



*This column reviews the legislative and regulatory activity and topics of interest currently being addressed in various jurisdictions. The following topics were presented at a session at the 2015 FSBPT annual meeting.*

### **Direct Access**

#### *Louisiana Patient Access Review Committee*

The Louisiana Patient Access Review Committee was created by an act of the Legislature to bring together interested parties regarding minimizing the restrictions to direct access to physical therapists. The product of this committee's 5 meetings will be a report to the legislature with recommendations and supporting background materials.

#### *New Mexico*

This bill would have amended a section of the physical therapy act to reduce restrictions to direct access to physical therapy care. Although it passed 38-0 in the Senate, it was vetoed by Governor April 2015.

#### *Oklahoma Osteopathic Assoc. and Oklahoma Medical Assoc. v. Governor Mary Fallin, State Sen. Brian Bingman, and Rep. Jeff Hickman*

- HB 1020 enacted in 2014, effective November 2014
  - Direct access for 30 days,
  - referral still required for Workers Comp
- Supreme Court of Oklahoma
  - Bill was unconstitutional

#### *Virginia*

Virginia now allows patients to be treated directly by a PT for 30 consecutive days of treatment rather than 14 days of treatment. The PT must have three years of active practice, and either a tDPT or DPT to see the patient via direct access.

## **Telehealth**

A number of states are exploring telehealth as a way to increase access to physiotherapy services.

The Federation has developed a resource for its members on Telehealth - *Telehealth in Physical Therapy: policy Recommendations for Appropriate Regulation*. View a copy at [Telehealth](#).

There is movement towards telehealth in some form in the following states: *Florida, Georgia, Kentucky, Louisiana, Montana, New Jersey and Virginia*.

## **Individual Jurisdictions**

### *District of Columbia attempts to regulate personal trainers*

The District of Columbia passed a law to regulate personal trainers via registry, but there was major opposition to the proposed regulations. Personal trainers and businesses that employed them felt that the standards would bar most personal trainers from practicing in the District. Legislation has been introduced to repeal the law.

### *Georgia bill modernized its practice act effective July 1, 2015*

Georgia's bill made significant updates and modernized its language using the Federation's *Model Practice Act for Physical Therapy* as a template for its updates. It adds dry needling, allows the board to conduct business electronically, improves term (definition of physical therapy) and title protection (Physiotherapist, DPT, Doctor of Physical Therapy), increased the powers of the board and changed its direct access restrictions

### *Maryland supports limits on NPTE attempts*

Maryland passed a bill to limit attempts on the National Physical Therapy Exam (NPTE) to six times, which mirrors the Federation limits that go into effect January 1, 2016.

### *Missouri Board of Healing can now make non-binding decisions*

The bill, effective August 28, 2015 now allows the board to address practice issues not specifically stated in statute.

### *New Jersey works to modernize its practice act*

A revised physical therapy practice act is pending in New Jersey. It allows animal physical therapy, telehealth; it adds intramuscular techniques and Integumentary care to definitions and fitness and wellness. It would allow students to take the NPTE prior to graduation with all didactic coursework completed. It provides additional term protection and adds a requirement for professional competency rather than simply continuing education.