

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 485 Session of 2021

INTRODUCED BY SCAVELLO, STEFANO, YUDICHAK, PITTMAN, PHILLIPS-HILL, ARGALL AND BARTOLOTTA, APRIL 8, 2021

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, AS AMENDED, JUNE 22, 2022

AN ACT

1 ~~Amending the act of October 10, 1975 (P.L.383, No.110), entitled <--~~
2 ~~"An act relating to the practice of physical therapy,"~~
3 ~~further providing for definitions, for powers and duties of~~
4 ~~board, for continuing education, for practice of physical~~
5 ~~therapy and for physical therapist assistant, education and~~
6 ~~examination, scope of duties and certification.~~
7 AMENDING THE ACT OF OCTOBER 10, 1975 (P.L.383, NO.110), ENTITLED <--
8 "AN ACT RELATING TO THE PRACTICE OF PHYSICAL THERAPY,"
9 FURTHER PROVIDING FOR DEFINITIONS, FOR TRAINING AND LICENSE
10 REQUIRED AND EXCEPTIONS, FOR QUALIFICATIONS FOR LICENSE,
11 EXAMINATIONS, FAILURE OF EXAMINATIONS, LICENSURE WITHOUT
12 EXAMINATION, ISSUING OF LICENSE, FOREIGN APPLICANTS FOR
13 LICENSURE, TEMPORARY LICENSE AND PERJURY AND FOR PHYSICAL
14 THERAPIST ASSISTANT, EDUCATION AND EXAMINATION, SCOPE OF
15 DUTIES AND CERTIFICATION.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 ~~Section 1. The definitions of "certificate of authorization" <--~~
19 ~~and "physical therapy" in section 2 of the act of October 10,~~
20 ~~1975 (P.L.383, No.110), known as the Physical Therapy Practice~~
21 ~~Act, are amended and the section is amended by adding a~~
22 ~~definition to read:~~

23 ~~Section 2. Definitions. The following definitions shall~~
24 ~~apply, when used in this act, unless otherwise expressed~~

1 therein:

2 * * *

3 ~~["Certificate of authorization" means a certificate, approved~~
4 ~~by the board, to practice physical therapy without a referral~~
5 ~~under section 9(a).]~~

6 * * *

7 ~~"Dry needling" means a physical intervention that uses a~~
8 ~~filiform needle to stimulate trigger points, diagnose and treat~~
9 ~~neuromuscular pain and functional movement deficits. The term~~
10 ~~does not include the stimulation of auricular or any other~~
11 ~~points based upon areas of oriental medicine or the practice of~~
12 ~~acupuncture under the act of February 14, 1986 (P.L.2, No.2),~~
13 ~~known as the Acupuncture Licensure Act.~~

14 * * *

15 ~~"Physical therapy" means any of the following:~~

16 ~~(1) The evaluation, examination and testing of individuals~~
17 ~~with mechanical, physiological and developmental impairments,~~
18 ~~functional limitations and disabilities, other health related or~~
19 ~~movement related conditions, performed to determine a diagnosis,~~
20 ~~prognosis and plan of treatment intervention within the scope of~~
21 ~~this act or to assess the ongoing effects of intervention.~~

22 ~~(2) The performance of tests and measurements as an aid in~~
23 ~~diagnosis or evaluation of function and the treatment of the~~
24 ~~individual through the utilization of the effective properties~~
25 ~~of physical measures such as mechanical stimulation, dry~~
26 ~~needling, heat, cold, light, air, water, electricity, sound,~~
27 ~~massage or mobilization manual therapy.~~

28 ~~(3) The use of therapeutic exercises and rehabilitative~~
29 ~~procedures, including training in functional activities, with or~~
30 ~~without the utilization of assistive devices, for the purpose of~~

1 ~~limiting or preventing disability and alleviating or correcting~~
2 ~~any physical or mental conditions.~~

3 ~~(4) Reducing the risk of injury, impairment, functional~~
4 ~~limitation and disability, including the promotion and~~
5 ~~maintenance of fitness, health and wellness in populations of~~
6 ~~all ages as well as engaging in administration, consultation,~~
7 ~~education and research.~~

8 * * *

9 ~~Section 2. Sections 3(a), 7.2, 9(b), (c) and (e) and 9.1(c)~~
10 ~~of the act are amended to read:~~

11 ~~Section 3. Powers and Duties of Board. (a) It shall be the~~
12 ~~duty of the board to pass upon the qualifications of applicants~~
13 ~~for licensure as physical therapists and certification as~~
14 ~~physical therapist assistants, to conduct examinations, to issue~~
15 ~~and renew licenses [and certificates of authorization] to~~
16 ~~physical therapists and certificates to physical therapist~~
17 ~~assistants who qualify under this act, and in proper cases to~~
18 ~~refuse to issue, suspend or revoke the license [or certificate~~
19 ~~of authorization] of any physical therapist or certificate of~~
20 ~~any physical therapist assistant. The board may adopt rules and~~
21 ~~regulations not inconsistent with law as it may deem necessary~~
22 ~~for the performance of its duties and the proper administration~~
23 ~~of this law. The board is authorized and empowered to appoint~~
24 ~~hearing examiners and to conduct investigations and hearings~~
25 ~~upon charges for discipline of a licensee or certificate holder~~
26 ~~or for violations of this act and to cause, through the office~~
27 ~~of the Attorney General, the prosecution and enjoinder of~~
28 ~~individuals violating this act. The board shall maintain a~~
29 ~~register listing the name of every living physical therapist~~
30 ~~licensed to practice in this State, and every physical therapist~~

1 ~~assistant duly certified pursuant to section 9.1, such~~
2 ~~individual's last known place of residence, and the date and~~
3 ~~number of the physical therapist's license and the physical~~
4 ~~therapist assistant's certificate. Residential information shall~~
5 ~~not be considered a public record under the act of June 21, 1957~~
6 ~~(P.L.390, No.212), referred to as the Right to Know Law.~~

7 * * *

8 ~~Section 7.2. Continuing Education. For each license~~
9 ~~renewal, a licensee shall complete within the immediately~~
10 ~~preceding two year period at least 30 hours of continuing~~
11 ~~physical therapy education as approved by the board. The~~
12 ~~licensee shall provide the board with evidence of the completion~~
13 ~~of the continuing education. [A physical therapist who has met~~
14 ~~the continuing education requirements for a certificate of~~
15 ~~authorization set forth in section 9(c)(1) shall be deemed to~~
16 ~~have met the continuing education requirement for license~~
17 ~~renewal. No credit shall be given for any course in office~~
18 ~~management or practice building.]~~

19 ~~Section 9. Practice of Physical Therapy. * * *~~

20 ~~(b) Licensees who meet the standards set forth in this~~
21 ~~subsection may [apply to the board for a certificate of~~
22 ~~authorization to] practice physical therapy under this act~~
23 ~~without the required referral under subsection (a). [A~~
24 ~~certificate of authorization to] The practice of physical~~
25 ~~therapy without a referral under subsection (a) shall not~~
26 ~~authorize a physical therapist either to treat a condition in an~~
27 ~~individual which is a nonneurologic, nonmuscular or nonskeletal~~
28 ~~condition or to treat an individual who has an acute cardiac or~~
29 ~~acute pulmonary condition unless the physical therapist has~~
30 ~~consulted with the individual's licensed physician, dentist or~~

1 ~~podiatrist regarding the individual's condition and the physical~~
2 ~~therapy treatment plan or has referred the individual to a~~
3 ~~licensed physician, dentist or podiatrist for diagnosis and~~
4 ~~referral. [The certificate of authorization shall be issued only~~
5 ~~to licensed physical therapists practicing physical therapy. The~~
6 ~~certificate of authorization shall be displayed by the~~
7 ~~certificate holder in a manner conspicuous to the public. The~~
8 ~~renewal of the certificate of authorization shall coincide with~~
9 ~~the renewal of the license of the licensee. Licensees making~~
10 ~~application for a certificate of authorization] To practice~~
11 ~~physical therapy under this subsection, a licensee shall present~~
12 ~~satisfactory evidence to the board of all of the following:~~

13 ~~(1) That the licensee has[:~~

14 ~~(i)] passed an examination for licensure to practice~~
15 ~~physical therapy, which examination included testing on the~~
16 ~~appropriate evaluative procedures to treat an individual without~~
17 ~~a referral.[; or~~

18 ~~(ii) passed an examination for licensure to practice~~
19 ~~physical therapy prior to 1990 and successfully completed a~~
20 ~~course approved by the board on the appropriate evaluative~~
21 ~~procedures to treat an individual without a referral.~~

22 ~~(2) That the licensee has:~~

23 ~~(i) practiced physical therapy as a licensed physical~~
24 ~~therapist in the delivery of patient care in accordance with~~
25 ~~this act on a continuous basis for at least two years~~
26 ~~immediately preceding the application for a certificate of~~
27 ~~authorization;~~

28 ~~(ii) been licensed under section 6(d.1) and has practiced~~
29 ~~physical therapy in the delivery of patient care as a licensed~~
30 ~~physical therapist in a reciprocal state on a continuous basis~~

~~for at least two years immediately preceding the application for a certificate of authorization; or~~

~~(iii) provided proof of meeting the standards of clause (i) or (ii) of this paragraph through the application of any combination thereof.]~~

~~(3) That the license of that licensee has been maintained in good standing.~~

~~(4) That the licensee has professional liability insurance in accordance with the following provisions:~~

~~(ii) A licensee shall notify the board within 30 days of the licensee's failure to be covered by the required insurance. Failure to notify the board shall be actionable under section 11 or 12. [Further, the certificate of authorization of that licensee shall automatically be suspended upon failure to be covered by the required insurance and shall not be restored until submission to the board of satisfactory evidence that the licensee has the required professional liability insurance coverage.]~~

~~(iii) The board shall accept from licensees as satisfactory evidence of insurance coverage under this subsection any or all of the following: self insurance, personally purchased professional liability insurance, professional liability insurance coverage provided by the licensee's employer or any similar type of coverage.~~

~~(iii.1) A licensee under this act, practicing in this Commonwealth, shall maintain a level of professional liability insurance coverage in the minimum amount of \$1,000,000 per occurrence or claims made. Failure to maintain insurance coverage as required shall subject the licensee to disciplinary proceedings. The board shall accept as satisfactory evidence of~~

1 ~~insurance coverage any of the following:~~

2 ~~(A) self insurance;~~

3 ~~(B) personally purchased liability insurance; or~~

4 ~~(C) professional liability insurance coverage provided by~~

5 ~~the physical therapist's employer or similar insurance coverage~~

6 ~~acceptable to the board.~~

7 ~~(iii.2) A license applicant shall provide proof that the~~

8 ~~applicant has obtained professional liability insurance in~~

9 ~~accordance with subparagraph (iii.1). It is sufficient if the~~

10 ~~applicant files with the application a copy of a letter from the~~

11 ~~applicant's professional liability insurance carrier indicating~~

12 ~~that the applicant will be covered against professional~~

13 ~~liability in the required amounts effective upon the issuance of~~

14 ~~the applicant's license to practice physical therapy in this~~

15 ~~Commonwealth.~~

16 ~~(iii.3) Upon issuance of a license, a licensee has 30 days~~

17 ~~to submit to the board the certificate of insurance or a copy of~~

18 ~~the policy declaration page.~~

19 ~~(iv) The board shall adopt, by regulation, standards and~~

20 ~~procedures established by the Insurance Commissioner for self-~~

21 ~~insurance. In the absence of these standards and procedures, the~~

22 ~~board, after consultation with the Insurance Commissioner, shall~~

23 ~~establish standards and procedures by regulation for self-~~

24 ~~insurance under this subsection.~~

25 ~~{(c) (1) For each renewal of the certificate of~~

26 ~~authorization, the licensee shall complete within the~~

27 ~~immediately preceding two year period at least 30 hours of~~

28 ~~continuing physical therapy education related to keeping the~~

29 ~~certificate holder apprised of advancements and new developments~~

30 ~~in the practice of the physical therapy profession. At least ten~~

1 ~~of the 30 hours shall be in appropriate evaluative procedures to~~
2 ~~treat an individual without a referral. No credit shall be given~~
3 ~~for any course in office management or practice building. The~~
4 ~~licensee shall provide the board with evidence of the completion~~
5 ~~of the continuing education.~~

6 ~~(2) Continuing education programs and program providers~~
7 ~~under this subsection shall be approved by the board in~~
8 ~~accordance with standards and criteria established by the board~~
9 ~~by regulation. The regulation shall include any fees necessary~~
10 ~~to implement this provision and provide for waiver of the~~
11 ~~continuing education requirement due to illness or hardship in~~
12 ~~any licensing renewal period.]~~

13 ~~* * *~~

14 ~~(c) A physical therapist may treat an individual without a~~
15 ~~referral as provided for in subsection (b) for up to [30] 90~~
16 ~~days from the date of the first treatment. A physical therapist~~
17 ~~shall not treat an individual beyond [30] 90 days from the date~~
18 ~~of the first treatment unless he or she has obtained a referral~~
19 ~~from a licensed physician; a licensed physician assistant~~
20 ~~practicing pursuant to a written agreement with a physician; a~~
21 ~~certified registered nurse practitioner practicing pursuant to a~~
22 ~~collaborative agreement with a physician; or a licensed dentist~~
23 ~~or licensed podiatrist, for the treatment of a condition that is~~
24 ~~within the scope of practice of dentistry or podiatry. The date~~
25 ~~of the first treatment for purposes of this subsection is the~~
26 ~~date the individual is treated by any physical therapist~~
27 ~~treating without a referral.~~

28 ~~* * *~~

29 ~~Section 9.1. Physical Therapist Assistant; Education and~~
30 ~~Examination; Scope of Duties; Certification. * * *~~

1 ~~(c) A physical therapist assistant while assisting a~~
2 ~~licensed physical therapist in the practice of physical therapy~~
3 ~~shall only perform patient related physical therapy acts and~~
4 ~~services that are assigned or delegated by and under the~~
5 ~~supervision of a licensed physical therapist. Such acts and~~
6 ~~services of a physical therapist assistant shall not include~~
7 ~~evaluation, testing, dry needling, interpretation, planning or~~
8 ~~modification of patient programs. For purposes of this section~~
9 ~~the term "supervision" means as follows:~~

10 ~~(1) In all practice settings, the performance of selected~~
11 ~~acts and services by the physical therapist assistant shall be:~~

12 ~~(i) The responsibility of the licensed physical therapist at~~
13 ~~all times.~~

14 ~~(ii) Based on the following factors:~~

15 ~~(A) Complexity and acuity of the patient's needs.~~

16 ~~(B) Proximity and accessibility of the licensed physical~~
17 ~~therapist to the certified physical therapist assistant.~~

18 ~~(C) Supervision available in the event of an emergency or~~
19 ~~critical event.~~

20 ~~(D) Type of practice setting in which the service is~~
21 ~~provided.~~

22 ~~(2) In all practice settings, the initial patient contact~~
23 ~~shall be made by a licensed physical therapist for evaluation of~~
24 ~~the patient and establishment of a plan of care.~~

25 ~~(3) Supervision requirements of a physical therapist~~
26 ~~assistant shall be dependent upon the practice setting in which~~
27 ~~the care is delivered:~~

28 ~~(i) When care is delivered to an individual in an acute care~~
29 ~~hospital, acute inpatient rehabilitation center, long term acute~~
30 ~~care hospital facility setting or as otherwise required by~~

~~1 Federal or State law or regulation, the physical therapist
2 assistant shall be under the direct on premises supervision of a
3 licensed physical therapist.~~

~~4 (ii) When care is provided to an individual in a preschool,
5 primary school, secondary school or other similar educational
6 setting, a licensed physical therapist shall make an onsite
7 visit and examine the patient at least every four patient visits
8 or every 30 days, whichever shall occur first.~~

~~9 (iii) When care is provided to a patient in a physical
10 therapy independent private practice outpatient facility, a
11 licensed physical therapist shall provide direct on premises
12 supervision of a physical therapist assistant for at least 50%
13 of the hours worked by the physical therapist assistant during
14 the calendar week unless otherwise required by Federal law, and
15 the physical therapist shall be immediately available by
16 telecommunication if not providing direct on premises
17 supervision.~~

~~18 (iv) For any home health care, facility or practice setting
19 not specified in subparagraph (i), (ii) or (iii), a licensed
20 physical therapist shall make an onsite visit and actively
21 participate in the treatment of the patient at least every seven
22 patient visits or every 14 days, whichever shall occur first.~~

~~23 The board shall review and make recommendations to the Consumer
24 Protection and Professional Licensure Committee of the Senate
25 and to the Professional Licensure Committee of the House of
26 Representatives relating to the implementation of this paragraph
27 three years following the effective date of this paragraph.~~

~~28 (4) In all practice settings, a physical therapist assistant
29 shall be under the direct on premises supervision of a licensed
30 physical therapist until the physical therapist assistant~~

1 ~~submits for approval evidence satisfactory to the board of:~~

2 ~~(i) at least 2,000 hours of experience providing patient-~~
3 ~~related acts and services verified by a supervising licensed-~~
4 ~~physical therapist; or~~

5 ~~(ii) employment as a physical therapist assistant for at-~~
6 ~~least three of the five years immediately preceding the-~~
7 ~~effective date of this paragraph.~~

8 ~~(5) Upon compliance with paragraph (4), a physical therapist-~~
9 ~~assistant may only provide physical therapy acts and services-~~
10 ~~when the licensed physical therapist is available and accessible-~~
11 ~~in person or by telecommunication to the physical therapist-~~
12 ~~assistant during all working hours of the physical therapist-~~
13 ~~assistant and is present within a 100 mile radius of the-~~
14 ~~treatment location. A physical therapist assistant shall consult-~~
15 ~~with the supervising physical therapist in the event of a change-~~
16 ~~in the patient's condition which may require the assessment of a-~~
17 ~~licensed physical therapist.~~

18 ~~(6) A licensed physical therapist shall not supervise more-~~
19 ~~than three physical therapist assistants at any time.~~

20 ~~(7) In the event of a change of the supervising licensed-~~
21 ~~physical therapist, the subsequent supervisor shall assume-~~
22 ~~responsibility for the ongoing supervision of any certified-~~
23 ~~physical therapist assistant providing physical therapy acts and-~~
24 ~~services and shall become the supervising physical therapist.~~

25 ~~* * *~~

26 ~~Section 3. This act shall take effect in 60 days.~~

27 SECTION 1. THE DEFINITION OF "PHYSICAL THERAPY" IN SECTION 2 <--
28 OF THE ACT OF OCTOBER 10, 1975 (P.L.383, NO.110), KNOWN AS THE
29 PHYSICAL THERAPY PRACTICE ACT, IS AMENDED AND THE SECTION IS
30 AMENDED BY ADDING A DEFINITION TO READ:

1 SECTION 2. DEFINITIONS.--THE FOLLOWING DEFINITIONS SHALL
2 APPLY, WHEN USED IN THIS ACT, UNLESS OTHERWISE EXPRESSED
3 THEREIN:

4 * * *

5 "DRY NEEDLING" MEANS AN ADVANCED NEEDLING SKILL OR TECHNIQUE
6 TO TREAT MYOFASCIAL PAIN AND NEUROMUSCULOSKELETAL SYSTEMS
7 THROUGH THE USE OF A SINGLE USE, SINGLE INSERTION STERILE
8 FILIFORM NEEDLE THAT IS INSERTED INTO THE SKIN OR UNDERLYING
9 TISSUES. THE TERM IS ALSO KNOWN AS INTRAMUSCULAR THERAPY. THE
10 TERM INCLUDES THE APPLICATION OF THEORY-BASED ONLY WESTERN
11 MEDICAL CONCEPTS REQUIRING THE EXAMINATION, DIAGNOSIS AND
12 TREATMENT OF SPECIFIC ANATOMIC ENTITIES SELECTED ACCORDING TO
13 PHYSICAL SIGNS. THE TERM DOES NOT INCLUDE ANY OF THE FOLLOWING:

14 (1) THE PRACTICE OR TEACHING OR APPLICATION OF ACUPUNCTURE
15 UNDER THE ACT OF FEBRUARY 14, 1986 (P.L.2, NO.2), KNOWN AS THE
16 ACUPUNCTURE LICENSURE ACT.

17 (2) THE STIMULATION OF AURICULAR POINTS OR UTILIZATION OF
18 MERIDIAN-BASED DISTAL POINTS.

19 * * *

20 "PHYSICAL THERAPY" MEANS ANY OF THE FOLLOWING:

21 (1) THE EVALUATION, EXAMINATION AND TESTING OF INDIVIDUALS
22 WITH MECHANICAL, PHYSIOLOGICAL AND DEVELOPMENTAL IMPAIRMENTS,
23 FUNCTIONAL LIMITATIONS AND DISABILITIES, OTHER HEALTH-RELATED OR
24 MOVEMENT-RELATED CONDITIONS, PERFORMED TO DETERMINE A DIAGNOSIS,
25 PROGNOSIS AND PLAN OF TREATMENT INTERVENTION WITHIN THE SCOPE OF
26 THIS ACT OR TO ASSESS THE ONGOING EFFECTS OF INTERVENTION.

27 (2) THE PERFORMANCE OF TESTS AND MEASUREMENTS AS AN AID IN
28 DIAGNOSIS OR EVALUATION OF FUNCTION AND THE TREATMENT OF THE
29 INDIVIDUAL THROUGH THE UTILIZATION OF THE EFFECTIVE PROPERTIES
30 OF PHYSICAL MEASURES SUCH AS MECHANICAL STIMULATION, DRY

1 NEEDLING, HEAT, COLD, LIGHT, AIR, WATER, ELECTRICITY, SOUND,
2 MASSAGE OR MOBILIZATION-MANUAL THERAPY.

3 (3) THE USE OF THERAPEUTIC EXERCISES AND REHABILITATIVE
4 PROCEDURES, INCLUDING TRAINING IN FUNCTIONAL ACTIVITIES, WITH OR
5 WITHOUT THE UTILIZATION OF ASSISTIVE DEVICES, FOR THE PURPOSE OF
6 LIMITING OR PREVENTING DISABILITY AND ALLEVIATING OR CORRECTING
7 ANY PHYSICAL OR MENTAL CONDITIONS.

8 (4) REDUCING THE RISK OF INJURY, IMPAIRMENT, FUNCTIONAL
9 LIMITATION AND DISABILITY, INCLUDING THE PROMOTION AND
10 MAINTENANCE OF FITNESS, HEALTH AND WELLNESS IN POPULATIONS OF
11 ALL AGES AS WELL AS ENGAGING IN ADMINISTRATION, CONSULTATION,
12 EDUCATION AND RESEARCH.

13 * * *

14 SECTION 2. SECTION 4 (A) OF THE ACT IS AMENDED AND THE
15 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

16 SECTION 4. TRAINING AND LICENSE REQUIRED; EXCEPTIONS.-- (A)
17 IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO PRACTICE OR HOLD
18 [HIMSELF] ONESELF OUT AS BEING ABLE TO PRACTICE PHYSICAL THERAPY
19 IN THIS STATE IN ANY MANNER WHATSOEVER UNLESS SUCH INDIVIDUAL
20 HAS MET THE EDUCATIONAL REQUIREMENTS AND IS LICENSED IN
21 ACCORDANCE WITH THE PROVISIONS OF THIS ACT. THE BOARD SHALL
22 DETERMINE STANDARDS, BY REGULATIONS, REGARDING QUALIFICATIONS
23 NECESSARY FOR THE PERFORMANCE OF SUCH TESTS OR TREATMENT FORMS
24 AS THE BOARD SHALL DETERMINE REQUIRE ADDITIONAL TRAINING OR
25 EDUCATION BEYOND THE EDUCATIONAL REQUIREMENTS SET FORTH BY THIS
26 ACT, AS SUCH RELATES TO THE PRACTICE OF PHYSICAL THERAPY IN
27 ACCORDANCE WITH LAW. NOTHING IN THIS ACT, HOWEVER, SHALL
28 PROHIBIT AN INDIVIDUAL TRAINED AND LICENSED OR CERTIFIED TO
29 PRACTICE OR TO ACT WITHIN THE SCOPE OF HIS LICENSE OR
30 CERTIFICATION IN THIS STATE UNDER ANY OTHER LAW, FROM ENGAGING

1 IN THE LICENSED OR CERTIFIED PRACTICE FOR WHICH [HE] THE
2 INDIVIDUAL IS TRAINED.

3 (A.1) A LICENSED PHYSICAL THERAPIST MAY ONLY PERFORM DRY
4 NEEDLING UPON THE SUCCESSFUL COMPLETION OF AT LEAST 54 HOURS IN
5 DRY NEEDLING COURSE WORK DURING A PERIOD NOT TO EXCEED 24 MONTHS
6 AND AT LEAST 100 PATIENT TREATMENT SESSIONS UNDER SUPERVISION AS
7 DETERMINED BY THE BOARD. THE BOARD MAY ADOPT RULES OR
8 REGULATIONS IMPOSING ADDITIONAL DRY NEEDLING QUALIFICATION
9 REQUIREMENTS AS NECESSARY TO EFFECTUATE THE PURPOSE OF THIS
10 SUBSECTION.

11 * * *

12 SECTION 3. SECTIONS 6(A) INTRODUCTORY PARAGRAPH AND 9.1(A)
13 AND (C) INTRODUCTORY PARAGRAPH OF THE ACT ARE AMENDED TO READ:

14 SECTION 6. QUALIFICATIONS FOR LICENSE; EXAMINATIONS; FAILURE
15 OF EXAMINATIONS; LICENSURE WITHOUT EXAMINATION; ISSUING OF
16 LICENSE; FOREIGN APPLICANTS FOR LICENSURE; TEMPORARY LICENSE;
17 PERJURY.-- (A) TO BE ELIGIBLE FOR LICENSURE AS A PHYSICAL
18 THERAPIST, AN APPLICANT MUST BE AT LEAST 20 YEARS OF AGE UNLESS
19 OTHERWISE DETERMINED BY THE BOARD IN ITS DISCRETION, BE OF GOOD
20 MORAL CHARACTER, NOT BE ADDICTED TO THE HABITUAL USE OF ALCOHOL
21 OR NARCOTICS OR OTHER HABIT-FORMING DRUGS, AND BE A GRADUATE OF
22 A SCHOOL OFFERING AN EDUCATIONAL PROGRAM IN PHYSICAL THERAPY AS
23 ADOPTED BY THE BOARD, WHICH PROGRAM HAS BEEN APPROVED FOR THE
24 EDUCATION AND TRAINING OF PHYSICAL THERAPISTS BY THE APPROPRIATE
25 NATIONALLY RECOGNIZED ACCREDITING AGENCY. IN ASSESSING THE MORAL
26 CHARACTER OF AN APPLICANT WITH A CRIMINAL CONVICTION, THE BOARD
27 SHALL CONDUCT AN INDIVIDUALIZED ASSESSMENT IN ACCORDANCE WITH 63
28 PA.C.S. § 3113 (RELATING TO CONSIDERATION OF CRIMINAL
29 CONVICTIONS). AN APPLICANT COMPLETING THE PROFESSIONAL STUDY OF
30 PHYSICAL THERAPY AFTER 2002 MUST HOLD A MINIMUM OF A MASTER'S

1 DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER
2 EDUCATION. AN APPLICANT COMPLETING THE PROFESSIONAL STUDY OF
3 PHYSICAL THERAPY BETWEEN JANUARY 1967 AND 2002 MUST HOLD A
4 MINIMUM OF A BACCALAUREATE DEGREE FROM A REGIONALLY ACCREDITED
5 INSTITUTION OF HIGHER EDUCATION. IN THE CASE OF THOSE APPLICANTS
6 WHO HAVE COMPLETED REQUIREMENTS PRIOR TO THE FIRST DAY OF
7 JANUARY, 1967, BUT WHO MAY NOT TECHNICALLY OR TOTALLY FULFILL
8 THE ABOVE REQUIREMENTS, THE BOARD AT ITS DISCRETION AND BY THE
9 MAJORITY VOTE OF ALL MEMBERS PRESENT MAY ACCEPT EVIDENCE OF
10 SATISFACTORY EQUIVALENCE. THE BOARD SHALL NOT ISSUE A LICENSE TO
11 AN APPLICANT WHO HAS BEEN CONVICTED OF A FELONY UNDER THE ACT OF
12 APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS "THE CONTROLLED
13 SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT," OR OF AN OFFENSE
14 UNDER THE LAWS OF ANOTHER JURISDICTION WHICH, IF COMMITTED IN
15 THIS COMMONWEALTH, WOULD BE A FELONY UNDER "THE CONTROLLED
16 SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT," UNLESS:

17 * * *

18 SECTION 9.1. PHYSICAL THERAPIST ASSISTANT; EDUCATION AND
19 EXAMINATION; SCOPE OF DUTIES; CERTIFICATION.--(A) TO BE
20 ELIGIBLE FOR CERTIFICATION BY THE BOARD AS A PHYSICAL THERAPIST
21 ASSISTANT, AN APPLICANT MUST BE AT LEAST 18 YEARS OF AGE UNLESS
22 OTHERWISE DETERMINED BY THE BOARD, BE OF GOOD MORAL CHARACTER,
23 NOT BE ADDICTED TO THE HABITUAL USE OF ALCOHOL OR NARCOTICS OR
24 OTHER HABIT-FORMING DRUGS, BE A GRADUATE OF A PHYSICAL THERAPIST
25 ASSISTANT PROGRAM ADOPTED BY THE BOARD, WHICH PROGRAM HAS BEEN
26 APPROVED FOR THE EDUCATION AND TRAINING FOR PHYSICAL THERAPIST
27 ASSISTANTS BY THE APPROPRIATE NATIONALLY RECOGNIZED ACCREDITING
28 AGENCY AND BE SUCCESSFUL IN PASSING AN EXAMINATION APPROVED BY
29 THE BOARD, SUBJECT TO RULES AND REGULATIONS ESTABLISHED BY THE
30 BOARD AND ADMINISTERED IN ACCORDANCE WITH SECTION 812.1 OF THE

1 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE
2 ADMINISTRATIVE CODE OF 1929." IN ASSESSING THE MORAL CHARACTER
3 OF AN APPLICANT WITH A CRIMINAL CONVICTION, THE BOARD SHALL
4 CONDUCT AN INDIVIDUALIZED ASSESSMENT IN ACCORDANCE WITH 63
5 PA.C.S. § 3113 (RELATING TO CONSIDERATION OF CRIMINAL
6 CONVICTIONS). APPLICANTS ELIGIBLE TO REGISTER WITH THE BOARD
7 SHALL BE DEEMED ELIGIBLE FOR CERTIFICATION BY THE BOARD UNTIL
8 SUCH TIME AS THE BOARD PROMULGATES ANY REGULATION REGARDING
9 CERTIFICATION. NO APPLICANT SHALL BE CERTIFIED UNLESS [HE] THE
10 APPLICANT HAS ATTAINED PASSING SCORES ESTABLISHED BY THE BOARD
11 AND PUBLISHED PRIOR TO THE ADMINISTRATION OF THE EXAMINATION.

12 * * *

13 (C) A PHYSICAL THERAPIST ASSISTANT WHILE ASSISTING A
14 LICENSED PHYSICAL THERAPIST IN THE PRACTICE OF PHYSICAL THERAPY
15 SHALL ONLY PERFORM PATIENT-RELATED PHYSICAL THERAPY ACTS AND
16 SERVICES THAT ARE ASSIGNED OR DELEGATED BY AND UNDER THE
17 SUPERVISION OF A LICENSED PHYSICAL THERAPIST. SUCH ACTS AND
18 SERVICES OF A PHYSICAL THERAPIST ASSISTANT SHALL NOT INCLUDE
19 EVALUATION, TESTING, DRY NEEDLING, INTERPRETATION, PLANNING OR
20 MODIFICATION OF PATIENT PROGRAMS. FOR PURPOSES OF THIS SECTION
21 THE TERM "SUPERVISION" MEANS AS FOLLOWS:

22 * * *

23 SECTION 4. NOTHING IN THIS ACT SHALL BE CONSTRUED AS
24 REQUIRING A NEW OR AN ADDITIONAL THIRD-PARTY REIMBURSEMENT OR
25 OTHERWISE MANDATING NEW COVERAGE UNDER 75 PA.C.S. CH. 17
26 (RELATING TO FINANCIAL RESPONSIBILITY) OR THE ACT OF JUNE 2,
27 1915 (P.L.736, NO.338), KNOWN AS THE WORKERS' COMPENSATION ACT,
28 FOR DRY NEEDLING RENDERED BY A LICENSED PHYSICAL THERAPIST UNDER
29 THIS ACT.

30 SECTION 5. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.