

Act No. 55  
Public Acts of 2009  
Approved by the Governor  
June 25, 2009  
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June 25, 2009  
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**STATE OF MICHIGAN  
95TH LEGISLATURE  
REGULAR SESSION OF 2009**

Introduced by Senators Patterson, Kuipers and Garcia

# ENROLLED SENATE BILL No. 151

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," 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:*

Sec. 16335. Fees for a person licensed or seeking licensure to engage in the practice of physical therapy or practice as a physical therapist assistant under part 178 are as follows:

(a) Application processing fee .....	\$ 20.00
(b) Examination fees:	
Jurisprudence examination only .....	25.00
(c) License fee, per year .....	90.00
(d) Limited license, per year .....	25.00

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

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

(b) "Physical therapist assistant" means an individual with a health profession subfield license under this part who assists a physical therapist in physical therapy intervention.

(c) “Practice as physical therapist assistant” means the practice of physical therapy performed under the supervision of a physical therapist licensed under this part.

(d) “Practice of physical therapy” means the evaluation of, education of, consultation with, or treatment of an individual by the employment of effective properties of physical measures and the use of therapeutic exercises and rehabilitative procedures, with or without assistive devices, for the purpose of preventing, correcting, or alleviating a physical or mental disability. Physical therapy includes treatment planning, performance of tests and measurements, interpretation of referrals, initiation of referrals, instruction, consultative services, and supervision of personnel. Physical measures include massage, mobilization, heat, cold, air, light, water, electricity, and sound. Practice of physical therapy does not include the identification of underlying medical problems or etiologies, establishment of medical diagnoses, or the prescribing of treatment.

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

Sec. 17820. (1) A person shall not engage in the practice of physical therapy or practice as a physical therapist assistant unless licensed or otherwise authorized under this part. A person shall engage in the actual treatment of an individual only upon the prescription of an individual holding a license issued under part 166, 170, 175, or 180, or the equivalent license issued by another state.

(2) The following words, titles, or letters or a combination thereof, 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”, “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. 17821. (1) The Michigan board of physical therapy is created in the department and shall consist of the following 11 voting members who shall meet the requirements of part 161: 6 physical therapists, 1 physical therapist assistant, and 4 public members.

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

Sec. 17823. The department, in consultation with the board, shall promulgate rules to establish professional development requirements for physical therapists and physical therapist assistants. Notwithstanding the requirements of part 161, beginning the license year after the effective date of the rules promulgated under this subsection, an individual shall meet the professional development requirements established under this subsection. The department, in consultation with the board, shall promulgate rules to require licensees seeking renewal to furnish evidence acceptable to the department and the board of the successful completion, during the preceding license term, of those professional development requirements.

Sec. 17824. (1) A physical therapist shall refer a patient back to the health care professional who issued the prescription for treatment if the physical therapist has reasonable cause to believe that symptoms or conditions are present that require services beyond the scope of practice of physical therapy.

(2) A physical therapist shall consult with the health care professional who issued the prescription for treatment if a patient does not show reasonable response to treatment in a time period consistent with the standards of practice as determined by the board.

Sec. 17825. This part does not require new or additional third party reimbursement or mandated worker’s compensation benefits for physical therapy services and does not preclude a third party payer from requiring a member or enrollee to fulfill benefit requirements for physical therapy services, including, but not limited to, prescription, referral, or preapproval when services are rendered by an individual licensed or otherwise authorized under this part.

Sec. 17826. (1) An applicant for licensure as a physical therapist assistant shall meet the requirements of section 16174 and, except as otherwise provided in subsection (2), all of the following requirements, as applicable:

(a) Is a graduate of a program for the training of physical therapist assistants approved by the board.

(b) If graduated from a program described in subdivision (a) after January 1, 2008, has passed an examination approved by the board.

(2) For the purposes of subsection (1)(a), the board shall approve a physical therapist assistant training program from the United States military or from outside of the United States if that training program is determined to be substantially equivalent to physical therapist assistant entry level training in the United States by a credentials

evaluation organization approved by the American physical therapy association or is listed as a credentialing organization in 8 CFR 212.15(e).

Sec. 17827. Beginning on the effective date of this section and ending on the effective date of rules promulgated regarding the issuance of licenses to physical therapist assistants under this part, the board shall grant a limited license to an applicant who is a graduate of a physical therapist assistant education program accredited by the commission on accreditation in physical therapy education. A limited license issued under this section is effective until the board formally issues or denies a license to the applicant.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Richard J. Brown*

Clerk of the House of Representatives

Approved .....

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Governor