

Substitute for HOUSE BILL No. 2159

By Committee on Health and Human Services

2-9

1 AN ACT concerning physical therapists; evaluation and treatment of
2 patients; amending K.S.A. 2011 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. 2011 Supp. 65-2921 is hereby amended to read as
7 follows: 65-2921. (a) Except as otherwise provided in subsection (b), (e)
8 ~~or (d)~~ subsections (b) and (c), a physical therapist may evaluate patients
9 without physician referral but may initiate treatment only after approval by
10 a licensed physician, a licensed podiatrist, a licensed physician assistant or
11 a licensed advanced practice registered nurse working pursuant to the
12 order or direction of a licensed physician, a licensed chiropractor, a
13 licensed dentist or licensed optometrist in appropriately related cases.
14 ~~Physical therapists may initiate physical therapy treatment with the~~
15 ~~approval of a practitioner of the healing arts duly licensed under the laws~~
16 ~~of another state and may provide such treatment based upon an order by~~
17 ~~such practitioner in any setting in which physical therapists would be~~
18 ~~authorized to provide such treatment with the approval of a physician~~
19 ~~licensed by the board, notwithstanding any provisions of the Kansas~~
20 ~~healing arts act or any rules and regulations adopted by the board~~
21 ~~thereunder and initiate physical therapy treatment on a patient without~~
22 ~~referral from a licensed practitioner of the healing arts. If treating a~~
23 ~~patient without a referral from a licensed practitioner of the healing arts~~
24 ~~and the patient does not demonstrate objective, measurable or functional~~
25 ~~improvement, or any combination thereof, after 10 patient visits or in a~~
26 ~~period of 30 calendar days from the initial evaluation, the physical~~
27 ~~therapist shall obtain a referral from an appropriate licensed practitioner~~
28 ~~prior to continuing treatment. The physical therapist must transmit to the~~
29 ~~licensed practitioner, identified by the patient, a copy of the initial~~
30 ~~evaluation no later than five business days after the evaluation is~~
31 ~~performed.~~

32 (b) ~~Physical therapists may evaluate and treat a patient for no more~~
33 ~~than 30 consecutive calendar days without a referral under the following~~
34 ~~conditions: (1) The patient has previously been referred to a physical~~
35 ~~therapist for physical therapy services by a person authorized by this~~
36 ~~section to approve treatment; (2) the patient's referral for physical therapy~~

1 was made within one year from the date a physical therapist implements a
2 program of physical therapy treatment without a referral; (3) the physical
3 therapy being provided to the patient without referral is for the same
4 injury, disease or condition as indicated in the referral for such previous
5 injury, disease or condition; and (4) the physical therapist transmits to the
6 physician or other practitioner identified by the patient a copy of the initial
7 evaluation no later than five business days after treatment commences.
8 Treatment of such patient for more than 30 consecutive calendar days shall
9 only be upon the approval of a person authorized by this section to
10 approve treatment.

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

16 (d) (c) Physical therapists may provide services without a referral to
17 special education students who need physical therapy services to fulfill the
18 provisions of their individualized education plan (IEP) or individualized
19 family service plan (IFSP).

20 Sec. 2. K.S.A. 2011 Supp. 65-2921 is hereby repealed.

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