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DIGEST

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SB 291 Reengrossed

2016 Regular Session

Mills

Present law authorizes a physical therapist to perform an initial evaluation or consultation of a screening nature to determine the need for physical therapy without a prescription or referral.

Proposed law retains present law.

Present law provides that except under certain circumstances as specified in present law, physical therapy treatment may be implemented only based on the prescription or referral of a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic.

Proposed law authorizes a physical therapist to treat a specific condition, other than under the circumstances provided for in present law, with or without a prescription or referral of a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic if the physical therapist meets one of the following criteria:

- (1) The physical therapist has a doctorate in physical therapy and two years of clinical practice experience.
- (2) The physical therapist has a doctorate in physical therapy and a post-graduate certification.
- (3) The physical therapist has a doctorate in physical therapy and an American Board of Physical Therapy specialties board certification.
- (4) The physical therapist has a doctorate in physical therapy and residency or fellowship training.
- (5) The physical therapist has 5 years of clinical practice experience.

Proposed law requires a physical therapist who provides treatment pursuant to proposed law to provide notice to the appropriate healthcare provider within 15 calendar days of implementing physical therapy treatment.

Proposed law requires the physical therapist, if after 30 calendar days of implementing physical therapy treatment the patient has not made measurable or functional improvement, to refer the patient to an appropriate healthcare provider.

Proposed law prohibits a physical therapist from rendering a medical diagnosis of an acute or chronic condition.

Proposed law authorizes the La. Physical Therapy Board to suspend the license of any person who fails to timely refer a patient to an appropriate healthcare provider as required by proposed law.

Proposed law authorizes the board, after a hearing concerning the violation in which the board substantiates the violation, to revoke the license of the person who committed the violation and requires the board to fine the person the greater of the following amounts:

- (1) \$1,000.
- (2) The amount of compensation the person received for the services which were the basis of the violation.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 37:2418(B); repeals R.S. 37:2418(C) and (D))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Requires a physical therapist to notify the health care provider of the patient's choice within 15 days of implementing treatment.
2. Requires a physical therapist to refer a patient to an appropriate health care provider if after 30 business days of implementing treatment the patient has not made measurable or functional improvement.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the reengrossed bill:

1. Make technical changes.
2. Restore provisions of present law authorizing a physical therapist to perform an initial consultation without a prescription or referral.
3. Require a physical therapist to meet certain education and experience criteria prior to implementing physical therapy treatment without a prescription or referral for a specific condition not already exempted by present law.
4. Clarify that the notification deadline is 15 calendar days.
5. Change the referral deadline from 30 business days to 30 calendar days.
6. Prohibit a physical therapist from rendering a medical diagnosis of an acute or chronic condition.
7. Authorize the board to suspend or revoke the license of any person who fails to timely refer a patient.
8. Require the board to fine any person who fails to timely refer a patient.
9. Restore provisions of present law authorizing the implementation of physical therapy treatment without a prescription or referral in certain circumstances.