

1.1 A bill for an act

1.2 relating to health; expanding the definition of licensed health care professional;  
1.3 allowing use of physical agent modalities by occupational therapists under  
1.4 certain circumstances; amending Minnesota Statutes 2008, sections 148.6402,  
1.5 subdivision 13; 148.6440, subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 148.6402, subdivision 13, is amended to  
1.8 read:

1.9 Subd. 13. **Licensed health care professional.** "Licensed health care professional"  
1.10 means a person licensed in good standing in Minnesota to practice medicine, osteopathy,  
1.11 chiropractic, podiatry, advanced practice registered nursing, or dentistry, or is a person  
1.12 registered as a physician assistant in Minnesota.

1.13 Sec. 2. Minnesota Statutes 2008, section 148.6440, subdivision 2, is amended to read:

1.14 Subd. 2. **Written documentation required.** (a) An occupational therapist must  
1.15 provide to the commissioner documentation verifying that the occupational therapist has  
1.16 met the educational and clinical requirements described in subdivisions 3 to 5, depending  
1.17 on the modality or modalities to be used. Both theoretical training and clinical application  
1.18 objectives must be met for each modality used. Documentation must include the name  
1.19 and address of the individual or organization sponsoring the activity; the name and  
1.20 address of the facility at which the activity was presented; and a copy of the course,  
1.21 workshop, or seminar description, including learning objectives and standards for meeting  
1.22 the objectives. In the case of clinical application objectives, teaching methods must  
1.23 be documented, including actual supervised practice. Documentation must include a  
1.24 transcript or certificate showing successful completion of the coursework. An occupational

**S.F. No. 957, as introduced - 86th Legislative Session (2009-2010) [09-0174]**

2.1 therapist who is a certified hand therapist shall document satisfaction of the requirements  
2.2 in subdivisions 3 to 5 by submitting to the commissioner a copy of a certificate issued  
2.3 by the Hand Therapy Certification Commission. Practitioners are prohibited from using  
2.4 physical agent modalities under supervision or independently until granted approval as  
2.5 provided in subdivision 7, except under the provisions in paragraph (b).

2.6 (b) If a practitioner has successfully completed a specific course previously reviewed  
2.7 and approved by the commissioner as provided for in subdivision 7, and has submitted the  
2.8 written documentation required in paragraph (a) within 30 calendar days from the course  
2.9 date, the practitioner awaiting written approval from the commissioner may use physical  
2.10 agent modalities under the supervision of a practitioner listed on the roster of persons  
2.11 approved to use physical agent modalities.