

# SENATE BILL No. 690

November 14, 2013, Introduced by Senators MOOLENAAR, HILDENBRAND, PAPPAGEORGE, WARREN, GREEN, MEEKHOF, CASPERSON and BRANDENBURG and referred to the Committee on Insurance.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17801, 17820, 17822, and 17824 (MCL 333.17801, 333.17820, 333.17822, and 333.17824), sections 17801 and 17820 as amended and section 17824 as added by 2009 PA 55 and section 17822 as amended by 2005 PA 281.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

(A) "HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL WHO IS LICENSED OR OTHERWISE AUTHORIZED TO ENGAGE IN A HEALTH PROFESSION UNDER PART 166, 170, 175, OR 180, OR AN INDIVIDUAL HOLDING THE EQUIVALENT LICENSE ISSUED BY ANOTHER STATE.

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

(C) ~~(b)~~—"Physical therapist assistant" means an individual

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1 with a health profession subfield license under this part who  
2 assists a physical therapist in physical therapy intervention.

3 (D) ~~(e)~~—"Practice as physical therapist assistant" means the  
4 practice of physical therapy performed under the supervision of a  
5 physical therapist licensed under this part.

6 (E) ~~(d)~~—"Practice of physical therapy" means the evaluation  
7 of, education of, consultation with, or treatment of an individual  
8 by the employment of effective properties of physical measures and  
9 the use of therapeutic exercises and rehabilitative procedures,  
10 with or without assistive devices, for the purpose of preventing,  
11 correcting, or alleviating a physical or mental disability.  
12 Physical therapy includes treatment planning, performance of tests  
13 and measurements, interpretation of referrals, initiation of  
14 referrals, instruction, consultative services, and supervision of  
15 personnel. Physical measures include massage, mobilization, heat,  
16 cold, air, light, water, electricity, and sound. Practice of  
17 physical therapy does not include the identification of underlying  
18 medical problems or etiologies, establishment of medical diagnoses,  
19 or the prescribing of **MEDICAL** treatment.

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

24 Sec. 17820. (1) ~~A person~~ **AN INDIVIDUAL** shall not engage in the  
25 practice of physical therapy or practice as a physical therapist  
26 assistant unless licensed or otherwise authorized under this part.  
27 ~~A person shall~~ **EXCEPT AS OTHERWISE PROVIDED IN SECTION 17824,**

1 BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED  
 2 THIS PHRASE, A PHYSICAL THERAPIST OR A PHYSICAL THERAPIST ASSISTANT  
 3 ACTING UNDER THE SUPERVISION OF A PHYSICAL THERAPIST MAY engage in  
 4 the ~~actual treatment of an individual only upon the~~ WITHOUT A  
 5 prescription ~~of an individual holding a license issued under part~~  
 6 ~~166, 170, 175, or 180, or the equivalent license issued by another~~  
 7 ~~state.~~ FROM A HEALTH PROFESSIONAL.

8 (2) The following words, titles, or letters or a combination  
 9 thereof, ~~OF WORDS, TITLES, OR LETTERS,~~ with or without qualifying  
 10 words or phrases, are restricted in use only to those persons  
 11 authorized under this part to use the terms and in a way prescribed  
 12 in this part: "physical therapy", "physical therapist", "**DOCTOR OF**  
 13 **PHYSIOTHERAPY**", "**DOCTOR OF PHYSICAL THERAPY**", "physiotherapist",  
 14 "physiotherapy", "registered physical therapist", "licensed  
 15 physical therapist", "physical therapy technician", "physical  
 16 therapist assistant", "physical therapy assistant",  
 17 "physiotherapist assistant", "physiotherapy assistant", "p.t.  
 18 assistant", "p.t.", "r.p.t.", "l.p.t.", "c.p.t.", "d.p.t.",  
 19 "m.p.t.", "p.t.a.", "registered p.t.a.", "licensed p.t.a.",  
 20 "certified p.t.a.", "c.p.t.a.", "l.p.t.a.", "r.p.t.a.", and  
 21 "p.t.t."

22 Sec. 17822. This part does not prohibit a hospital, as a  
 23 condition of employment or the granting of staff privileges, from  
 24 requiring a physical therapist to practice in the hospital only  
 25 upon the prescription of ~~an individual holding a license issued~~  
 26 ~~under part 166, 170, 175, or 180 or the equivalent license issued~~  
 27 ~~by another state.~~ A HEALTH PROFESSIONAL.

1           Sec. 17824. (1) A physical therapist WHO IS TREATING A PATIENT  
2 UPON THE PRESCRIPTION OF A HEALTH PROFESSIONAL shall ~~refer~~ DO ALL  
3 OF THE FOLLOWING, AS APPLICABLE:

4           (A) REFER a patient back to the health ~~care~~ professional who  
5 issued the prescription for treatment if the physical therapist has  
6 reasonable cause to believe that symptoms or conditions are present  
7 that require services beyond the scope of practice of physical  
8 therapy.

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

14           (2) A PHYSICAL THERAPIST WHO IS TREATING A PATIENT WITHOUT A  
15 PRESCRIPTION FROM A HEALTH PROFESSIONAL AS AUTHORIZED UNDER SECTION  
16 17820 SHALL DO ALL OF THE FOLLOWING, AS APPLICABLE:

17           (A) REFER A PATIENT TO AN APPROPRIATE HEALTH PROFESSIONAL IF  
18 THE PHYSICAL THERAPIST HAS REASONABLE CAUSE TO BELIEVE THAT  
19 SYMPTOMS OR CONDITIONS ARE PRESENT THAT REQUIRE SERVICES BEYOND THE  
20 SCOPE OF PRACTICE OF PHYSICAL THERAPY.

21           (B) CONSULT WITH AN APPROPRIATE HEALTH PROFESSIONAL IF A  
22 PATIENT DOES NOT SHOW REASONABLE RESPONSE TO TREATMENT IN A TIME  
23 PERIOD CONSISTENT WITH THE STANDARDS OF PRACTICE AS DETERMINED BY  
24 THE BOARD.

25           (C) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, OBTAIN A  
26 PRESCRIPTION FROM AN APPROPRIATE HEALTH PROFESSIONAL TO CONTINUE  
27 TREATMENT BEYOND 21 DAYS OR 10 TREATMENTS, WHICHEVER FIRST OCCURS.

1 A PHYSICAL THERAPIST IS NOT REQUIRED TO OBTAIN A PRESCRIPTION FROM  
2 A HEALTH PROFESSIONAL UNDER THIS SUBDIVISION IF THE PATIENT IS  
3 SEEKING PHYSICAL THERAPY SERVICES FOR THE PURPOSE OF PREVENTING  
4 INJURY OR PROMOTING FITNESS.

5 Enacting section 1. This amendatory act does not take effect  
6 unless all of the following bills of the 97th Legislature are  
7 enacted into law:

8 (a) Senate Bill No.694

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10 (b) Senate Bill No.693

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12 (c) Senate Bill No.692

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14 (d) Senate Bill No.691

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