

HOUSE BILL No. 1124

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-10-1-14; IC 25-27-1.

Synopsis: Physical therapy services. Except for sharp debridement and spinal manipulation, allows a physical therapist to evaluate and treat a patient without a referral for not more than 30 days. Requires a physical therapist to obtain a referral from the patient's provider if further treatment by the physical therapist is needed.

Effective: July 1, 2012.

Frizzell

January 9, 2012, read first time and referred to Committee on Public Health.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1124



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, 2012]: 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:
 - 17 (1) licensed as a chiropractor under this chapter;



- 1 (2) licensed as a physician with an unlimited license to practice
 2 medicine under IC 25-22.5;
 3 (3) licensed as an osteopathic physician with a license to practice
 4 osteopathic medicine under IC 25-22.5;
 5 (4) a student in the final year of course work at an accredited
 6 chiropractic school participating in a preceptorship program and
 7 working under the direct supervision of a chiropractor licensed
 8 under this chapter; or
 9 (5) a graduate of a chiropractic school who holds a valid
 10 temporary permit issued under section 5.5 of this chapter.
 11 (d) If a violation of subsection (b) or (c) is being committed:
 12 (1) the board in its own name;
 13 (2) the board in the name of the state; or
 14 (3) the prosecuting attorney of the county in which the violation
 15 occurs, at the request of the board and in the name of the state;
 16 may apply for an order enjoining the violation from the circuit court of
 17 the county in which the violation occurs.
 18 (e) Upon a showing that a person has violated subsection (b) or (c),
 19 the court may grant without bond an injunction, a restraining order, or
 20 other appropriate order.
 21 (f) This section does not apply to a physical therapist practicing
 22 under ~~IC 25-27~~. **IC 25-27-1-3.5(b)**. However, a physical therapist may
 23 not practice chiropractic (as defined in IC 25-10-1-1) or medicine (as
 24 defined in IC 25-22.5-1-1.1) unless licensed to do so.
 25 SECTION 2. IC 25-27-1-1 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. For the purposes of
 27 this chapter:
 28 (1) "Physical therapy" means the evaluation of, administration of,
 29 or instruction in physical rehabilitative and habilitative techniques
 30 and procedures to evaluate, prevent, correct, treat, alleviate, and
 31 limit physical disability, pathokinesiological function, bodily
 32 malfunction, pain from injury, disease, and any other physical
 33 disability or mental disorder, including:
 34 (A) the use of physical measures, agents, and devices for
 35 preventive and therapeutic purposes;
 36 (B) neurodevelopmental procedures;
 37 (C) the performance, interpretation, and evaluation of physical
 38 therapy tests and measurements; and
 39 (D) the provision of consultative, educational, and other
 40 advisory services for the purpose of preventing or reducing the
 41 incidence and severity of physical disability, bodily
 42 malfunction, and pain.

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- 1 (2) "Physical therapist" means a person who practices physical
 2 therapy as defined in this chapter.
 3 (3) "Physical therapist's assistant" means a person who assists in
 4 the practice of physical therapy as defined in this chapter.
 5 (4) "Board" refers to the medical licensing board.
 6 (5) "Committee" refers to the Indiana physical therapy committee
 7 established under section 4 of this chapter.
 8 (6) "Person" means an individual.
 9 (7) **"Sharp debridement" means the removal of foreign**
 10 **material or dead tissue from or around a wound, without**
 11 **anesthesia and with generally no bleeding, through the use of:**
 12 (A) a sterile scalpel;
 13 (B) scissors;
 14 (C) forceps;
 15 (D) tweezers; or
 16 (E) other sharp medical instruments;
 17 **in order to expose healthy tissue, prevent infection, and**
 18 **promote healing.**
 19 SECTION 3. IC 25-27-1-2 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) Except as
 21 otherwise provided in this chapter, it is unlawful for a person to:
 22 (1) practice physical therapy; ~~or to~~
 23 (2) profess to be a physical therapist, physiotherapist, or physical
 24 therapy technician or to use the initials "P.T.", "P.T.T.", or
 25 "R.P.T.", or any other letters, words, abbreviations, or insignia
 26 indicating that the person is a physical therapist; or ~~to~~
 27 (3) practice or ~~to~~ assume the duties incident to physical therapy;
 28 without first obtaining from the board a license authorizing the person
 29 to practice physical therapy in this state.
 30 (b) **Except as provided in section 2.5 of this chapter,** it is
 31 unlawful for a person to practice physical therapy other than upon the
 32 order or referral of a physician, podiatrist, psychologist, chiropractor,
 33 or dentist holding an unlimited license to practice medicine, podiatric
 34 medicine, psychology, chiropractic, or dentistry, respectively. It is
 35 unlawful for a physical therapist to use the services of a physical
 36 therapist's assistant except as provided under this chapter. For the
 37 purposes of this subsection, the function of:
 38 (1) teaching;
 39 (2) doing research;
 40 (3) providing advisory services; or
 41 (4) conducting seminars on physical therapy;
 42 is not considered to be a practice of physical therapy.

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

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

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

24 SECTION 4. IC 25-27-1-2.5 IS ADDED TO THE INDIANA CODE
 25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 26 1, 2012]: **Sec. 2.5. A physical therapist may evaluate and treat an
 27 individual for not more than thirty (30) calendar days without a
 28 referral from a provider described in section 2(b) of this chapter.
 29 However, if the individual needs additional treatment from the
 30 physical therapist after thirty (30) calendar days, the physical
 31 therapist shall obtain a referral from the individual's provider, as
 32 described in section 2(b) of this chapter.**

33 SECTION 5. IC 25-27-1-3.5 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2012]: **Sec. 3.5. (a) A physical therapist may not perform sharp
 36 debridement unless the physical therapist is acting on the written
 37 order of a physician, osteopath, podiatrist, dentist, or chiropractor.**

38 **(b) A physical therapist may not perform manual manipulation
 39 of the spinal column or the vertebral column unless the physical
 40 therapist is acting on the specific written order of an osteopath or
 41 chiropractor for spinal manipulation.**

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