## HOUSE COMMITTEE AMENDMENTS

2016 Regular Session

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 291 by Senator Mills

## 1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 37:2418(B) and" delete the remainder of the line and insert in

- lieu thereof "the introductory paragraph of 2418(C) and 2420(B) and (C) and to enact R.S.
  37:2420(D) relative to"
- 4 37:2420(D), relative to"
- 5 AMENDMENT NO. 2
- 6 On page 1, line 4, after "circumstances;" insert "to provide for disciplinary action;"
- 7 AMENDMENT NO. 3

8 On page 1, line 7, after "R.S. 37:2418(B)" delete the remainder of the line and insert in lieu 9 thereof "and the introductory paragraph of 2418(C) and 2420(B) and (C) are hereby 10 amended and reenacted and R.S. 37:2420(D) is hereby enacted to read as follows:"

- 11 AMENDMENT NO. 4
- On page 1, after line 9, delete the remainder of the page and on page 2, delete lines 1 through6 in their entirety and insert in lieu thereof the following:
- 14 "B.(1) Without prescription or referral, a physical therapist may 15 perform an initial evaluation or consultation of a screening nature to 16 determine the need for physical therapy and may perform physical therapy or other services provided in Subsection C of this Section. However, 17 18 implementation of physical therapy treatment shall otherwise be based on the 19 prescription or referral of a person licensed to practice medicine, surgery, 20 dentistry, podiatry, or chiropractic. 21 22 (2)(a) For the treatment of a specific condition, other than under 23 the circumstances provided for in Subsection C of this Section, a 24 physical therapist may implement physical therapy treatment with or 25 without a prescription or referral of a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic if the physical 26 27 therapist meets one of the following criteria: 28 29 (i) The physical therapist has a doctorate in physical therapy and 30 two years of clinical practice experience. 31 32 (ii) The physical therapist has a doctorate in physical therapy 33 and a post-graduate certification. 34 35 (iii) The physical therapist has a doctorate in physical therapy and an American Board of Physical Therapy specialties board 36 37 certification. 38 39 (iv) The physical therapist has a doctorate in physical therapy 40 and residency or fellowship training. 41 42 (v) The physical therapist has five years of clinical practice 43 experience. 44

1 2 3 4 5 6 7 8 9	(b) A physical therapist who provides treatment pursuant to this Paragraph shall provide notice to the appropriate healthcare provider within fifteen calendar days of implementing physical therapy treatment. If, after thirty calendar days of implementing physical therapy treatment, the patient has not made measurable or functional improvement, the physical therapist shall refer the patient to an appropriate healthcare provider. The board shall take appropriate disciplinary action against any physical therapist who fails to refer a patient pursuant to this Paragraph.
10 11	(3) No physical therapist shall render a medical diagnosis of an acute or chronic condition.
12 13 14 15	C. Except as to an initial evaluation or consultation, as provided in Subsection B of this Section, physical <b>Physical</b> therapy services may be performed without a prescription or by referral only under <b>any of</b> the following circumstances:
16	* * *
17	§2420. Disciplinary actions
18 19 20 21	* * * <u>B.(1) After due notice, the board may suspend the license of any</u> person who fails to timely refer a patient to an appropriate healthcare provider as required by the provisions of R.S. 37:2418(B).
22 23 24 25	(2) If, after a hearing concerning any violation provided in Paragraph (1) of this Subsection, the board substantiates the violation, the board may revoke the license of the person who committed the violation and shall fine the person the greater of the following amounts:
26	(a) One thousand dollars.
27 28	(b) The amount of compensation the person received for the services which were the basis of the violation.
29 30 31 32	B. C. Any action of the board taken under this Section shall be subject to notice requirements and hearing, adjudication, and appeal proceedings in accordance with the rules adopted by the board and the Administrative Procedure Act.
33 34	C. D. Refusal to grant a license for failure to pass the licensing examination required by the board shall not require notice and a hearing."
35	AMENDMENT NO. 5
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36 On page 2, at the beginning of line 7, change "Section 3." to "Section 2."