

CHAPTER 2016-70

Senate Bill No. 450

An act relating to physical therapy; amending s. 486.021, F.S.; revising the definition of the term “practice of physical therapy”; amending s. 486.081, F.S.; providing that a licensed physical therapist who holds a specified doctoral degree may use specified letters in connection with her or his name or place of business; prohibiting a physical therapist with a specified doctoral degree from using the title “doctor” without informing the public of his or her profession as a physical therapist; amending s. 486.135, F.S.; revising the terms and specified letters prohibited from being used by certain unlicensed persons; providing a criminal penalty; amending s. 486.151, F.S.; prohibiting an unlicensed person from using specified letters; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (11) of section 486.021, Florida Statutes, is amended to read:

486.021 Definitions.—In this chapter, unless the context otherwise requires, the term:

(11) “Practice of physical therapy” means the performance of physical therapy assessments and the treatment of any disability, injury, disease, or other health condition of human beings, or the prevention of such disability, injury, disease, or other condition of health, and rehabilitation as related thereto by the use of the physical, chemical, and other properties of air; electricity; exercise; massage; the performance of acupuncture only upon compliance with the criteria set forth by the Board of Medicine, when no penetration of the skin occurs; the use of radiant energy, including ultraviolet, visible, and infrared rays; ultrasound; water; the use of apparatus and equipment in the application of the foregoing or related thereto; the performance of tests of neuromuscular functions as an aid to the diagnosis or treatment of any human condition; or the performance of electromyography as an aid to the diagnosis of any human condition only upon compliance with the criteria set forth by the Board of Medicine.

(a) A physical therapist may implement a plan of treatment developed by the physical therapist for a patient or provided for a patient by a practitioner of record or by an advanced registered nurse practitioner licensed under s. 464.012. The physical therapist shall refer the patient to or consult with a practitioner of record if the patient’s condition is found to be outside the scope of physical therapy. If physical therapy treatment for a patient is required beyond ~~30~~ 21 days for a condition not previously assessed by a practitioner of record, the physical therapist shall have obtain a practitioner of record ~~who will review and sign the plan.~~ The requirement that a physical therapist have a practitioner of record review and sign a plan of treatment

does not apply when a patient has been physically examined by a physician licensed in another state, the patient has been diagnosed by the physician as having a condition for which physical therapy is required, and the physical therapist is treating the condition. For purposes of this paragraph, a health care practitioner licensed under chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466 and engaged in active practice is eligible to serve as a practitioner of record.

Section 2. Subsection (1) of section 486.081, Florida Statutes, is amended to read:

486.081 Physical therapist; issuance of license without examination to person passing examination of another authorized examining board; fee.—

(1) The board may cause a license to be issued through the department without examination to any applicant who presents evidence satisfactory to the board of having passed the American Registry Examination prior to 1971 or an examination in physical therapy before a similar lawfully authorized examining board of another state, the District of Columbia, a territory, or a foreign country, if the standards for licensure in physical therapy in such other state, district, territory, or foreign country are determined by the board to be as high as those of this state, as established by rules adopted pursuant to this chapter. Any person who holds a license pursuant to this section may use the words “physical therapist” or “physiotherapist,” or the letters “P.T.,” in connection with her or his name or place of business to denote her or his licensure hereunder. A person who holds a license pursuant to this section and obtains a doctoral degree in physical therapy may use the letters “D.P.T.” and “P.T.” A physical therapist who holds a degree of Doctor of Physical Therapy may not use the title “doctor” without also clearly informing the public of his or her profession as a physical therapist.

Section 3. Subsection (1) of section 486.135, Florida Statutes, is amended, subsection (2) is renumbered as subsection (3), and a new subsection (2) is added to that section, to read:

486.135 False representation of licensure, or willful misrepresentation or fraudulent representation to obtain license, unlawful.—

(1)(a) It is unlawful for any person who is not licensed under this chapter as a physical therapist, or whose license has been suspended or revoked, to use in connection with her or his name or place of business the words “physical therapist,” “physiotherapist,” “physical therapy,” “physiotherapy,” “registered physical therapist,” or “licensed physical therapist”; ~~or~~ the letters “P.T.,” “Ph.T.,” “R.P.T.,” ~~or~~ “L.P.T.”; or any other words, letters, abbreviations, or insignia indicating or implying that she or he is a physical therapist or to represent herself or himself as a physical therapist in any other way, orally, in writing, in print, or by sign, directly or by implication, unless physical therapy services are provided or supplied by a physical therapist licensed in accordance with this chapter.

(b) It is unlawful for a person who is not licensed under this chapter as a physical therapist and who does not hold a doctoral degree in physical therapy to use the letters "D.P.T." in connection with his or her name or place of business.

~~(c)(b)~~ It is unlawful for any person who is not licensed under this chapter as a physical therapist assistant, or whose license has been suspended or revoked, to use in connection with her or his name the words "physical therapist assistant," ~~"licensed physical therapist assistant," "registered physical therapist assistant," or "physical therapy technician";~~ or the letters "P.T.A.," ~~"L.P.T.A.," "R.P.T.A.," or "P.T.T.";~~ or any other words, letters, abbreviations, or insignia indicating or implying that she or he is a physical therapist assistant or to represent herself or himself as a physical therapist assistant in any other way, orally, in writing, in print, or by sign, directly or by implication.

(2) An unlawful act under this section is a violation of s. 486.151.

Section 4. Paragraph (d) of subsection (1) of section 486.151, Florida Statutes, is amended to read:

486.151 Prohibited acts; penalty.—

(1) It is unlawful for any person to:

(d) Use the name or title "Physical Therapist" or "Physical Therapist Assistant" or any other name or title which would lead the public to believe that the person using the name or title is licensed to practice physical therapy, unless such person holds a valid license, or use the letters "D.P.T.," unless such person holds a valid license under this chapter and a doctoral degree in physical therapy.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor March 23, 2016.

Filed in Office Secretary of State March 23, 2016.