

HOUSE BILL No. 2713

By Committee on Health and Human Services

1-25

9 AN ACT concerning the practice of physical therapy; amending K.S.A.
10 2005 Supp. 65-2901 and 65-2912 and repealing the existing sections.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2005 Supp. 65-2901 is hereby amended to read as
14 follows: 65-2901. As used in article 29 of chapter 65 of the Kansas Statutes
15 Annotated and acts amendatory of the provisions thereof or supplemental
16 thereto:

17 (a) “Physical therapy” means examining, evaluating and testing indi-
18 viduals with mechanical, anatomical, physiological and developmental im-
19 pairments, functional limitations and disabilities or other health and
20 movement-related conditions in order to determine a diagnosis solely for
21 physical therapy, prognosis, plan of therapeutic intervention and to assess
22 the ongoing effects of physical therapy intervention. Physical therapy also
23 includes alleviating impairments, functional limitations and disabilities by
24 designing, implementing and modifying therapeutic interventions that
25 may include, but are not limited to, therapeutic exercise; functional train-
26 ing in community or work integration or reintegration; manual therapy;
27 therapeutic massage; prescription, application and, as appropriate, fab-
28 rication of assistive, adaptive, orthotic, prosthetic, protective and support-
29 tive devices and equipment; airway clearance techniques; integumentary
30 protection and repair techniques; debridement and wound care; physical
31 agents or modalities; mechanical and electrotherapeutic modalities; pa-
32 tient-related instruction; reducing the risk of injury, impairments, func-
33 tional limitations and disability, including the promotion and maintenance
34 of fitness, health and quality of life in all age populations and engaging in
35 administration, consultation, education and research. Physical therapy
36 also includes the care and services provided by a physical therapist or a
37 physical therapist assistant under the direction and supervision of a phys-
38 ical therapist that is licensed pursuant to this act. Physical therapy does
39 not include the use of roentgen rays and radium for diagnostic and ther-
40 apeutic purposes, the use of electricity for surgical purposes, including
41 cauterization, the practice of any branch of the healing arts and the mak-
42 ing of a medical diagnosis.

43 (b) “Physical therapist” means a person who is licensed to practice

1 physical therapy pursuant to this act. Any person who successfully meets
2 the requirements of K.S.A. 65-2906 and amendments thereto shall be
3 known and designated as a physical therapist and may designate or de-
4 scribe oneself as a physical therapist, physiotherapist, licensed physical
5 therapist, P.T., Ph. T., M.P.T., D.P.T. or L.P.T. Physical therapists may
6 evaluate patients ~~without physician referral but~~ *and* may initiate treatment
7 ~~only after consultation with and approval by a physician licensed to prac-~~
8 ~~tice medicine and surgery, a licensed podiatrist, a licensed physician as-~~
9 ~~istant or an advanced registered nurse practitioner working pursuant to~~
10 ~~the order or direction of a person licensed to practice medicine and sur-~~
11 ~~gery, a licensed chiropractor or a licensed dentist in appropriately related~~
12 ~~eases or a therapeutic licensed optometrist pursuant to subsection (e) of~~
13 ~~K.S.A. 65-1501, and amendments thereto based upon such evaluation.~~
14 *Physical therapists also may initiate treatment after consultation with*
15 *other health care providers.*

16 (c) “Physical therapist assistant” means a person who is certified pur-
17 suant to this act and who works under the direction of a physical therapist,
18 and who assists the physical therapist in selected components of physical
19 therapy intervention. Any person who successfully meets the require-
20 ments of K.S.A. 65-2906 and amendments thereto shall be known and
21 designated as a physical therapist assistant, and may designate or describe
22 oneself as a physical therapist assistant, certified physical therapist assis-
23 tant, P.T.A., C.P.T.A. or P.T. Asst.

24 (d) “Board” means the state board of healing arts.

25 (e) “Council” means the physical therapy advisory council.

26 Sec. 2. K.S.A. 2005 Supp. 65-2912 is hereby amended to read as
27 follows: 65-2912. (a) The board may refuse to grant a license to any phys-
28 ical therapist or a certificate to any physical therapist assistant, or may
29 suspend or revoke the license of any licensed physical therapist or certifi-
30 cate of any certified physical therapist assistant, or may limit the license
31 of any licensed physical therapist or certificate of any certified physical
32 therapist assistant or may censure a licensed physical therapist or certified
33 physical therapist assistant for any of the following grounds:

34 (1) Addiction to or distribution of intoxicating liquors or drugs for
35 other than lawful purposes;

36 (2) conviction of a felony if the board determines, after investigation,
37 that the physical therapist or physical therapist assistant has not been
38 sufficiently rehabilitated to warrant the public trust;

39 (3) obtaining or attempting to obtain licensure or certification by
40 fraud or deception;

41 (4) finding by a court of competent jurisdiction that the physical ther-
42 apist or physical therapist assistant is a disabled person and has not there-
43 after been restored to legal capacity;

- 1 (5) unprofessional conduct as defined by rules and regulations
2 adopted by the board;
- 3 (6) the treatment or attempt to treat ailments or other health con-
4 ditions of human beings other than by physical therapy and as authorized
5 by this act;
- 6 (7) failure to refer patients to other health care providers if symptoms
7 are present for which physical therapy treatment is inadvisable or if symp-
8 toms indicate conditions for which treatment is outside the scope of
9 knowledge of the licensed physical therapist; *and*
- 10 ~~(8) initiating treatment without prior consultation and approval by a~~
11 ~~physician licensed to practice medicine and surgery, by a licensed podi-~~
12 ~~atrist, by a licensed physician assistant or by an advanced registered nurse~~
13 ~~practitioner working pursuant to the order or direction of a person li-~~
14 ~~censed to practice medicine and surgery, by a licensed chiropractor, by~~
15 ~~a licensed dentist or by a therapeutic licensed optometrist pursuant to~~
16 ~~subsection (c) of K.S.A. 65-1501, and amendments thereto, and~~
- 17 ~~(9) knowingly submitting any misleading, deceptive, untrue or fraud-~~
18 ~~ulent misrepresentation on a claim form, bill or statement.~~
- 19 (b) All proceedings pursuant to article 29 of chapter 65 of the Kansas
20 Statutes Annotated, and acts amendatory of the provisions thereof or sup-
21 plemental thereto, shall be conducted in accordance with the provisions
22 of the Kansas administrative procedure act and shall be reviewable in
23 accordance with the act for judicial review and civil enforcement of
24 agency actions.
- 25 Sec. 3. K.S.A. 2005 Supp. 65-2901 and 65-2912 are hereby repealed.
- 26 Sec. 4. This act shall take effect and be in force from and after its
27 publication in the statute book.