

Adopted Rejected

COMMITTEE REPORT

YES: **9**
NO: **3**

MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1151, 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:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. 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

- 1 practice osteopathic medicine under IC 25-22.5.
- 2 (c) A person may not delegate the manual manipulation, manual
3 adjustment, or manual mobilization of the spinal column or the
4 vertebral column of an individual to another person, unless the other
5 person is:
- 6 (1) licensed as a chiropractor under this chapter;
- 7 (2) licensed as a physician with an unlimited license to practice
8 medicine under IC 25-22.5;
- 9 (3) licensed as an osteopathic physician with a license to practice
10 osteopathic medicine under IC 25-22.5;
- 11 (4) a student in the final year of course work at an accredited
12 chiropractic school participating in a preceptorship program and
13 working under the direct supervision of a chiropractor licensed
14 under this chapter; or
- 15 (5) a graduate of a chiropractic school who holds a valid
16 temporary permit issued under section 5.5 of this chapter.
- 17 (d) If a violation of subsection (b) or (c) is being committed:
- 18 (1) the board in its own name;
- 19 (2) the board in the name of the state; or
- 20 (3) the prosecuting attorney of the county in which the violation
21 occurs, at the request of the board and in the name of the state;
- 22 may apply for an order enjoining the violation from the circuit court of
23 the county in which the violation occurs.
- 24 (e) Upon a showing that a person has violated subsection (b) or (c),
25 the court may grant without bond an injunction, a restraining order, or
26 other appropriate order.
- 27 (f) This section does not apply to a physical therapist practicing
28 under ~~IC 25-27~~. **IC 25-27-1-3.5(b)**. However, a physical therapist may
29 not practice chiropractic (as defined in IC 25-10-1-1) or medicine (as
30 defined in IC 25-22.5-1-1.1) unless licensed to do so.
- 31 SECTION 2. IC 25-27-1-1 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. For the purposes of
33 this chapter:
- 34 (1) "Physical therapy" means the evaluation of, administration of,
35 or instruction in physical rehabilitative and habilitative techniques
36 and procedures to evaluate, prevent, correct, treat, alleviate, and
37 limit physical disability, pathokinesiological function, bodily
38 malfunction, pain from injury, disease, and any other physical

- 1 disability or mental disorder, including:
- 2 (A) the use of physical measures, agents, and devices for
- 3 preventive and therapeutic purposes;
- 4 (B) neurodevelopmental procedures;
- 5 (C) the performance, interpretation, and evaluation of physical
- 6 therapy tests and measurements; and
- 7 (D) the provision of consultative, educational, and other
- 8 advisory services for the purpose of preventing or reducing the
- 9 incidence and severity of physical disability, bodily
- 10 malfunction, and pain.
- 11 (2) "Physical therapist" means a person who practices physical
- 12 therapy as defined in this chapter.
- 13 (3) "Physical therapist's assistant" means a person who assists in
- 14 the practice of physical therapy as defined in this chapter.
- 15 (4) "Board" refers to the medical licensing board.
- 16 (5) "Committee" refers to the Indiana physical therapy committee
- 17 established under section 4 of this chapter.
- 18 (6) "Person" means an individual.
- 19 (7) **"Sharp debridement" means the removal of foreign**
- 20 **material or dead tissue from or around a wound, without**
- 21 **anesthesia and with generally no bleeding, through the use of:**
- 22 **(A) a sterile scalpel;**
- 23 **(B) scissors;**
- 24 **(C) forceps;**
- 25 **(D) tweezers; or**
- 26 **(E) other sharp medical instruments;**
- 27 **in order to expose healthy tissue, prevent infection, and**
- 28 **promote healing."**
- 29 Page 2, after line 39, begin a new paragraph and insert:
- 30 "SECTION 5. IC 25-27-1-3.5 IS ADDED TO THE INDIANA
- 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 32 [EFFECTIVE JULY 1, 2011]: **Sec. 3.5. (a) A physical therapist may**
- 33 **not perform sharp debridement unless the physical therapist is**
- 34 **acting on the written order of a physician, osteopath, podiatrist,**
- 35 **dentist, or chiropractor.**
- 36 **(b) A physical therapist may not perform manual manipulation**
- 37 **of the spinal column or the vertebral column unless the physical**
- 38 **therapist is acting on the specific written order for spinal**

1 **manipulation of an osteopath or chiropractor.**

2 SECTION 6. IC 25-27-1-5 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. (a) The committee
4 shall:

5 (1) pass upon the qualifications of physical therapists who apply
6 for licensure and physical therapist's assistants who apply for
7 certification;

8 (2) provide all examinations either directly or by delegation under
9 subsection (c);

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

11 (4) license qualified applicants; and

12 (5) propose rules concerning the competent practice of physical
13 therapy to the board.

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

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

19 **(d) The board shall adopt rules, considering the committee's**
20 **proposed rules, concerning a continuing competency requirement**
21 **for the renewal of a:**

22 **(1) license for a physical therapist; and**

23 **(2) certificate for a physical therapist's assistant."**

24 Renumber all SECTIONS consecutively.

 (Reference is to HB 1151 as introduced.)

and when so amended that said bill do pass.

Representative Brown T