

---

HOUSE BILL 2988

---

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Morris and Prince

Read first time February 12, 1992. Referred to Committee on Health Care.

1 AN ACT Relating to licensure of physical therapist assistants who  
2 are supervised by physical therapists; amending RCW 18.74.010,  
3 18.74.020, 18.74.027, 18.74.060, 18.74.070, and 18.74.090; reenacting  
4 and amending RCW 18.74.023; and adding new sections to chapter 18.74  
5 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 18.74.010 and 1991 c 12 s 1 are each amended to read  
8 as follows:

9 Unless the context otherwise requires, the definitions in this  
10 section apply throughout this chapter.

11 (1) "Board" means the board of physical therapy created by RCW  
12 18.74.020.

13 (2) "Department" means the department of health.

1 (3) "Physical therapy" means the treatment of any bodily or mental  
2 condition of any person by the use of the physical, chemical, and other  
3 properties of heat, cold, air, light, water, electricity, sound,  
4 massage, and therapeutic exercise, which includes posture and  
5 rehabilitation procedures; the performance of tests and measurements of  
6 neuromuscular function as an aid to the diagnosis or treatment of any  
7 human condition; performance of treatments on the basis of test  
8 findings after consultation with and periodic review by an authorized  
9 health care practitioner except as provided in RCW 18.74.012;  
10 supervision of selective forms of treatment by trained supportive  
11 personnel; and provision of consultative services for health,  
12 education, and community agencies. The use of Roentgen rays and radium  
13 for diagnostic and therapeutic purposes, the use of electricity for  
14 surgical purposes, including cauterization, and the use of spinal  
15 manipulation or manipulative mobilization of the spine and its  
16 immediate articulations, are not included under the term "physical  
17 therapy" as used in this chapter.

18 (4) "Physical therapist" means a person who practices physical  
19 therapy as defined in this chapter but does not include massage  
20 operators as defined in RCW 18.108.010.

21 (5) "Physical therapist assistant" means:

22 (a) A person under the indirect supervision of a licensed physical  
23 therapist who assists in the practice of physical therapy and who is  
24 licensed pursuant to this chapter;

25 (b) A person who has graduated from an approved school of physical  
26 therapy within the preceding twelve months; or

27 (c) A person who has graduated from an approved school of physical  
28 therapy and who has been a resident of this state less than twelve  
29 months.

1        (6) "Indirect supervision" of a physical therapist assistant means  
2 that a supervising physical therapist:

3        (a) Initially evaluates each patient;

4        (b) Interprets all referrals received from other health care  
5 providers;

6        (c) Plans each patient's treatment program and determines which  
7 elements can be delegated;

8        (d) Provides periodic reevaluation of the treatment program and the  
9 assistant's performance in relation to the patient;

10       (e) Performs discharge planning; and

11       (f) Provides either written or oral instructions for treatment of  
12 the patient by the assistant, but is not required to be on the physical  
13 premises.

14       (7) "Secretary" means the secretary of health.

15       ~~((+6))~~ (8) Words importing the masculine gender may be applied to  
16 females.

17       ~~((+7))~~ (9) "Authorized health care practitioner" means and  
18 includes licensed physicians, osteopathic physicians, chiropractors,  
19 naturopaths, ~~((podiatrists))~~ podiatric physicians and surgeons, and  
20 dentists: PROVIDED, HOWEVER, That nothing herein shall be construed as  
21 altering the scope of practice of such practitioners as defined in  
22 their respective licensure laws.

23       **Sec. 2.** RCW 18.74.020 and 1991 c 3 s 174 are each amended to read  
24 as follows:

25       The state board of physical therapy is hereby created. The board  
26 shall consist of ~~((five))~~ seven members who shall be appointed by the  
27 governor. Of the initial appointments, two shall be appointed for a  
28 term of two years, two for a term of three years, and one for a term of  
29 four years. Thereafter, all appointments shall be for terms of four

1 years. (~~Four~~) Five members of the board shall be physical therapists  
2 licensed under this chapter and residing in this state, shall have not  
3 less than five years' experience in the practice of physical therapy,  
4 and shall be actively engaged in practice within two years of  
5 appointment. One member of the board shall be a physical therapist  
6 assistant. The (~~fifth~~) seventh member shall be appointed from the  
7 public at large, shall have an interest in the rights of consumers of  
8 health services, and shall not be or have been a member of any other  
9 licensing board, a licensee of any health occupation board, an employee  
10 of any health facility nor derive his or her primary livelihood from  
11 the provision of health services at any level of responsibility. In  
12 the event that a member of the board for any reason cannot complete his  
13 or her term of office, another appointment shall be made by the  
14 governor in accordance with the procedure stated above to fill the  
15 remainder of the term. No member may serve for more than two  
16 successive four-year terms. To the maximum extent practicable, the  
17 members of the board shall reflect different practice settings,  
18 physical therapy specialties, geographic regions of the state, and  
19 diverse ethnic heritage.

20 The secretary of health shall furnish such secretarial, clerical  
21 and other assistance as the board may require. Each member of the  
22 board shall, in addition to travel expenses in accordance with RCW  
23 43.03.050 and 43.03.060, be compensated in accordance with RCW  
24 43.03.240.

25 **Sec. 3.** RCW 18.74.023 and 1991 c 12 s 3 and 1991 c 3 s 175 are  
26 each reenacted and amended to read as follows:

27 The board has the following powers and duties:

28 (1) To administer examinations to applicants for a license under  
29 this chapter.

1 (2) To pass upon the qualifications of applicants for a license and  
2 to certify to the secretary duly qualified applicants.

3 (3) To make such rules not inconsistent with the laws of this state  
4 as may be deemed necessary or proper to carry out the purposes of this  
5 chapter.

6 (4) To establish and administer requirements for continuing  
7 competency, which shall be a prerequisite to renewing a license under  
8 this chapter.

9 (5) To keep an official record of all its proceedings, which record  
10 shall be evidence of all proceedings of the board which are set forth  
11 therein.

12 (6) To adopt rules not inconsistent with the laws of this state,  
13 when it deems appropriate, in response to questions put to it by  
14 professional health associations, physical therapists, physical  
15 therapist assistants, and consumers in this state concerning the  
16 authority of physical therapists and physical therapist assistants to  
17 perform particular acts.

18 **Sec. 4.** RCW 18.74.027 and 1983 c 116 s 5 are each amended to read  
19 as follows:

20 The board shall elect from its members a chairperson and vice  
21 chairperson-secretary, who shall serve for one year and until their  
22 successors are elected. The board shall meet at least once a year and  
23 upon the call of the chairperson at such times and places as the  
24 chairperson designates. (~~Three~~) Four members constitute a quorum of  
25 the full board for the transaction of any business. Meetings of the  
26 board shall be open and public, except the board may hold executive  
27 sessions to the extent permitted by chapter 42.30 RCW.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 18.74 RCW  
2 to read as follows:

3        An applicant for a license as a physical therapist assistant shall  
4 have the following qualifications:

5        (1) Be of good moral character; and

6        (2) Have successfully completed a board-approved program of study  
7 for physical therapist assistants or an equivalent educational program  
8 that meets criteria established by the board and that has been approved  
9 by the board.

10       Applications for licensure must be submitted on forms provided by  
11 the board.    The board may require any information and documentation  
12 which reasonably relates to the need to determine whether the applicant  
13 meets the criteria for licensure provided for in this chapter and  
14 chapter 18.130 RCW.    Each applicant shall pay a fee determined by the  
15 secretary as provided in RCW 43.70.250, which shall accompany the  
16 application.

17       NEW SECTION.    **Sec. 6.**    A new section is added to chapter 18.74 RCW  
18 to read as follows:

19       All qualified applicants for a license as a physical therapist  
20 assistant shall be examined by the board at such time and place within  
21 the state as the board may determine.    The examination shall include  
22 subjects as the board deems useful to test the applicant's fitness to  
23 be licensed as a physical therapist assistant.    Examinations shall be  
24 held at least twice a year.    Applicants who fail the examination may  
25 apply for reexamination upon payment of a reexamination fee determined  
26 by the secretary.

27       The secretary of health shall license as a physical therapist  
28 assistant each applicant who successfully passes the examination for

1 licensure as a physical therapist assistant and shall furnish a license  
2 to those applicants.

3 **Sec. 7.** RCW 18.74.060 and 1991 c 3 s 179 are each amended to read  
4 as follows:

5 Upon the recommendation of the board, the secretary shall license  
6 as a physical therapist ~~((and shall furnish a license to))~~ or as a  
7 physical therapist assistant any person who is a physical therapist  
8 ~~((registered or licensed))~~ or physical therapist assistant under the  
9 laws of another state or territory, or the District of Columbia, if the  
10 qualifications ~~((for such registration or license))~~ required of the  
11 applicant were substantially equal to the requirements under this  
12 chapter. At the time of making application, the applicant shall pay to  
13 the state treasurer a fee determined by the secretary as provided in  
14 RCW 43.70.250.

15 **Sec. 8.** RCW 18.74.070 and 1991 c 3 s 180 are each amended to read  
16 as follows:

17 Every licensed physical therapist and physical therapist assistant  
18 shall apply to the secretary for a renewal of the license and pay to  
19 the state treasurer a fee determined by the secretary as provided in  
20 RCW 43.70.250. The license of a physical therapist or of a physical  
21 therapist assistant who fails to renew the license within thirty days  
22 of the date set by the secretary for renewal shall automatically lapse.  
23 Within three years from the date of lapse and upon the  
24 ~~((recommendation))~~ approval of the board, the secretary may revive a  
25 lapsed license upon the payment of all past unpaid renewal fees and a  
26 penalty fee to be determined by the secretary. The board may require  
27 reexamination of an applicant whose license has lapsed for more than  
28 three years and who has not continuously engaged in lawful practice in

1 another state or territory, or waive reexamination in favor of evidence  
2 of continuing education satisfactory to the board.

3 **Sec. 9.** RCW 18.74.090 and 1991 c 3 s 181 are each amended to read  
4 as follows:

5 (1) A person who is not licensed with the secretary of health as a  
6 physical therapist under the requirements of this chapter shall not  
7 represent him or herself as being so licensed and shall not use in  
8 connection with his or her name the words or letters "P.T.", "R.P.T.",  
9 "L.P.T.", "physical therapy", "physiotherapy", "physical therapist" or  
10 "physiotherapist", or any other letters, words, signs, numbers, or  
11 insignia indicating or implying that he or she is a physical therapist.  
12 No person may practice physical therapy without first having a valid  
13 license.

14 (2) A person who is not licensed with the secretary as a physical  
15 therapist assistant and not working under the indirect supervision of  
16 a licensed physical therapist under the requirements of this chapter  
17 shall not represent him or herself as being so licensed and shall not  
18 use in connection with his or her name the words or letters "P.T.A.,"  
19 "L.P.T.A.," "physical therapist assistant," "physical therapy  
20 assistant," "physical therapy technician," "physiotherapy assistant,"  
21 "physiotherapist assistant," or any other letters, words, signs,  
22 numbers, or insignia indicating or implying that he or she is a  
23 physical therapist assistant or licensed physical therapist assistant.

24 (3) Nothing in this chapter prohibits any person licensed in this  
25 state under any other act from engaging in the practice for which he or  
26 she is licensed. It shall be the duty of the prosecuting attorney of  
27 each county to prosecute all cases involving a violation of this  
28 chapter arising within his or her county. The attorney general may



1 assist in such prosecution and shall appear at all hearings when  
2 requested to do so by the board.

3 NEW SECTION. **Sec. 10.** A new section is added to chapter 18.74 RCW  
4 to read as follows:

5 The board shall waive the examination requirements and grant a  
6 license to a person engaged in practice as a physical therapist  
7 assistant on the effective date of this act if the person meets the  
8 education requirements as established by rule of the board.

9 NEW SECTION. **Sec. 11.** If any provision of this act or its  
10 application to any person or circumstance is held invalid, the  
11 remainder of the act or the application of the provision to other  
12 persons or circumstances is not affected.