

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 128, between lines 19 and 20, begin a new paragraph and
- 2 insert:
- 3 "SECTION 90. IC 25-10-1-14 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 14. (a) This section
- 5 applies to all persons, including persons listed in IC 25-22.5-1-2.
- 6 (b) A person may manually manipulate, manually adjust, or
- 7 manually mobilize the spinal column or the vertebral column of an
- 8 individual only if the person is:
- 9 (1) a chiropractor who has been issued a license under this
- 10 chapter;
- 11 (2) a physician who has been issued an unlimited license to
- 12 practice medicine under IC 25-22.5; or
- 13 (3) an osteopathic physician who has been issued a license to
- 14 practice osteopathic medicine under IC 25-22.5.
- 15 (c) A person may not delegate the manual manipulation, manual
- 16 adjustment, or manual mobilization of the spinal column or the
- 17 vertebral column of an individual to another person, unless the other
- 18 person is:
- 19 (1) licensed as a chiropractor under this chapter;
- 20 (2) licensed as a physician with an unlimited license to practice
- 21 medicine under IC 25-22.5;
- 22 (3) licensed as an osteopathic physician with a license to practice
- 23 osteopathic medicine under IC 25-22.5;
- 24 (4) a student in the final year of course work at an accredited

- 1 chiropractic school participating in a preceptorship program and
2 working under the direct supervision of a chiropractor licensed
3 under this chapter; or
4 (5) a graduate of a chiropractic school who holds a valid
5 temporary permit issued under section 5.5 of this chapter.
- 6 (d) If a violation of subsection (b) or (c) is being committed:
7 (1) the board in its own name;
8 (2) the board in the name of the state; or
9 (3) the prosecuting attorney of the county in which the violation
10 occurs, at the request of the board and in the name of the state;
11 may apply for an order enjoining the violation from the circuit court of
12 the county in which the violation occurs.
- 13 (e) Upon a showing that a person has violated subsection (b) or (c),
14 the court may grant without bond an injunction, a restraining order, or
15 other appropriate order.
- 16 (f) This section does not apply to a physical therapist practicing
17 under ~~IC 25-27~~. **IC 25-27-1-3.5(b)**. However, a physical therapist may
18 not practice chiropractic (as defined in IC 25-10-1-1) or medicine (as
19 defined in IC 25-22.5-1-1.1) unless licensed to do so.
- 20 SECTION 91. IC 25-27-1-1 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. For the purposes of
22 this chapter:
- 23 (1) "Physical therapy" means the evaluation of, administration of,
24 or instruction in physical rehabilitative and habilitative techniques
25 and procedures to evaluate, prevent, correct, treat, alleviate, and
26 limit physical disability, pathokinesiological function, bodily
27 malfunction, pain from injury, disease, and any other physical
28 disability or mental disorder, including:
29 (A) the use of physical measures, agents, and devices for
30 preventive and therapeutic purposes;
31 (B) neurodevelopmental procedures;
32 (C) the performance, interpretation, and evaluation of physical
33 therapy tests and measurements; and
34 (D) the provision of consultative, educational, and other
35 advisory services for the purpose of preventing or reducing the
36 incidence and severity of physical disability, bodily
37 malfunction, and pain.
- 38 (2) "Physical therapist" means a person who practices physical
39 therapy as defined in this chapter.
- 40 (3) "Physical therapist's assistant" means a person who assists in
41 the practice of physical therapy as defined in this chapter.
- 42 (4) "Board" refers to the medical licensing board.
- 43 (5) "Committee" refers to the Indiana physical therapy committee
44 established under section 4 of this chapter.
- 45 (6) "Person" means an individual.
- 46 (7) **"Sharp debridement" means the removal of foreign**

1 **material or dead tissue from or around a wound, without**
 2 **anesthesia and with generally no bleeding, through the use of:**

3 **(A) a sterile scalpel;**

4 **(B) scissors;**

5 **(C) forceps;**

6 **(D) tweezers; or**

7 **(E) other sharp medical instruments;**

8 **in order to expose healthy tissue, prevent infection, and**
 9 **promote healing.**

10 SECTION 92. IC 25-27-1-2 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. (a) Except as
 12 otherwise provided in this chapter, it is unlawful for a person to:

13 **(1) practice physical therapy; ~~or to~~**

14 **(2) profess to be a physical therapist, physiotherapist, or physical**
 15 **therapy technician or to use the initials "P.T.", "P.T.T.", or**
 16 **"R.P.T.", or any other letters, words, abbreviations, or insignia**
 17 **indicating that the person is a physical therapist; or ~~to~~**

18 **(3) practice or ~~to~~ assume the duties incident to physical therapy;**
 19 **without first obtaining from the board a license authorizing the person**
 20 **to practice physical therapy in this state.**

21 **(b) Except as provided in section 2.5 of this chapter, it is**
 22 **unlawful for a person to practice physical therapy other than upon the**
 23 **order or referral of a physician, podiatrist, psychologist, chiropractor,**
 24 **or dentist holding an unlimited license to practice medicine, podiatric**
 25 **medicine, psychology, chiropractic, or dentistry, respectively. It is**
 26 **unlawful for a physical therapist to use the services of a physical**
 27 **therapist's assistant except as provided under this chapter. For the**
 28 **purposes of this subsection, the function of:**

29 **(1) teaching;**

30 **(2) doing research;**

31 **(3) providing advisory services; or**

32 **(4) conducting seminars on physical therapy;**

33 **is not considered to be a practice of physical therapy.**

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

1 (d) **Except as provided in section 2.5 of this chapter**, this chapter
 2 does not authorize a person who is licensed as a physical therapist or
 3 certified as a physical therapist's assistant to:

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

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

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

11 SECTION 93. IC 25-27-1-2.5 IS ADDED TO THE INDIANA
 12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2011]: **Sec. 2.5. A physical therapist may**
 14 **evaluate and treat an individual for not more than thirty (30)**
 15 **calendar days without a referral from a provider described in**
 16 **section 2(b) of this chapter. However, if the individual needs**
 17 **additional treatment from the physical therapist after thirty (30)**
 18 **calendar days, the physical therapist shall obtain a referral from**
 19 **the individual's provider, as described in section 2(b) of this**
 20 **chapter.**

21 SECTION 94. IC 25-27-1-3.5 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2011]: **Sec. 3.5. (a) A physical therapist may**
 24 **not perform sharp debridement unless the physical therapist is**
 25 **acting on the written order of a physician, osteopath, podiatrist,**
 26 **dentist, or chiropractor.**

27 **(b) A physical therapist may not perform manual manipulation**
 28 **of the spinal column or the vertebral column unless the physical**
 29 **therapist is acting on the specific written order for spinal**
 30 **manipulation of an osteopath or chiropractor.**

31 SECTION 95. IC 25-27-1-5 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. (a) The committee
 33 shall:

34 (1) pass upon the qualifications of physical therapists who apply
 35 for licensure and physical therapist's assistants who apply for
 36 certification;

37 (2) provide all examinations either directly or by delegation under
 38 subsection (c);

39 (3) determine the applicants who successfully pass examinations;

40 (4) license qualified applicants; and

41 (5) propose rules concerning the competent practice of physical
 42 therapy to the board.

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

46 (c) The committee may approve and utilize the services of a testing

1 company or agent to prepare, conduct, and score examinations.
2 **(d) The board shall adopt rules, considering the committee's**
3 **proposed rules, concerning a continuing competency requirement**
4 **for the renewal of a:**
5 **(1) license for a physical therapist; and**
6 **(2) certificate for a physical therapist's assistant."**
7 Renumber all SECTIONS consecutively.
(Reference is to HB 1001 as printed February 21, 2011.)

Representative Summers