

**PHYSICAL THERAPY AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Robert M. Spendlove**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends the Physical Therapy Practice Act.

**Highlighted Provisions:**

This bill:

- ▶ expands the scope of physical therapy to include the ordering of x-rays;
- ▶ defines radiology practitioners to include physical therapists under specific supervision; and
- ▶ makes technical changes.

**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 2014, Chapter 354

**58-54-102**, as last amended by Laws of Utah 2013, Chapter 387

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

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

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



28 As used in this chapter:

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

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

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

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

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

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

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

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

- 49 (a) continuously present at the facility where the person is providing services;
- 50 (b) immediately available to assist the person; and
- 51 (c) regularly involved in the services being provided by the person.

52 (9) "Physical impairment" means:

- 53 (a) a mechanical impairment;
- 54 (b) a physiological impairment;
- 55 (c) a developmental impairment;
- 56 (d) a functional limitation;
- 57 (e) a disability;
- 58 (f) a mobility impairment; or

- 59 (g) a bodily malfunction.
- 60 (10) (a) "Physical therapy" or "physiotherapy" means:
- 61 (i) examining, evaluating, and testing an individual who has a physical impairment or  
62 injury;
- 63 (ii) identifying or labeling a physical impairment or injury;
- 64 (iii) formulating a therapeutic intervention plan for the treatment of a physical  
65 impairment, injury, or pain;
- 66 (iv) assessing the ongoing effects of therapeutic intervention for the treatment of a  
67 physical impairment or injury;
- 68 (v) treating or alleviating a physical impairment by designing, modifying, or  
69 implementing a therapeutic intervention;
- 70 (vi) reducing the risk of an injury or physical impairment;
- 71 (vii) providing instruction on the use of physical measures, activities, or devices for  
72 preventative and therapeutic purposes;
- 73 (viii) promoting and maintaining health and fitness;
- 74 (ix) the administration of a prescription drug pursuant to Section 58-24b-403;
- 75 (x) subject to Subsection 58-28-307(12)(b), engaging in the functions described in  
76 Subsections (10)(a)(i) through (ix) in relation to an animal, in accordance with the  
77 requirements of Section 58-24b-405; ~~and~~
- 78 (xi) ordering x-rays; and
- 79 ~~[(xi)]~~ (xii) engaging in administration, consultation, education, and research relating to  
80 the practices described in this Subsection (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 (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 (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;

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 58-54-102 is amended to read:

154 **58-54-102. Definitions.**

155 In addition to the definition in Section 58-1-102, as used in this chapter:

156 (1) "Board" means the Radiologic Technologist Licensing Board established under this  
157 chapter.

158 (2) "Critical access hospital" means a hospital in a rural or medically underserved area  
159 that is recognized by the Centers for Medicare and Medicaid Services as meeting the conditions  
160 of participation specified in 42 C.F.R. 485.601-647.

161 (3) "General supervision" means the supervising radiologist is available to provide  
162 immediate communication with the supervised person and is aware of the procedure before it is  
163 performed.

164 (4) "Indirect supervision" means the supervising radiologist:

165 (a) has given either written or verbal instructions to the person being supervised;

166 (b) is present in the facility in which the person being supervised is providing services;

167 and

168 (c) is available to provide immediate face-to-face communications with the person  
169 being supervised.

170 (5) "Practice of radiologic technology" means using radiation from a radioactive  
171 substance, radiology equipment, or any other source, in amounts beyond normal background  
172 levels, for diagnostic or therapeutic purposes on humans.

173 (6) "Practice of radiologist assistant" means the performance of non-invasive and  
174 minimally invasive radiological procedures:

175 (a) delegated to a radiologist assistant by a radiologist; and

176 (b) performed under the indirect supervision of a radiologist.

177 (7) "Radiologic technologist" means a person licensed under this chapter to engage in  
178 the practice of radiologic technology under the general supervision of a radiologist or radiology  
179 practitioner including the administration of parenteral contrast media, radionuclides, and other  
180 medications incidental to radiology procedures provided the administrations are under the  
181 direct supervision of a qualified physician and the technologist is currently certified in  
182 cardiopulmonary resuscitation (CPR) and appropriate patient care procedures.

183 (8) "Radiologist" means a physician certified by the American Board of Radiology, the  
184 American Osteopathic Board of Radiology, the British Royal College of Radiology, or the  
185 Canadian College of Physicians and Surgeons.

186 (9) "Radiologist assistant" means a person licensed under this chapter to engage in the  
187 practice of a radiologist assistant.

188 (10) "Radiology equipment" means any medical radiation device that emits ionizing or  
189 nonionizing radiation or detects that radiation for the purpose or intended purpose of:

190 (a) diagnosing disease or other medical conditions in humans; or

191 (b) treating, curing, mitigating, or preventing disease in humans.

192 (11) "Radiology practical technician" means a person licensed under this chapter to  
193 engage in a practice of radiologic technology performing limited diagnostic radiology  
194 procedures:

195 (a) as defined and permitted by rule in accordance with Title 63G, Chapter 3, Utah  
196 Administrative Rulemaking Act; and

197 (b) under the supervision of a radiologist or radiology practitioner.

198 (12) "Radiology practitioner" means any person or individual licensed in this state as a  
199 physician and surgeon, osteopathic physician, podiatric physician, chiropractic physician,  
200 dentist, dental hygienist, or a physician's assistant, nurse practitioner, ~~[or]~~ nurse specialist, or  
201 physical therapist practicing under the supervision of an approved supervising physician and in  
202 accordance with an approved protocol and utilization plan.

203 (13) "Unlawful conduct" [~~is as~~] means the same as that term is defined in Sections  
204 58-1-501 and 58-54-501.

205 (14) "Unprofessional conduct" [~~is as~~] means the same as that term is defined in  
206 Sections 58-1-501 and 58-54-501 and as may be further defined by administrative rule adopted  
207 by the division.