
DIGEST

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HB 897 Original

2024 Regular Session

Bagley

Abstract: Provides for the professional practice of physical therapy.

Present law establishes a physical therapy board (board) with eight members who are appointed to the board by the governor.

Present law states that two of the members of the board shall be licensed physical therapists with no less than three years of experience appointed from a list of names submitted by the Louisiana Physical Therapy Association.

Proposed law changes the entity for nominating members from the Louisiana Physical Therapy Association to the American Physical Therapy Association Louisiana.

Present law states that one member of the board shall be a licensed physician who specializes in the practice of orthopedic surgery or the practice of physiatry appointed from a list of names provided by the Louisiana Medical Society.

Proposed law changes the physician member to a licensed physical therapist with no less than three years of experience appointed from a list of names provided by the Louisiana Medical Society.

Present law states that the board may require that all costs of a board hearing for a specific disciplinary matter be reimburse by the physical therapist who is the subject of the hearing as part of the consent order or board decision that results from the hearing.

Proposed law retains present law and provides that the board may seek reimbursement for a hearing related to the issuance or denial of application for licensure.

Proposed law states that the board may purchase, lease, maintain, and otherwise contract immovable property and improvements made to that immovable property. Proposed law further adds that if the board sells the immovable property, the revenue derived from the sale shall be retained by the board.

Proposed law provides that the board may issue administrative fines to licensees for violation of present law.

Present law requires that a physical therapist and physical therapist assistant must have graduated from an accredited program approved by the Commission on Accreditation in Physical Therapy or the board.

Proposed law removes the reference to the Commission on Accreditation and requires that a physical therapist or physical therapist assistant graduate from an accredited program approved by the board.

Present law requires an applicant for licensure as a physical therapist to be at least 21 years of age. Present law also requires an applicant for licensure as a physical therapist assistant to be at least 19 years of age.

Proposed law repeals present law.

Proposed law modifies present law definitions of "practice of physical therapy" and "physical therapy evaluation".

Present law defines "initial physical therapy evaluation".

Proposed law repeals present law.

Present law requires a physical therapist to be at least 21 years of age.

Proposed law repeals present law.

Present law requires a physical therapist assistant to be at least 19 years of age.

Proposed law repeals present law.

Present law provides that at the board's discretion, it may waive the examination required for licensure if the applicant is licensed in another state and the requirements in that state were, at the time of licensing, substantially similar or equal to the requirements then or subsequently in force in Louisiana.

Proposed law removes the temporal reference and states that if the requirements of the home state or territory license are substantially similar to those in La., then the physical therapist licensed in another state or territory may not be required by the board to take a licensing examination.

Present law states that a physical therapist licensed in another state who comes to La. to practice physical therapy during a declared local, state, or national disaster or emergency may practice physical therapy in La. for sixty days without a license.

Proposed law adds that a licensed physical therapist assistant may practice in La. if he provides physical therapy during a declared emergency or disaster and increases the number of days that a physical therapist and physical therapist assistant may practice without a license from 60 days to 90 days.

Present law states the physical therapist licensed in another state who is forced from his home state to La. due to a declared local, state, or national disaster may practice physical therapy in La. for 60 days without a license.

Proposed law adds that a licensed physical therapist assistant may practice in La. if forced from his home state due to an declared emergency and increases the number of days that a physical therapist and physical therapist assistant may practice without a license from 60 days to 90 days.

Present law states that a licensed physical therapist may perform an initial evaluation or screening to determine the need for physical therapy and to provide certain services to certain patients without a prescription or referral from a physician.

Proposed law removes this requirement and states that a physical therapist may practice physical therapy without a prescription or referral from another healthcare practitioner.

Present law states that a physical therapist may treat a condition within the scope of physical therapy with or without a prescription or referral from a physician if the physical therapist meets all of the following requirements:

- (1) The physical therapist has a doctorate degree in physical therapy from an accredited institution.
- (2) The physical therapist has five years of licensed clinical experience.
- (3) The physical therapist must refer a patient to an appropriate healthcare provider if the patient has not made a measurable or functional improvement.

The board is directed to take disciplinary action if the physical therapist fails to act in conformity with present law.

Proposed law repeals present law and states that a physical therapist may treat a patient without a prescription or referral from a physician.

Proposed law removes requirements and exceptions to present law that distinguish between practicing physical therapy with or without a physician's prescription or referral.

Present law states that no physical therapist shall render a medical diagnosis of disease. Proposed law retains present law.

Present law states that a physical therapist assistant shall only provide treatments under the direction or supervision of a physical therapist. Present law further states that a physical therapist has the responsibility of determining the number of physical therapist assistants he can safely supervise.

Proposed law retains present law.

Present law limits a physical therapist to supervise a maximum four physical therapist assistants, no more than two provisional licensees, and no more than five students.

Proposed law repeals present law.

Present law states that a supervising physical therapist shall be readily accessible by beeper or telephone and available to the patient by the next scheduled treatment session upon request of the patient or physical therapist assistant.

Proposed law repeals present law.

Present law states that physical therapists assistant's duties shall not include interpretation or implementation of referrals or prescriptions, performance of evaluations, or determination or major modifications of treatment programs.

Proposed law repeals present law.

Present law requires a supervising physical therapist to meet with the physical therapist assistant regularly to discuss the physical therapist assistant's treatment of patients.

Proposed law repeals present law.

Present law requires a physical therapist to provide a patient's final treatment and write a discharge summary.

Proposed law repeals present law.

Proposed law adds additional terms and abbreviations that may only be used by licensed physical therapists or in connection with providing physical therapy.

Proposed law adds fines that may be levied by the board against any person or legal entity found to be in violation of present law.

Proposed law modifies the procedure for cease and desist orders issued by the board to licensees.

(Amends R.S. 37:2403(B)(3) and (5), 2405(B)(11), 2407(A)(2), (3), and (5) and (C), 2409(5), 2411(4), 2412, 2413(B), 2416(1) and (2), 2418, 2419(B), (C), and (D), and 2422(A); Adds R.S. 2405(16) and (17), 37:2407(6), and 2421(C); Repeals R.S. 37:2407(A)(1), 2409(1), 2411(1), and 2416(3))