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4 **SENATE BILL No. 583**

5  
6 By Committee on Public Health and Welfare

7  
8 2-13

9  
10 AN ACT relating to physical therapy; concerning physical therapists;  
11 amending K.S.A. 65-2901 and K.S.A. 2001 Supp. 65-2913 and repeal-  
12 ing the existing sections.

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14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 65-2901 is hereby amended to read as follows: 65-  
16 2901. (a) As used in this act, the term “physical therapy” means ~~a health~~  
17 ~~specialty concerned with the evaluation, treatment or instruction of hu-~~  
18 ~~man beings to assess, prevent and alleviate physical disability and pain.~~  
19 ~~This includes the administration and evaluation of tests and measure-~~  
20 ~~ments of bodily functions and structures in aid of treatment, the planning,~~  
21 ~~administration, evaluation and modifications of treatment and instruction,~~  
22 ~~including the use of physical measures, activities and devices for preven-~~  
23 ~~tion and therapeutic purposes, and the provision of consultative, educa-~~  
24 ~~tional and advisory services for the purpose of reducing the incidence and~~  
25 ~~severity of physical disability and pain. The use of roentgen rays and~~  
26 ~~radium for diagnostic and therapeutic purposes, the use of electricity for~~  
27 ~~surgical purposes, including cauterization, and the practice of medicine~~  
28 ~~and surgery are not authorized or included under the term “physical ther-~~  
29 ~~apy” as used in this act~~ *the care and services provided by a **physical***  
30 ***therapist or a physical therapist assistant under the direction and***  
31 ***supervision of a physical therapist that is registered pursuant to this act.***

32 (b) “Physical therapist” means a person who ~~practices physical ther-~~  
33 ~~apy as defined in this act and delegates selective forms of treatment to~~  
34 ~~supportive personnel under the supervision of such person~~ *is registered*  
35 *to practice physical therapy pursuant to this act.* Any person who suc-  
36 cessfully meets the requirements of K.S.A. 65-2906 and amendments  
37 thereto shall be known and designated as a physical therapist and may  
38 designate or describe oneself as a physical therapist, physiotherapist, reg-  
39 istered physical therapist, P.T., Ph. T. or R.P.T. Physical therapists may  
40 evaluate patients without physician referral but may initiate treatment  
41 only after consultation with and approval by a physician licensed to prac-  
42 tice medicine and surgery, a licensed podiatrist or a licensed dentist in  
43 appropriately related cases.

1 (c) “Practice of physical therapy” means examining, evaluating and  
2 testing individuals with mechanical, physiological and developmental im-  
3 pairments, functional limitations and disabilities or other health and  
4 movement-related conditions in order to determine a diagnosis for phys-  
5 ical therapy, prognosis, plan of therapeutic intervention and to assess the  
6 ongoing effects of physical therapy intervention. The “practice of physical  
7 therapy” also ~~means~~ **may include** alleviating impairments, functional  
8 limitations and disabilities by designing, implementing and modifying  
9 therapeutic interventions that may include, but are not limited to, ther-  
10 apeutic exercise; functional training in self-care and in home, community  
11 or work integration or reintegration; manual therapy; therapeutic mas-  
12 sage; prescription, application and, as appropriate, fabrication of assis-  
13 tive, adaptive, orthotic, prosthetic, protective and supportive devices and  
14 equipment; airway clearance techniques; integumentary protection and  
15 repair techniques; debridement and wound care; physical agents or mo-  
16 dalities; mechanical and electrotherapeutic modalities; and patient-related  
17 instruction. ~~The “practice of physical therapy” also means,~~ reducing the  
18 risk of injury, impairments, functional limitations and disability, including  
19 the promotion and maintenance of fitness, health and quality of life in all  
20 age populations and engaging in administration, consultation, education  
21 and research. **Such practices shall not be construed to be exclusive**  
22 **to physical therapists.**

23 (d) The use of roentgen rays and radium for diagnostic and thera-  
24 peutic purposes, the use of electricity for surgical purposes, including  
25 cauterization, and the practice of ~~medicine and surgery~~ **the healing arts**  
26 **as defined by K.S.A. 65-2802, and amendments thereto,** are not au-  
27 thorized or included under the term “physical therapy” as used in this  
28 act.

29 ~~(e)~~ (e) “Physical therapist assistant” means a person who ~~works under~~  
30 ~~the direction of a physical therapist, and who assists in the application of~~  
31 ~~physical therapy, and whose activities require an understanding of phys-~~  
32 ~~ical therapy, but do not require professional or advanced training in the~~  
33 ~~anatomical, biological and physical sciences involved in the practice of~~  
34 ~~physical therapy is certified pursuant to this act and who assists the phys-~~  
35 ~~ical therapist in selected components of physical therapy intervention.~~ Any  
36 person who successfully meets the requirements of K.S.A. 65-2906 and  
37 amendments thereto shall be known and designated as a physical therapist  
38 assistant, and may designate or describe oneself as a physical therapist  
39 assistant, certified physical therapist assistant, P.T.A., C.P.T.A. or P.T.  
40 Asst.

41 Sec. 2. K.S.A. 2001 Supp. 65-2913 is hereby amended to read as  
42 follows: 65-2913. (a) ~~Any person who, in any manner, represents oneself~~  
43 ~~as a physical therapist, or who uses in connection with such person’s name~~

1 the words or letters physical therapist, physiotherapist, registered physical  
2 therapist, P.T., Ph. T. or R.P.T., or any other letters, words, abbreviations  
3 or insignia, indicating or implying that such person is a physical therapist,  
4 without a valid existing certificate of registration as a physical therapist  
5 issued to such person under the provisions of this act, shall be guilty of a  
6 class B nonperson misdemeanor *A physical therapist shall use the letters*  
7 *P.T. in connection with the physical therapist's name or place of business*  
8 *to denote registration under this act.*

9 (b) Any person who, in any manner, represents oneself as a physical  
10 therapist assistant, or who uses in connection with such person's name  
11 the words or letters physical therapist assistant, certified physical therapist  
12 assistant, P.T.A., C.P.T.A. or P.T. Asst., or any other letters, words, ab-  
13 breviations or insignia, indicating or implying that such person is a phys-  
14 ical therapist assistant, without a valid existing certificate as a physical  
15 therapist assistant issued to such person pursuant to the provisions of this  
16 act, shall be guilty of a class B nonperson misdemeanor *A person or*  
17 *business entity, its employees, agents or representatives shall not use in*  
18 *connection with that person's name or the name or activity of the business,*  
19 *the words physical therapy, physical therapist, physiotherapy, physioth-*  
20 *erapist, the letters P.T., D.P.T., R.P.T., Ph.T. or any other words, abbre-*  
21 *viations or insignia indicating or implying directly or indirectly that phys-*  
22 *ical therapy is provided or supplied, unless such services are provided by*  
23 *a physical therapist or a physical therapist assistant under the di-*  
24 *rection of a physical therapist registered pursuant to this act. A person,*  
25 *business or entity, its employees, agents or representatives shall not*  
26 *use in connection with such person's name or the name or activity*  
27 *of the business the words physiotherapy or physical therapy unless*  
28 *such person is duly licensed to provide such treatment under the*  
29 *laws of this state or is a registered physical therapist under this act.*

30 *A person or business entity shall not advertise or otherwise promote an-*  
31 *other person as being a physical therapist or physiotherapist unless the*  
32 *individual so advertised or promoted is registered as a physical therapist*  
33 *under this act. A person or business entity who offers, provides or bills*  
34 *any other person for services shall not characterize those services as phys-*  
35 *ical therapy or physiotherapy unless the individual performing those serv-*  
36 *ices is a person registered as a physical therapist under this act.*

37 (c) A physical therapist assistant shall use the letters P.T.A. in con-  
38 nection with that person's name to denote certification hereunder.

39 (d) A person shall not use the title physical therapist assistant, the  
40 letters P.T.A., C.P.T.A. or P.T. Asst. or any other words, abbreviations or  
41 insignia in connection with that person's name to indicate or imply, di-  
42 rectly or indirectly, that the person is a physical therapist assistant unless  
43 that person is certified as a physical therapist assistant pursuant to this

1 *act.*

2 *(e) A person or business entity that violates paragraphs (b) or (d) of*  
3 *this section is guilty of a class B nonperson misdemeanor.*

4 ~~(e)~~(f) Nothing in this act shall prohibit any person not holding oneself  
5 out as a physical therapist or physical therapist assistant from carrying out  
6 as an independent practitioner, without prescription or supervision, the  
7 therapy or practice for which the person is qualified, and shall not prohibit  
8 the person from using corrective therapy. Nothing in this act shall prohibit  
9 any person who assists the physical therapist or physical therapist assistant  
10 from being designated as a physical therapy aide.

11 Sec. 3. K.S.A. 65-2901 and K.S.A. 2001 Supp. 65-2913 are hereby  
12 repealed.

13 Sec. 4. This act shall take effect and be in force from and after its  
14 publication in the statute book.

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