

1 SB237
2 210231-1
3 By Senator McClendon
4 RFD: Healthcare
5 First Read: 23-FEB-21

SYNOPSIS: Under existing law, physical therapy may only be performed based on a referral from a licensed physician, dentist, chiropractor, physician assistant, or certified registered nurse practitioner, except in limited, enumerated circumstances.

This bill would further provide for a licensed physical therapist to perform physical therapy without a referral.

A BILL
TO BE ENTITLED
AN ACT

Relating to physical therapy; to amend Section 34-24-210.1, Code of Alabama 1975; to further provide for the delivery of physical therapy services.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 34-24-210.1, Code of Alabama 1975, is amended to read as follows:

1 "§34-24-210.1.

2 "(a) Without prescription or referral, a licensed
3 physical therapist may perform an initial evaluation or
4 consultation of a screening nature to determine the need for
5 physical therapy and may perform the physical therapy and
6 other services provided in subdivisions ~~(1) to (5), inclusive,~~
7 ~~of subsection (b)~~ (b) (1) through (b) (6). Implementation of
8 physical therapy shall otherwise be based on the referral of ~~a~~
9 ~~person~~ an individual licensed to practice medicine, surgery,
10 dentistry, chiropractic, licensed assistant to a physician
11 acting pursuant to a valid supervising agreement, or a
12 licensed certified registered nurse practitioner in a valid
13 collaborative practice agreement with a licensed physician.

14 "(b) The physical therapy and other services
15 referred to in subsection (a), ~~which~~ that may be performed
16 without prescription or referral, ~~include~~ and are limited to
17 the following:

18 "(1) To a child with a diagnosed developmental
19 disability pursuant to the plan of care for the child.

20 "(2) To a patient of a home health care agency
21 pursuant to the plan of care for the patient.

22 "(3) To a patient in a nursing home pursuant to the
23 plan of care for the patient.

24 "(4) Related to conditioning or to providing
25 education or activities in a wellness setting for the purpose
26 of injury prevention, reduction of stress, or promotion of
27 fitness.

1 "(5) To an individual for a previously diagnosed
2 condition or conditions for which physical therapy services
3 are appropriate after informing the health care provider
4 rendering the diagnosis. The diagnosis shall have been made
5 within the immediately preceding ~~90~~ 120 days. The physical
6 therapist shall provide the health care provider who rendered
7 the diagnosis with a plan of care for physical therapy
8 services within the first 15 days of physical therapy
9 intervention.

10 "(6) To an individual who, from the findings of the
11 physical therapy evaluation and examination, is medically
12 stable and deemed appropriate to receive physical therapy
13 services for up to 30 calendar days. After 30 days, a referral
14 is required by one of the following, unless there is
15 measurable or functional improvement: An individual licensed
16 to practice medicine, surgery, dentistry, chiropractic,
17 licensed assistant to a physician acting pursuant to a valid
18 supervising agreement, or a licensed certified registered
19 nurse practitioner in a valid collaborative practice agreement
20 with a licensed physician.

21 "(c) Nothing contained in this section shall be
22 construed to create a requirement that any health benefit
23 plan, group insurance plan, policy, or contract for health
24 care services that covers hospital, medical, or surgical
25 expenses, health maintenance organizations, preferred provider
26 organizations, medical service organizations,
27 physician-hospital organizations, or any other person, firm,

1 corporation, joint venture, or other similar business entity
2 that pays for, purchases, or furnishes group health care
3 services to patients, insureds, or beneficiaries in this
4 state, including entities created pursuant to Article 6,
5 commencing with Section 10A-20-6.01, of Chapter 20, Title 10A,
6 Code of Alabama 1975, provide coverage or reimbursement for
7 the services described or authorized in this section."

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.