



Reprinted
March 5, 1999

HOUSE BILL No. 1512

DIGEST OF HB 1512 (Updated March 4, 1999 4:23 pm - DI 51)

Citations Affected: IC 25-10; IC 25-27.

Synopsis: Physical therapists. Amends practices that are prohibited for a physical therapist. Requires that a physical therapist adhere to the profession's standard of ethics. Provides conditions that a physical therapist must refer a patient to certain health care providers. Allows a physical therapist to subsequently treat a previously referred patient for the same condition. Makes conforming amendments.

Effective: July 1, 1999.

Hasler, Frizzell, Stilwell, Whetstone

January 19, 1999, read first time and referred to Committee on Public Health.
March 1, 1999, amended, reported — Do Pass.
March 4, 1999, read second time, amended, ordered engrossed.

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HB 1512—LS 7785/DI 100+



Reprinted
March 5, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1512

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-10-1-14 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 14. (a) This section
3 applies to all persons, including persons listed in IC 25-22.5-1-2.
4 (b) A person may manually manipulate, manually adjust, or
5 manually mobilize the spinal column or the vertebral column of an
6 individual only if the person is:
7 (1) a chiropractor who has been issued a license under this
8 chapter;
9 (2) a physician who has been issued an unlimited license to
10 practice medicine under IC 25-22.5; or
11 (3) an osteopathic physician who has been issued a license to
12 practice osteopathic medicine under IC 25-22.5.
13 (c) A person may not delegate the manual manipulation, manual
14 adjustment, or manual mobilization of the spinal column or the
15 vertebral column of an individual to another person, unless the other
16 person is:

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- 1 (1) licensed as a chiropractor under this chapter;
- 2 (2) licensed as a physician with an unlimited license to practice
- 3 medicine under IC 25-22.5;
- 4 (3) licensed as an osteopathic physician with a license to practice
- 5 osteopathic medicine under IC 25-22.5;
- 6 (4) a student in the final year of course work at an accredited
- 7 chiropractic school participating in a preceptorship program and
- 8 working under the direct supervision of a chiropractor licensed
- 9 under this chapter; or
- 10 (5) a graduate of a chiropractic school who holds a valid
- 11 temporary permit issued under section 5.5 of this chapter.
- 12 (d) If a violation of subsection (b) or (c) is being committed:
- 13 (1) the board in its own name;
- 14 (2) the board in the name of the state; or
- 15 (3) the prosecuting attorney of the county in which the violation
- 16 occurs, at the request of the board and in the name of the state;
- 17 may apply for an order enjoining the violation from the circuit court of
- 18 the county in which the violation occurs.
- 19 (e) Upon a showing that a person has violated subsection (b) or (c),
- 20 the court may grant without bond an injunction, a restraining order, or
- 21 other appropriate order.
- 22 (f) ~~This section does not apply to a physical therapist practicing~~
- 23 ~~under IC 25-27. However,~~ A physical therapist may not practice
- 24 chiropractic (as defined in IC 25-10-1-1) or medicine (as defined in
- 25 IC 25-22.5-1-1.1) unless licensed to do so.
- 26 SECTION 2. IC 25-27-1-1 IS AMENDED TO READ AS
- 27 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. For the purposes of
- 28 this chapter:
- 29 (1) "Physical therapy" means the evaluation of, administration of,
- 30 or instruction in physical rehabilitative and habilitative techniques
- 31 and procedures to evaluate, prevent, correct, treat, alleviate, and
- 32 limit physical disability, pathokinesiologial function, bodily
- 33 malfunction, pain from injury, disease, and any other physical
- 34 disability or mental disorder, including:
- 35 (A) the use of physical measures, agents, and devices for
- 36 preventive and therapeutic purposes;
- 37 (B) neurodevelopmental procedures;
- 38 (C) the performance, interpretation, and evaluation of physical
- 39 therapy tests and measurements; ~~and~~
- 40 (D) the provision of consultative, educational, and other
- 41 advisory services for the purpose of preventing or reducing the
- 42 incidence and severity of physical disability, bodily

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- 1 malfunction, and pain; and
 2 **(E) mobilization, which is the process of making a part of**
 3 **the body movable using a form of manual therapy that is**
 4 **applied within the physiological passive range of joint**
 5 **motion that is characterized by a nonthrust increase in**
 6 **passive joint movement.**
- 7 (2) "Physical therapist" means a person who practices physical
 8 therapy as defined in this chapter.
- 9 (3) ~~"Physical therapist's therapist assistant"~~ means a person who
 10 assists in the practice of physical therapy as defined in this
 11 chapter.
- 12 (4) "Board" refers to the medical licensing board.
- 13 (5) "Committee" refers to the Indiana physical therapy committee
 14 established under section 4 of this chapter.
- 15 (6) "Person" means an individual.
- 16 SECTION 3. IC 25-27-1-2 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) Except as
 18 otherwise provided in this chapter, it is unlawful for a person to practice
 19 physical therapy or to profess to be a physical therapist,
 20 physiotherapist, or physical therapy technician or to use the initials
 21 "P.T.", "P.T.T.", or "R.P.T.", or any other letters, words, abbreviations,
 22 or insignia indicating that the person is a physical therapist, or to
 23 practice or to assume the duties incident to physical therapy without
 24 first obtaining from the board a license authorizing the person to
 25 practice physical therapy in this state.
- 26 (b) ~~It is unlawful for a person to practice physical therapy other than~~
 27 ~~upon the order or referral of a physician, podiatrist, psychologist,~~
 28 ~~chiropractor, or dentist holding an unlimited license to practice~~
 29 ~~medicine, podiatric medicine, psychology, chiropractic, or dentistry,~~
 30 ~~respectively. It is unlawful for a physical therapist to do any of the~~
 31 ~~following:~~
- 32 (1) Use the services of a physical ~~therapist's~~ **therapist** assistant
 33 except as provided under this chapter. ~~For the purposes of this~~
 34 ~~subsection, the function of:~~
- 35 (1) ~~teaching;~~
 36 (2) ~~doing research;~~
 37 (3) ~~providing advisory services; or~~
 38 (4) ~~conducting seminars on physical therapy;~~
 39 ~~is not considered to be a practice of physical therapy.~~
- 40 (2) **Practice or offer to practice beyond the scope of the**
 41 **practice of physical therapy.**
- 42 (3) **Fail to adhere to the standards of ethics of the physical**



- 1 **therapy profession established in the rules adopted by the**
 2 **board.**
 3 **(4) Promote an unnecessary device, treatment intervention, or**
 4 **service for the financial gain of the practitioner or of a third**
 5 **party.**
 6 **(5) Provide treatment intervention unwarranted by the**
 7 **condition of the patient.**
 8 **(c) A physical therapist shall refer a person under the**
 9 **therapist's care to a physician, podiatrist, psychologist,**
 10 **chiropractor, or dentist:**
 11 **(1) if the physical therapist has reasonable cause to believe**
 12 **that symptoms or conditions are present that require services**
 13 **beyond the therapist's scope of practice;**
 14 **(2) if physical therapy is contraindicated; or**
 15 **(3) if the person came to the physical therapist without a**
 16 **referral and sixty (60) days have elapsed since the person's**
 17 **initial visit to the physical therapist.**
 18 **(d) A person who was previously referred to a physical**
 19 **therapist may receive subsequent treatment from the physical**
 20 **therapist for the same condition:**
 21 **(1) without an additional referral; and**
 22 **(2) without regard to the sixty (60) day limitation described in**
 23 **subsection (c)(3).**
 24 ~~(e)~~ **(e) Except as otherwise provided in this chapter, it is unlawful for**
 25 **a person to act as a physical therapist's therapist assistant or to use**
 26 **initials, letters, words, abbreviations, or insignia indicating that the**
 27 **person is a physical therapist's therapist assistant without first**
 28 **obtaining from the board a certificate authorizing the person to act as**
 29 **a physical therapist's therapist assistant. It is unlawful for the person**
 30 **to act as a physical therapist's assistant other than under the direct**
 31 **supervision of a licensed physical therapist who is in responsible charge**
 32 **of a patient. ~~or under the direct supervision of a physician.~~ However,**
 33 **nothing in this chapter prohibits a person licensed or registered in this**
 34 **state under another law from engaging in the practice for which the**
 35 **person is licensed or registered. These exempted persons include**
 36 **persons engaged in the practice of osteopathy, chiropractic, or podiatric**
 37 **medicine.**
 38 **(f) This chapter does not authorize a person who is licensed as**
 39 **a physical therapist to:**
 40 **(1) practice medicine, surgery (as described in**
 41 **IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy,**
 42 **psychology, chiropractic, or podiatric medicine; or**



1 **(2) prescribe a drug or other remedial substance used in**
 2 **medicine.**

3 ~~(d)~~ **(g)** This chapter does not authorize a person who is licensed as
 4 a physical therapist or certified as a physical therapist's therapist
 5 assistant to:

6 (1) evaluate any physical disability or mental disorder; ~~except~~
 7 ~~upon the order or referral of a physician; podiatrist; psychologist;~~
 8 ~~chiropractor; or dentist;~~

9 (2) practice medicine, surgery (as described in
 10 IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy,
 11 psychology, chiropractic, or podiatric medicine; or

12 (3) prescribe a drug or other remedial substance used in medicine.

13 SECTION 4. IC 25-27-1-4 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) There is created
 15 a five (5) member Indiana physical therapy committee to assist the
 16 board in carrying out this chapter regarding the qualifications and
 17 examinations of physical therapists and physical therapist's therapist
 18 assistants. The committee is comprised of:

19 (1) three (3) physical therapists;
 20 (2) a licensed physician; and
 21 (3) one (1) member who is a resident of the state and who is not
 22 associated with physical therapy in any way, other than as a
 23 consumer.

24 (b) The governor shall make each appointment for a term of three (3)
 25 years. Each physical therapist appointed must:

26 (1) be a licensed physical therapist meeting the requirements of
 27 this chapter;
 28 (2) have had not less than three (3) years experience in the actual
 29 practice of physical therapy immediately preceding appointment;
 30 and
 31 (3) be a resident of the state and actively engaged in this state in
 32 the practice of physical therapy during incumbency as a member
 33 of the committee.

34 SECTION 5. IC 25-27-1-5 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) The committee
 36 shall:

37 (1) pass upon the qualifications of physical therapists who apply
 38 for licensure and physical therapist's therapist assistants who
 39 apply for certification;
 40 (2) provide all examinations either directly or by delegation under
 41 subsection (c);
 42 (3) determine the applicants who successfully pass examinations;



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1 (4) license qualified applicants; and

2 (5) propose rules concerning the competent practice of physical
3 therapy to the board.

4 (b) The board shall adopt rules, considering the committee's
5 proposed rules, establishing standards for the competent practice of
6 physical therapy.

7 (c) The committee may approve and utilize the services of a testing
8 company or agent to prepare, conduct, and score examinations.

9 SECTION 6. IC 25-27-1-6 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) Each applicant
11 for a license as a physical therapist or certification as a physical
12 ~~therapist's therapist~~ assistant must present satisfactory evidence that
13 the applicant:

14 (1) does not have a conviction for a crime that has a direct bearing
15 on the applicant's ability to practice competently; and

16 (2) has not been the subject of a disciplinary action initiated by the
17 licensing agency of another state or jurisdiction on the grounds
18 that the applicant was unable to practice as a physical therapist or
19 physical ~~therapist's therapist~~ assistant without endangering the
20 public.

21 (b) Each applicant for a license as a physical therapist must submit
22 proof to the committee of the applicant's graduation from a school or
23 program of physical therapy that meets standards set by the committee.
24 Each applicant for a certificate as a physical ~~therapist's therapist~~
25 assistant must present satisfactory evidence that the applicant is a
26 graduate of a two (2) year college level education program for physical
27 ~~therapist's therapist~~ assistants that meets the standards of the
28 committee. At the time of making application, each applicant must pay
29 a fee determined by the board after consideration of any
30 recommendation of the committee.

31 (c) An applicant may appeal the committee's decision to deny
32 licensure to the committee within fifteen (15) days after the applicant
33 receives notification of the committee's decision. Upon receiving an
34 appeal under this subsection, the committee shall set the matter for an
35 administrative hearing under IC 4-21.5.

36 SECTION 7. IC 25-27-1-7 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) All examinations
38 of the applicants for licensure as physical therapists or for certification
39 as physical ~~therapist's therapist~~ assistants shall be held in Indiana at
40 least twice a year.

41 (b) Examinations shall include a written or computer examination
42 which must test the applicant's knowledge of the basic and clinical

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1 sciences as they relate to physical therapy, physical therapy theory and
 2 procedures, and such other subjects as the committee may deem useful
 3 to test the applicant's fitness to practice physical therapy or to act as a
 4 physical ~~therapist's~~ **therapist** assistant.

5 (c) Any qualified applicant who fails an examination and is refused
 6 a license or certificate may take another examination within the time
 7 limits set by the committee upon payment of an additional fee
 8 determined by the board after consideration of any recommendation of
 9 the committee.

10 (d) Nothing in this section shall be construed as a prohibition against
 11 any qualified applicant who has failed an examination from making
 12 further application for a license to practice physical therapy or for a
 13 certificate to act as a physical ~~therapist's~~ **therapist** assistant when the
 14 application is accompanied by the fee determined by the board after
 15 consideration of any recommendation of the committee.

16 SECTION 8. IC 25-27-1-8 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) The committee
 18 shall license as a physical therapist each applicant who:

19 (1) successfully passes the examination provided for in this
 20 chapter; and

21 (2) is otherwise qualified as required by this chapter.

22 (b) All licenses and certificates issued by the committee expire on
 23 the date of each even-numbered year specified by the health professions
 24 bureau under IC 25-1-5-4. A renewal fee established by the board after
 25 consideration of any recommendation of the committee must be paid
 26 biennially on or before the date specified by the health professions
 27 bureau, and, if not paid on or before that date, the license or certificate
 28 becomes invalid without further action by the committee. A penalty fee
 29 set by the board after consideration of any recommendation of the
 30 committee shall be in effect for any reinstatement within three (3) years
 31 from the original date of expiration.

32 (c) An expired license or certificate may be reinstated by the
 33 committee up to three (3) years after the expiration date if the holder of
 34 the expired license or certificate:

35 (1) pays a penalty fee set by the board after consideration of any
 36 recommendation of the committee; and

37 (2) pays the renewal fees for the biennium.

38 If more than three (3) years have elapsed since expiration of the license
 39 or certificate, the holder may be reexamined by the committee. The
 40 board may adopt, after consideration of any recommendation of the
 41 committee, rules setting requirements for reinstatement of an expired
 42 license.



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1 (d) The committee may issue not more than two (2) temporary
 2 permits to a physical therapist or physical ~~therapist's~~ **therapist**
 3 assistant. A person with a temporary permit issued under this
 4 subsection may practice physical therapy only under the direct
 5 supervision of a licensed physical therapist who is responsible for the
 6 patient. A temporary permit may be issued to any person who has paid
 7 a fee set by the board after consideration of any recommendation of the
 8 committee and who:

9 (1) has a valid license from another state to practice physical
 10 therapy, or has a valid certificate from another state to act as a
 11 physical ~~therapist's~~ **therapist** assistant; or

12 (2) has applied for and been approved by the committee to take the
 13 examination for licensure or certification, has not previously failed
 14 the licensure or certification examination in Indiana or any other
 15 state, and has:

16 (A) graduated from a school or program of physical therapy; or

17 (B) graduated from a two (2) year college level education
 18 program for physical therapist's assistants that meets the
 19 standards set by the committee.

20 The applicant must take the examination within the time limits set by
 21 the committee.

22 (e) A temporary permit issued under subsection (d) expires when the
 23 applicant becomes licensed or certified, or approved for endorsement
 24 licensing or certification by the committee, or when the application for
 25 licensure has been disapproved, whichever occurs first. An application
 26 for licensure or certification is disapproved and any temporary permit
 27 based upon the application expires when the applicant fails to take the
 28 examination within the time limits set by the committee or when the
 29 committee receives notification of the applicant's failure to pass any
 30 required examination in Indiana or any other state.

31 (f) A holder of a license or certificate under this chapter who intends
 32 to retire from practice shall notify the committee in writing. Upon
 33 receipt of the notice, the committee shall record the fact that the holder
 34 of the license or certificate is retired and release the person from further
 35 payment of renewal fees. If a holder of the license or certificate
 36 surrenders a license or certificate, reinstatement of the license or
 37 certificate may be considered by the committee upon written request.
 38 The committee may impose conditions it considers appropriate to the
 39 surrender or reinstatement of a surrendered license or certificate. A
 40 license or certificate may not be surrendered to the committee without
 41 the written consent of the committee if any disciplinary proceedings are
 42 pending against a holder of a license or certificate under this chapter.



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1 SECTION 9. IC 25-27-1-9 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) The committee
 3 may register and furnish a license **to** or certify by endorsement any
 4 applicant who presents evidence satisfactory to the committee of being
 5 duly licensed to practice physical therapy or to act as a physical
 6 ~~therapist's therapist~~ assistant in another state if the applicant is
 7 otherwise qualified as required in section 6 of this chapter. However,
 8 the committee shall register and furnish a license or certificate by
 9 endorsement to any applicant who is licensed to practice physical
 10 therapy or to act as a physical ~~therapist's therapist~~ assistant in another
 11 state if:

- 12 (1) the applicant is otherwise qualified as required under section
 13 6(a) and 6(b) of this chapter; and
 14 (2) the applicant has successfully passed a licensure examination
 15 in another state equal to or exceeding the examination standards
 16 of Indiana.

17 At the time of making an application, the applicant shall pay a fee
 18 determined by the board after consideration of any recommendation of
 19 the committee.

20 (b) The committee may license as a physical therapist or certify as
 21 a physical ~~therapist's therapist~~ assistant any person who has graduated
 22 as a physical therapist or physical ~~therapist's therapist~~ assistant,
 23 whichever is appropriate, in a foreign country from an educational
 24 program approved by the committee if the applicant presents
 25 satisfactory evidence to the committee that the applicant:

- 26 (1) does not have a conviction for:
 27 (A) an act that would constitute a ground for disciplinary
 28 sanction under IC 25-1-9; or
 29 (B) a crime that has a direct bearing on the applicant's ability
 30 to practice competently; and
 31 (2) has not been the subject of a disciplinary action initiated by the
 32 licensing agency of another state or jurisdiction on the grounds
 33 that the applicant was unable to practice as a physical therapist or
 34 physical ~~therapist's therapist~~ assistant without endangering the
 35 public;

36 and that the applicant has successfully passed the physical therapy
 37 licensure or physical ~~therapist's therapist~~ assistant certification
 38 examination provided for by this chapter. However, the committee, in
 39 evaluating an educational program under this subsection, shall approve
 40 at least three (3) credential evaluating agencies acceptable to the board
 41 for the purpose of evaluating educational programs.

42 (c) At the time of making an application under subsection (b), the

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1 applicant shall pay a fee determined by the board after consideration of
2 any recommendation of the committee.

3 SECTION 10. IC 25-27-1-12 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 12. A person who
5 violates this chapter commits a Class B misdemeanor. In addition, the
6 board may, in the name of the state, through the attorney general, apply
7 in any court to enjoin any person from practicing physical therapy or
8 acting as a physical ~~therapist's~~ **therapist** assistant in violation of
9 IC 25-27-1-2.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1512, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert: "SECTION 1. IC 25-27-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. For the purposes of this chapter:

(1) "Physical therapy" means the evaluation of, administration of, or instruction in physical rehabilitative and habilitative techniques and procedures to evaluate, prevent, correct, treat, alleviate, and limit physical disability, pathokinesiological function, bodily malfunction, pain from injury, disease, and any other physical disability or mental disorder, including:

(A) the use of physical measures, agents, and devices for preventive and therapeutic purposes;

(B) neurodevelopmental procedures;

(C) the performance, interpretation, and evaluation of physical therapy tests and measurements; and

(D) the provision of consultative, educational, and other advisory services for the purpose of preventing or reducing the incidence and severity of physical disability, bodily malfunction, and pain.

(2) "Physical therapist" means a person who practices physical therapy as defined in this chapter.

(3) "Physical therapist's therapist assistant" means a person who assists in the practice of physical therapy as defined in this chapter.

(4) "Board" refers to the medical licensing board.

(5) "Committee" refers to the Indiana physical therapy committee established under section 4 of this chapter.

(6) "Person" means an individual.

SECTION 2. IC 25-27-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) Except as otherwise provided in this chapter, it is unlawful for a person to practice physical therapy or to profess to be a physical therapist, physiotherapist, or physical therapy technician or to use the initials "P.T.", "P.T.T.", or "R.P.T.", or any other letters, words, abbreviations, or insignia indicating that the person is a physical therapist, or to practice or to assume the duties incident to physical therapy without

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first obtaining from the board a license authorizing the person to practice physical therapy in this state.

(b) It is unlawful for a person to practice physical therapy other than upon the order or referral of a physician, podiatrist, psychologist, chiropractor, or dentist holding an unlimited license to practice medicine, podiatric medicine, psychology, chiropractic, or dentistry, respectively. It is unlawful for a physical therapist to **do any of the following:**

(1) Use the services of a physical therapist's **therapist** assistant except as provided under this chapter. ~~For the purposes of this subsection, the function of:~~

(1) teaching;

(2) doing research;

(3) providing advisory services; or

(4) conducting seminars on physical therapy;

is not considered to be a practice of physical therapy.

(2) Practice or offer to practice beyond the scope of the practice of physical therapy.

(3) Fail to adhere to the standards of ethics of the physical therapy profession established in the rules adopted by the board.

(4) Promote an unnecessary device, treatment intervention, or service for the financial gain of the practitioner or of a third party.

(5) Provide treatment intervention unwarranted by the condition of the patient.

(c) A physical therapist shall refer a person under the therapist's care to a physician, podiatrist, psychologist, chiropractor, or dentist:

(1) if the physical therapist has reasonable cause to believe that symptoms or conditions are present that require services beyond the therapist's scope of practice;

(2) if physical therapy is contraindicated; or

(3) if the person came to the physical therapist without a referral and sixty (60) days have elapsed since the person's initial visit to the physical therapist.

(d) A person who was previously referred to a physical therapist may receive subsequent treatment from the physical therapist for the same condition:

(1) without an additional referral; and

(2) without regard to the sixty (60) day limitation described in subsection (c)(3).



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(~~e~~) (e) Except as otherwise provided in this chapter, it is unlawful for a person to act as a physical ~~therapist's~~ **therapist** assistant or to use initials, letters, words, abbreviations, or insignia indicating that the person is a physical ~~therapist's~~ **therapist** assistant without first obtaining from the board a certificate authorizing the person to act as a physical ~~therapist's~~ **therapist** assistant. It is unlawful for the person to act as a physical therapist's assistant other than under the direct supervision of a licensed physical therapist who is in responsible charge of a patient. ~~or under the direct supervision of a physician.~~ However, nothing in this chapter prohibits a person licensed or registered in this state under another law from engaging in the practice for which the person is licensed or registered. These exempted persons include persons engaged in the practice of osteopathy, chiropractic, or podiatric medicine.

(f) **This chapter does not authorize a person who is licensed as a physical therapist to:**

- (1) **practice medicine, surgery (as described in IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy, psychology, chiropractic, or podiatric medicine; or**
- (2) **prescribe a drug or other remedial substance used in medicine.**

(~~d~~) (g) This chapter does not authorize a person who is ~~licensed as a physical therapist~~ or certified as a physical ~~therapist's~~ **therapist** assistant to:

- (1) evaluate any physical disability or mental disorder; ~~except upon the order or referral of a physician, podiatrist, psychologist, chiropractor, or dentist;~~
- (2) practice medicine, surgery (as described in IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy, psychology, chiropractic, or podiatric medicine; or
- (3) prescribe a drug or other remedial substance used in medicine."

Delete pages 2 through 4

Page 5, delete lines 1 through 4.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1512 as introduced.)

BROWN C, Chair

Committee Vote: yeas 8, nays 2.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1512 be amended to read as follows:

Page 1. between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-10-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 14. (a) This section applies to all persons, including persons listed in IC 25-22.5-1-2.

(b) A person may manually manipulate, manually adjust, or manually mobilize the spinal column or the vertebral column of an individual only if the person is:

- (1) a chiropractor who has been issued a license under this chapter;
- (2) a physician who has been issued an unlimited license to practice medicine under IC 25-22.5; or
- (3) an osteopathic physician who has been issued a license to practice osteopathic medicine under IC 25-22.5.

(c) A person may not delegate the manual manipulation, manual adjustment, or manual mobilization of the spinal column or the vertebral column of an individual to another person, unless the other person is:

- (1) licensed as a chiropractor under this chapter;
- (2) licensed as a physician with an unlimited license to practice medicine under IC 25-22.5;
- (3) licensed as an osteopathic physician with a license to practice osteopathic medicine under IC 25-22.5;
- (4) a student in the final year of course work at an accredited chiropractic school participating in a preceptorship program and working under the direct supervision of a chiropractor licensed under this chapter; or
- (5) a graduate of a chiropractic school who holds a valid temporary permit issued under section 5.5 of this chapter.

(d) If a violation of subsection (b) or (c) is being committed:

- (1) the board in its own name;
- (2) the board in the name of the state; or
- (3) the prosecuting attorney of the county in which the violation occurs, at the request of the board and in the name of the state;

may apply for an order enjoining the violation from the circuit court of the county in which the violation occurs.

(e) Upon a showing that a person has violated subsection (b) or (c), the court may grant without bond an injunction, a restraining order, or other appropriate order.

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(f) ~~This section does not apply to a physical therapist practicing under IC 25-27. However,~~ A physical therapist may not practice chiropractic (as defined in IC 25-10-1-1) or medicine (as defined in IC 25-22.5-1-1.1) unless licensed to do so."

Page 1, line 14, strike "and".

Page 2, line 1, delete "." and insert "; and

(E) mobilization, which is the process of making a part of the body movable using a form of manual therapy that is applied within the physiological passive range of joint motion that is characterized by a nonthrust increase in passive joint movement."

Renumber all SECTIONS consecutively.

(Reference is to HB 1512 as printed March 2, 1999.)

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