

To: The House Health and Human Services Committee

**From: Paul Silovsky PT
Kansas Physical Therapy Association
Legislative Committee Chair**

Re: SB 529

Date: 3-18-04

Chairman Morrison and members of the Health and Human Services Committee, I submit to you testimony in support of **SB 529**.

This bill very simply clarifies within the PT statute the list of providers that may approve of the initiation of physical therapy treatment. SB 529 adds the Physician Assistant and Nurse Practitioner to the current list of providers. Under current statute the PT may evaluate without physician referral. However, prior to initiating treatment the PT must obtain the physician's approval. Thus, under the current PT practice act, the PT may accept the PA or Nurse Practitioner's referral, and may evaluate based upon that referral, but may not initiate treatment without the physician's approval.

The current PT practice act referral language is not consistent with the current authority of PA's and Nurse Practitioner's to prescribe and issue PT referrals. Further clarification of these two provider's authority to make referrals is needed for the following reasons;

1. Currently, physical therapy services are delayed when physician approval must be obtained prior to the initiation of treatment by the PT. This is especially a hardship in rural clinics and hospitals where PT may be delayed when non physician providers refer for PT and prior approval can not be readily obtained from the supervising or protocol physician. There are more and more PA's and ARNP's referring directly for PT treatment in all settings which in turn delay's the initiation of treatment without physician approval.
2. The current PT statute creates confusion and misunderstandings between the PT practitioner, the referring practitioner's office and the public when approval must be obtained and documented following the PA or Nurse Practitioner PT referral, especially if physician approval is not authenticated. Under current statute the PT must acquire physician approval to remain in compliance with the Kansas PT practice act.
3. Currently, if a PT were to accept an "evaluate and treat" order from the PA or ARNP who evaluated and referred the patient, the PT would be considered in violation of the PT practice act unless he/she secured approval from the supervising physician prior to the initiation of treatment.

In summary, the passage of SB 529 will improve the speed of access to pre-determined PT care, eliminate unnecessary confusion and upset within the current PT referral communications network, make the current medical practice acts consistent with regard to the delegation of physical therapy treatment and allow

PT's to accept PA and ARNP referrals without being in violation of the current PT practice act.

I thank you for your time and positive consideration of SB 529. I would be happy to answer any questions that you might have.

Respectfully,

Paul Silovsky PT