, *Daniels and Worthingham's Muscle Testing: Techniques of Manual Examination* (Philadelphia: Saunders, 6th Ed, 1995), and that the weakness was attributable to neuromuscular-skeletal problems.

- That the permit applicant had at least 80 percent hand, elbow, or shoulder impairment, in combination or individually. (Note: this provision would leave intact a reference to a "physical therapist" making this determination, while other parts of the bill would delete references to physical therapists.)

The bill would specify that a physician must use the Hislop's guidelines or the American Medical Association's *Guides to the Evaluation of Permanent Impairment* (Chicago: 4th Ed, 1993) in testing for hand, elbow, or shoulder impairment.

Definition. The bill would delete the current definition of "coordination assessment." Instead, the bill would define "coordination" to mean the ability of muscles to work together to perform a task with smooth, accurate, controlled movement, as contrasted with incoordination or coordination deficit, which describes abnormal motor function characterized by awkward, extraneous, uneven, or inaccurate movements, caused by central nervous disorders, including but

not limited to, Parkinson's disease, cerebral palsy, hemiplegia, hemiparesis, and closed head trauma; or by progressive neuromuscular diseases, such as muscular dystrophy, multiple sclerosis, and amyotrophic lateral sclerosis.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.