

1 ENGROSSED SENATE
2 BILL NO. 806

By: Smalley of the Senate

3 and

4 Roberts (Sean) of the House

5
6 An Act relating to physical therapy; amending 59 O.S.
7 2011, Section 887.17, as last amended by Section 3,
8 Chapter 324, O.S.L. 2014 (59 O.S. Supp. 2018, Section
9 887.17), which relates to referrals by physicians,
10 surgeons, or assistants thereof; broadening
11 practitioners who may make referrals; updating
12 statutory language; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 59 O.S. 2011, Section 887.17, as
15 last amended by Section 3, Chapter 324, O.S.L. 2014 (59 O.S. Supp.
16 2018, Section 887.17), is amended to read as follows:

17 Section 887.17. A. 1. Except for workers' compensation
18 claims, any person licensed under the Physical Therapy Practice Act
19 as a physical therapist shall be able to evaluate and treat human
20 ailments by physical therapy on a patient without a referral from a
21 licensed health care practitioner for a period not to exceed thirty
22 (30) days. Treatment may be provided by a physical therapist
23 assistant under the supervision of a physical therapist. Any
24 treatment provided beyond the thirty-day period shall be only under
the referral of a person licensed as a physician or surgeon with

1 unlimited license, or the physician assistant of the person so
2 licensed, and Doctors of Dentistry, Chiropractic and Podiatry and an
3 Advanced Practice Registered Nurse, with those referrals being
4 limited to their respective areas of training and practice.

5 2. A physical therapist may provide services within the scope
6 of physical therapy practice without a physician referral to
7 children who receive physical therapy services pursuant to the
8 Individuals with Disabilities Education Improvement Act of 2004, as
9 may be amended, and Section 504 of the Rehabilitation Act of 1973,
10 ~~Section 504~~, as may be amended. Provided further, a plan of care
11 developed by a person authorized to provide services within the
12 scope of the Physical Therapy Practice Act shall be deemed to be a
13 prescription for purposes of providing services pursuant to the
14 provisions of the Individuals with Disabilities Education
15 Improvement Act of 2004, as may be amended, and Section 504 of the
16 Rehabilitation Act of 1973, as may be amended.

17 3. Nothing in the Physical Therapy Practice Act shall prevent a
18 physical therapist from performing screening and educational
19 procedures within the scope of physical therapy practice without a
20 physician referral.

21 4. Nothing in the Physical Therapy Practice Act shall prevent a
22 physical therapist from performing services that are provided for
23 the purpose of fitness, wellness, or prevention that is not related
24 to the treatment of an injury or ailment.

1 5. Nothing in the Physical Therapy Practice Act shall be
2 construed as authorization for a physical therapist or physical
3 therapist assistant to practice any branch of the healing art.

4 6. Any person violating the provisions of the Physical Therapy
5 Practice Act shall be guilty of a misdemeanor as per Section 887.16
6 of this title.

7 B. 1. The provisions of the Physical Therapy Practice Act are
8 not intended to limit the activities of persons legitimately engaged
9 in the nontherapeutic administration of baths, massage, and normal
10 exercise.

11 2. The Physical Therapy Practice Act shall not prohibit
12 students who are enrolled in schools of physical therapy approved by
13 the State Board of Medical Licensure and Supervision from performing
14 such work as is incidental to their course of study; nor shall it
15 prevent any student in any recognized school of the healing art in
16 carrying out prescribed courses of study; provided such school is a
17 recognized institution by the statutes of Oklahoma, and its
18 practitioners are duly licensed as prescribed by law.

19 3. Nothing in the Physical Therapy Practice Act shall apply to
20 any person employed by an agency, bureau, or division of the federal
21 government while in the discharge of official duties; however, if
22 such individual engages in the practice of physical therapy outside
23 the line of official duty, the individual must be licensed as herein
24 provided.

1 SECTION 2. This act shall become effective November 1, 2019.
2 Passed the Senate the 6th day of March, 2019.

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5 Presiding Officer of the Senate

6 Passed the House of Representatives the ____ day of _____,
7 2019.

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9 _____
10 Presiding Officer of the House
11 of Representatives