

**Representative Gregory H. Hughes** proposes the following substitute bill:

**PHYSICAL THERAPY SCOPE OF PRACTICE AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gregory H. Hughes**

Senate Sponsor: Todd Weiler

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Physical Therapy Practice Act related to trigger point dry needling.

**Highlighted Provisions:**

This bill:

- ▶ allows a licensed physical therapist with two years of experience that meets certain other requirements to practice trigger point dry needling; and
- ▶ makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-24b-102**, as last amended by Laws of Utah 2012, Chapter 117

ENACTS:

**58-24b-505**, Utah Code Annotated 1953

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26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **58-24b-102** is amended to read:

28 **58-24b-102. Definitions.**

29 As used in this chapter:

30 (1) "Animal physical therapy" means practicing physical therapy or physiotherapy on  
31 an animal.

32 (2) "Board" means the Utah Physical Therapy Licensing Board, created in Section  
33 [58-24b-201](#).

34 (3) "Consultation by telecommunication" means the provision of expert or professional  
35 advice by a physical therapist who is licensed outside of Utah to a licensed physical therapist or  
36 a health care provider by telecommunication or electronic communication.

37 (4) "General supervision" means supervision and oversight of a person by a licensed  
38 physical therapist when the licensed physical therapist is immediately available in person, by  
39 telephone, or by electronic communication to assist the person.

40 (5) "Licensed physical therapist" means a person licensed under this chapter to engage  
41 in the practice of physical therapy.

42 (6) "Licensed physical therapist assistant" means a person licensed under this chapter  
43 to engage in the practice of physical therapy, subject to the provisions of Subsection  
44 [58-24b-401\(2\)\(a\)](#).

45 (7) "Licensing examination" means a nationally recognized physical therapy  
46 examination that is approved by the division, in consultation with the board.

47 (8) "On-site supervision" means supervision and oversight of a person by a licensed  
48 physical therapist or a licensed physical therapist assistant when the licensed physical therapist  
49 or licensed physical therapist assistant is:

50 (a) continuously present at the facility where the person is providing services;

51 (b) immediately available to assist the person; and

52 (c) regularly involved in the services being provided by the person.

53 (9) "Physical impairment" means:

54 (a) a mechanical impairment;

55 (b) a physiological impairment;

56 (c) a developmental impairment;

- 57 (d) a functional limitation;
- 58 (e) a disability;
- 59 (f) a mobility impairment; or
- 60 (g) a bodily malfunction.
- 61 ~~[(H)]~~ (10) (a) "Physical therapy" or "physiotherapy" means:
- 62 (i) examining, evaluating, and testing an individual who has a physical impairment or
- 63 injury;
- 64 (ii) identifying or labeling a physical impairment or injury;
- 65 (iii) formulating a therapeutic intervention plan for the treatment of a physical
- 66 impairment, injury, or pain;
- 67 (iv) assessing the ongoing effects of therapeutic intervention for the treatment of a
- 68 physical impairment or injury;
- 69 (v) treating or alleviating a physical impairment by designing, modifying, or
- 70 implementing a therapeutic intervention;
- 71 (vi) reducing the risk of an injury or physical impairment;
- 72 (vii) providing instruction on the use of physical measures, activities, or devices for
- 73 preventative and therapeutic purposes;
- 74 (viii) promoting and maintaining health and fitness;
- 75 (ix) the administration of a prescription drug pursuant to Section [58-24b-403](#);
- 76 (x) subject to Subsection [58-28-307\(12\)\(b\)](#), engaging in the functions described in
- 77 Subsections ~~[(H)]~~ (10)(a)(i) through (ix) in relation to an animal, in accordance with the
- 78 requirements of Section [58-24b-405](#); and
- 79 (xi) engaging in administration, consultation, education, and research relating to the
- 80 practices described in this Subsection ~~[(H)]~~ (10)(a).
- 81 (b) "Physical therapy" or "physiotherapy" does not include:
- 82 (i) diagnosing disease;
- 83 (ii) performing surgery;
- 84 (iii) performing acupuncture;
- 85 (iv) taking x-rays; or
- 86 (v) prescribing or dispensing a drug, as defined in Section [58-37-2](#).
- 87 ~~[(H)]~~ (11) "Physical therapy aide" means a person who:

88 (a) is trained, on-the-job, by a licensed physical therapist; and  
89 (b) provides routine assistance to a licensed physical therapist or licensed physical  
90 therapist assistant, while the licensed physical therapist or licensed physical therapist assistant  
91 practices physical therapy, within the scope of the licensed physical therapist's or licensed  
92 physical therapist assistant's license.

93 (12) "Recognized accreditation agency" means an accreditation agency that:

94 (a) grants accreditation, nationally, in the United States of America; and

95 (b) is approved by the division, in consultation with the board.

96 (13) (a) "Testing" means a standard method or technique used to gather data regarding  
97 a patient that is generally and nationally accepted by physical therapists for the practice of  
98 physical therapy.

99 (b) "Testing" includes measurement or evaluation of:

100 (i) muscle strength, force, endurance, or tone;

101 (ii) cardiovascular fitness;

102 (iii) physical work capacity;

103 (iv) joint motion, mobility, or stability;

104 (v) reflexes or autonomic reactions;

105 (vi) movement skill or accuracy;

106 (vii) sensation;

107 (viii) perception;

108 (ix) peripheral nerve integrity;

109 (x) locomotor skills, stability, and endurance;

110 (xi) the fit, function, and comfort of prosthetic, orthotic, or other assistive devices;

111 (xii) posture;

112 (xiii) body mechanics;

113 (xiv) limb length, circumference, and volume;

114 (xv) thoracic excursion and breathing patterns;

115 (xvi) activities of daily living related to physical movement and mobility;

116 (xvii) functioning in the physical environment at home or work, as it relates to physical  
117 movement and mobility; and

118 (xviii) neural muscular responses.

119            (14) (a) "Trigger point dry needling" means the stimulation of a trigger point using a  
120 dry needle to treat neuromuscular pain and functional movement deficits.

121            (b) "Trigger point dry needling" does not include the stimulation of auricular or distal  
122 points.

123            [~~(14)~~] (15) "Therapeutic intervention" includes:

124            (a) therapeutic exercise, with or without the use of a device;

125            (b) functional training in self-care, as it relates to physical movement and mobility;

126            (c) community or work integration, as it relates to physical movement and mobility;

127            (d) manual therapy, including:

128            (i) soft tissue mobilization;

129            (ii) therapeutic massage; or

130            (iii) joint mobilization, as defined by the division, by rule;

131            (e) prescribing, applying, or fabricating an assistive, adaptive, orthotic, prosthetic,  
132 protective, or supportive device;

133            (f) airway clearance techniques, including postural drainage;

134            (g) integumentary protection and repair techniques;

135            (h) wound debridement, cleansing, and dressing;

136            (i) the application of a physical agent, including:

137            (i) light;

138            (ii) heat;

139            (iii) cold;

140            (iv) water;

141            (v) air;

142            (vi) sound;

143            (vii) compression;

144            (viii) electricity; and

145            (ix) electromagnetic radiation;

146            (j) mechanical or electrotherapeutic modalities;

147            (k) positioning;

148            (l) instructing or training a patient in locomotion or other functional activities, with or  
149 without an assistive device;

- 150 (m) manual or mechanical traction; [~~and~~]
- 151 (n) correction of posture, body mechanics, or gait[-]; and
- 152 (o) trigger point dry needling, under the conditions described in Section 58-24b-505.

153 Section 2. Section **58-24b-505** is enacted to read:

154 **58-24b-505. Trigger point dry needling -- Experience required.**

155 (1) A physical therapist may practice trigger point dry needling if the physical  
156 therapist:

157 (a) has held a license to practice physical therapy under this chapter, and has actively  
158 practiced physical therapy, for two years;

159 (b) has successfully completed a course in trigger point dry needling that:

160 (i) is approved by the division; and

161 (ii) includes at least 300 total course hours, including at least:

162 (A) 54 hours of in-person instruction; and

163 (B) 250 supervised patient treatment sessions;

164 (c) files a certificate of completion of the course described in Subsection (1)(b) with  
165 the division;

166 (d) registers with the division as a trigger point dry needling practitioner; and

167 (e) meets any other requirement to practice trigger point dry needling established by the  
168 division.

169 (2) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah  
170 Administrative Rulemaking Act, that establish:

171 (a) the criteria for approving a course described in Subsection (1)(b); and

172 (b) the requirements described in Subsection (1)(e).

172a **Š→ (3) The division may charge, in accordance with Section 63J-1-504, a fee for the**  
172b **registration described in Subsection (1)(d). ←Š**