

SUBSTITUTE FOR
SENATE BILL NO. 151

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16335, 17801, 17820, and 17821 (MCL
333.16335, 333.17801, 333.17820, and 333.17821), section 16335 as
added by 1993 PA 80, section 17801 as amended by 1987 PA 213, and
sections 17820 and 17821 as amended by 2006 PA 387, and by adding
sections 17823, 17824, 17825, 17826, and 17827.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16335. Fees for a person licensed or seeking licensure
2 to engage in the practice of physical therapy **OR PRACTICE AS A**
3 **PHYSICAL THERAPIST ASSISTANT** under part 178 are as follows:

4 (a) Application processing fee..... \$ 20.00
5 (b) Examination fees:

1	Jurisprudence examination only.....	25.00
2	(c) License fee, per year.....	50.00 90.00
3	----- (d) Temporary license.....	20.00
4	(D) (e) Limited license, per year.....	25.00

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

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

8 (B) "PHYSICAL THERAPIST ASSISTANT" MEANS AN INDIVIDUAL WITH
9 A HEALTH PROFESSION SUBFIELD LICENSE UNDER THIS PART WHO ASSISTS
10 A PHYSICAL THERAPIST IN PHYSICAL THERAPY INTERVENTION.

11 (C) "PRACTICE AS PHYSICAL THERAPIST ASSISTANT" MEANS THE
12 PRACTICE OF PHYSICAL THERAPY PERFORMED UNDER THE SUPERVISION OF A
13 PHYSICAL THERAPIST LICENSED UNDER THIS PART.

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

1 prescribing of treatment.

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

6 Sec. 17820. (1) A person shall not engage in the practice of
7 physical therapy **OR PRACTICE AS A PHYSICAL THERAPIST ASSISTANT**
8 unless licensed or otherwise authorized ~~by~~**UNDER** this article
9 **PART**. A person shall engage in the actual treatment of an
10 individual only upon the prescription of an individual holding a
11 license issued under part 166, 170, 175, or 180, or the
12 equivalent license issued by another state.

13 (2) The following words, titles, or letters or a combination
14 thereof, with or without qualifying words or phrases, are
15 restricted in use only to those persons authorized under this
16 part to use the terms and in a way prescribed in this part:
17 "physical therapy", "physical therapist", "physiotherapist",
18 **"PHYSIOTHERAPY"**, "registered physical therapist", "licensed
19 physical therapist", "physical therapy technician", **"PHYSICAL**
20 **THERAPIST ASSISTANT"**, **"PHYSICAL THERAPY ASSISTANT"**,
21 **"PHYSIOTHERAPIST ASSISTANT"**, **"PHYSIOTHERAPY ASSISTANT"**, **"P.T.**
22 **ASSISTANT"**, "p.t.", "r.p.t.", "l.p.t.", "C.P.T.", "D.P.T.",
23 **"M.P.T."**, **"P.T.A."**, **"REGISTERED P.T.A."**, **"LICENSED P.T.A."**,
24 **"CERTIFIED P.T.A."**, **"C.P.T.A."**, **"L.P.T.A."**, **"R.P.T.A."**, and
25 "p.t.t.t."

26 Sec. 17821. (1) The Michigan board of physical therapy is
27 created in the department and shall consist of the following 9-11

1 voting members who shall meet the requirements of part 161: 5-6
2 physical therapists, 1 **PHYSICAL THERAPIST ASSISTANT**, and 4 public
3 members.

4 (2) The terms of office of the individual members of the
5 board created under this section, except those appointed to fill
6 vacancies, expire 4 years after appointment on December 31 of the
7 year in which the term expires.

8 **SEC. 17823. THE DEPARTMENT, IN CONSULTATION WITH THE BOARD,**
9 **SHALL PROMULGATE RULES TO ESTABLISH PROFESSIONAL DEVELOPMENT**
10 **REQUIREMENTS FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPIST**
11 **ASSISTANTS. NOTWITHSTANDING THE REQUIREMENTS OF PART 161,**
12 **BEGINNING THE LICENSE YEAR AFTER THE EFFECTIVE DATE OF THE RULES**
13 **PROMULGATED UNDER THIS SUBSECTION, AN INDIVIDUAL SHALL MEET THE**
14 **PROFESSIONAL DEVELOPMENT REQUIREMENTS ESTABLISHED UNDER THIS**
15 **SUBSECTION. THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL**
16 **PROMULGATE RULES TO REQUIRE LICENSEES SEEKING RENEWAL TO FURNISH**
17 **EVIDENCE ACCEPTABLE TO THE DEPARTMENT AND THE BOARD OF THE**
18 **SUCCESSFUL COMPLETION, DURING THE PRECEDING LICENSE TERM, OF**
19 **THOSE PROFESSIONAL DEVELOPMENT REQUIREMENTS.**

20 **SEC. 17824. (1) A PHYSICAL THERAPIST SHALL REFER A PATIENT**
21 **BACK TO THE HEALTH CARE PROFESSIONAL WHO ISSUED THE PRESCRIPTION**
22 **FOR TREATMENT IF THE PHYSICAL THERAPIST HAS REASONABLE CAUSE TO**
23 **BELIEVE THAT SYMPTOMS OR CONDITIONS ARE PRESENT THAT REQUIRE**
24 **SERVICES BEYOND THE SCOPE OF PRACTICE OF PHYSICAL THERAPY.**

25 (2) A PHYSICAL THERAPIST SHALL CONSULT WITH THE HEALTH CARE
26 PROFESSIONAL WHO ISSUED THE PRESCRIPTION FOR TREATMENT IF A
27 PATIENT DOES NOT SHOW REASONABLE RESPONSE TO TREATMENT IN A TIME

1 PERIOD CONSISTENT WITH THE STANDARDS OF PRACTICE AS DETERMINED BY
2 THE BOARD.

3 SEC. 17825. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL
4 THIRD PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION
5 BENEFITS FOR PHYSICAL THERAPY SERVICES AND DOES NOT PRECLUDE A
6 THIRD PARTY PAYER FROM REQUIRING A MEMBER OR ENROLLEE TO FULFILL
7 BENEFIT REQUIREMENTS FOR PHYSICAL THERAPY SERVICES, INCLUDING,
8 BUT NOT LIMITED TO, PRESCRIPTION, REFERRAL, OR PREAPPROVAL WHEN
9 SERVICES ARE RENDERED BY AN INDIVIDUAL LICENSED OR OTHERWISE
10 AUTHORIZED UNDER THIS PART.

11 SEC. 17826. (1) AN APPLICANT FOR LICENSURE AS A PHYSICAL
12 THERAPIST ASSISTANT SHALL MEET THE REQUIREMENTS OF SECTION 16174
13 AND, EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2), ALL OF THE
14 FOLLOWING REQUIREMENTS, AS APPLICABLE:

15 (A) IS A GRADUATE OF A PROGRAM FOR THE TRAINING OF PHYSICAL
16 THERAPIST ASSISTANTS APPROVED BY THE BOARD.

17 (B) IF GRADUATED FROM A PROGRAM DESCRIBED IN SUBDIVISION (A)
18 AFTER JANUARY 1, 2008, HAS PASSED AN EXAMINATION APPROVED BY THE
19 BOARD.

20 (2) FOR THE PURPOSES OF SUBSECTION (1) (A), THE BOARD SHALL
21 APPROVE A PHYSICAL THERAPIST ASSISTANT TRAINING PROGRAM FROM THE
22 UNITED STATES MILITARY OR FROM OUTSIDE OF THE UNITED STATES IF
23 THAT TRAINING PROGRAM IS DETERMINED TO BE SUBSTANTIALLY
24 EQUIVALENT TO PHYSICAL THERAPIST ASSISTANT ENTRY LEVEL TRAINING
25 IN THE UNITED STATES BY A CREDENTIALS EVALUATION ORGANIZATION
26 APPROVED BY THE AMERICAN PHYSICAL THERAPY ASSOCIATION OR IS
27 LISTED AS A CREDENTIALING ORGANIZATION IN 8 CFR 212.15(E).

1 SEC. 17827. BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION
2 AND ENDING ON THE EFFECTIVE DATE OF RULES PROMULGATED REGARDING
3 THE ISSUANCE OF LICENSES TO PHYSICAL THERAPIST ASSISTANTS UNDER
4 THIS PART, THE BOARD SHALL GRANT A LIMITED LICENSE TO AN
5 APPLICANT WHO IS A GRADUATE OF A PHYSICAL THERAPIST ASSISTANT
6 EDUCATION PROGRAM ACCREDITED BY THE COMMISSION ON ACCREDITATION
7 IN PHYSICAL THERAPY EDUCATION. A LIMITED LICENSE ISSUED UNDER
8 THIS SECTION IS EFFECTIVE UNTIL THE BOARD FORMALLY ISSUES OR
9 DENIES A LICENSE TO THE APPLICANT.