

PHYSICAL THERAPISTS TO CERTIFY DISABILITY

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Senate Bill 582 as reported w/o amendment

Sponsor: Sen. Marty Knollenberg

House Committee: Transportation and Infrastructure

Senate Committee: Transportation

Complete to 2-9-18

Analysis available at

<http://www.legislature.mi.gov>

(Enacted as Public Act 62 of 2018)

SUMMARY:

Senate Bill 582 would amend the Michigan Vehicle Code to authorize physical therapists to determine that an individual is disabled for purposes of obtaining a temporary or permanent windshield placard, a special registration plate or tab, or a free parking sticker.

Section 19a of the Vehicle Code currently defines “disabled person” or “person with disabilities” to mean an individual who is determined by a physician, physician assistant, or optometrist to have 1 or more of the following:

- Blindness as determined by an optometrist, physician, or physician assistant.
- The inability to walk more than 200 feet without having to stop and rest.
- Both the inability to use one or both legs or feet and the inability to walk without the assistance of another person or use of a wheelchair, walker, crutch, brace, prosthetic, or other device.
- A lung disease from which the person’s forced expiratory volume for one second, when measured by spirometry, is less than one liter, or from which the person’s arterial oxygen tension is less than 60 mm/hg of room air at rest.
- A cardiovascular condition that causes the person to measure between 3 and 4 on the New York heart classification scale or that renders the person incapable of meeting a minimum standard for cardiovascular health that is established by the American Heart Association and approved by the Department of Health and Human Services.
- An arthritic, neurological, or orthopedic condition that severely limits the person’s ability to walk.
- The persistent reliance upon an oxygen source other than ordinary air.

The bill would insert the above definition of “disabled person” in Sections 675, 803d, and 803h of the Code. The bill would then amend the definition in those sections to include physical therapists among the medical professionals authorized to make the above disability determinations for purposes of those sections—namely, to obtain a temporary or permanent disability windshield placard, a disability license plate, or a disability tab for use with a regular license plate. With regard to placards, this authority would extend to physical therapists licensed or certified to practice in another state.

Under current law, to be eligible for a free parking sticker under Section 675, an individual must have a physician, physician assistant, or certified nurse practitioner certify that he or she is unable (or the individual must be obviously unable) to do any of the following:

- Handle coins or parking machine tickets or tokens due to a lack of fine motor control in both hands.

- Reach up to a height of 42 inches from the ground due to a lack of strength or mobility.
- Approach a parking meter due to use of a wheelchair or other mobility device.
- Walk farther than 20 feet due to a debilitating orthopedic, neurological, cardiovascular, or pulmonary condition.

Senate Bill 582 would also add physical therapists to the medical professionals who are authorized to certify as to the above disabling conditions that would allow an individual to receive a free parking sticker. This authority would extend to physical therapists licensed or certified to practice in another state.

The bill would take effect 90 days after enactment.

MCL 257.675, 257.803d, and 257.803h

FISCAL IMPACT:

Senate Bill 582 would result in potential minimal decreases in revenue to the Michigan Transportation Fund (MTF) and local units of government. Revenue decreases would depend on whether, and the extent to which, allowing physical therapists to qualify persons for a disabled status leads to an increase in the number of qualified disabled drivers who would not have otherwise sought and received the qualified status from other medical professionals, and who take advantage of certain benefits. A decrease in revenue to the MTF and local units would result if one of these qualified persons:

- Registers his or her van at the 50% registration tax rate in accordance with Section 801(1)(a) of the Vehicle Code, or
- Is further qualified for a free public parking placard and would have otherwise paid for parking.

Funds from the MTF are distributed to various agencies and local governments for road maintenance and infrastructure costs.

HOUSE COMMITTEE ACTION:

The House Committee on Transportation and Infrastructure reported the Senate-passed version of the bill without amendment.

POSITIONS:

A representative of the Michigan Physical Therapy Association testified in support of the bill. (1-30-18)

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