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Bill Analysis
Legislative Service Commission

H.B. 305

123rd General Assembly
(As Introduced)

**Reps. Coughlin, Bateman, Beatty, Corbin, Ford, Grendell, O'Brien, Winkler,
Womer Benjamin**

BILL SUMMARY

- Eliminates the prohibition against a physical therapist providing services unless the person being treated has received a prescription or referral from a physician, podiatrist, chiropractor, or dentist.
- Specifies that services provided by licensed health care professionals other than licensed physical therapists or licensed physical therapist assistants may not be designated as physical therapy.
- Makes optional the payment of a claim for physical therapy, unless the therapy was performed by a person licensed as a physical therapist or physical therapist assistant.
- Adds, to the requirement of including a physical therapist's license number on a claim for services, a requirement for inclusion of the license numbers of physical therapist assistants.
- Eliminates the ability of a person to be licensed as a physical therapist assistant by having been employed for two years as an assistant prior to November 21, 1977, but allows those already licensed under this provision to continue to renew their license.
- Revises the definition of "physical therapy" which establishes the scope of "the practice of physical therapy."
- Clarifies the use of alternative titles for physical therapists and physical therapist assistants.

CONTENT AND OPERATION

The practice of physical therapy

In existing law, "physical therapy" means the evaluation and treatment of a person by physical measures and the use of therapeutic exercises and rehabilitative procedures, with or without assistive devices, for the purpose of preventing, correcting, or alleviating any disability. Physical therapy does not include the diagnosis of patient's disability, the use of Roentgen rays or radium for diagnostic or therapeutic purposes or the use of electricity for cauterization or other surgical purposes.

The bill revises the definition of "physical therapy," by including the following: (1) the examination of a person for the purpose of making a "physical therapy diagnosis and prognosis," but not a "medical diagnosis," and (2) the establishment of a plan of "therapeutic intervention" for the person and assessment of the ongoing effects of the intervention. (Sec. 4755.40.)

The bill also specifies that a physical therapist may be referred to as a "physiotherapist" and that a physical therapist assistant may be referred to as a "physical therapy assistant." (Sec. 4755.40.)

Prescriptions and referrals

Existing law prohibits the practice of physical therapy other than on the prescription of, or the referral of a patient by, a person who is licensed in any state to practice medicine and surgery, dentistry, osteopathic medicine and surgery, podiatry, or chiropractic services within the scope of the person's license. The bill eliminates this requirement. (Sec. 4755.48.)

Physical therapist assistant licensing

Under existing law an applicant for a physical therapist assistant license must file with the Secretary of the Physical Therapy Section (hereafter "Section") of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board an application on a form prescribed by the Section and that contains satisfactory proof that the applicant meets the following requirements:

(1) Is of good moral character;

(2) Has completed a program approved by the Section, or on November 21, 1977, has been engaged full time as a physical therapist assistant in Ohio for at least two years.

The bill eliminates the ability of a person to be licensed as a physical therapist assistant by having been employed for two years as an assistant immediately prior to November 21, 1997 (sec. 4755.42(B)). A person who received a license in this manner will continue to be able to renew the current license. If, however, the license of that person expires, the Section must require the person to either complete a program approved by the Section under the new application requirement or to qualify for renewal under rules established by the Section for licensees who file a late application for license renewal. (Section 3.)

Claims for payment of services

Existing law requires that each person and governmental entity, when submitting to a governmental health care program or third-party payer a claim for payment for services rendered in this state that are designated in the claim as physical therapy, must include the current license number of the physical therapist or other health care professional unless submitting the claim on behalf of a hospital. (Sec. 4755.56.)

The bill specifies that neither a governmental health care program, a third-party payer, nor a patient is not required to pay a claim for payment of services designated as physical therapy unless the services were performed by a licensed physical therapist, licensed physical therapist assistant, or a person who acted under the direct supervision of a licensed physical therapist or a licensed physical therapist assistant. (Sec. 4755.56.) The bill also specifies that services provided by licensed health care professionals not licensed as physical therapists or physical therapist assistants may not be designated as physical therapy (sec. 4755.50).

Currently, all third-party payers and all governmental entities must submit the license numbers of physical therapists and other health care professionals rendering services designated as physical therapy. The bill specifies that only the license numbers of physical therapists or physical therapy assistants are required to be submitted with claims for services designated as physical therapy. Any future system of reporting claims would require the same. (Secs. 3729.15 and 3729.16.)

Throughout the bill, the term "other licensed health care professionals" was changed to "physical therapist assistant" to clarify that services not provided by either licensed physical therapists or physical therapist assistants may not be designated as physical therapy.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-20-99	p. 442

H0305-I.123/rss

