

SENATE BILL No. 46

By Committee on Public Health and Welfare

1-18

1 AN ACT concerning physical therapists; evaluation and treatment of
2 patients; amending K.S.A. 2012 Supp. 65-2921 and repealing the
3 existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 65-2921 is hereby amended to read as
7 follows: 65-2921. (a) Except as otherwise provided in subsection ~~(b)~~, ~~(c)~~
8 ~~or (d)~~, a physical therapist may evaluate patients without physician referral
9 but may initiate treatment only after approval by a licensed physician, a
10 licensed podiatrist, a licensed physician assistant or a licensed advanced
11 practice registered nurse working pursuant to the order or direction of a
12 licensed physician, a licensed chiropractor, a licensed dentist or licensed
13 optometrist in appropriately related cases. Physical therapists may initiate
14 physical therapy treatment with the approval of a practitioner of the
15 healing arts duly licensed under the laws of another state and may provide
16 such treatment based upon an order by such practitioner in any setting in
17 which physical therapists would be authorized to provide such treatment
18 with the approval of a physician licensed by the board, notwithstanding
19 any provisions of the Kansas healing arts act or any rules and regulations
20 adopted by the board thereunder and initiate physical therapy treatment on
21 a patient without referral from a licensed health care practitioner. If
22 treating a patient without a referral from a licensed health care
23 practitioner and the patient is not progressing toward documented
24 treatment goals as demonstrated by objective, measurable or functional
25 improvement, or any combination thereof, after 10 patient visits or in a
26 period of 15 business days, **whichever event occurs first**, from the initial
27 treatment visits following the initial evaluation visit, the physical therapist
28 shall obtain a referral from an appropriate licensed health care

1 *practitioner prior to continuing treatment. The physical therapist shall*
2 *transmit to the licensed health care practitioner, identified by the patient, a*
3 *copy of the initial evaluation no later than five business days after the*
4 *evaluation is performed.*

5 ~~(b) Physical therapists may evaluate and treat a patient for no more~~
6 ~~than 30 consecutive calendar days without a referral under the following~~
7 ~~conditions: (1) The patient has previously been referred to a physical~~
8 ~~therapist for physical therapy services by a person authorized by this~~
9 ~~section to approve treatment; (2) the patient's referral for physical therapy~~
10 ~~was made within one year from the date a physical therapist implements a~~
11 ~~program of physical therapy treatment without a referral; (3) the physical~~
12 ~~therapy being provided to the patient without referral is for the same~~
13 ~~injury, disease or condition as indicated in the referral for such previous~~
14 ~~injury, disease or condition; and (4) the physical therapist transmits to the~~
15 ~~physician or other practitioner identified by the patient a copy of the initial~~
16 ~~evaluation no later than five business days after treatment commences.~~
17 ~~Treatment of such patient for more than 30 consecutive calendar days shall~~
18 ~~only be upon the approval of a person authorized by this section to~~
19 ~~approve treatment.~~

20 ~~(e) Physical therapists may provide, without a referral, services which~~
21 ~~do not constitute treatment for a specific condition, disease or injury to: (1)~~
22 ~~Employees solely for the purpose of education and instruction related to~~
23 ~~workplace injury prevention; or (2) the public for the purpose of fitness,~~
24 ~~health promotion and education.~~

25 ~~(d)(c) Physical therapists may provide services without a referral to~~
26 ~~special education students who need physical therapy services to fulfill the~~
27 ~~provisions of their individualized education plan (IEP) or individualized~~
28 ~~family service plan (IFSP).~~

29 *(d) Nothing in this section shall be construed to prevent a hospital or*
30 *ambulatory surgical center from requiring a physician order or referral*
31 *for physical therapy services for a patient currently being treated in such*
32 *facility.*

33 *(e) When a patient self-refers to a physical therapist pursuant to this*
34 *section, the physical therapist, prior to commencing treatment, shall*
35 *provide written notice to the patient that a physical therapy diagnosis is*

1 *not a medical diagnosis by a physician.*

2 *(f) Physical therapists shall perform wound debridement services*
3 *only after approval by a person licensed to practice medicine and surgery*
4 *or other licensed health care practitioner in appropriately related cases.*

5 *(g) As used in this section, "licensed health care practitioner" means*
6 *a person licensed to practice medicine and surgery, a licensed podiatrist,*
7 *a licensed physician assistant or a licensed advanced practice registered*
8 *nurse working pursuant to the order or direction of a person licensed to*
9 *practice medicine and surgery, a licensed chiropractor, a licensed dentist*
10 *or licensed optometrist in appropriately related cases.*

11 Sec. 2. K.S.A. 2012 Supp. 65-2921 is hereby repealed.

12 Sec. 3. This act shall take effect and be in force from and after its
13 publication in the statute book.

14