

2015 Regular Session

SENATE CONCURRENT RESOLUTION NO. 19

BY SENATOR MILLS

PHYSICAL THERAPISTS. Directs the Louisiana Physical Therapy Board to create the Physical Therapy Patient Access Review Committee.

1 A CONCURRENT RESOLUTION

2 To direct the Louisiana Physical Therapy Board to create the Physical Therapy Patient  
3 Access Review Committee.

4 WHEREAS, the practice of physical therapy is the evaluation and treatment of any  
5 physical or medical condition to restore normal function of the neuromuscular and skeletal  
6 system, to relieve pain, or to prevent disability by use of physical or mechanical means,  
7 including therapeutic exercise, mobilization, passive manipulation, therapeutic modalities,  
8 and activities or devices for preventative, therapeutic, or medical purposes, and further shall  
9 include physical therapy evaluation, treatment planning, instruction, consultative services,  
10 and the supervision of physical therapy supportive personnel, including physical therapist  
11 assistants; and

12 WHEREAS, since the 1970s, the United States uniformed services, the United States  
13 Army, the United States Navy, the United States Air Force, and the United States Public  
14 Health Service have eliminated the professional practice restriction regarding referral to or  
15 prescription for physical therapy services; and

16 WHEREAS, eighteen states have unrestricted patient access to physical therapy  
17 services; and

18 WHEREAS, Louisiana is one of nine states that have the most restrictive and limited

1 patient access to physical therapy whereby access to physical therapy is limited to  
2 evaluation, wellness, and a limited treatment patient population, including but not limited  
3 to access to patients with a previous diagnosis or previous referral or prescription; and

4 WHEREAS, Louisiana enacted a less restrictive form of patient access to physical  
5 therapist services in 2003, and there have not been adverse health or safety issues related to  
6 increased access to physical therapy services since the law took effect; and

7 WHEREAS, the restrictions and provisions tied to the current patient access law are  
8 a barrier to access, resulting in increased healthcare costs and preventing a majority of the  
9 patient population from seeing their physical therapist unless they have a referral or a  
10 prescription; and

11 WHEREAS, studies have shown that improved patient access to physical therapist  
12 services promotes a free-market health care environment, reduces health care costs, and  
13 improves patient outcomes thereby promoting the public health, safety, and welfare; and

14 WHEREAS, if following the physical therapy evaluation and diagnosis the physical  
15 therapist determines that a patient requires treatment and care that is outside the physical  
16 therapist's scope of practice, the physical therapist informs the patient and client and refers  
17 him to an appropriate medical professional.

18 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
19 direct the Louisiana Physical Therapy Board to create the Physical Therapy Patient Access  
20 Review Committee with the membership to include at least the individuals listed hereinafter.

21 BE IT FURTHER RESOLVED that the committee shall investigate the potential  
22 benefits of removing the current restrictions tied to patient access to a physical therapist's  
23 services by allowing direct patient access to a physical therapist's services without  
24 restrictions and report its findings and make recommendations to the legislature.

25 BE IT FURTHER RESOLVED that the committee shall be staffed and meetings of  
26 the committee hosted by the Louisiana Physical Therapy Board.

27 BE IT FURTHER RESOLVED that the committee shall include the following  
28 members:

29 (1) The commissioner of the Louisiana Department of Insurance or his designee.

30 (2) The president of the Louisiana Senate or his designee.

- 1 (3) The speaker of the Louisiana House of Representatives or his designee.
- 2 (4) The secretary of the Department of Health and Hospitals or his designee.
- 3 (5) The executive director of the Louisiana Physical Therapy Board or his designee.
- 4 (6) The executive director of the Louisiana State Board of Medical Examiners or his  
5 designee.
- 6 (7) The executive director of the Louisiana State Board of Chiropractic Examiners  
7 or his designee.
- 8 (8) The president of the Louisiana Physical Therapy Association or his designee.
- 9 (9) The chief executive officer of the Louisiana State Medical Society or his  
10 designee.
- 11 (10) The chief executive officer of the Louisiana Association of Health Plans or his  
12 designee.
- 13 (11) The assistant chief of physical therapy services at Bayne-Jones Army  
14 Community Hospital and captain of the United States Army or his designee.
- 15 (12) The dean of Louisiana State University Health Sciences Center School of Allied  
16 Health Professionals, New Orleans, or his designee.
- 17 (13) The dean of Louisiana State University Health Shreveport School of Allied  
18 Health Professions or his designee.
- 19 (14) The president of the Louisiana Orthopaedic Association or his designee.
- 20 (15) The president of the American Physical Therapy Association or his designee.
- 21 (16) The president of the Private Practice Section of the American Physical Therapy  
22 Association or his designee.
- 23 (17) The president of the Health Policy and Administration Section of the American  
24 Physical Therapy Association or his designee.
- 25 (18) The executive director of the American Association of Acupuncture and  
26 Oriental Medicine or his designee.
- 27 (19) The executive director of the Chiropractic Association of Louisiana or his  
28 designee.
- 29 (20) The president of the Federation of State Boards of Physical Therapy or his  
30 designee.

1           (21) The president of the American Academy of Orthopaedic Manual Physical  
2 Therapists or his designee.

3           (22) An individual designated by the Coalition for Patients' Rights.

4           (23) An individual designated by Evidence in Motion.

5           BE IT FURTHER RESOLVED that the committee seek from Healthcare Providers  
6 Service Organization liability and malpractice information and data obtained from states  
7 with limited physical therapy patient access, states with less restrictive physical therapy  
8 patient access, and states with unrestrictive physical therapy patient access for comparative  
9 analysis.

10           BE IT FURTHER RESOLVED that the members of the committee shall serve  
11 without compensation except per diem or expense reimbursement to which they may be  
12 individually entitled as members of the constituent organizations.

13           BE IT FURTHER RESOLVED that the executive director of the Louisiana Physical  
14 Therapy Board or his designee shall serve as the chairperson of the committee.

15           BE IT FURTHER RESOLVED that the chairperson of the committee shall call the  
16 first meeting of the committee on or before September 1, 2015.

17           BE IT FURTHER RESOLVED that a majority of the total membership shall  
18 constitute a quorum of the committee, and any official action by the committee shall require  
19 an affirmative vote of a majority of the quorum present and voting.

20           BE IT FURTHER RESOLVED that the committee may conduct such meetings at  
21 such times as it deems necessary or convenient to enable it to exercise fully and effectively  
22 its powers, perform its duties, and accomplish the objectives and purposes of this Resolution.

23           BE IT FURTHER RESOLVED that the committee shall submit a report of its  
24 findings and recommendations to the legislature no later than January 15, 2016.

25           BE IT FURTHER RESOLVED that the authority of the committee shall terminate  
26 upon submission of the report to the legislature.

27           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
28 commissioner of the Louisiana Department of Insurance, the secretary of the Department of  
29 Health and Hospitals, the executive director of the Louisiana Physical Therapy Board or his  
30 designee, the executive director of the Louisiana State Board of Medical Examiners, the

1 director of the Louisiana State Board of Chiropractic Examiners, the president of the  
 2 Louisiana Physical Therapy Association, the chief executive officer of the Louisiana State  
 3 Medical Society, the chief executive officer of the Louisiana Association of Health Plans,  
 4 assistant chief of physical therapy services at Bayne-Jones Army Community Hospital, the  
 5 chancellor of Louisiana State University Health Sciences Center School of Allied Health  
 6 Professionals, New Orleans, the chancellor of Louisiana State University Health Shreveport  
 7 School of Allied Health Professions, the president of the Louisiana Orthopaedic Association,  
 8 the president of the American Physical Therapy Association, the president of the Private  
 9 Practice Section of the American Physical Therapy Association, the president of the Health  
 10 Policy and Administration Section of the American Physical Therapy Association, the  
 11 executive director of the American Association of Acupuncture and Oriental Medicine, the  
 12 executive director of the Chiropractic Association of Louisiana, the president of the  
 13 Federation of State Boards of Physical Therapy, the president of the American Academy of  
 14 Orthopaedic Manual Physical Therapists, the Coalition for Patients' Rights, and Evidence  
 15 in Motion.

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The original instrument was prepared by Christopher D. Adams. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

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DIGEST

SCR 19 Reengrossed

2015 Regular Session

Mills

Directs the Louisiana Physical Therapy Board to create the Physical Therapy Patient Access Review Committee.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Provides for the committee to study eliminating patient access to physical therapy services regarding referral to or prescription for physical therapy services.
2. Changes from ten to nine the number of states having the most restrictive and limited patient access to physical therapy.
3. Adds to the committee the president of the Louisiana Orthopaedic Association or his designee.

Senate Floor Amendments to engrossed bill

1. Adds nine members to the committee.
2. Requires the committee to seek certain data.
3. Provides additional transmittal instructions.