
SUBSTITUTE HOUSE BILL 2590

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Ruderman, Cody, DeBolt, Veloria, Schual-Berke and Kagi)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to physical therapy; amending RCW 18.74.005,
2 18.74.010, and 18.74.012; and adding new sections to chapter 18.74 RCW.

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

4 **Sec. 1.** RCW 18.74.005 and 1983 c 116 s 1 are each amended to read
5 as follows:

6 ~~((In order to safeguard the public safety and welfare, to protect
7 the public from being misled by incompetent, unethical, and
8 unauthorized persons, and to assure the highest degree of professional
9 conduct and competency, it is the purpose of this chapter to strengthen
10 existing regulation of persons offering physical therapy services to
11 the public.))~~ The purpose of this chapter is to protect the public
12 health, safety, and welfare, and to provide for state administrative
13 control, supervision, licensure, and regulation of the practice of
14 physical therapy. It is the intent of the legislature that only
15 individuals who meet and maintain prescribed standards of competence
16 and conduct be allowed to engage in the practice of physical therapy as
17 defined and authorized by this chapter.

1 **Sec. 2.** RCW 18.74.010 and 1997 c 275 s 8 are each amended to read
2 as follows:

3 (~~Unless the context otherwise requires,~~) The definitions in this
4 section apply throughout this chapter unless the context clearly
5 requires otherwise.

6 (1) "Board" means the board of physical therapy created by RCW
7 18.74.020.

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

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

30 (4) "Physical therapist" means a person who (~~practices physical~~
31 ~~therapy as defined in this chapter but does not include massage~~
32 ~~operators as defined in RCW 18.108.010)) meets all the requirements of
33 this chapter and is licensed in this state to practice physical
34 therapy.~~

35 (5) "Secretary" means the secretary of health.

36 (6) Words importing the masculine gender may be applied to females.

37 (7) "Authorized health care practitioner" means and includes
38 licensed physicians, osteopathic physicians, chiropractors,
39 naturopaths, podiatric physicians and surgeons, dentists, and advanced

1 registered nurse practitioners: PROVIDED, HOWEVER, That nothing herein
2 shall be construed as altering the scope of practice of such
3 practitioners as defined in their respective licensure laws.

4 (8) "Practice of physical therapy" is based on movement science and
5 means:

6 (a) Examining, evaluating, and testing individuals with mechanical,
7 physiological, and developmental impairments, functional limitations in
8 movement, and disability or other health and movement-related
9 conditions in order to determine a diagnosis, prognosis, plan of
10 therapeutic intervention, and to assess and document the ongoing
11 effects of intervention;

12 (b) Alleviating impairments and functional limitations in movement
13 by designing, implementing, and modifying therapeutic interventions
14 that include therapeutic exercise; movement-related functional training
15 in self-care, in-home, community, or work reintegration; manual therapy
16 including soft tissue and joint mobilization and manipulation;
17 therapeutic massage; assistive, adaptive, protective, and devices
18 related to postural control and mobility except as restricted by (c) of
19 this subsection; airway clearance techniques; physical agents or
20 modalities; mechanical and electrotherapeutic modalities; and patient-
21 related instruction;

22 (c) Training for, and the evaluation of, the function of a patient
23 wearing an orthosis or prosthesis as defined in RCW 18.200.010.
24 Physical therapists may provide those direct-formed and prefabricated
25 upper limb, knee, and ankle-foot orthoses, but not fracture orthoses
26 except those for hand, wrist, ankle, and foot fractures, and assistive
27 technology devices specified in RCW 18.200.010 as exemptions from the
28 defined scope of licensed orthotic and prosthetic services. It is the
29 intent of the legislature that the unregulated devices specified in RCW
30 18.200.010 are in the public domain to the extent that they may be
31 provided in common with individuals or other health providers, whether
32 unregulated or regulated under Title 18 RCW, without regard to any
33 scope of practice;

34 (d) Performing wound debridement and wound management that includes
35 sharp debridement, debridement with other agents, dry dressings, wet
36 dressings, topical agents including enzymes, hydrotherapy, and other
37 similar treatments. Physical therapists may not delegate sharp
38 debridement;

1 (e) Reducing the risk of injury, impairment, functional limitation,
2 and disability related to movement, including the promotion and
3 maintenance of fitness, health, and quality of life in all age
4 populations; and

5 (f) Engaging in administration, consultation, education, and
6 research.

7 (9)(a) "Physical therapist assistant" means a person who has
8 successfully completed a board-approved physical therapist assistant
9 program.

10 (b) "Physical therapy aide" means a person who is involved in
11 direct physical therapy patient care who does not meet the definition
12 of a physical therapist or physical therapist assistant and receives
13 ongoing on-the-job training.

14 (c) "Other assistive personnel" means other trained or educated
15 health care personnel, not defined in (a) or (b) of this subsection,
16 who perform specific designated tasks related to physical therapy under
17 the supervision of a physical therapist. At the direction of the
18 supervising physical therapist, and if properly credentialed and not
19 prohibited by any other law, other assistive personnel may be
20 identified by the title specific to their training or education.

21 (10) "On-site supervision" means the supervising physical therapist
22 must (a) be continuously on-site and present in the department or
23 facility where assistive personnel or holders of interim permits are
24 performing services; (b) be immediately available to assist the person
25 being supervised in the services being performed; and (c) maintain
26 continued involvement in appropriate aspects of each treatment session
27 in which a component of treatment is delegated to assistive personnel.

28 **Sec. 3.** RCW 18.74.012 and 2000 c 171 s 24 are each amended to read
29 as follows:

30 ~~((Notwithstanding the provisions of RCW 18.74.010(3),))~~ A
31 consultation and periodic review by an authorized health care
32 practitioner is not required for treatment of neuromuscular or
33 musculoskeletal conditions(~~(: PROVIDED, That a physical therapist may~~
34 ~~only provide treatment utilizing orthoses that support, align, prevent,~~
35 ~~or correct any structural problems intrinsic to the foot or ankle by~~
36 ~~referral or consultation from an authorized health care practitioner)).~~

1 NEW SECTION. **Sec. 4.** (1) It is unlawful for any person to
2 practice or in any manner hold himself or herself out to practice
3 physical therapy or designate himself or herself as a physical
4 therapist, unless he or she is licensed in accordance with this
5 chapter.

6 (2) This chapter does not restrict persons licensed under any other
7 law of this state from engaging in the profession or practice for which
8 they are licensed, if they are not representing themselves to be
9 physical therapists or providers of physical therapy.

10 (3) The following persons are exempt from licensure as physical
11 therapists under this chapter when engaged in the following activities:

12 (a) A person who is pursuing a course of study leading to a degree
13 as a physical therapist in an approved professional education program
14 and is satisfying supervised clinical education requirements related to
15 his or her physical therapy education while under on-site supervision
16 of a licensed physical therapist;

17 (b) A physical therapist while practicing in the United States
18 armed services, United States public health service, or veterans
19 administration as based on requirements under federal regulations for
20 state licensure of health care providers; and

21 (c) A physical therapist licensed in another United States
22 jurisdiction, or a foreign-educated physical therapist credentialed in
23 another country, performing physical therapy as part of teaching or
24 participating in an educational seminar of no more than sixty days in
25 a calendar year.

26 NEW SECTION. **Sec. 5.** (1) No person may practice or in any manner
27 hold himself or herself out to be engaging in the practice of physical
28 therapy or designate himself or herself as a physical therapist unless
29 licensed as a physical therapist in accordance with this chapter.

30 (2) A physical therapist licensed under this chapter is fully
31 authorized to practice physical therapy as defined in this chapter.

32 (3) A physical therapist shall refer persons under his or her care
33 to appropriate health care practitioners if the physical therapist has
34 reasonable cause to believe symptoms or conditions are present that
35 require services beyond the scope of practice or when physical therapy
36 is contraindicated.

1 (4) Physical therapists shall adhere to the recognized standards of
2 ethics of the physical therapy profession and as further established by
3 rule.

4 (5) A physical therapist may perform electroneuromyographic
5 examinations for the purpose of testing neuromuscular function.

6 (6)(a) A physical therapist licensed under this chapter may
7 purchase, store, and administer medications such as hydrocortisone,
8 fluocinonide, topical anesthetics, silver sulfadiazine, lidocaine,
9 magnesium sulfate, zinc oxide, and other similar medications, and may
10 administer such other drugs or medications as prescribed by an
11 authorized health care provider. A pharmacist who dispenses such drugs
12 to a licensed physical therapist is not liable for any adverse
13 reactions caused by any method of use by the physical therapist.

14 (b) The secretary, after consultation with representatives of the
15 physical therapy licensing board, the board of pharmacy, and the
16 medical quality assurance commission, may adopt rules that authorize
17 licensed physical therapists to purchase and use legend drugs and
18 devices in addition to the drugs authorized in this chapter.

19 NEW SECTION. **Sec. 6.** (1) Physical therapists are responsible for
20 patient care given by assistive personnel under their supervision. A
21 physical therapist may delegate to assistive personnel and supervise
22 selected acts, tasks, or procedures that fall within the scope of
23 physical therapy practice but do not exceed the education or training
24 of the assistive personnel.

25 (2) Physical therapist assistants shall at all times be under the
26 supervision of a licensed physical therapist as further set forth in
27 rule.

28 (3) Physical therapy aides and other assistive personnel shall
29 perform patient care activities under on-site supervision of a licensed
30 physical therapist.

31 NEW SECTION. **Sec. 7.** Sections 4 through 6 of this act are each
32 added to chapter 18.74 RCW.

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