

SENATE BILL 72

By Watson

AN ACT to amend Tennessee Code Annotated, Title 63,  
relative to the practice of physical therapy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-13-104(b)(1), is amended by deleting the subdivision and substituting:

(1) Except as provided in § 63-13-303, the scope of practice of physical therapy is under the written or oral referral of a licensed:

(A) Doctor of medicine, chiropractic, dentistry, podiatry, or osteopathy; or

(B) Nurse practitioner or physician assistant pursuant to § 63-6-204(b).

SECTION 2. Tennessee Code Annotated, Section 63-13-303, is amended by deleting the section and substituting:

(a)

(1) The practice of physical therapy must be under the written or oral referral of a referring practitioner as described in § 63-13-104(b)(1), except that a licensed physical therapist may:

(A) Conduct an initial patient visit without referral;

(B) Provide physical assessments or instructions, including a recommendation of exercise to an asymptomatic person, without the referral of a referring practitioner;

(C) In emergency circumstances, including minor emergencies, provide assistance to a person to the best of a physical therapist's ability without the referral of a referring practitioner. Except as provided in

subdivision (a)(1)(D), the physical therapist shall refer the person to the appropriate healthcare practitioner, as indicated, immediately after providing assistance; and

(D) Treat a patient without a referral, within the scope of practice of physical therapy, when the following are met:

(i) The patient's physician, as defined in § 63-6-204(f)(7), has been notified by the physical therapist;

(ii) If the physical therapist determines, based on clinical evidence, that no progress has been made with respect to that patient's condition within thirty (30) days, immediately following the date of the patient's initial visit with the physical therapist, then the physical therapist does not provide additional physical therapy services and refers the patient to a healthcare practitioner who qualifies as a referring practitioner;

(iii) The physical therapist does not continue physical therapy services for the patient beyond ninety (90) days without consulting with the patient's appropriate healthcare practitioner;

(iv) If the patient was previously diagnosed by a licensed physician with chronic, neuromuscular, or developmental conditions, and the evaluation, treatment, or services are being provided for problems or symptoms associated with one (1) or more of those previously diagnosed conditions, then subdivisions (a)(1)(D)(ii) and (iii) do not apply; and

(v) A physical therapist refers patients under the physical therapist's care to appropriate healthcare practitioners, if, at any

time, the physical therapist has reasonable cause to believe symptoms or conditions are present that require services beyond the scope of practice of a physical therapist, reasonable therapeutic progress is not being achieved for the patient, or physical therapy treatment is contraindicated.

(2) As used in this subsection (a):

(A) "Emergency circumstances" means instances where emergency medical care is required;

(B) "Emergency medical care" means bona fide emergency services provided after the sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in:

(i) Placing the patient's health in serious jeopardy;

(ii) Serious impairment to bodily functions; or

(iii) Serious dysfunction of a bodily organ or part; and

(C) "Notified" means to give notice to or inform a patient's physician, as defined in § 63-6-204(f)(7), when a licensed physical therapist treats a patient pursuant to subdivision (a)(1)(D).

(b) It is unprofessional conduct, for the purposes of § 63-13-312, for a physical therapist to knowingly initiate services to a patient in violation of subdivision (a)(1)(D).

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.