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**TITLE 844 MEDICAL LICENSING BOARD OF
INDIANA**

Proposed Rule
LSA Document #03-262

DIGEST

Amends 844 IAC 6-1-2 to revise the definitions concerning physical therapists and physical therapist's assistants. Effective 30 days after filing with the secretary of state.

844 IAC 6-1-2

SECTION 1. 844 IAC 6-1-2 IS AMENDED TO READ AS FOLLOWS:

844 IAC 6-1-2 Definitions

Authority: IC 25-27-1-5

Affected: IC 25-27-1-2; IC 25-27-1-8

Sec. 2. (a) The definitions in this section apply throughout this article.

(b) "Advisory services" means providing recommendations within the scope of practice of physical therapy based upon an assessment or screening.

~~(b)~~ **(c)** "Board" refers to the medical licensing board of Indiana.

~~(c)~~ **(d)** "Bureau" refers to the health professions bureau.

~~(d)~~ **(e)** "Committee" refers to the Indiana physical therapy committee.

~~(e)~~ **(f)** "Direct supervision" means ~~that the following:~~

(1) For supervision of the physical therapist's assistant under IC 25-27-1-2(c), the supervising physical therapist or physician ~~at all times~~ shall be available ~~at all times~~ and under all circumstances shall be absolutely responsible for the direction and the actions of the ~~person supervised~~ **physical therapist's assistant** when services are performed. ~~by the physical therapist's assistant or holder of a temporary permit issued under IC 25-27-1-8(d). For the holder of a temporary permit issued under IC 25-27-1-8(d), unless the supervising physical therapist or physician is on the premises to provide constant supervision, the holder of a temporary permit shall meet with the physical therapist or physician at least once each working day to review all patients' treatments. This meeting must include the actual presence of the physical therapist or physician and the holder of a temporary permit. The patient's care shall always be the responsibility of the supervising physical therapist or physician. Reports written by the holder of a temporary permit for inclusion in the patients' record shall be countersigned by the physical therapist or physician, who may enter any remarks, revisions, or additions, as the physical therapist or physician deems appropriate. With respect to the supervision of physical therapist's assistants under IC 25-27-1-2(c); Unless the supervising physical therapist or physician is on the premises to provide constant supervision, the physical therapist's assistant shall consult with the supervising physical therapist or physician at least once each working day to review all patients' treatments. The supervising physical therapist or physician shall examine each patient not less than:~~

~~(1)~~ **(A)** every fourteen (14) days for inpatients in either a hospital or comprehensive rehabilitation facility;

~~(2)~~ **(B)** the earlier of every ninety (90) days or six (6) physical therapy visits for patients in a facility for the mentally retarded ~~(MR)~~ and developmentally disabled ~~(DD)~~ **(MR and DD)** and school system patients; and

~~(3)~~ **(C)** the earlier of every thirty (30) days or every fifteen (15) physical therapy visits for all other patients;

to review the patients' treatment and progress. If this daily consultation is not face-to-face, the physical therapist or physician may not supervise more than the equivalent of three (3) full-time physical therapist's assistants. A consultation between a supervising physical therapist or a physician and the physical therapist's assistant may be in person, by telephone, or by a telecommunications device for the deaf (TDD), so long as there is interactive communication concerning patient care. **The patient's care shall always be the responsibility of the supervising physical therapist or physician.**

(2) For supervision of the holder of a temporary permit issued under IC 25-27-1-8(d), the supervising physical therapist shall be available at all times and under all circumstances shall be absolutely responsible for the direction and the actions of the holder of a temporary permit when services are performed. Unless the supervising physical therapist is on the premises to provide constant supervision, the holder of a temporary permit shall meet with the supervising physical therapist at least once each working day to review all patients' treatments. This meeting must include the actual presence of the supervising physical therapist and the holder of a temporary permit. Reports written by the holder of a temporary permit for inclusion in the patients' record shall be countersigned by the physical therapist, who may enter any remarks, revisions, or additions, as the physical therapist deems appropriate. The patient's care shall always be the responsibility of the supervising physical therapist.

~~(f)~~ **(g)** "Physical therapist's assistant" means a person who is ~~registered~~ **certified** by the committee to assist in the practice of physical therapy under the direct supervision of a licensed physical therapist or under the direct supervision of a physician by performing those assigned physical therapy procedures identified in subsection ~~(g)(3); (h)(3),~~ but not those specified in subsection ~~(g)(1) (h)(1) or (g)(2); (h)(2).~~

~~(g)~~ **(h)** "Physical therapy" includes, but is not limited to, such measures as the following:

(1) Performing and interpreting tests and measurements of neuromuscular, musculoskeletal, cardiac, and pulmonary functions as a part of treatment, interpretation of physician referrals, initial patient evaluation, initial and ongoing treatment planning, periodic reevaluation of the patient, and adjustment of the treatment plan.

(2) Planning initial and subsequent treatment programs on the basis of test findings and within the orders of a referring practitioner who is licensed to practice medicine, osteopathic medicine, dentistry, podiatry, **psychology**, or chiropractic. ~~in the state of Indiana.~~

(3) Administering treatment through the use of physical, chemical, or other properties of heat or cold, light, water, electricity, massage, mechanical devices, and therapeutic exercise, which includes all types of physical rehabilitative techniques and procedures.

(i) "Research" means physical therapy evaluation and treatment for which the primary purpose and intent is the acquisition and compilation of data pursuant to a formal research plan for the advancement of the body of physical therapy knowledge.

(j) "Teaching" means either of the following:

(1) The provision of information about general public health matters and instruction in the use of exercise or therapy products available without prescription.

(2) Instruction in and demonstration of methods and techniques of physical therapy evaluation and treatment for which the primary purpose is the initial or continuing education of physical therapists, physical therapist's assistants, or supportive personnel.

(Medical Licensing Board of Indiana; 844 IAC 6-1-2; filed Mar 10, 1983, 3:59 p.m.: 6 IR 773; filed Jun 11, 1984, 1:02 p.m.: 7 IR 1937; filed Mar 6, 1986, 3:00 p.m.: 9 IR 1662; filed Aug 6, 1987, 3:00 p.m.: 10 IR 2731; filed Apr 14, 1994, 5:00 p.m.: 17 IR 2077; filed Sep 22, 1994, 4:30 p.m.: 18 IR 261; readopted filed Nov 9, 2001, 3:16 p.m.: 25 IR 1325)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on January 22, 2004 at 9:45 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Medical Licensing Board of Indiana will hold a public hearing on proposed amendments to revise the definitions concerning physical therapists and physical therapist's assistants. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W066 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
Executive Director

Health Professions Bureau