

HOUSE BILL NO. 386

INTRODUCED BY R. EHLE

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT PHYSICAL THERAPY MAY BE PRACTICED THROUGH ~~TELEHEALTH~~ TELEMEDICINE; DEFINING "~~TELEHEALTH~~" "TELEMEDICINE"; AND AMENDING SECTION 37-11-101, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 37-11-101, MCA, is amended to read:

**"37-11-101. Definitions.** Unless the context requires otherwise, in this chapter, the following definitions apply:

- (1) "Board" means the board of physical therapy examiners provided for in 2-15-1748.
- (2) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.
- (3) "Hearing" means the adjudicative proceeding concerning the issuance, denial, suspension, or revocation of a license, after which the appropriate action toward an applicant or licensee is to be determined by the board.
- (4) "Physical therapist" or "physiotherapist" means a person who practices physical therapy.
- (5) "Physical therapist assistant" or "assistant" means a person who:
  - (a) is a graduate of an accredited physical therapist assistant curriculum approved by the board;
  - (b) assists a physical therapist in the practice of physical therapy but who may not make evaluations or design treatment plans; and
  - (c) is supervised by a licensed physical therapist as described in 37-11-105.
- (6) "Physical therapist assistant student" means a person who is enrolled in an accredited physical therapist assistant curriculum and who as part of the clinical and educational training is practicing under the supervision of a licensed physical therapist as described in 37-11-105.

(7) "Physical therapy" means the evaluation, treatment, and instruction of human beings, in person or through telehealth TELEMEDICINE, to detect, assess, prevent, correct, alleviate, and limit physical disability, bodily malfunction and pain, injury, and any bodily or mental conditions by the use of therapeutic exercise, prescribed topical medications, and rehabilitative procedures for the purpose of preventing, correcting, or alleviating a



1 physical or mental disability.

2 (8) "Physical therapy aide" or "aide" means a person who aids in the practice of physical therapy, whose  
3 activities require on-the-job training, and who is supervised by a licensed physical therapist or a licensed physical  
4 therapist assistant as described in 37-11-105.

5 (9) "Physical therapy practitioner", "physical therapy specialist", "physiotherapy practitioner", or "manual  
6 therapists" are equivalent terms, and any derivation of the phrases or any letters implying the phrases are  
7 equivalent terms. Any reference to any one of the terms in this chapter includes the others but does not include  
8 certified corrective therapists or massage therapists.

9 (10) "Physical therapy student" or "physical therapy intern" means an individual who is enrolled in an  
10 accredited physical therapy curriculum, who, as part of the individual's professional, educational, and clinical  
11 training, is practicing in a physical therapy setting, and who is supervised by a licensed physical therapist as  
12 described in 37-11-105.

13 ~~(11) "Telehealth" means the practice of physical therapy using interactive electronic communications,  
14 information technology, or other means between a physical therapist in one location and a patient in another  
15 location with or without an intervening health care provider.~~

16 ~~(11) "TELEMEDICINE" HAS THE MEANING PROVIDED IN 33-22-138.~~

17 ~~(11)(12)~~ "Topical medications" means medications applied locally to the skin and includes only  
18 medications listed in 37-11-106(2) for which a prescription is required under state or federal law."

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