

1 AMENDMENT TO HOUSE BILL 572

2 AMENDMENT NO. _____. Amend House Bill 572 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Physical Therapy Act is amended
5 by changing Sections 1 and 2 and adding Sections 0.05 and
6 14.1 as follows:

7 (225 ILCS 90/0.05 new)

8 Sec. 0.05. Legislative Intent. This Act is enacted for
9 the purpose of protecting the public health, safety, and
10 welfare, and for providing for State administrative control,
11 supervision, licensure, and regulation of the practice of
12 physical therapy. It is the legislature's intent that only
13 individuals who meet and maintain prescribed standards of
14 competence and conduct may engage in the practice of physical
15 therapy as authorized by this Act. This Act shall be
16 liberally construed to promote the public interest and to
17 accomplish the purpose stated herein. This Act does not
18 prohibit a person licensed under any other Act in this State
19 from engaging in the practice for which he or she is
20 licensed.

21 (225 ILCS 90/1) (from Ch. 111, par. 4251)

1 Sec. 1. Definitions. As used in this Act:

2 (1) "Physical therapy" means the evaluation or treatment
3 of a person by the use of the effective properties of
4 physical measures and heat, cold, light, water, radiant
5 energy, electricity, sound, and air; and the use of
6 therapeutic massage, therapeutic exercise, mobilization, and
7 the rehabilitative procedures with or without assistive
8 devices for the purposes of preventing, correcting, or
9 alleviating a physical or mental disability, or promoting
10 physical fitness and well-being. Physical therapy includes,
11 but is not limited to: (a) performance of specialized tests
12 and measurements, (b) administration of specialized treatment
13 procedures, (c) interpretation of referrals from physicians,
14 dentists and podiatrists, (d) establishment, and modification
15 of physical therapy treatment programs, (e) administration of
16 topical medication used in generally accepted physical
17 therapy procedures when such medication is prescribed by the
18 patient's physician, licensed to practice medicine in all its
19 branches, the patient's physician licensed to practice
20 podiatric medicine, or the patient's dentist, and (f)
21 supervision or teaching of physical therapy. Physical
22 therapy does not include radiology, electrosurgery,
23 chiropractic technique or determination of a differential
24 diagnosis; provided, however, the limitation on determining a
25 differential diagnosis shall not in any manner limit a
26 physical therapist licensed under this Act from performing an
27 evaluation pursuant to such license. Nothing in this Section
28 shall limit a physical therapist from employing appropriate
29 physical therapy techniques that he or she is educated and
30 licensed to perform. A physical therapist shall refer to a
31 licensed physician, dentist, or podiatrist any patient whose
32 medical condition should, at the time of evaluation or
33 treatment, be determined to be beyond the scope of practice
34 of the physical therapist.

1 (2) "Physical therapist" means a person who practices
2 physical therapy and who has met all requirements as provided
3 in this Act.

4 (3) "Department" means the Department of Professional
5 Regulation.

6 (4) "Director" means the Director of Professional
7 Regulation.

8 (5) "Committee" means the Physical Therapy Examining
9 Committee approved by the Director.

10 (6) "Referral" for the purpose of this Act means the
11 following of guidance or direction to the physical therapist
12 given by the physician, dentist, or podiatrist who shall
13 maintain supervision of the patient.

14 (7) "Documented current and relevant diagnosis" for the
15 purpose of this Act means a diagnosis, substantiated by
16 signature or oral verification of a physician, dentist, or
17 podiatrist, that a patient's condition is such that it may be
18 treated by physical therapy as defined in this Act, which
19 diagnosis shall remain in effect until changed by the
20 physician, dentist or podiatrist.

21 (8) "State" includes:

22 (a) The states of the United States of America;

23 (b) District of Columbia; or

24 (c) The Commonwealth of Puerto Rico.

25 (9) "Physical therapist assistant" means a person
26 licensed to assist a physical therapist and who has met all
27 requirements as provided in this Act and who works under the
28 supervision of a licensed physical therapist to assist in
29 implementing the physical therapy treatment program as
30 established by the licensed physical therapist. The patient
31 care activities provided by the physical therapist assistant
32 shall not include the interpretation of referrals, evaluation
33 procedures, the planning of, or major modifications of,
34 patient programs.

1 (10) "Physical therapy "aides" aide" means any support
2 personnel a-person who have has received on the job training,
3 specific to the facility in which they are he-is employed and
4 may be involved in providing physical therapist directed
5 support services that may include patient-related or
6 nonpatient-related duties,--but--who--has--not--completed--an
7 approved-physical-therapist-assistant-program.
8 (Source: P.A. 85-1440; 86-1396.)

9 (225 ILCS 90/2) (from Ch. 111, par. 4252)

10 Sec. 2. Licensure requirement; exempt activities.
11 Practice without a license forbidden - exception. No person
12 shall after the date of August 31, 1965 begin to practice
13 physical therapy in this State or hold himself out as being
14 able to practice this profession, unless he is licensed as
15 such in accordance with the provisions of this Act. After the
16 effective date of this amendatory Act of 1990, no person
17 shall practice or hold himself out as a physical therapist
18 assistant unless he is licensed as such under this Act.

19 This Act does not prohibit:

20 (1) Any person licensed in this State under any
21 other Act from engaging in the practice for which he is
22 licensed.

23 (2) The practice of physical therapy by those
24 persons, practicing under the supervision of a licensed
25 physical therapist and who have met all of the
26 qualifications as provided in Sections 7, 8.1, and 9 of
27 this Act, until the next examination is given for
28 physical therapists or physical therapist assistants and
29 the results have been received by the Department and the
30 Department has determined the applicant's eligibility for
31 a license. Anyone failing to pass said examination shall
32 not again practice physical therapy until such time as an
33 examination has been successfully passed by such person.

1 (3) The practice of physical therapy for a period
2 not exceeding 6 months by a person who is in this State
3 on a temporary basis to assist in a case of medical
4 emergency or to engage in a special physical therapy
5 project, and who meets the qualifications for a physical
6 therapist as set forth in Sections 7 and 8 of this Act
7 and is licensed in another state as a physical therapist.

8 (4) Practice of physical therapy by qualified
9 persons who have filed for endorsement for no longer than
10 one year or until such time that notification of
11 licensure has been granted or denied, whichever period of
12 time is lesser.

13 (5) One or more licensed physical therapists from
14 forming a professional service corporation under the
15 provisions of the "Professional Service Corporation Act",
16 approved September 15, 1969, as now or hereafter amended,
17 and licensing such corporation for the practice of
18 physical therapy.

19 (6) Physical therapy aides from performing patient
20 care activities under the direction and on-site
21 supervision of a licensed physical therapist or licensed
22 physical therapist assistant who is present in the
23 immediate area and who is involved in each treatment
24 session in which a component of treatment is directed to
25 a physical therapy aide. These-patient-care-activities
26 shall-not-include-interpretation-of-referrals,-evaluation
27 procedures,-the-planning-of-or--major--modifications--of,
28 patient-programs.

29 (7) Physical Therapist Assistants from performing
30 patient care activities under the general supervision of
31 a licensed physical therapist. The physical therapist
32 must maintain continual contact with the physical
33 therapist assistant including periodic personal
34 supervision and instruction to insure the safety and

1 welfare of the patient.

2 (8) The practice of physical therapy by a physical
3 therapy student or a physical therapist assistant student
4 under the on-site supervision of a licensed physical
5 therapist. The physical therapist shall be readily
6 available for direct supervision and instruction to
7 insure the safety and welfare of the patient.

8 (9) The practice of physical therapy as part of an
9 educational program by a physical therapist licensed in
10 another state or country for a period not to exceed 6
11 months.

12 (Source: P.A. 90-580, eff. 5-21-98.)

13 (225 ILCS 90/14.1 new)

14 Sec. 14.1. Continuing education renewal requirements.
15 The Department shall promulgate rules concerning continuing
16 education for persons licensed under this Act that require 40
17 hours of continuing education per license renewal cycle for a
18 physical therapist and 20 hours of continuing education per
19 license renewal cycle for a physical therapist assistant. In
20 establishing these rules, the Department shall consider
21 education required for the 2 categories of licensees to
22 maintain current knowledge and understanding of their
23 respective scope of practice, professional ethics, and
24 standards of care, as described in this Act, and in material
25 provided by relevant professional associations. The
26 Department shall also consider the educational requirements
27 for board certification in physical therapy specialty areas,
28 requirements for advanced clinical or academic degrees
29 related to physical therapy, requirements for attaining
30 advanced skills specific to particular practice environments
31 and patient populations, and the educational needs related to
32 special interest groups within the professions. These rules
33 shall assure that licensees are given the opportunity to

1 participate in those programs sponsored by or through their
2 professional associations, hospitals, or employers and which
3 are relevant to their practice. These rules shall also
4 address variances for illness or hardship. Each licensee is
5 responsible for maintaining records of completion of
6 continuing education and shall be prepared to produce the
7 records when requested by the Department.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".