Modernizing the Physical Therapy Practice Act
A Fact Sheet

HB 515 by Representative Travis Cummings, R-Orange Park
SB 710 by Senator Denise Grimsley, R-Sebring

Current Law: Section 486, Florida Statutes, regulates the practice of physical therapy for physical therapists and physical therapist assistants. HB 515 and SB 710 have been introduced in recognition of the comprehensive evolution of the education of these highly trained healthcare professionals. Florida's changing demographics and healthcare needs demand that Floridians have access to physical therapists for treatment of health complications for injuries resulting from loss of function, mobility, or disability caused by aging, chronic illness, disease, athletic activities and accidents.

- **HB 515 and SB 710 modernize four significant areas of the Physical Therapy Practice Act:**
  - Modernizes the definitions of practice of physical therapy to be consistent with comprehensive educational training and national trends;
  - It removes disruption of the continuity of active rehabilitative care caused by an arbitrary limitation to a patient maintaining direct access to a physical therapist;
  - The bills ensure the appropriate use of the title of physical therapist.

Current law requires a patient to see a physician, podiatrist, dentist or chiropractor if he or she would like to continue seeing a physical therapist after 21 days. This is true regardless of outcome or payer status (cash, health insurance or government payer). The requirement to refer the patient does not take into consideration that a patient may be a seasonal visitor with a preexisting physician order for treatment or that the patient has never previously seen the provider they are seeing to comply with the statute. Most importantly, it does not necessarily take into account the current treatment progress or outcomes the patient has received from physical therapy.

Disruption to Care Continuity: The 21-day requirement is an unnecessary and arbitrary restriction that places a health-related financial burden on patients who are under the care and treatment of a Florida-licensed physical therapist by requiring them to consult with a practitioner. Physical therapists possess the education, skills and training to effectively and efficiently identify and treat physical ailments that limit the function and mobility of patients. If further medical evaluation and expertise is indicated, the physical therapist is obligated to refer the patient to the appropriate healthcare professionals to ensure further diagnostic evaluation and treatment.

Solution: One of the best ways to encourage preventive care and keep healthcare costs down in Florida is to allow a patient to go to the healthcare provider who can best meet his or her needs. For some patients, this may mean that a Florida-licensed physical therapist is the provider of choice. The treatment provided by a physical therapist should not be interrupted due to an
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outdated requirement in the Physical Therapy Practice Act. To ensure Florida's physical therapists are able to meet the growing demand of its citizens and visitors, the Physical Therapy Practice Act must be modernized so that optimal outcomes and cost effective care can be achieved for individuals recovering from illness, injury or disability.

**Education:** Physical therapists are required to complete a 3-year clinical doctorate program after obtaining a four-year bachelor's degree and pass a national examination before applying for licensure in the state of Florida. Physical therapists are licensed through the Florida Department of Health Division of Medical Quality Assurance and are regulated by the Florida Board of Physical Therapy.

**Facts:**
- The legislation requires physical therapists to refer a patient to another healthcare practitioner when the patient’s condition is found to be outside the scope of physical therapy.
- The Florida Physical Therapy Association conducted a Florida Medical Quality Assurance public records search of complaints, citations, and disciplinary actions against physical therapists since 2000. The search indicates there was NOT a single instance of a physical therapist failing to refer a patient to another healthcare practitioner when the patient's condition was found to be outside the scope of physical therapy.
- Direct access to physical therapists is not a new concept, and has been implemented since 1957 in other states. A direct access law has never been repealed.
- Physical therapy education and training requires screening for medical referral in core curriculum for every accredited U.S. school; the ability to perform a screen for medical referral is a requirement of U.S. graduates at entry level.
- FPTA is not aware of increases in complaints against physical therapist in other states that have implemented direct access laws.
- Professional liability insurance carriers for physical therapists statistically indicate that the risk associated with physical therapy services provided through direct access states is comparable to the risks associated with those same services provided in non-direct access states. It is not a risk factor that insurance carriers specifically screen for when underwriting programs, nor do they charge a premium differential for physical therapists in states with unlimited direct access.
- Fourteen other Florida healthcare providers enjoy unrestricted direct access within their scope of practice. They include: Acupuncture, Allopathic and Osteopathic physicians, Audiology, Chiropractic, Dentistry, Massage Therapy, Naturopathy, Occupational Therapy, Optometry, Orthotics and Prosthetics, Podiatry, Psychology, and Speech and Language Pathology.

The dynamic nature of this project means that FPTA is constantly providing updates on its Modernize the Practice Act page. Scan this QR code to access the page and keep up with the latest updates.