Ethics and Legislation Committee Report

2010-2011 Committee Members:
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This year, the Ethics and Legislation Committee met in Alexandria once and by conference call/webinar several times to work on the following objectives under the FSBPT goals noted below.

Objective: Provide consultation, technical assistance, and training regarding practice act changes, implementing the Model Practice Act and other legislative issues

Over the past year, the bulk of the committee’s work has been centered on completing the revision to *The Model Practice Act for Physical Therapy: A Tool for Public Protection and Legislative Change*. The 5th edition is finally complete and has been posted to the FSBPT under Regulatory Tools. Be sure to read our article in this edition of the Forum about the changes to the Model Practice Act.

Objective: Monitor and research the regulatory implications of current physical therapy issues

The Federation has been performing regular monitoring of state legislation and regulation since January 2010. The tracking has been used to identify trends in legislation and more specifically, language regarding referral for financial gain, monitor changes to practice acts, and alert jurisdictions to any potential conflicts or issues with legislation as written, either directly from the physical therapy profession or related professions. This tracking and the quarterly reports generated from the tracking also serve as one method to meet the FSBPT Delegate Assembly’s request that the Federation continue
to monitor activity in the physical therapy profession with regard to referral for financial gain. The reports are available to members on the FSBPT website at For Members/For Review.

As 2011 was an odd-numbered year, all jurisdictions were in legislative session. Although states continued to struggle with massive budgetary issues, it was still a busy year for physical therapy and healthcare. The 2011 Legislative Session began with Maine opening on December 1, 2010 while Louisiana’s session was the last to open in late April. The majority of states began their sessions in January with the most all states adjourned by the end of May. Be sure to read “State of the Jurisdictions” for specific information on legislation pertaining to or affecting the physical therapy profession.

**Objective:** Continue to develop and provide resources and information related to remediation for discipline, ethics, repeat exam failures, etc., for jurisdictions and/or candidates

**Objective:** Continue to identify issues that put the public at risk and common causes for disciplinary actions

The website has an extremely informative paper on remediation that was written for the 2008 Delegate Assembly. Go to Remediation Resources to read and/or print, Availability of Ethics Remediation and Effective Delivery Mechanisms For Physical Therapy Licensing Boards.

**Resource papers available**

The Federation published its second resource paper for use by the jurisdictions. The topic was Rehabilitative Ultrasound Imaging and the paper is available on the For Members/ For Review section of the FSBPT website.

Additionally, the paper on Intramuscular Manual Therapy, also known as dry needling, was updated and released.

Utilizing the four tenets from Changes in Healthcare Professions Scope of Practice: Legislative Considerations, on which FSBPT was a collaborator, information, background and evidence were presented in these papers to provide some objective benchmarks on which the state licensing authority may wish to base the decision regarding whether these procedures are within a physical therapist’s scope of practice. These resource papers have been very well received and members have provided a number of topic ideas for future papers.