

2016 Regular Session

HOUSE BILL NO. 623

BY REPRESENTATIVE LEBAS

PHYSICAL THERAPISTS: Eliminates restrictions on performance of physical therapy services without a prescription or referral

1 AN ACT

2 To amend and reenact R.S. 37:2418(B) and to repeal R.S. 37:2418(C) and (D), relative to
3 the practice of physical therapy; to eliminate certain restrictions on performance of
4 physical therapy services; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:2418(B) is hereby amended and reenacted to read as follows:

7 §2418. Authority to practice as a physical therapist or physical therapist assistant

8 * * *

9 B. ~~Without prescription or referral, a physical therapist may perform an~~
10 ~~initial evaluation or consultation of a screening nature to determine the need for~~
11 ~~physical therapy and may perform physical therapy or other services provided in~~
12 ~~Subsection C of this Section. However, implementation of A physical therapist may~~
13 ~~implement physical therapy treatment shall otherwise be based on the with or~~
14 ~~without a prescription or referral of a person licensed to practice medicine, surgery,~~
15 ~~dentistry, podiatry, or chiropractic.~~

16 * * *

17 Section 2. R.S. 37:2418(C) and (D) are hereby repealed in their entirety.

18 Section 3. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 623 Original

2016 Regular Session

LeBas

Abstract: Eliminates restrictions on performance of physical therapy services without a prescription or referral.

Present law authorizes a physical therapist to perform an initial evaluation or consultation of a screening nature to determine the need for physical therapy but prohibits, except under certain circumstances as specified in present law, physical therapy treatment from being implemented unless based on the prescription or referral of a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic.

Proposed law removes the requirement for a prescription or referral.

Present law provides that physical therapy services may be performed without a prescription or by referral only under the following circumstances:

- (1) To a child with a diagnosed developmental disability pursuant to the child's plan of care.
- (2) To a patient of a home health care agency pursuant to the patient's plan of care.
- (3) To a patient in a nursing home pursuant to the patient's plan of care.
- (4) Related to conditioning or to providing education or activities in a wellness setting for the purpose of injury prevention, reduction of stress, or promotion of fitness.
- (5) To an individual for a condition diagnosed within the previous 90 days for which physical therapy services are appropriate after informing the healthcare provider rendering the diagnosis.

Proposed law repeals present law.

Present law limits liability of any kind for a healthcare provider rendering a diagnosis for any condition, illness, or injury that manifested itself after the diagnosis or for any alleged damages as a result of physical therapy services performed without a prescription or referral from a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic.

Proposed law repeals present law.

Proposed law retains present law which provides that physical therapy services performed without a prescription or referral from a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic shall not be construed as any of the following:

- (1) Mandating coverage for physical therapy services under any healthcare plan, insurance policy, or workers' compensation plan.

- (2) Circumventing any requirement for preauthorization of services in accordance with any healthcare plan, insurance policy, or workers' compensation plan.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 37:2418(B); Repeals R.S. 37:2418(C) and (D))