



Reprinted
February 26, 2007

SENATE BILL No. 197

DIGEST OF SB 197 (Updated February 26, 2007 3:13 pm - DI 104)

Citations Affected: IC 25-27.

Synopsis: Physical therapists. Allows a physical therapist to provide subsequent treatment to a patient who was previously referred to the physical therapist for the same condition if: (1) the referral was given not more than 6 months before the request for subsequent treatment; and (2) the physical therapist contacts the referring provider within three days. Allows a physical therapist to evaluate a patient without a referral, but requires the physical therapist to contact the patient's appropriate provider and obtain a referral before providing treatment. Requires a physical therapist to complete additional education in order to receive an endorsement to perform spinal manipulation, adjustment, or grade 5 mobilization. Specifies that a physical therapist may perform sharp debridement only on the order of a physician. Removes the authority that allows physical therapists to practice physical therapy upon the order or referral of a psychologist.

Effective: July 1, 2007.

Miller

January 8, 2007, read first time and referred to Committee on Health and Provider Services.
February 22, 2007, amended, reported favorably — Do Pass.
February 26, 2007, read second time, amended, ordered engrossed.

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SB 197—LS 6825/DI 110+



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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SENATE BILL No. 197

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-27-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. For the purposes of
3 this chapter:
4 (1) "Physical therapy" means the evaluation of, administration of,
5 or instruction in physical rehabilitative and habilitative
6 techniques, and procedures to evaluate, prevent, correct, treat,
7 alleviate, and limit physical disability, pathokinesiological
8 function, bodily malfunction, pain from injury, disease, and any
9 other physical disability, ~~or mental disorder~~, including:
10 (A) the use of physical measures, agents, and devices for
11 preventive and therapeutic purposes;
12 (B) neurodevelopmental procedures;
13 (C) the performance, interpretation, and evaluation of physical
14 therapy tests and measurements; and
15 (D) the provision of consultative, educational, and other
16 advisory services for the purpose of preventing or reducing the
17 incidence and severity of physical disability, bodily

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- 1 malfunction, and pain.
- 2 (2) "Physical therapist" means a person who practices physical
- 3 therapy as defined in this chapter.
- 4 (3) "Physical therapist's assistant" means a person who assists in
- 5 the practice of physical therapy as defined in this chapter.
- 6 (4) "Board" refers to the medical licensing board.
- 7 (5) "Committee" refers to the Indiana physical therapy committee
- 8 established under section 4 of this chapter.
- 9 (6) "Person" means an individual.
- 10 (7) **"Sharp debridement" means the removal of foreign**
- 11 **material or dead tissue from or around a wound, without**
- 12 **anesthesia and with generally no bleeding, through the use of:**
- 13 (A) a sterile scalpel;
- 14 (B) scissors;
- 15 (C) forceps;
- 16 (D) tweezers; or
- 17 (E) other sharp medical instruments;
- 18 **in order to expose healthy tissue, prevent infection, and**
- 19 **promote healing.**
- 20 (8) **"Spinal manipulation, adjustment, or grade 5**
- 21 **mobilization" means a manual or mechanical intervention**
- 22 **that may have velocity, lever, amplitude, or recoil and that:**
- 23 (A) may carry a joint complex beyond the normal
- 24 physiological range of motion;
- 25 (B) is applied without exceeding the boundaries of
- 26 anatomical integrity of the joint complex or other
- 27 articulation; and
- 28 (C) is intended to result in a cavitation of the joint or a
- 29 reduction of a subluxation.
- 30 SECTION 2. IC 25-27-1-2 IS AMENDED TO READ AS
- 31 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) Except as
- 32 otherwise provided in this chapter, it is unlawful for a person to:
- 33 (1) practice physical therapy; or
- 34 (2) profess to be a physical therapist, physiotherapist, or physical
- 35 therapy technician or to use the initials "P.T.", "P.T.T.", or
- 36 "R.P.T.", or any other letters, words, abbreviations, or insignia
- 37 indicating that the person is a physical therapist; or
- 38 (3) practice or assume the duties incident to physical therapy;
- 39 without first obtaining from the board a license authorizing the person
- 40 to practice physical therapy in this state.
- 41 (b) **Except as provided in section 2.5 of this chapter,** it is
- 42 unlawful for a person to practice physical therapy other than upon the

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1 order or referral of a physician, podiatrist, ~~psychologist~~, chiropractor,
2 or dentist holding an unlimited license to practice medicine, podiatric
3 medicine, psychology, chiropractic, or dentistry, respectively. It is
4 unlawful for a physical therapist to use the services of a physical
5 therapist's assistant except as provided under this chapter. For the
6 purposes of this subsection, the function of:

- 7 (1) teaching;
- 8 (2) doing research;
- 9 (3) providing advisory services; or
- 10 (4) conducting seminars on physical therapy;

11 is not considered to be a practice of physical therapy.

12 (c) Except as otherwise provided in this chapter, it is unlawful for
13 a person to act as a physical therapist's assistant or to use initials,
14 letters, words, abbreviations, or insignia indicating that the person is a
15 physical therapist's assistant without first obtaining from the board a
16 certificate authorizing the person to act as a physical therapist's
17 assistant. It is unlawful for the person to act as a physical therapist's
18 assistant other than under the direct supervision of a licensed physical
19 therapist who is in responsible charge of a patient or under the direct
20 supervision of a physician. However, nothing in this chapter prohibits
21 a person licensed or registered in this state under another law from
22 engaging in the practice for which the person is licensed or registered.
23 These exempted persons include persons engaged in the practice of
24 osteopathy, chiropractic, or podiatric medicine.

25 (d) **Except as provided in section 2.5 of this chapter**, this chapter
26 does not authorize a person who is licensed as a physical therapist or
27 certified as a physical therapist's assistant to:

- 28 (1) evaluate any physical disability ~~or mental disorder~~ except
29 upon the order or referral of a physician, podiatrist, ~~psychologist~~,
30 chiropractor, or dentist;
- 31 (2) practice medicine, surgery (as described in
32 IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy,
33 psychology, chiropractic, or podiatric medicine; or
- 34 (3) prescribe a drug or other remedial substance used in medicine.

35 SECTION 3. IC 25-27-1-2.5 IS ADDED TO THE INDIANA CODE
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
37 1, 2007]: **Sec. 2.5. (a) A physical therapist may evaluate an
38 individual without a referral from a provider described in section
39 2(b) of this chapter. However, the physical therapist:**

- 40 (1) **shall contact the individual's appropriate provider for a
41 referral not later than three (3) business days after the
42 physical therapist evaluates the individual; and**

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1 (2) shall obtain a referral from the individual's appropriate
2 provider before providing treatment to the individual.

3 (b) Notwithstanding subsection (a) and except as provided in
4 section 3.5 of this chapter, a physical therapist may provide
5 subsequent treatment of a condition to an individual who was
6 previously referred to the physical therapist for the same condition
7 if the referral that authorized the previous treatment under section
8 2(b) of this chapter was given not more than six (6) months before
9 the date the individual requests subsequent treatment from the
10 physical therapist. However, the physical therapist shall consult
11 with the individual's original referring provider not later than
12 three (3) days after the physical therapist provides subsequent
13 treatment to the individual under this subsection.

14 SECTION 4. IC 25-27-1-3.3 IS ADDED TO THE INDIANA CODE
15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2007]: Sec. 3.3. (a) A physical therapist may not perform a spinal
17 manipulation, adjustment, or grade 5 mobilization unless the
18 physical therapist has received an endorsement to perform the
19 procedure by completing the additional education required in this
20 section.

21 (b) The board shall issue an endorsement to a physical therapist
22 to perform a spinal manipulation, adjustment, or grade 5
23 manipulation if the physical therapist meets the additional
24 requirements in this section.

25 (c) In order to perform a spinal manipulation, adjustment, or
26 grade 5 mobilization, the physical therapist must satisfy the
27 following additional education requirements:

28 (1) At least three hundred ninety (390) credit hours, of which:
29 (A) at least five thousand six hundred (5,600) hours are
30 classroom hours that consist of at least:

31 (i) four hundred (400) hours of classroom instruction;
32 and

33 (ii) eight hundred (800) hours of supervised clinical
34 training, including certified and supervised manipulation
35 of at least two hundred fifty (250) different, alive
36 individuals, and of which at least two hundred (200) of
37 these manipulations are spinal manipulations.

38 (2) Seventy-five (75) assessments of patients through direct
39 observation.

40 The course description for a class taken under this subsection must
41 be equivalent to a course taken by a licensed chiropractor,
42 osteopath, or physician.

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1 **(d) In order to maintain an endorsement issued under this**
2 **section, a physical therapist who obtains the endorsement must**
3 **complete twelve (12) hours of continuing education per year, of**
4 **which at least six (6) hours are concerning spinal manipulation,**
5 **adjustment, or grade 5 mobilization.**

6 SECTION 5. IC 25-27-1-3.5 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2007]: **Sec. 3.5. A physical therapist may not perform sharp**
9 **debridement unless the physical therapist performing the sharp**
10 **debridement is acting on the order of a physician licensed under:**

- 11 **(1) IC 25-22.5; or**
12 **(2) IC 25-29.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 197, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 40, delete "twelve (12)" and insert "**six (6)**".

and when so amended that said bill do pass.

(Reference is to SB 197 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 1.

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SENATE MOTION

Madam President: I move that Senate Bill 197 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new line block indented and insert:

- "(8) "Spinal manipulation, adjustment, or grade 5 mobilization" means a manual or mechanical intervention that may have velocity, lever, amplitude, or recoil and that:**
 - (A) may carry a joint complex beyond the normal physiological range of motion;**
 - (B) is applied without exceeding the boundaries of anatomical integrity of the joint complex or other articulation; and**
 - (C) is intended to result in a cavitation of the joint or a reduction of a subluxation."**

Page 4, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 4. IC 25-27-1-3.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 3.3. (a) A physical therapist may not perform a spinal manipulation, adjustment, or grade 5 mobilization unless the physical therapist has received an endorsement to perform the procedure by completing the additional education required in this section.**

(b) The board shall issue an endorsement to a physical therapist to perform a spinal manipulation, adjustment, or grade 5



manipulation if the physical therapist meets the additional requirements in this section.

(c) In order to perform a spinal manipulation, adjustment, or grade 5 mobilization, the physical therapist must satisfy the following additional education requirements:

- (1) At least three hundred ninety (390) credit hours, of which:
 - (A) at least five thousand six hundred (5,600) hours are classroom hours that consist of at least:
 - (i) four hundred (400) hours of classroom instruction; and
 - (ii) eight hundred (800) hours of supervised clinical training, including certified and supervised manipulation of at least two hundred fifty (250) different, alive individuals, and of which at least two hundred (200) of these manipulations are spinal manipulations.
- (2) Seventy-five (75) assessments of patients through direct observation.

The course description for a class taken under this subsection must be equivalent to a course taken by a licensed chiropractor, osteopath, or physician.

(d) In order to maintain an endorsement issued under this section, a physical therapist who obtains the endorsement must complete twelve (12) hours of continuing education per year, of which at least six (6) hours are concerning spinal manipulation, adjustment, or grade 5 mobilization."

Renumber all SECTIONS consecutively.

(Reference is to SB 197 as printed February 23, 2007.)

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