

2

SOON

D-NOTE

2001 BILL

RM NOT RUN

Gen. Cont.

1 AN ACT to repeal 448.52 (3) and 448.56 (1); to renumber and amend 448.50 (4)  
2 and 448.54 (2); to amend 48.981 (2), 146.81 (1) (dg), 146.997 (1) (d) 4., 155.01  
3 (7), 252.14 (1) (ar) 4e., 448.51 (1), 448.51 (2) (a), 448.51 (2) (b), 448.52 (4), 448.54  
4 (1), 448.54 (3), 448.55 (2), 448.57 (2) (b), 448.57 (2) (e), 448.57 (2) (f), 448.57 (2)  
5 (g) and 450.10 (3) (a) 5.; and to create 15.406 (1) (am), 440.08 (2) (a) 57m.,  
6 448.50 (1m), 448.50 (3m), 448.50 (4) (a) to (d), 448.50 (5), 448.50 (6), 448.51 (1e),  
7 448.51 (1m), 448.51 (1s), 448.527, 448.53 (1) (f), 448.535, 448.54 (2) (b), 448.55  
8 (3), 448.56 (1m), 448.56 (4), 448.56 (5), 448.56 (6), 448.565, 448.567, 448.57 (2)  
9 (am), 448.57 (2) (bm), 448.57 (2) (fm), 448.57 (3), 448.57 (4) and 448.57 (5) of the  
10 statutes; relating to: licensing of physical therapists and physical therapist  
11 assistants and granting rule-making authority.

**Analysis by the Legislative Reference Bureau**

This bill makes certain changes to the regulation of physical therapists and physical therapist assistants.

**BILL*****Physical therapists***

Under current law, with certain exceptions, a person may not practice physical therapy or designate that he or she is a physical therapist, unless the physical therapists affiliated credentialing board (board) has granted the person a physical therapist license. In addition, only a licensed physical therapist may use the title “physical therapist,” “physiotherapist,” or “physical therapy technician,” or append to his or her name the letters “P. T.,” “P. T. T.,” or “R. P. T.” Under this bill, the following additional titles may only be used by a licensed physical therapist: registered physical therapist; master of physical therapy; master of science in physical therapy; or doctorate in physical therapy. In addition, only a licensed physical therapist may append to his or her name the following additional letters: “M.P.T.,” “M.S.P.T.,” or “D.P.T.”

The bill also prohibits a business from using any of the titles or letters specified under current law or under the bill unless the business provides physical therapy services that are provided by or under the direction of a licensed physical therapist. In addition, under the bill, a business may not advertise or represent that it provides physical therapy services, or bill for services that are labeled as physical therapy, unless the physical therapy services are provided by or under the direction of a licensed physical therapist.

Current law defines “physical therapy” as the branch or system of treating the sick that is limited to therapeutic exercises with or without assistive devices, and physical measures including heat, cold, air, water, light, sound, electricity, and massage. However, “physical therapy” does not include the use of roentgen rays and radium for any purpose, and the use of electricity for surgical purposes, including cauterization. This bill replaces the foregoing definition with one that defines “physical therapy” to mean any of the following:

1. Examining, evaluating, or testing individuals with mechanical, physiological, or developmental impairments, functional limitations, disabilities, or other movement-related health conditions, in order to determine a diagnosis, prognosis, or plan of therapeutic intervention or to assess the ongoing effects of intervention.

2. Alleviating impairments or functional limitations by instructing patients or designing, implementing, or modifying therapeutic interventions.

3. Reducing the risk of injury, impairment, functional limitation, or disability, including by promoting or maintaining fitness, health, or quality of life in all age populations.

4. Engaging in administration, consultation, or research that is related to any activity described above.

Current law also requires an applicant for a physical therapist license to satisfy certain requirements, including education and examination requirements. In addition, different requirements apply, depending on whether or not the applicant graduated from a physical therapy school approved by the board. Under this bill, the board is allowed to promulgate rules that require an applicant who graduated from a foreign physical therapy school to satisfy additional requirements for demonstrating competence to practice physical therapy. However, as under current

**BILL**

*Such a referral is made.*

law, the board is not allowed to require an applicant to take an oral or English proficiency examination for the sole reason that the applicant graduated from a foreign physical therapy school, if the applicant satisfies the requirements under current law for an applicant who has not graduated from a school approved by the board.

Also under current law, with certain exceptions, a licensed physical therapist may practice physical therapy only upon the written referral of a physician, chiropractor, dentist, or podiatrist. This bill ~~eliminates this prohibition. However, the bill~~ requires the board to promulgate rules establishing requirements that a physical therapist must satisfy if ~~a health care practitioner refers a patient to the physical therapist.~~ The purpose of the rules is to ensure continuity of care. Also, the bill requires a physical therapist to refer a patient to an appropriate health care practitioner if the physical therapist has reasonable cause to believe that symptoms or conditions are present that require services that are beyond the scope of practice of physical therapy.

The bill also provides that a physical therapist is responsible for managing all aspects of the physical therapy care of each patient under his or her care. In addition, the bill requires a physical therapist to create and maintain a patient record for every patient that the physical therapist examines or treats.

**Physical therapist assistants**

*graduating from A*

Under current law, a "physical therapist assistant" is defined as a person who has graduated from a physical therapy assistant associate degree program approved by the American Physical Therapy Association. No license from the board is required for a physical therapist assistant to assist a physical therapist in practice, if the assistance is under the general supervision of the physical therapist. The board is required to promulgate rules that define what constitutes "general supervision."

This bill eliminates the above provisions and prohibits a person from representing that he or she is a physical therapist assistant unless he or she is licensed by the board. In addition, the bill provides that only a licensed physical therapist assistant may append to his or her name the letters "P. T. A."

To qualify for a physical therapy assistant license under the bill, a person must satisfy certain requirements, including passing an examination for demonstrating minimum competency in the technical application of physical therapy services. Also, the person must not have an arrest or conviction, the circumstances of which substantially relate to the activities of a physical therapist assistant. In addition, a person must be a graduate of a physical therapist assistant educational program that is accredited by an agency approved by the board. ~~This last requirement does not apply to certain persons who apply for a license before the bill goes into effect, which is 24 months after publication of the bill. Instead, the last requirement is replaced by the two following requirements: 1) the person must submit letters of recommendation from two licensed physical therapists who have personal knowledge of the person's assistance of a physical therapist in practice; and 2) the person must show that, during at least two years of the five-year period immediately preceding the publication of the bill, he or she was a physical therapist assistant, as defined under current law.~~

*PASS*

*A different examination requirement applies*

*INSERT 3 B*

*INSERT 3 A*

**BILL**

The bill allows a licensed physical therapist assistant to assist in the practice of physical therapy only under the direct or general supervision of a physical therapist. The board is required to promulgate rules that define what constitutes "direct or general supervision." In addition, the bill allows the board to take disciplinary action, including suspending or revoking a license, if a physical therapist assistant engages in prohibited conduct.

The bill also does each of the following: 1) makes current law regarding the preservation, destruction, and confidentiality of patient health care records applicable to records of a physical therapist assistant; 2) includes a physical therapist assistant as a health care provider for the requirements under current law for powers of attorney for health care and for the prohibition under current law on discrimination related to acquired immunodeficiency syndrome; 3) requires a physical therapist assistant, like other professionals under current law, to make certain reports regarding abused or neglected children; 4) provides to physical therapist assistants the same protection from discipline under current law that is available to other health care providers who make certain reports regarding violations of law or clinical or ethical standards by health care facilities, health care providers, or employees of such facilities or providers; and 5) provides the same immunity that is available under current law to other health care professionals who make certain reports regarding violations of laws applicable to pharmacists or controlled substances.

***Other changes***

The bill also makes other changes, including each of the following:

1. The bill creates new grounds for disciplinary action by the board against physical therapists and physical therapist assistants, including engaging in sexual misconduct with a patient.

2. The bill allows the board to accept the voluntary surrender of a license when the board receives allegations of unprofessional conduct.

3. The bill requires the board to prepare an annual report on disciplinary action.

4. The bill requires the board to promulgate rules that do each of the following: a) establish a code of ethics for physical therapists and physical therapist assistants; b) establish procedures and requirements for filing complaints against physical therapists and physical therapist assistants; c) require the board to conduct periodic performance self-audits; and d) require a physical therapist or physical therapist assistant who applies to renew his or her license to demonstrate continued competence. Under current law, licenses must be renewed every two years.

5. Adds one physical therapist assistant member to the board. Under current law, the board has three physical therapist members and one public member.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**BILL**

1           **SECTION 1.** 15.406 (1) (am) of the statutes is created to read:

2           15.406 (1) (am) One physical therapist assistant licensed under subch. III of  
3 ch. 448.

4           **SECTION 2.** 48.981 (2) of the statutes is amended to read:

5           48.981 (2) **PERSONS REQUIRED TO REPORT.** A physician, coroner, medical  
6 examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, other medical or  
7 mental health professional, social worker, marriage and family therapist,  
8 professional counselor, public assistance worker, including a financial and  
9 employment planner, as defined in s. 49.141 (1) (d), school teacher, administrator or  
10 counselor, mediator under s. 767.11, child care worker in a day care center or child  
11 caring institution, day care provider, alcohol or other drug abuse counselor, member  
12 of the treatment staff employed by or working under contract with a county  
13 department under s. 46.23, 51.42, or 51.437, physical therapist, physical therapist  
14 assistant, occupational therapist, dietitian, speech–language pathologist,  
15 audiologist, emergency medical technician, first responder or police or law  
16 enforcement officer having reasonable cause to suspect that a child seen in the course  
17 of professional duties has been abused or neglected or having reason to believe that  
18 a child seen in the course of professional duties has been threatened with abuse or  
19 neglect and that abuse or neglect of the child will occur shall, except as provided  
20 under sub. (2m), report as provided in sub. (3). A court–appointed special advocate  
21 having reasonable cause to suspect that a child seen in the course of the  
22 court–appointed special advocate’s activities under s. 48.236 (3) has been abused or  
23 neglected or having reason to believe that a child seen in the course of those activities  
24 has been threatened with abuse and neglect and that abuse or neglect of the child  
25 will occur shall, except as provided in sub. (2m), report as provided in sub. (3). Any

**BILL**

1 other person, including an attorney, having reason to suspect that a child has been  
2 abused or neglected or reason to believe that a child has been threatened with abuse  
3 or neglect and that abuse or neglect of the child will occur may make such a report.  
4 Any person, including an attorney, having reason to suspect that an unborn child has  
5 been abused or reason to believe that an unborn child is at substantial risk of abuse  
6 may report as provided in sub. (3). No person making a report under this subsection  
7 may be discharged from employment for so doing.

8 **SECTION 3.** 146.81 (1) (dg) of the statutes is amended to read:

9 146.81 (1) (dg) A physical therapist or physical therapist assistant licensed  
10 under subch. III of ch. 448.

11 **SECTION 4.** 146.997 (1) (d) 4. of the statutes is amended to read:

12 146.997 (1) (d) 4. A physician, podiatrist ~~or~~, physical therapist, or physical  
13 therapist assistant licensed under ch. 448.

14 **SECTION 5.** 155.01 (7) of the statutes is amended to read:

15 155.01 (7) “Health care provider” means a nurse licensed or permitted under  
16 ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a  
17 physician, physician assistant, podiatrist, physical therapist, physical therapist  
18 assistant, occupational therapist, or occupational therapy assistant licensed under  
19 ch. 448, a person practicing Christian Science treatment, an optometrist licensed  
20 under ch. 449, a psychologist licensed under ch. 455, a partnership thereof, a  
21 corporation or limited liability company thereof that provides health care services,  
22 an operational cooperative sickness care plan organized under ss. 185.981 to 185.985  
23 that directly provides services through salaried employees in its own facility, or a  
24 home health agency, as defined in s. 50.49 (1) (a).

25 **SECTION 6.** 252.14 (1) (ar) 4e. of the statutes is amended to read:

## BILL

- 7 -

1           252.14 (1) (ar) 4e. A physical therapist or physical therapist assistant licensed  
2 under subch. III of ch. 448.

3           **SECTION 7.** 440.08 (2) (a) 57m. of the statutes is created to read:

4           440.08 (2) (a) 57m. Physical therapist assistant: November 1 of each  
5 odd-numbered year; \$44.

6           **SECTION 8.** 448.50 (1m) of the statutes is created to read:

7           448.50 (1m) "Business entity" has the meaning given in s. 452.01 (3j).

8           **SECTION 9.** 448.50 (3m) of the statutes is created to read:

9           448.50 (3m) "Physical therapist assistant" means an individual who holds a  
10 license as a physical therapist assistant granted by the affiliated credentialing  
11 board.

12           **SECTION 10.** 448.50 (4) of the statutes is renumbered 448.50 (4) (intro.) and  
13 amended to read:

14           448.50 (4) (intro.) "~~Physical therapy~~" means ~~that branch or system of treating~~  
15 ~~the sick which is limited to therapeutic exercises with or without assistive devices,~~  
16 ~~and physical measures including heat and cold, air, water, light, sound, electricity~~  
17 ~~and massage; and physical testing and evaluation. The use of roentgen rays and~~  
18 ~~radium for any purpose, and the use of electricity for surgical purposes including~~  
19 ~~cauterization, are not part of physical therapy. any of the following:~~

20           **SECTION 11.** 448.50 (4) (a) to (d) of the statutes are created to read:

21           448.50 (4) (a) Examining, evaluating, or testing individuals with mechanical,  
22 physiological, or developmental impairments, functional limitations, disabilities, or  
23 other movement-related ~~health~~ health conditions, in order to determine a diagnosis,  
24 prognosis, or plan of therapeutic intervention or to assess the ongoing effects of  
25 intervention. In this paragraph, "testing" means using standardized methods or

**BILL**



*[Handwritten signature]*

①  
②

techniques for gathering data about a patient including electrodiagnostic or  
electrophysiologic tests

(b) Alleviating impairments or functional limitations by instructing patients or designing, implementing, or modifying therapeutic interventions.

(c) Reducing the risk of injury, impairment, functional limitation, or disability, including by promoting or maintaining fitness, health, or quality of life in all age populations.

(d) Engaging in administration, consultation, or research that is related to any activity specified in pars. (a) to (c).

**SECTION 12.** 448.50 (5) of the statutes is created to read:

448.50 (5) "Sexual misconduct with a patient" means any of the following:

(a) Engaging in or soliciting a consensual or nonconsensual sexual relationship with a patient.

(b) Making sexual advances toward, requesting sexual favors from, or engaging in other verbal conduct or physical contact of a sexual nature with a patient.

(c) Intentionally viewing a completely or partially disrobed patient during the course of treatment if the viewing is not related to diagnosis or treatment.

**SECTION 13.** 448.50 (6) of the statutes is created to read:

448.50 (6) "Therapeutic intervention" means the purposeful and skilled interaction between a physical therapist, patient, and, if appropriate, individuals involved in the patient's care, using physical therapy procedures or techniques that are intended to produce changes in the patient's condition and that are consistent with diagnosis and prognosis.

**SECTION 14.** 448.51 (1) of the statutes is amended to read:

**BILL**

1           448.51 (1) Except as provided in s. 448.52, no person may practice physical  
2           therapy or designate himself or herself as a physical therapist or use or assume the  
3           title “physical therapist” or “physiotherapist” or “physical therapy technician” or  
4           append to the person’s name the letters “P.T.,” “P.T.T.” or “R.P.T.” or any other title,  
5           letters or designation which represents or may tend to represent the person as a  
6           physical therapist unless the person is licensed as a physical therapist under this  
7           subchapter.

8           **SECTION 15.** 448.51 (1e) of the statutes is created to read:

9           448.51 (1e) No person may designate himself or herself as a physical therapist  
10          or use or assume the title “physical therapist,” “physiotherapist,” “physical therapy  
11          technician,” “licensed physical therapist,” “registered physical therapist,” “master of  
12          physical therapy,” “master of science in physical therapy,” or “doctorate in physical  
13          therapy,” or append to the person’s name the letters “P.T.,” “P.T.T.,” “L.P.T.,” “R.P.T.,”  
14          “M.P.T.,” “M.S.P.T.,” or “D.P.T.,” or any other title, letters, or designation which  
15          represents or may tend to represent the person as a physical therapist, unless the  
16          person is licensed as a physical therapist under this subchapter.

17          **SECTION 16.** 448.51 (1m) of the statutes is created to read:

18          448.51 (1m) No business entity may use, in connection with the name of the  
19          business entity, a title specified in sub. (1e), append to the business entity’s name the  
20          letters specified in sub. (1e), or advertise or represent that it provides physical  
21          therapy services, including billing of services that are labeled as physical therapy,  
22          unless the physical therapy services provided by the business entity are provided by  
23          or under the direction of a physical therapist.

24          **SECTION 17.** 448.51 (1s) of the statutes is created to read:

**BILL**

1           448.51 (1s) No person may designate himself or herself as a physical therapist  
2 assistant, use or assume the title “physical therapist assistant,” or append to the  
3 person’s name the letters “P.T.A.” or any other title, letters, or designation that  
4 represents or may tend to represent the person as a physical therapist assistant  
5 unless the person is licensed as a physical therapist assistant under this subchapter.

6           **SECTION 18.** 448.51 (2) (a) of the statutes is amended to read:

7           448.51 (2) (a) In this subsection, “advertisement” includes advertisements that  
8 appear on outdoor signs, in print or electronic media, and in material mailed to a  
9 person other than a patient, client, or prospective patient or client who has requested  
10 the material.

11           **SECTION 19.** 448.51 (2) (b) of the statutes is amended to read:

12           448.51 (2) (b) Except as provided in par. (c), no person may claim to render  
13 physical therapy or physiotherapy services unless the person is licensed as a physical  
14 therapist under this subchapter.

15           **SECTION 20.** 448.52 (3) of the statutes is repealed.

16           **SECTION 21.** 448.52 (4) of the statutes is amended to read:

17           448.52 (4) A physical therapy student ~~practicing~~ assisting a physical therapist  
18 in the practice of physical therapy or a physical therapist assistant student assisting  
19 a physical therapist in performing physical therapy procedures and related tasks, if  
20 the assistance is within the scope of the student’s education or training.

21           **SECTION 22.** 448.527 of the statutes is created to read:

22           **448.527 Code of ethics.** The affiliated credentialing board shall promulgate  
23 rules establishing a code of ethics governing the professional conduct of physical  
24 therapists and physical therapist assistants.

25           **SECTION 23.** 448.53 (1) (f) of the statutes is created to read:

**BILL**

1           448.53 (1) (f) If the person was educated at a physical therapy school that is not  
2 in the United States, the person satisfies any additional requirements for  
3 demonstrating competence to practice physical therapy that the affiliated  
4 credentialing board may establish by rule.

5           **SECTION 24.** 448.535 of the statutes is created to read:

6           **448.535 Licensure of physical therapist assistants.** <sup>CID</sup> [ The affiliated  
7 credentialing board shall grant a license as a physical therapist assistant to a person  
8 who does all of the following:

9           <sup>(a)</sup> ~~(1)~~ Submits an application for the license to the department on a form provided  
10 by the department.

11           <sup>(b)</sup> ~~(2)~~ Pays the fee specified in s. 440.05 (1).

12           <sup>(c)</sup> ~~(3)~~ Subject to ss. 111.321, 111.322, and 111.335, submits evidence satisfactory  
13 to the affiliated credentialing board that the applicant does not have an arrest or  
14 conviction record.

15           <sup>(d)</sup> ~~(4)~~ Submits evidence satisfactory to the affiliated credentialing board that the  
16 applicant is a graduate of a physical therapist assistant educational program  
17 accredited by an agency that is approved by the affiliated credentialing board.

18           <sup>(e)</sup> ~~(5)~~ Passes an examination under s. 448.54.

19           **SECTION 25.** 448.54 (1) of the statutes is amended to read:

20           448.54 (1) The affiliated credentialing board shall conduct or arrange for  
21 examinations for physical therapist and physical therapist assistant licensure at  
22 least semiannually and at times and places determined by the affiliated  
23 credentialing board.

24           **SECTION 26.** 448.54 (2) of the statutes is renumbered 448.54 (2) (a) and  
25 amended to read:

INSERT 11-18 ✓

**BILL**

1           448.54 (2) (a) Except as provided in sub. (3), examinations for physical  
2 therapist licensure shall consist of written or oral tests, or both, requiring applicants  
3 to demonstrate minimum competency in subjects substantially related to the  
4 practice of physical therapy.

5           **SECTION 27.** 448.54 (2) (b) of the statutes is created to read:

6           448.54 (2) (b) Examinations for physical therapist assistant licensure shall  
7 consist of written or oral tests, or both, requiring applicants to demonstrate  
8 minimum competency in the technical application of physical therapy services.

9           **SECTION 28.** 448.54 (3) of the statutes is amended to read:

10           448.54 (3) The Notwithstanding s. 448.53 (1) (f), the affiliated credentialing  
11 board may not require an applicant for physical therapist licensure to take an oral  
12 examination or an examination to test proficiency in the English language for the  
13 sole reason that the applicant was educated at a physical therapy school that is not  
14 in the United States if the applicant establishes, to the satisfaction of the affiliated  
15 credentialing board, that he or she satisfies the requirements under s. 448.53 (3).

16           **SECTION 29.** 448.55 (2) of the statutes is amended to read:

17           448.55 (2) The renewal dates for licenses granted under this subchapter, other  
18 than temporary licenses granted under rules promulgated under s. 448.53 (2), are  
19 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
20 department on a form provided by the department and shall include the renewal fee  
21 specified in s. 440.08 (2) (a) and proof of compliance with the requirements  
22 established in any rules promulgated under sub. (3).

23           **SECTION 30.** 448.55 (3) of the statutes is created to read:

**BILL**

1           448.55 (3) The affiliated credentialing board shall promulgate rules that  
2 require an applicant for renewal of a license to demonstrate continued competence  
3 as a physical therapist or physical therapist assistant.

4           ~~SECTION 31. 448.56 (1) of the statutes is repealed.~~

5           **SECTION 32.** 448.56 (1m) of the statutes is created to read:

6           448.56 (1m) ~~REFERRALS~~ (a) A physical therapist shall refer a patient to an  
7 appropriate health care practitioner if the physical therapist has reasonable cause  
8 to believe that symptoms or conditions are present that require services beyond the  
9 scope of the practice of physical therapy.

10           (b) The affiliated credentialing board shall promulgate rules establishing the  
11 requirements that a physical therapist must satisfy if a health care practitioner  
12 refers a patient to the physical therapist. The purpose of the rules shall be to ensure  
13 continuity of care between the physical therapist and the health care practitioner.

14           **SECTION 33.** 448.56 (4) of the statutes is created to read:

15           448.56 (4) **RESPONSIBILITY.** A physical therapist is responsible for managing all  
16 aspects of the physical therapy care of each patient under his or her care.

17           **SECTION 34.** 448.56 (5) of the statutes is created to read:

18           448.56 (5) **PATIENT RECORDS.** A physical therapist shall create and maintain a  
19 patient record for every patient the physical therapist examines or treats.

20           **SECTION 35.** 448.56 (6) of the statutes is created to read:

21           448.56 (6) **PHYSICAL THERAPIST ASSISTANTS.** A physical therapist assistant may  
22 assist in the practice of physical therapy only under the direct or general supervision  
23 of a physical therapist. The affiliated credentialing board shall promulgate rules  
24 defining "direct or general supervision" for purposes of this subsection.

25           **SECTION 36.** 448.565 of the statutes is created to read:

DUTY TO REFER.  
CFS

physician, chiropractor, dentist,  
or podiatrist

makes a written referral order, submits

**BILL**

1           **448.565 Complaints.** The affiliated credentialing board shall promulgate  
2 rules establishing procedures and requirements for filing complaints against  
3 licensees and shall publicize the procedures and requirements.

4           **SECTION 37.** 448.567 of the statutes is created to read:

5           **448.567 Performance audits.** The affiliated credentialing board shall  
6 promulgate rules that require the affiliated credentialing board on a periodic basis  
7 to conduct performance self-audits of its activities under this subchapter.

8           **SECTION 38.** 448.57 (2) (am) of the statutes is created to read:

9           448.57 (2) (am) Interfered with an investigation or disciplinary proceeding by  
10 using threats, harassment, or intentional misrepresentation of facts.

11           **SECTION 39.** 448.57 (2) (b) of the statutes is amended to read:

12           448.57 (2) (b) Subject to ss. 111.321, 111.322, and 111.335, been convicted of an  
13 offense the circumstances of which substantially relate to the practice of physical  
14 therapy or assisting in the practice of physical therapy.

15           **SECTION 40.** 448.57 (2) (bm) of the statutes is created to read:

16           448.57 (2) (bm) Been adjudicated mentally incompetent by a court.

17           **SECTION 41.** 448.57 (2) (e) of the statutes is amended to read:

18           448.57 (2) (e) Subject to ss. 111.321, 111.322, and 111.34, practiced or assisted  
19 in the practice of physical therapy while the applicant's or licensoc's ability to  
20 practice or assist was impaired by alcohol or other drugs.

21           **SECTION 42.** 448.57 (2) (f) of the statutes is amended to read:

22           448.57 (2) (f) Engaged in unprofessional or unethical conduct in violation of the  
23 code of ethics established in the rules promulgated under s. 448.527.

24           **SECTION 43.** 448.57 (2) (fm) of the statutes is created to read:

25           448.57 (2) (fm) Engaged in sexual misconduct with a patient.

**BILL**

1           **SECTION 44.** 448.57 (2) (g) of the statutes is amended to read:

2           448.57 (2) (g) Engaged in conduct while practicing or assisting in the practice  
3 of physical therapy which evidences a lack of knowledge or ability to apply  
4 professional principles or skills.

5           **SECTION 45.** 448.57 (3) of the statutes is created to read:

6           448.57 (3) (a) A licensee may voluntarily surrender his or her license to the  
7 affiliated credentialing board, which may refuse to accept the surrender if the  
8 affiliated credentialing board has received allegations of unprofessional conduct  
9 against the licensee. The affiliated credentialing board may negotiate stipulations  
10 in consideration for accepting the surrender of licenses.

11           (b) The affiliated credentialing board may restore a license that has been  
12 voluntarily surrendered under par. (a) on such terms and conditions as it considers  
13 appropriate.

14           **SECTION 46.** 448.57 (4) of the statutes is created to read:

15           448.57 (4) The affiliated credentialing board shall prepare and disseminate to  
16 the public an annual report that describes final disciplinary action taken against  
17 licensees during the preceding year.

18           **SECTION 47.** 448.57 (5) of the statutes is created to read:

19           448.57 (5) The affiliated credentialing board may report final disciplinary  
20 action taken against a licensee to any national database that includes information  
21 about disciplinary action taken against health care professionals.

22           **SECTION 48.** 450.10 (3) (a) 5. of the statutes is amended to read:

23           450.10 (3) (a) 5. A physician, physician assistant, podiatrist, physical  
24 therapist, physical therapist assistant, occupational therapist, or occupational  
25 therapy assistant licensed under ch. 448.

BILL

INSERT 16-11

SECTION 49. Nonstatutory provisions.

(1) PHYSICAL THERAPIST ASSISTANT LICENSES. Notwithstanding section 448.535 of the statutes, as created by this act, the physical therapists affiliated credentialing board shall grant a physical therapist assistant license under section 448.535 of the statutes, as created by this act, to an individual who, not later than the first day of the 24th month beginning after the effective date of this subsection, does all of the following:

(a) Pays the fee specified in section 440.05 (1) of the statutes.

(b) Subject to sections 111.321, 111.322, and 111.335 of the statutes, submits evidence satisfactory to the physical therapists affiliated credentialing board that he or she does not have an arrest or conviction record.

<sup>d</sup><sub>L#</sub> Provides evidence satisfactory to the physical therapists affiliated credentialing board that, during at least 2 years of the 5-year period immediately preceding the effective date of this paragraph, he or she was a physical therapist assistant, as defined in section 448.52 (3), 1999 stats., assisting a physical therapist in practice under the general supervision of a physical therapist as specified in the rules promulgated under section 448.52 (3), 1999 stats.

<sup>e</sup><sub>L#</sub> Passes an examination conducted or arranged by the physical therapists affiliated credentialing board, consisting of written or oral tests, or both, that requires the individual to demonstrate minimum competency in the technical application of physical therapy services.

<sup>f</sup><sub>L#</sub> Submits letters of recommendation from 2 physical therapists licensed under subchapter III of chapter 448 of the statutes who have personal knowledge of the individual's activities in assisting a physical therapist in practice.

on state laws and administrative rules relating to physical therapy



2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0750/2ins  
MDK.....

1

**INSERT 3A:**

Such a person may obtain a license if he or she passes an examination on state laws and administrative rules relating to physical therapy, instead of an examination on competency. Also, such a person must do the following:

2

**INSERT 3B:**

The bill also allows the board to grant a license to a person who is licensed as a physical therapist assistant in another jurisdiction of the United States. The board may waive the examination or graduation requirement, or both, for such a person. In addition, the board may promulgate rules that establish additional requirements that such a person must satisfy for a waiver.

3

**INSERT 11-18:**

4

(2) The affiliated credentialing board may waive a requirement under sub. (1)

5

(d) or (e), or both, for an applicant who establishes to the satisfaction of the affiliated

6

credentialing board that he or she is licensed as a physical therapist assistant by

7

another licensing jurisdiction in the United States. The affiliated credentialing <sup>board</sup> shall

8

promulgate rules for granting a waiver under this subsection. The rules may require

9

an applicant to satisfy additional requirements as a condition for granting a waiver.

10

**INSERT 16-11:**

11

(c) Provides evidence satisfactory to the physical therapists affiliated

12

credentialing board that he or she has graduated from an accredited physical

13

therapist assistant program.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0750/2dn

MDK:

king

Senator Chvala:

This version, which is based on instructions received from Ron Hermes, is identical to the previous version, except for the following:

1. Proposed s. 448.535 (2) allows the board to waive the graduation or examination requirement, or both, and grant a reciprocal physical therapist assistant license to an applicant licensed in another jurisdiction. In addition, the board may, but is not required to, promulgate rules that establish additional requirements for such a license. Is that okay? I'm asking because the instructions require the board to promulgate rules for reciprocal licenses, but I'm not sure which requirements should be specified in the statutes, and which requirements should be left to the discretion of the board through rule making.

2. Section 448.56 (1), stats., dealing with written referrals, is not repealed. Note that to avoid confusion I gave a new title to proposed s. 448.56 (1m). Also, the language of proposed s. 448.56 (1m) (b) is changed slightly for the sake of consistency.

3. In order to obtain a physical therapist assistant license under the nonstatutory provisions, an applicant must also establish that he or she graduated from an accredited program. Also, the examination that is required must deal with state laws and rules on physical therapy.

4. The definition of "physical therapy" refers to "movement-related health conditions", not "movement-related or health conditions". Also, the reference to electrodiagnostic or electrophysiologic tests is deleted.

The instructions also include 2 changes to the definition of "physical therapy". I did not include these changes for the following reasons.

The first change is to refer to standardized "physical therapy" methods. However, when defining a term, it isn't logical to include that term in the definition. If you say that "physical therapy" means certain things, including using standardized "physical therapy" methods, the result is confusing because the question remains: what types of methods are "physical therapy" methods? The definition of "physical therapy" won't answer the question because it refers back to itself.

The second change is to define "diagnosis" for purposes of the definition of "physical therapy". I didn't make this change because I'm not sure about your intent. Why is

it necessary to define "diagnosis"? A definition doesn't seem necessary because the term is commonly understood to mean a determination of the nature of a disease or injury. If your intent is to narrow the commonly understood meaning, I don't know how the proposed definition accomplishes such an intent. Also, the definition refers to a "label" developed by a physical therapist. I don't think "label" is the right word to use. However, I'm not sure about this because I'm not sure about your intent in using this word.

Please contact me if you want to discuss the above issues.

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0750/2dn  
MDK:kmg:rs

June 21, 2001

Senator Chvala:

This version, which is based on instructions received from Ron Hermes, is identical to the previous version, except for the following:

1. Proposed s. 448.535 (2) allows the board to waive the graduation or examination requirement, or both, and grant a reciprocal physical therapist assistant license to an applicant licensed in another jurisdiction. In addition, the board may, but is not required to, promulgate rules that establish additional requirements for such a license. Is that okay? I'm asking because the instructions require the board to promulgate rules for reciprocal licenses, but I'm not sure which requirements should be specified in the statutes, and which requirements should be left to the discretion of the board through rule making.
2. Section 448.56 (1), stats., dealing with written referrals, is not repealed. Note that to avoid confusion I gave a new title to proposed s. 448.56 (1m). Also, the language of proposed s. 448.56 (1m) (b) is changed slightly for the sake of consistency.
3. In order to obtain a physical therapist assistant license under the nonstatutory provisions, an applicant must also establish that he or she graduated from an accredited program. Also, the examination that is required must deal with state laws and rules on physical therapy.
4. The definition of "physical therapy" refers to "movement-related health conditions," not "movement-related or health conditions." Also, the reference to electrodiagnostic or electrophysiologic tests is deleted.

The instructions also include 2 changes to the definition of "physical therapy." I did not include these changes for the following reasons.

The first change is to refer to standardized "physical therapy" methods. However, when defining a term, it isn't logical to include that term in the definition. If you say that "physical therapy" means certain things, including using standardized "physical therapy" methods, the result is confusing because the question remains: what types of methods are "physical therapy" methods? The definition of "physical therapy" won't answer the question because it refers back to itself.

The second change is to define "diagnosis" for purposes of the definition of "physical therapy." I didn't make this change because I'm not sure about your intent. Why is it

necessary to define "diagnosis"? A definition doesn't seem necessary because the term is commonly understood to mean a determination of the nature of a disease or injury. If your intent is to narrow the commonly understood meaning, I don't know how the proposed definition accomplishes such an intent. Also, the definition refers to a "label" developed by a physical therapist. I don't think "label" is the right word to use. However, I'm not sure about this because I'm not sure about your intent in using this word.

Please contact me if you want to discuss the above issues.

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.state.wi.us](mailto:mark.kunkel@legis.state.wi.us)

**Kunkel, Mark**

---

**From:** James Tenuta [jtenuta@tds.net]  
**Sent:** Tuesday, July 24, 2001 12:19  
**To:** Mark Kunkel  
**Subject:** FW: PTs

Mark: Here is the language we discussed yesterday with a little background. FYI. I hope to be in touch with you soon. Thanks.

-----Original Message-----

**From:** James Tenuta [mailto:jtenuta@tds.net]  
**Sent:** Tuesday, July 24, 2001 11:13 AM  
**To:** Eric Jensen  
**Cc:** Pete. Balik; Bill Durnil; Bob Kroll; Joan Wolf; John Hendrickson; John Urban; Kathy Tomczyk; Lynn Steffes; Michele Thorman; Sue Griffin  
**Subject:** RE: PTs

Eric: The ball is in your court but I want to introduce a new wrinkle. I'll start from the beginning. The SMS proposed a definition that reads as follows:

448.50(1r) For purposes of Ch. 448.50-448.59, "diagnosis" means the evaluation of a condition or impairment by musculoskeletal exam or study of its symptoms for the purpose of physical therapeutic intervention, as defined in Ch. 448.50(6).

In a previous conversation with Alice, we requested that "musculoskeletal" be changed to neuro-musculoskeletal, to more accurately reflect the current state of practice. We also suggested that "physical therapeutic intervention" be changed to "therapeutic intervention" because "physical therapeutic intervention" is not defined while "therapeutic intervention" is.

Now that's what we have discussed and those are the changes Alice is running past your docs. However, since Alice and I talked, I have had a conversation with Mark Kunkel, the drafting attorney concerning your proposed language and he has pointed out that in the context of the definition of physical therapy, where the word diagnosis would appear, your proposed language really does not make sense because the definition of physical therapy references evaluation and examination and it reads, "in order to determine a diagnosis." If you define diagnosis as an evaluation...putting it in context,...it would read, "determining an evaluation."

I have discussed this issue with Cindy in Senator Burke's office and she has talked with Mark Kunkel at the LRB and authorized him to speak with the SMS on this issue. Give him a call to verify. We think the problem can be easily fixed by inserting the following language, "diagnosis means the result of an evaluation"

What do you think? How's your summer going and how's the baby? My gosh it's almost the end of July and we're still talking about this! I hope we can resolve this soon.

-----Original Message-----

**From:** Eric Jensen [mailto:EricJ@WISMED.ORG]  
**Sent:** Tuesday, July 24, 2001 10:14 AM  
**To:** jtenuta@tds.net  
**Subject:** PTs

Hey Jim.

08/13/2001

Alice is away the next couple weeks or so at a conference and then vacation. Where have you left it with her - I know we have been running some words from the def'n of "diagnosis" past some of our docs, but who's court is the ball in right now?

Eric

## Kunkel, Mark

---

**From:** Ron Hermes [rhermes@tds.net]

**Sent:** Thursday, August 02, 2001 1:40

**To:** Mark Kunkel

**Cc:** Cindy McGinnis; Jim Tenuta

**Subject:** PT bill

Hi Mark-

I am following up to an email you received from Jim Tenuta on July 24th regarding final modifications to the physical therapy practice act revisions draft. I think we may have finally reached an agreement with the SMS.

Please redraft with the following changes as described to you in Jim's email:

- change 'musculoskeletal' to 'neuromusculoskeletal'
- change 'physical therapeutic intervention' to 'therapeutic intervention'
- add 'diagnosis means the result of an evaluation'

If you have any questions, please contact me.

Thanks, Mark

Ron Hermes  
Hilbert & Tenuta  
WPTA Lobbyist

08/13/2001

SOON

D-NOTE

# 2001 SENATE BILL

Gen. Cat.

1 **AN ACT to repeal 448.52 (3); to renumber and amend 448.50 (4) and 448.54**  
2 **(2); to amend 48.981 (2), 146.81 (1) (dg), 146.997 (1) (d) 4., 155.01 (7), 252.14**  
3 **(1) (ar) 4e., 448.51 (1), 448.51 (2) (a), 448.51 (2) (b), 448.52 (4), 448.54 (1), 448.54**  
4 **(3), 448.55 (2), 448.57 (2) (b), 448.57 (2) (e), 448.57 (2) (f), 448.57 (2) (g) and**  
5 **450.10 (3) (a) 5.; and to create 15.406 (1) (am), 440.08 (2) (a) 57m., 448.50 (1m),**  
6 **448.50 (3m), 448.50 (4) (a) to (d), 448.50 (5), 448.50 (6), 448.51 (1e), 448.51 (1m),**  
7 **448.51 (1s), 448.527, 448.53 (1) (f), 448.535, 448.54 (2) (b), 448.55 (3), 448.56**  
8 **(1m), 448.56 (4), 448.56 (5), 448.56 (6), 448.565, 448.567, 448.57 (2) (am), 448.57**  
9 **(2) (bm), 448.57 (2) (fm), 448.57 (3), 448.57 (4) and 448.57 (5) of the statutes;**  
10 **relating to: licensing of physical therapists and physical therapist assistants**  
11 **and granting rule-making authority.**

***Analysis by the Legislative Reference Bureau***

This bill makes certain changes to the regulation of physical therapists and physical therapist assistants.

**SENATE BILL*****Physical therapists***

Under current law, with certain exceptions, a person may not practice physical therapy or designate that he or she is a physical therapist, unless the physical therapists affiliated credentialing board (board) has granted the person a physical therapist license. In addition, only a licensed physical therapist may use the title “physical therapist,” “physiotherapist,” or “physical therapy technician,” or append to his or her name the letters “P. T.,” “P. T. T.,” or “R. P. T.” Under this bill, the following additional titles may only be used by a licensed physical therapist: registered physical therapist; master of physical therapy; master of science in physical therapy; or doctorate in physical therapy. In addition, only a licensed physical therapist may append to his or her name the following additional letters: “M.P.T.,” “M.S.P.T.,” or “D.P.T.”

The bill also prohibits a business from using any of the titles or letters specified under current law or under the bill unless the business provides physical therapy services that are provided by or under the direction of a licensed physical therapist. In addition, under the bill, a business may not advertise or represent that it provides physical therapy services, or bill for services that are labeled as physical therapy, unless the physical therapy services are provided by or under the direction of a licensed physical therapist.

Current law defines “physical therapy” as the branch or system of treating the sick that is limited to therapeutic exercises with or without assistive devices, and physical measures including heat, cold, air, water, light, sound, electricity, and massage. However, “physical therapy” does not include the use of roentgen rays and radium for any purpose, and the use of electricity for surgical purposes, including cauterization. This bill replaces the foregoing definition with one that defines “physical therapy” to mean any of the following:

1. Examining, evaluating, or testing individuals with mechanical, physiological, or developmental impairments, functional limitations, disabilities, or other movement-related health conditions, in order to determine a diagnosis, prognosis, or plan of therapeutic intervention or to assess the ongoing effects of intervention.
2. Alleviating impairments or functional limitations by instructing patients or designing, implementing, or modifying therapeutic interventions.
3. Reducing the risk of injury, impairment, functional limitation, or disability, including by promoting or maintaining fitness, health, or quality of life in all age populations.
4. Engaging in administration, consultation, or research that is related to any activity described above.

Current law also requires an applicant for a physical therapist license to satisfy certain requirements, including education and examination requirements. In addition, different requirements apply, depending on whether or not the applicant graduated from a physical therapy school approved by the board. Under this bill, the board is allowed to promulgate rules that require an applicant who graduated from a foreign physical therapy school to satisfy additional requirements for demonstrating competence to practice physical therapy. However, as under current

**SENATE BILL**

law, the board is not allowed to require an applicant to take an oral or English proficiency examination for the sole reason that the applicant graduated from a foreign physical therapy school, if the applicant satisfies the requirements under current law for an applicant who has not graduated from a school approved by the board.

Also under current law, with certain exceptions, a licensed physical therapist may practice physical therapy only upon the written referral of a physician, chiropractor, dentist, or podiatrist. This bill requires the board to promulgate rules establishing requirements that a physical therapist must satisfy if such a referral is made. The purpose of the rules is to ensure continuity of care. Also, the bill requires a physical therapist to refer a patient to an appropriate health care practitioner if the physical therapist has reasonable cause to believe that symptoms or conditions are present that require services that are beyond the scope of practice of physical therapy.

The bill also provides that a physical therapist is responsible for managing all aspects of the physical therapy care of each patient under his or her care. In addition, the bill requires a physical therapist to create and maintain a patient record for every patient that the physical therapist examines or treats.

***Physical therapist assistants***

Under current law, a “physical therapist assistant” is defined as a person who has graduated from a physical therapy assistant associate degree program approved by the American Physical Therapy Association. No license from the board is required for a physical therapist assistant to assist a physical therapist in practice, if the assistance is under the general supervision of the physical therapist. The board is required to promulgate rules that define what constitutes “general supervision.”

This bill eliminates the above provisions and prohibits a person from representing that he or she is a physical therapist assistant unless he or she is licensed by the board. In addition, the bill provides that only a licensed physical therapist assistant may append to his or her name the letters “P. T. A.”

To qualify for a physical therapy assistant license under the bill, a person must satisfy certain requirements, including graduating from a physical therapist assistant educational program that is accredited by an agency approved by the board. Also, the person must not have an arrest or conviction, the circumstances of which substantially relate to the activities of a physical therapist assistant. In addition, a person must pass an examination for demonstrating minimum competency in the technical application of physical therapy services.

A different examination requirement applies to certain persons who apply for a license before the bill goes into effect, which is 24 months after publication of the bill. Such a person may obtain a license if he or she passes an examination on state laws and administrative rules relating to physical therapy, instead of an examination on competency. Also, such a person must do the following: 1) submit letters of recommendation from two licensed physical therapists who have personal knowledge of the person’s assistance of a physical therapist in practice; and 2) show that, during at least two years of the five-year period immediately preceding the

**SENATE BILL**

publication of the bill, he or she was a physical therapist assistant, as defined under current law.

The bill also allows the board to grant a license to a person who is licensed as a physical therapist assistant in another jurisdiction of the United States. The board may waive the examination or graduation requirement, or both, for such a person. In addition, the board may promulgate rules that establish additional requirements that such a person must satisfy for a waiver.

The bill allows a licensed physical therapist assistant to assist in the practice of physical therapy only under the direct or general supervision of a physical therapist. The board is required to promulgate rules that define what constitutes “direct or general supervision.” In addition, the bill allows the board to take disciplinary action, including suspending or revoking a license, if a physical therapist assistant engages in prohibited conduct.

The bill also does each of the following: 1) makes current law regarding the preservation, destruction, and confidentiality of patient health care records applicable to records of a physical therapist assistant; 2) includes a physical therapist assistant as a health care provider for the requirements under current law for powers of attorney for health care and for the prohibition under current law on discrimination related to acquired immunodeficiency syndrome; 3) requires a physical therapist assistant, like other professionals under current law, to make certain reports regarding abused or neglected children; 4) provides to physical therapist assistants the same protection from discipline under current law that is available to other health care providers who make certain reports regarding violations of law or clinical or ethical standards by health care facilities, health care providers, or employees of such facilities or providers; and 5) provides the same immunity that is available under current law to other health care professionals who make certain reports regarding violations of laws applicable to pharmacists or controlled substances.

***Other changes***

The bill also makes other changes, including each of the following:

1. The bill creates new grounds for disciplinary action by the board against physical therapists and physical therapist assistants, including engaging in sexual misconduct with a patient.

2. The bill allows the board to accept the voluntary surrender of a license when the board receives allegations of unprofessional conduct.

3. The bill requires the board to prepare an annual report on disciplinary action.

4. The bill requires the board to promulgate rules that do each of the following: a) establish a code of ethics for physical therapists and physical therapist assistants; b) establish procedures and requirements for filing complaints against physical therapists and physical therapist assistants; c) require the board to conduct periodic performance self-audits; and d) require a physical therapist or physical therapist assistant who applies to renew his or her license to demonstrate continued competence. Under current law, licenses must be renewed every two years.

**SENATE BILL**

5. Adds one physical therapist assistant member to the board. Under current law, the board has three physical therapist members and one public member.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 15.406 (1) (am) of the statutes is created to read:

2           15.406 (1) (am) One physical therapist assistant licensed under subch. III of  
3 ch. 448.

4           **SECTION 2.** 48.981 (2) of the statutes is amended to read:

5           48.981 (2) **PERSONS REQUIRED TO REPORT.** A physician, coroner, medical  
6 examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, other medical or  
7 mental health professional, social worker, marriage and family therapist,  
8 professional counselor, public assistance worker, including a financial and  
9 employment planner, as defined in s. 49.141 (1) (d), school teacher, administrator or  
10 counselor, mediator under s. 767.11, child care worker in a day care center or child  
11 caring institution, day care provider, alcohol or other drug abuse counselor, member  
12 of the treatment staff employed by or working under contract with a county  
13 department under s. 46.23, 51.42, or 51.437, physical therapist, physical therapist  
14 assistant, occupational therapist, dietitian, speech–language pathologist,  
15 audiologist, emergency medical technician, first responder or police or law  
16 enforcement officer having reasonable cause to suspect that a child seen in the course  
17 of professional duties has been abused or neglected or having reason to believe that  
18 a child seen in the course of professional duties has been threatened with abuse or  
19 neglect and that abuse or neglect of the child will occur shall, except as provided  
20 under sub. (2m), report as provided in sub. (3). A court–appointed special advocate

**SENATE BILL**

1 having reasonable cause to suspect that a child seen in the course of the  
2 court-appointed special advocate's activities under s. 48.236 (3) has been abused or  
3 neglected or having reason to believe that a child seen in the course of those activities  
4 has been threatened with abuse and neglect and that abuse or neglect of the child  
5 will occur shall, except as provided in sub. (2m), report as provided in sub. (3). Any  
6 other person, including an attorney, having reason to suspect that a child has been  
7 abused or neglected or reason to believe that a child has been threatened with abuse  
8 or neglect and that abuse or neglect of the child will occur may make such a report.  
9 Any person, including an attorney, having reason to suspect that an unborn child has  
10 been abused or reason to believe that an unborn child is at substantial risk of abuse  
11 may report as provided in sub. (3). No person making a report under this subsection  
12 may be discharged from employment for so doing.

13 **SECTION 3.** 146.81 (1) (dg) of the statutes is amended to read:

14 146.81 (1) (dg) A physical therapist or physical therapist assistant licensed  
15 under subch. III of ch. 448.

16 **SECTION 4.** 146.997 (1) (d) 4. of the statutes is amended to read:

17 146.997 (1) (d) 4. A physician, podiatrist ~~or~~, physical therapist, or physical  
18 therapist assistant licensed under ch. 448.

19 **SECTION 5.** 155.01 (7) of the statutes is amended to read:

20 155.01 (7) "Health care provider" means a nurse licensed or permitted under  
21 ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a  
22 physician, physician assistant, podiatrist, physical therapist, physical therapist  
23 assistant, occupational therapist, or occupational therapy assistant licensed under  
24 ch. 448, a person practicing Christian Science treatment, an optometrist licensed  
25 under ch. 449, a psychologist licensed under ch. 455, a partnership thereof, a

## SENATE BILL

INSERT  
7-12

1 corporation or limited liability company thereof that provides health care services,  
2 an operational cooperative sickness care plan organized under ss. 185.981 to 185.985  
3 that directly provides services through salaried employees in its own facility, or a  
4 home health agency, as defined in s. 50.49 (1) (a).

5 SECTION 6. 252.14 (1) (ar) 4e. of the statutes is amended to read:

6 252.14 (1) (ar) 4e. A physical therapist or physical therapist assistant licensed  
7 under subch. III of ch. 448.

8 SECTION 7. 440.08 (2) (a) 57m. of the statutes is created to read:

9 440.08 (2) (a) 57m. Physical therapist assistant: November 1 of each  
10 odd-numbered year; \$44.

11 SECTION 8. 448.50 (1m) of the statutes is created to read:

12 448.50 (1m) "Business entity" has the meaning given in s. 452.01 (3j).

13 SECTION 9. 448.50 (3m) of the statutes is created to read:

14 448.50 (3m) "Physical therapist assistant" means an individual who holds a  
15 license as a physical therapist assistant granted by the affiliated credentialing  
16 board.

17 SECTION 10. 448.50 (4) of the statutes is renumbered 448.50 (4) (intro.) and  
18 amended to read:

19 448.50 (4) (intro.) "Physical therapy" means ~~that branch or system of treating~~  
20 ~~the sick which is limited to therapeutic exercises with or without assistive devices,~~  
21 ~~and physical measures including heat and cold, air, water, light, sound, electricity~~  
22 ~~and massage; and physical testing and evaluation. The use of roentgen rays and~~  
23 ~~radium for any purpose, and the use of electricity for surgical purposes including~~  
24 ~~cauterization, are not part of physical therapy. any of the following:~~

25 SECTION 11. 448.50 (4) (a) to (d) of the statutes are created to read:

**SENATE BILL**

1           448.50 (4) (a) Examining, evaluating, or testing individuals with mechanical,  
2           physiological, or developmental impairments, functional limitations, disabilities, or  
3           other movement-related health conditions, in order to determine a diagnosis,  
4           prognosis, or plan of therapeutic intervention or to assess the ongoing effects of  
5           intervention. In this paragraph, “testing” means using standardized methods or  
6           techniques for gathering data about a patient.

7           (b) Alleviating impairments or functional limitations by instructing patients  
8           or designing, implementing, or modifying therapeutic interventions.

9           (c) Reducing the risk of injury, impairment, functional limitation, or disability,  
10          including by promoting or maintaining fitness, health, or quality of life in all age  
11          populations.

12          (d) Engaging in administration, consultation, or research that is related to any  
13          activity specified in pars. (a) to (c).

14          **SECTION 12.** 448.50 (5) of the statutes is created to read:

15          448.50 (5) “Sexual misconduct with a patient” means any of the following:

16          (a) Engaging in or soliciting a consensual or nonconsensual sexual relationship  
17          with a patient.

18          (b) Making sexual advances toward, requesting sexual favors from, or engaging  
19          in other verbal conduct or physical contact of a sexual nature with a patient.

20          (c) Intentionally viewing a completely or partially disrobed patient during the  
21          course of treatment if the viewing is not related to diagnosis or treatment.

22          **SECTION 13.** 448.50 (6) of the statutes is created to read:

23          448.50 (6) “Therapeutic intervention” means the purposeful and skilled  
24          interaction between a physical therapist, patient, and, if appropriate, individuals  
25          involved in the patient’s care, using physical therapy procedures or techniques that

**SENATE BILL**

1 are intended to produce changes in the patient's condition and that are consistent  
2 with diagnosis and prognosis.

3 **SECTION 14.** 448.51 (1) of the statutes is amended to read:

4 448.51 (1) Except as provided in s. 448.52, no person may practice physical  
5 therapy ~~or designate himself or herself as a physical therapist or use or assume the~~  
6 title "physical therapist" or "physiotherapist" or "physical therapy technician" or  
7 append to the person's name the letters "P.T.," "P.T.T." or "R.P.T." or any other title,  
8 letters or designation which represents or may tend to represent the person as a  
9 physical therapist unless the person is licensed as a physical therapist under this  
10 subchapter.

11 **SECTION 15.** 448.51 (1e) of the statutes is created to read:

12 448.51 (1e) No person may designate himself or herself as a physical therapist  
13 or use or assume the title "physical therapist," "physiotherapist," "physical therapy  
14 technician," "licensed physical therapist," "registered physical therapist," "master of  
15 physical therapy," "master of science in physical therapy," or "doctorate in physical  
16 therapy," or append to the person's name the letters "P.T.," "P.T.T.," "L.P.T.," "R.P.T.,"  
17 "M.P.T.," "M.S.P.T.," or "D.P.T.," or any other title, letters, or designation which  
18 represents or may tend to represent the person as a physical therapist, unless the  
19 person is licensed as a physical therapist under this subchapter.

20 **SECTION 16.** 448.51 (1m) of the statutes is created to read:

21 448.51 (1m) No business entity may use, in connection with the name of the  
22 business entity, a title specified in sub. (1e), append to the business entity's name the  
23 letters specified in sub. (1e), or advertise or represent that it provides physical  
24 therapy services, including billing of services that are labeled as physical therapy,

**SENATE BILL**

1 unless the physical therapy services provided by the business entity are provided by  
2 or under the direction of a physical therapist.

3 **SECTION 17.** 448.51 (1s) of the statutes is created to read:

4 448.51 (1s) No person may designate himself or herself as a physical therapist  
5 assistant, use or assume the title “physical therapist assistant,” or append to the  
6 person’s name the letters “P.T.A.” or any other title, letters, or designation that  
7 represents or may tend to represent the person as a physical therapist assistant  
8 unless the person is licensed as a physical therapist assistant under this subchapter.

9 **SECTION 18.** 448.51 (2) (a) of the statutes is amended to read:

10 448.51 (2) (a) In this subsection, “advertisement” includes advertisements that  
11 appear on outdoor signs, in print or electronic media, and in material mailed to a  
12 person other than a patient, client, or prospective patient or client who has requested  
13 the material.

14 **SECTION 19.** 448.51 (2) (b) of the statutes is amended to read:

15 448.51 (2) (b) Except as provided in par. (c), no person may claim to render  
16 physical therapy or physiotherapy services unless the person is licensed as a physical  
17 therapist under this subchapter.

18 **SECTION 20.** 448.52 (3) of the statutes is repealed.

19 **SECTION 21.** 448.52 (4) of the statutes is amended to read:

20 448.52 (4) A physical therapy student ~~practicing~~ assisting a physical therapist  
21 in the practice of physical therapy or a physical therapist assistant student assisting  
22 a physical therapist in performing physical therapy procedures and related tasks, if  
23 the assistance is within the scope of the student’s education or training.

24 **SECTION 22.** 448.527 of the statutes is created to read:

**SENATE BILL**

1           **448.527 Code of ethics.** The affiliated credentialing board shall promulgate  
2 rules establishing a code of ethics governing the professional conduct of physical  
3 therapists and physical therapist assistants.

4           **SECTION 23.** 448.53 (1) (f) of the statutes is created to read:

5           448.53 (1) (f) If the person was educated at a physical therapy school that is not  
6 in the United States, the person satisfies any additional requirements for  
7 demonstrating competence to practice physical therapy that the affiliated  
8 credentialing board may establish by rule.

9           **SECTION 24.** 448.535 of the statutes is created to read:

10           **448.535 Licensure of physical therapist assistants.** (1) The affiliated  
11 credentialing board shall grant a license as a physical therapist assistant to a person  
12 who does all of the following:

13           (a) Submits an application for the license to the department on a form provided  
14 by the department.

15           (b) Pays the fee specified in s. 440.05 (1).

16           (c) Subject to ss. 111.321, 111.322, and 111.335, submits evidence satisfactory  
17 to the affiliated credentialing board that the applicant does not have an arrest or  
18 conviction record.

19           (d) Submits evidence satisfactory to the affiliated credentialing board that the  
20 applicant is a graduate of a physical therapist assistant educational program  
21 accredited by an agency that is approved by the affiliated credentialing board.

22           (e) Passes an examination under s. 448.54.

23           (2) The affiliated credentialing board may waive a requirement under sub. (1)  
24 (d) or (e), or both, for an applicant who establishes to the satisfaction of the affiliated  
25 credentialing board that he or she is licensed as a physical therapist assistant by

**SENATE BILL**

1 another licensing jurisdiction in the United States. The affiliated credentialing  
2 board shall promulgate rules for granting a waiver under this subsection. The rules  
3 may require an applicant to satisfy additional requirements as a condition for  
4 granting a waiver.

5 **SECTION 25.** 448.54 (1) of the statutes is amended to read:

6 448.54 (1) The affiliated credentialing board shall conduct or arrange for  
7 examinations for physical therapist and physical therapist assistant licensure at  
8 least semiannually and at times and places determined by the affiliated  
9 credentialing board.

10 **SECTION 26.** 448.54 (2) of the statutes is renumbered 448.54 (2) (a) and  
11 amended to read:

12 448.54 (2) (a) Except as provided in sub. (3), examinations for physical  
13 therapist licensure shall consist of written or oral tests, or both, requiring applicants  
14 to demonstrate minimum competency in subjects substantially related to the  
15 practice of physical therapy.

16 **SECTION 27.** 448.54 (2) (b) of the statutes is created to read:

17 448.54 (2) (b) Examinations for physical therapist assistant licensure shall  
18 consist of written or oral tests, or both, requiring applicants to demonstrate  
19 minimum competency in the technical application of physical therapy services.

20 **SECTION 28.** 448.54 (3) of the statutes is amended to read:

21 448.54 (3) The Notwithstanding s. 448.53 (1) (f), the affiliated credentialing  
22 board may not require an applicant for physical therapist licensure to take an oral  
23 examination or an examination to test proficiency in the English language for the  
24 sole reason that the applicant was educated at a physical therapy school that is not

**SENATE BILL**

1 in the United States if the applicant establishes, to the satisfaction of the affiliated  
2 credentialing board, that he or she satisfies the requirements under s. 448.53 (3).

3 **SECTION 29.** 448.55 (2) of the statutes is amended to read:

4 448.55 (2) The renewal dates for licenses granted under this subchapter, other  
5 than temporary licenses granted under rules promulgated under s. 448.53 (2), are  
6 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
7 department on a form provided by the department and shall include the renewal fee  
8 specified in s. 440.08 (2) (a) and proof of compliance with the requirements  
9 established in any rules promulgated under sub. (3).

10 **SECTION 30.** 448.55 (3) of the statutes is created to read:

11 448.55 (3) The affiliated credentialing board shall promulgate rules that  
12 require an applicant for renewal of a license to demonstrate continued competence  
13 as a physical therapist or physical therapist assistant.

14 **SECTION 31.** 448.56 (1m) of the statutes is created to read:

15 448.56 (1m) DUTY TO REFER. (a) A physical therapist shall refer a patient to  
16 an appropriate health care practitioner if the physical therapist has reasonable  
17 cause to believe that symptoms or conditions are present that require services  
18 beyond the scope of the practice of physical therapy.

19 (b) The affiliated credentialing board shall promulgate rules establishing the  
20 requirements that a physical therapist must satisfy if a physician, chiropractor,  
21 dentist, or podiatrist makes a written referral under sub. (1). The purpose of the  
22 rules shall be to ensure continuity of care between the physical therapist and the  
23 health care practitioner.

24 **SECTION 32.** 448.56 (4) of the statutes is created to read:

**SENATE BILL**

1           448.56 (4) **RESPONSIBILITY.** A physical therapist is responsible for managing all  
2 aspects of the physical therapy care of each patient under his or her care.

3           **SECTION 33.** 448.56 (5) of the statutes is created to read:

4           448.56 (5) **PATIENT RECORDS.** A physical therapist shall create and maintain a  
5 patient record for every patient the physical therapist examines or treats.

6           **SECTION 34.** 448.56 (6) of the statutes is created to read:

7           448.56 (6) **PHYSICAL THERAPIST ASSISTANTS.** A physical therapist assistant may  
8 assist in the practice of physical therapy only under the direct or general supervision  
9 of a physical therapist. The affiliated credentialing board shall promulgate rules  
10 defining “direct or general supervision” for purposes of this subsection.

11          **SECTION 35.** 448.565 of the statutes is created to read:

12          **448.565 Complaints.** The affiliated credentialing board shall promulgate  
13 rules establishing procedures and requirements for filing complaints against  
14 licensees and shall publicize the procedures and requirements.

15          **SECTION 36.** 448.567 of the statutes is created to read:

16          **448.567 Performance audits.** The affiliated credentialing board shall  
17 promulgate rules that require the affiliated credentialing board on a periodic basis  
18 to conduct performance self-audits of its activities under this subchapter.

19          **SECTION 37.** 448.57 (2) (am) of the statutes is created to read:

20          448.57 (2) (am) Interfered with an investigation or disciplinary proceeding by  
21 using threats, harassment, or intentional misrepresentation of facts.

22          **SECTION 38.** 448.57 (2) (b) of the statutes is amended to read:

23          448.57 (2) (b) Subject to ss. 111.321, 111.322, and 111.335, been convicted of an  
24 offense the circumstances of which substantially relate to the practice of physical  
25 therapy or assisting in the practice of physical therapy.

**SENATE BILL**

1           **SECTION 39.** 448.57 (2) (bm) of the statutes is created to read:

2           448.57 (2) (bm) Been adjudicated mentally incompetent by a court.

3           **SECTION 40.** 448.57 (2) (e) of the statutes is amended to read:

4           448.57 (2) (e) Subject to ss. 111.321, 111.322, and 111.34, practiced or assisted  
5 in the practice of physical therapy while the applicant's or licensee's ability to  
6 practice or assist was impaired by alcohol or other drugs.

7           **SECTION 41.** 448.57 (2) (f) of the statutes is amended to read:

8           448.57 (2) (f) Engaged in unprofessional or unethical conduct in violation of the  
9 code of ethics established in the rules promulgated under s. 448.527.

10          **SECTION 42.** 448.57 (2) (fm) of the statutes is created to read:

11          448.57 (2) (fm) Engaged in sexual misconduct with a patient.

12          **SECTION 43.** 448.57 (2) (g) of the statutes is amended to read:

13          448.57 (2) (g) Engaged in conduct while practicing or assisting in the practice  
14 of physical therapy which evidences a lack of knowledge or ability to apply  
15 professional principles or skills.

16          **SECTION 44.** 448.57 (3) of the statutes is created to read:

17          448.57 (3) (a) A licensee may voluntarily surrender his or her license to the  
18 affiliated credentialing board, which may refuse to accept the surrender if the  
19 affiliated credentialing board has received allegations of unprofessional conduct  
20 against the licensee. The affiliated credentialing board may negotiate stipulations  
21 in consideration for accepting the surrender of licenses.

22          (b) The affiliated credentialing board may restore a license that has been  
23 voluntarily surrendered under par. (a) on such terms and conditions as it considers  
24 appropriate.

25          **SECTION 45.** 448.57 (4) of the statutes is created to read:

**SENATE BILL**

1           448.57 (4) The affiliated credentialing board shall prepare and disseminate to  
2 the public an annual report that describes final disciplinary action taken against  
3 licensees during the preceding year.

4           **SECTION 46.** 448.57 (5) of the statutes is created to read:

5           448.57 (5) The affiliated credentialing board may report final disciplinary  
6 action taken against a licensee to any national database that includes information  
7 about disciplinary action taken against health care professionals.

8           **SECTION 47.** 450.10 (3) (a) 5. of the statutes is amended to read:

9           450.10 (3) (a) 5. A physician, physician assistant, podiatrist, physical  
10 therapist, physical therapist assistant, occupational therapist, or occupational  
11 therapy assistant licensed under ch. 448.

12           **SECTION 48. Nonstatutory provisions.**

13           (1) **PHYSICAL THERAPIST ASSISTANT LICENSES.** Notwithstanding section 448.535  
14 (1) of the statutes, as created by this act, the physical therapists affiliated  
15 credentialing board shall grant a physical therapist assistant license under section  
16 448.535 (1) of the statutes, as created by this act, to an individual who, not later than  
17 the first day of the 24th month beginning after the effective date of this subsection,  
18 does all of the following:

19           (a) Pays the fee specified in section 440.05 (1) of the statutes.

20           (b) Subject to sections 111.321, 111.322, and 111.335 of the statutes, submits  
21 evidence satisfactory to the physical therapists affiliated credentialing board that he  
22 or she does not have an arrest or conviction record.

23           (c) Provides evidence satisfactory to the physical therapists affiliated  
24 credentialing board that he or she has graduated from an accredited physical  
25 therapist assistant program.



2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0750/3ins  
MDK:.....

1  
2  
3  
4  
5

✓  
INSERT 7-12:

SECTION 1. 448.50 (1r) of the statutes is created to read:

448.50 (1r) "Diagnosis" means the result of an evaluation of a condition or  
impairment by neuromusculoskeletal examination or study of its symptoms for the  
purpose of a therapeutic intervention. ✓

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0750/3dn

MDK:.....

*kmj*

Senators Chvala and Burke:

This version is identical to the previous version, except that it creates a definition for "diagnosis".

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0750/3dn  
MDK:kmg:rs

August 14, 2001

Senators Chvala and Burke:

This version is identical to the previous version, except that it creates a definition for "diagnosis."

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.state.wi.us](mailto:mark.kunkel@legis.state.wi.us)



September 27, 2001

Attorney Mark Kunkel  
Legislative Reference Bureau  
100 N. Hamilton Street  
P.O. Box 2037  
Madison, WI 53701-2037

Re: LRB 0750/3 – Physical Therapy

Dear Mr. Kunkel:

Enclosed please find a Letter of Mutual Understanding authored and signed by officials of the Wisconsin Physical Therapy Association and the State Medical Society of Wisconsin. This letter memorializes our intentions with respect to language jointly recommended, and now included in 2001 LRB 0750/3.

Please place this Letter of Mutual Understanding in the drafting file for LRB 0750/3 for future reference. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Jensen", with a long horizontal line extending to the right.

Eric Jensen, JD  
Director, State & Public Affairs

cc: Senator Brian Burke  
Representative John Gard  
Mr. Jim Tenuta



## HILBERT & TENUTA

### **Letter of Mutual Understanding Between the State Medical Society and the Wisconsin Physical Therapy Association submitted to the Legislative Drafting File, September, 2001.**

The intent of this letter is to indicate our mutual understanding, based on discussions and negotiations, of two issues relating to LRB No. 0750/3.

First, the phrase "mechanical, physiological, or developmental impairments, functional limitations, disabilities or other movement-related health conditions" does envision authority for Wisconsin Physical Therapists to provide care, within their scope of practice, for wounds, burns and lymphedema.

Second, for the purposes of Chapter 448.50-448.59, Stats., and the practice of physical therapy, and consistent with the Declaratory Ruling of December, 1981 by the Medical Examining Board, use of the word 'neuromusculoskeletal' in the definition of 'diagnosis' in 448.50 (1r) is not intended to grant authority to physical therapists to perform 'needle EMGs', nerve conduction studies, or other invasive electrodiagnostic procedures. This prohibition does not extend to the performance of 'surface EMGs' by physical therapists.

Sincerely,

John E. Patchett, JD  
Executive Vice President  
State Medical Society of Wisconsin

Susan Griffin  
Vice President  
Wisconsin Physical Therapy Association

WED  
10/10  
NOON

NOTE

# 2001 SENATE BILL

Sen. Cat

1 AN ACT to repeal 448.52 (3); to renumber and amend 448.50 (4) and 448.54  
2 (2); to amend 48.981 (2), 146.81 (1) (dg), 146.997 (1) (d) 4., 155.01 (7), 252.14  
3 (1) (ar) 4e., 448.51 (1), 448.51 (2) (a), 448.51 (2) (b), 448.52 (4), 448.54 (1), 448.54  
4 (3), 448.55 (2), 448.57 (2) (b), 448.57 (2) (e), 448.57 (2) (f), 448.57 (2) (g) and  
5 450.10 (3) (a) 5.; and to create 15.406 (1) (am), 440.08 (2) (a) 57m., 448.50 (1m),  
6 448.50 (1r), 448.50 (3m), 448.50 (4) (a) to (d), 448.50 (5), 448.50 (6), 448.51 (1e),  
7 448.51 (1m), 448.51 (1s), 448.527, 448.53 (1) (f), 448.535, 448.54 (2) (b), 448.55  
8 (3), 448.56 (1m), 448.56 (4), 448.56 (5), 448.56 (6), 448.565, 448.567, 448.57 (2)  
9 (am), 448.57 (2) (bm), 448.57 (2) (fm), 448.57 (3), 448.57 (4) and 448.57 (5) of the  
10 statutes; relating to: licensing of physical therapists and physical therapist  
11 assistants and granting rule-making authority.

**Analysis by the Legislative Reference Bureau**

This bill makes certain changes to the regulation of physical therapists and physical therapist assistants.

**SENATE BILL*****Physical therapists***

Under current law, with certain exceptions, a person may not practice physical therapy or designate that he or she is a physical therapist, unless the physical therapists affiliated credentialing board (board) has granted the person a physical therapist license. In addition, only a licensed physical therapist may use the title "physical therapist," "physiotherapist," or "physical therapy technician," or append to his or her name the letters "P. T.," "P. T. T.," or "R. P. T." Under this bill, the following additional titles may only be used by a licensed physical therapist: registered physical therapist; master of physical therapy; master of science in physical therapy; or doctorate in physical therapy. In addition, only a licensed physical therapist may append to his or her name the following additional letters: "M.P.T.," "M.S.P.T.," or "D.P.T."

The bill also prohibits a business from using any of the titles or letters specified under current law or under the bill unless the business provides physical therapy services that are provided by or under the direction of a licensed physical therapist. In addition, under the bill, a business may not advertise or represent that it provides physical therapy services, or bill for services that are labeled as physical therapy, unless the physical therapy services are provided by or under the direction of a licensed physical therapist.

Current law defines "physical therapy" as the branch or system of treating the sick that is limited to therapeutic exercises with or without assistive devices, and physical measures including heat, cold, air, water, light, sound, electricity, and massage. However, "physical therapy" does not include the use of roentgen rays and radium for any purpose, and the use of electricity for surgical purposes, including cauterization. This bill replaces the foregoing definition with one that defines "physical therapy" to mean any of the following:

1. Examining, evaluating, or testing individuals with mechanical, physiological, or developmental impairments, functional limitations, disabilities, or other movement-related health conditions, in order to determine a diagnosis, prognosis, or plan of therapeutic intervention or to assess the ongoing effects of intervention.

2. Alleviating impairments or functional limitations by instructing patients or designing, implementing, or modifying therapeutic interventions.

3. Reducing the risk of injury, impairment, functional limitation, or disability, including by promoting or maintaining fitness, health, or quality of life in all age populations.

4. Engaging in administration, consultation, or research that is related to any activity described above.

Current law also requires an applicant for a physical therapist license to satisfy certain requirements, including education and examination requirements. In addition, different requirements apply, depending on whether or not the applicant graduated from a physical therapy school approved by the board. Under this bill, the board is allowed to promulgate rules that require an applicant who graduated from a foreign physical therapy school to satisfy additional requirements for demonstrating competence to practice physical therapy. However, as under current

*physical movement or related to physical movement or mobility*

**SENATE BILL**

law, the board is not allowed to require an applicant to take an oral or English proficiency examination for the sole reason that the applicant graduated from a foreign physical therapy school, if the applicant satisfies the requirements under current law for an applicant who has not graduated from a school approved by the board.

Also under current law, with certain exceptions, a licensed physical therapist may practice physical therapy only upon the written referral of a physician, chiropractor, dentist, or podiatrist. This bill requires the board to promulgate rules establishing requirements that a physical therapist must satisfy if such a referral is made. The purpose of the rules is to ensure continuity of care. Also, the bill requires a physical therapist to refer a patient to an appropriate health care practitioner if the physical therapist has reasonable cause to believe that symptoms or conditions are present that require services that are beyond the scope of practice of physical therapy.

The bill also provides that a physical therapist is responsible for managing all aspects of the physical therapy care of each patient under his or her care. In addition, the bill requires a physical therapist to create and maintain a patient record for every patient that the physical therapist examines or treats.

***Physical therapist assistants***

Under current law, a “physical therapist assistant” is defined as a person who has graduated from a physical therapy assistant associate degree program approved by the American Physical Therapy Association. No license from the board is required for a physical therapist assistant to assist a physical therapist in practice, if the assistance is under the general supervision of the physical therapist. The board is required to promulgate rules that define what constitutes “general supervision.”

This bill eliminates the above provisions and prohibits a person from representing that he or she is a physical therapist assistant unless he or she is licensed by the board. In addition, the bill provides that only a licensed physical therapist assistant may append to his or her name the letters “P. T. A.”

To qualify for a physical therapy assistant license under the bill, a person must satisfy certain requirements, including graduating from a physical therapist assistant educational program that is accredited by an agency approved by the board. Also, the person must not have an arrest or conviction, the circumstances of which substantially relate to the activities of a physical therapist assistant. In addition, a person must pass an examination for demonstrating minimum competency in the technical application of physical therapy services.

A different examination requirement applies to certain persons who apply for a license before the bill goes into effect, which is 24 months after publication of the bill. Such a person may obtain a license if he or she passes an examination on state laws and administrative rules relating to physical therapy, instead of an examination on competency. Also, such a person must do the following: 1) submit letters of recommendation from two licensed physical therapists who have personal knowledge of the person’s assistance of a physical therapist in practice; and 2) show that, during at least two years of the five-year period immediately preceding the

**SENATE BILL**

publication of the bill, he or she was a physical therapist assistant, as defined under current law.

The bill also allows the board to grant a license to a person who is licensed as a physical therapist assistant in another jurisdiction of the United States. The board may waive the examination or graduation requirement, or both, for such a person. In addition, the board may promulgate rules that establish additional requirements that such a person must satisfy for a waiver.

The bill allows a licensed physical therapist assistant to assist in the practice of physical therapy only under the direct or general supervision of a physical therapist. The board is required to promulgate rules that define what constitutes "direct or general supervision." In addition, the bill allows the board to take disciplinary action, including suspending or revoking a license, if a physical therapist assistant engages in prohibited conduct.

The bill also does each of the following: 1) makes current law regarding the preservation, destruction, and confidentiality of patient health care records applicable to records of a physical therapist assistant; 2) includes a physical therapist assistant as a health care provider for the requirements under current law for powers of attorney for health care and for the prohibition under current law on discrimination related to acquired immunodeficiency syndrome; 3) requires a physical therapist assistant, like other professionals under current law, to make certain reports regarding abused or neglected children; 4) provides to physical therapist assistants the same protection from discipline under current law that is available to other health care providers who make certain reports regarding violations of law or clinical or ethical standards by health care facilities, health care providers, or employees of such facilities or providers; and 5) provides the same immunity that is available under current law to other health care professionals who make certain reports regarding violations of laws applicable to pharmacists or controlled substances.

***Other changes***

The bill also makes other changes, including each of the following:

1. The bill creates new grounds for disciplinary action by the board against physical therapists and physical therapist assistants, including engaging in sexual misconduct with a patient.

2. The bill allows the board to accept the voluntary surrender of a license when the board receives allegations of unprofessional conduct.

3. The bill requires the board to prepare an annual report on disciplinary action.

4. The bill requires the board to promulgate rules that do each of the following: a) establish a code of ethics for physical therapists and physical therapist assistants; b) establish procedures and requirements for filing complaints against physical therapists and physical therapist assistants; c) require the board to conduct periodic performance self-audits; and d) require a physical therapist or physical therapist assistant who applies to renew his or her license to demonstrate continued competence. Under current law, licenses must be renewed every two years.

**SENATE BILL**

5. Adds one physical therapist assistant member to the board. Under current law, the board has three physical therapist members and one public member.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 15.406 (1) (am) of the statutes is created to read:

2           15.406 (1) (am) One physical therapist assistant licensed under subch. III of  
3 ch. 448.

4           **SECTION 2.** 48.981 (2) of the statutes is amended to read:

5           48.981 (2) **PERSONS REQUIRED TO REPORT.** A physician, coroner, medical  
6 examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, other medical or  
7 mental health professional, social worker, marriage and family therapist,  
8 professional counselor, public assistance worker, including a financial and  
9 employment planner, as defined in s. 49.141 (1) (d), school teacher, administrator or  
10 counselor, mediator under s. 767.11, child care worker in a day care center or child  
11 caring institution, day care provider, alcohol or other drug abuse counselor, member  
12 of the treatment staff employed by or working under contract with a county  
13 department under s. 46.23, 51.42, or 51.437, physical therapist, physical therapist  
14 assistant, occupational therapist, dietitian, speech-language pathologist,  
15 audiologist, emergency medical technician, first responder or police or law  
16 enforcement officer having reasonable cause to suspect that a child seen in the course  
17 of professional duties has been abused or neglected or having reason to believe that  
18 a child seen in the course of professional duties has been threatened with abuse or  
19 neglect and that abuse or neglect of the child will occur shall, except as provided  
20 under sub. (2m), report as provided in sub. (3). A court-appointed special advocate

**SENATE BILL**

1 having reasonable cause to suspect that a child seen in the course of the  
2 court-appointed special advocate's activities under s. 48.236 (3) has been abused or  
3 neglected or having reason to believe that a child seen in the course of those activities  
4 has been threatened with abuse and neglect and that abuse or neglect of the child  
5 will occur shall, except as provided in sub. (2m), report as provided in sub. (3). Any  
6 other person, including an attorney, having reason to suspect that a child has been  
7 abused or neglected or reason to believe that a child has been threatened with abuse  
8 or neglect and that abuse or neglect of the child will occur may make such a report.  
9 Any person, including an attorney, having reason to suspect that an unborn child has  
10 been abused or reason to believe that an unborn child is at substantial risk of abuse  
11 may report as provided in sub. (3). No person making a report under this subsection  
12 may be discharged from employment for so doing.

13 **SECTION 3.** 146.81 (1) (dg) of the statutes is amended to read:

14 146.81 (1) (dg) A physical therapist or physical therapist assistant licensed  
15 under subch. III of ch. 448.

16 **SECTION 4.** 146.997 (1) (d) 4. of the statutes is amended to read:

17 146.997 (1) (d) 4. A physician, podiatrist ~~or~~, physical therapist, or physical  
18 therapist assistant licensed under ch. 448.

19 **SECTION 5.** 155.01 (7) of the statutes is amended to read:

20 155.01 (7) "Health care provider" means a nurse licensed or permitted under  
21 ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a  
22 physician, physician assistant, podiatrist, physical therapist, physical therapist  
23 assistant, occupational therapist, or occupational therapy assistant licensed under  
24 ch. 448, a person practicing Christian Science treatment, an optometrist licensed  
25 under ch. 449, a psychologist licensed under ch. 455, a partnership thereof, a

**SENATE BILL**

1 corporation or limited liability company thereof that provides health care services,  
2 an operational cooperative sickness care plan organized under ss. 185.981 to 185.985  
3 that directly provides services through salaried employees in its own facility, or a  
4 home health agency, as defined in s. 50.49 (1) (a).

5 **SECTION 6.** 252.14 (1) (ar) 4e. of the statutes is amended to read:

6 252.14 (1) (ar) 4e. A physical therapist or physical therapist assistant licensed  
7 under subch. III of ch. 448.

8 **SECTION 7.** 440.08 (2) (a) 57m. of the statutes is created to read:

9 440.08 (2) (a) 57m. Physical therapist assistant: November 1 of each  
10 odd-numbered year; \$44.

11 **SECTION 8.** 448.50 (1m) of the statutes is created to read:

12 448.50 (1m) “Business entity” has the meaning given in s. 452.01 (3j).

13 **SECTION 9.** 448.50 (1r) of the statutes is created to read:

14 448.50 (1r) “Diagnosis” means the result of an evaluation of a condition or  
15 impairment by neuromusculoskeletal examination or study of its symptoms for the  
16 purpose of a therapeutic intervention.

17 **SECTION 10.** 448.50 (3m) of the statutes is created to read:

18 448.50 (3m) “Physical therapist assistant” means an individual who holds a  
19 license as a physical therapist assistant granted by the affiliated credentialing  
20 board.

21 **SECTION 11.** 448.50 (4) of the statutes is renumbered 448.50 (4) (intro.) and  
22 amended to read:

23 448.50 (4) (intro.) “Physical therapy” means ~~that branch or system of treating~~  
24 ~~the sick which is limited to therapeutic exercises with or without assistive devices,~~  
25 ~~and physical measures including heat and cold, air, water, light, sound, electricity~~

SENATE BILL

*related to physical movement and mobility*

1 ~~and massage; and physical testing and evaluation. The use of roentgen rays and~~  
2 ~~radium for any purpose, and the use of electricity for surgical purposes including~~  
3 ~~cauterization, are not part of physical therapy. any of the following:~~

4 SECTION 12. 448.50 (4) (a) to (d) of the statutes are created to read:

5 448.50 (4) (a) Examining, evaluating, or testing individuals with mechanical,  
6 physiological, or developmental impairments, functional limitations, disabilities, or  
7 other movement-related health conditions, in order to determine a diagnosis,  
8 prognosis, or plan of therapeutic intervention or to assess the ongoing effects of  
9 intervention. In this paragraph, "testing" means using standardized methods or  
10 techniques for gathering data about a patient.

11 (b) Alleviating impairments or functional limitations by instructing patients  
12 or designing, implementing, or modifying therapeutic interventions.

13 (c) Reducing the risk of injury, impairment, functional limitation, or disability,  
14 including by promoting or maintaining fitness, health, or quality of life in all age  
15 populations.

16 (d) Engaging in administration, consultation, or research that is related to any  
17 activity specified in pars. (a) to (c).

18 SECTION 13. 448.50 (5) of the statutes is created to read:

19 448.50 (5) "Sexual misconduct with a patient" means any of the following:

20 (a) Engaging in or soliciting a consensual or nonconsensual sexual relationship  
21 with a patient.

22 (b) Making sexual advances toward, requesting sexual favors from, or engaging  
23 in other verbal conduct or physical contact of a sexual nature with a patient.

24 (c) Intentionally viewing a completely or partially disrobed patient during the  
25 course of treatment if the viewing is not related to diagnosis or treatment.

**SENATE BILL**

1           **SECTION 14.** 448.50 (6) of the statutes is created to read:

2           448.50 (6) “Therapeutic intervention” means the purposeful and skilled  
3 interaction between a physical therapist, patient, and, if appropriate, individuals  
4 involved in the patient’s care, using physical therapy procedures or techniques that  
5 are intended to produce changes in the patient’s condition and that are consistent  
6 with diagnosis and prognosis.

7           **SECTION 15.** 448.51 (1) of the statutes is amended to read:

8           448.51 (1) Except as provided in s. 448.52, no person may practice physical  
9 therapy ~~or designate himself or herself as a physical therapist or use or assume the~~  
10 ~~title “physical therapist” or “physiotherapist” or “physical therapy technician” or~~  
11 ~~append to the person’s name the letters “P.T.,” “P.T.T.” or “R.P.T.” or any other title,~~  
12 ~~letters or designation which represents or may tend to represent the person as a~~  
13 ~~physical therapist unless the person is licensed as a physical therapist under this~~  
14 subchapter.

15           **SECTION 16.** 448.51 (1e) of the statutes is created to read:

16           448.51 (1e) No person may designate himself or herself as a physical therapist  
17 or use or assume the title “physical therapist,” “physiotherapist,” “physical therapy  
18 technician,” “licensed physical therapist,” “registered physical therapist,” “master of  
19 physical therapy,” “master of science in physical therapy,” or “doctorate in physical  
20 therapy,” or append to the person’s name the letters “P.T.,” “P.T.T.,” “L.P.T.,” “R.P.T.,”  
21 “M.P.T.,” “M.S.P.T.,” or “D.P.T.,” or any other title, letters, or designation which  
22 represents or may tend to represent the person as a physical therapist, unless the  
23 person is licensed as a physical therapist under this subchapter.

24           **SECTION 17.** 448.51 (1m) of the statutes is created to read:

## SENATE BILL

1 448.51 (1m) No business entity may use, in connection with the name of the  
2 business entity, a title specified in sub. (1e), append to the business entity's name the  
3 letters specified in sub. (1e), or advertise or represent that it provides physical  
4 therapy services, including billing of services that are labeled as physical therapy,  
5 unless the physical therapy services provided by the business entity are provided by  
6 or under the direction of a physical therapist.

7 SECTION 18. 448.51 (1s) of the statutes is created to read:

8 448.51 (1s) No person may designate himself or herself as a physical therapist  
9 assistant, use or assume the title "physical therapist assistant," or append to the  
10 person's name the letters "P.T.A." or any other title, letters, or designation that  
11 represents or may tend to represent the person as a physical therapist assistant  
12 unless the person is licensed as a physical therapist assistant under this subchapter.

13 SECTION 19. 448.51 (2) (a) of the statutes is amended to read:

14 448.51 (2) (a) In this subsection, "advertisement" includes advertisements that  
15 appear on outdoor signs, in print or electronic media, and in material mailed to a  
16 person other than a patient, client, or prospective patient or client who has requested  
17 the material.

18 SECTION 20. 448.51 (2) (b) of the statutes is amended to read:

19 448.51 (2) (b) Except as provided in par. (c), no person may claim to render  
20 physical therapy or physiotherapy services unless the person is licensed as a physical  
21 therapist under this subchapter.

22 SECTION 21. 448.52 (3) of the statutes is repealed.

23 SECTION 22. 448.52 (4) of the statutes is amended to read:

24 448.52 (4) A physical therapy student practicing assisting a physical therapist  
25 in the practice of physical therapy or a physical therapist assistant student assisting

**SENATE BILL**

1 a physical therapist in performing physical therapy procedures and related tasks, if  
2 the assistance is within the scope of the student's education or training.

3 **SECTION 23.** 448.527 of the statutes is created to read:

4 **448.527 Code of ethics.** The affiliated credentialing board shall promulgate  
5 rules establishing a code of ethics governing the professional conduct of physical  
6 therapists and physical therapist assistants.

7 **SECTION 24.** 448.53 (1) (f) of the statutes is created to read:

8 448.53 (1) (f) If the person was educated at a physical therapy school that is not  
9 in the United States, the person satisfies any additional requirements for  
10 demonstrating competence to practice physical therapy that the affiliated  
11 credentialing board may establish by rule.

12 **SECTION 25.** 448.535 of the statutes is created to read:

13 **448.535 Licensure of physical therapist assistants.** (1) The affiliated  
14 credentialing board shall grant a license as a physical therapist assistant to a person  
15 who does all of the following:

16 (a) Submits an application for the license to the department on a form provided  
17 by the department.

18 (b) Pays the fee specified in s. 440.05 (1).

19 (c) Subject to ss. 111.321, 111.322, and 111.335, submits evidence satisfactory  
20 to the affiliated credentialing board that the applicant does not have an arrest or  
21 conviction record.

22 (d) Submits evidence satisfactory to the affiliated credentialing board that the  
23 applicant is a graduate of a physical therapist assistant educational program  
24 accredited by an agency that is approved by the affiliated credentialing board.

25 (e) Passes an examination under s. 448.54.

**SENATE BILL**

1           (2) The affiliated credentialing board may waive a requirement under sub. (1)  
2 (d) or (e), or both, for an applicant who establishes to the satisfaction of the affiliated  
3 credentialing board that he or she is licensed as a physical therapist assistant by  
4 another licensing jurisdiction in the United States. The affiliated credentialing  
5 board shall promulgate rules for granting a waiver under this subsection. The rules  
6 may require an applicant to satisfy additional requirements as a condition for  
7 granting a waiver.

8           **SECTION 26.** 448.54 (1) of the statutes is amended to read:

9           448.54 (1) The affiliated credentialing board shall conduct or arrange for  
10 examinations for physical therapist and physical therapist assistant licensure at  
11 least semiannually and at times and places determined by the affiliated  
12 credentialing board.

13           **SECTION 27.** 448.54 (2) of the statutes is renumbered 448.54 (2) (a) and  
14 amended to read:

15           448.54 (2) (a) Except as provided in sub. (3), examinations for physical  
16 therapist licensure shall consist of written or oral tests, or both, requiring applicants  
17 to demonstrate minimum competency in subjects substantially related to the  
18 practice of physical therapy.

19           **SECTION 28.** 448.54 (2) (b) of the statutes is created to read:

20           448.54 (2) (b) Examinations for physical therapist assistant licensure shall  
21 consist of written or oral tests, or both, requiring applicants to demonstrate  
22 minimum competency in the technical application of physical therapy services.

23           **SECTION 29.** 448.54 (3) of the statutes is amended to read:

24           448.54 (3) The Notwithstanding s. 448.53 (1) (f), the affiliated credentialing  
25 board may not require an applicant for physical therapist licensure to take an oral

**SENATE BILL**

1 examination or an examination to test proficiency in the English language for the  
2 sole reason that the applicant was educated at a physical therapy school that is not  
3 in the United States if the applicant establishes, to the satisfaction of the affiliated  
4 credentialing board, that he or she satisfies the requirements under s. 448.53 (3).

5 **SECTION 30.** 448.55 (2) of the statutes is amended to read:

6 448.55 (2) The renewal dates for licenses granted under this subchapter, other  
7 than temporary licenses granted under rules promulgated under s. 448.53 (2), are  
8 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
9 department on a form provided by the department and shall include the renewal fee  
10 specified in s. 440.08 (2) (a) and proof of compliance with the requirements  
11 established in any rules promulgated under sub. (3).

12 **SECTION 31.** 448.55 (3) of the statutes is created to read:

13 448.55 (3) The affiliated credentialing board shall promulgate rules that  
14 require an applicant for renewal of a license to demonstrate continued competence  
15 as a physical therapist or physical therapist assistant.

16 **SECTION 32.** 448.56 (1m) of the statutes is created to read:

17 448.56 (1m) DUTY TO REFER. (a) A physical therapist shall refer a patient to  
18 an appropriate health care practitioner if the physical therapist has reasonable  
19 cause to believe that symptoms or conditions are present that require services  
20 beyond the scope of the practice of physical therapy.

21 (b) The affiliated credentialing board shall promulgate rules establishing the  
22 requirements that a physical therapist must satisfy if a physician, chiropractor,  
23 dentist, or podiatrist makes a written referral under sub. (1). The purpose of the  
24 rules shall be to ensure continuity of care between the physical therapist and the  
25 health care practitioner.

**SENATE BILL**

1           **SECTION 33.** 448.56 (4) of the statutes is created to read:

2           448.56 (4) **RESPONSIBILITY.** A physical therapist is responsible for managing all  
3 aspects of the physical therapy care of each patient under his or her care.

4           **SECTION 34.** 448.56 (5) of the statutes is created to read:

5           448.56 (5) **PATIENT RECORDS.** A physical therapist shall create and maintain a  
6 patient record for every patient the physical therapist examines or treats.

7           **SECTION 35.** 448.56 (6) of the statutes is created to read:

8           448.56 (6) **PHYSICAL THERAPIST ASSISTANTS.** A physical therapist assistant may  
9 assist in the practice of physical therapy only under the direct or general supervision  
10 of a physical therapist. The affiliated credentialing board shall promulgate rules  
11 defining “direct or general supervision” for purposes of this subsection.

12           **SECTION 36.** 448.565 of the statutes is created to read:

13           **448.565 Complaints.** The affiliated credentialing board shall promulgate  
14 rules establishing procedures and requirements for filing complaints against  
15 licensees and shall publicize the procedures and requirements.

16           **SECTION 37.** 448.567 of the statutes is created to read:

17           **448.567 Performance audits.** The affiliated credentialing board shall  
18 promulgate rules that require the affiliated credentialing board on a periodic basis  
19 to conduct performance self-audits of its activities under this subchapter.

20           **SECTION 38.** 448.57 (2) (am) of the statutes is created to read:

21           448.57 (2) (am) **Interfered with an investigation or disciplinary proceeding by**  
22 **using threats, harassment, or intentional misrepresentation of facts.**

23           **SECTION 39.** 448.57 (2) (b) of the statutes is amended to read:

**SENATE BILL**

1           448.57 (2) (b) Subject to ss. 111.321, 111.322, and 111.335, been convicted of an  
2 offense the circumstances of which substantially relate to the practice of physical  
3 therapy or assisting in the practice of physical therapy.

4           **SECTION 40.** 448.57 (2) (bm) of the statutes is created to read:

5           448.57 (2) (bm) Been adjudicated mentally incompetent by a court.

6           **SECTION 41.** 448.57 (2) (e) of the statutes is amended to read:

7           448.57 (2) (e) Subject to ss. 111.321, 111.322, and 111.34, practiced or assisted  
8 in the practice of physical therapy while the applicant's or licensee's ability to  
9 practice or assist was impaired by alcohol or other drugs.

10          **SECTION 42.** 448.57 (2) (f) of the statutes is amended to read:

11          448.57 (2) (f) Engaged in unprofessional or unethical conduct in violation of the  
12 code of ethics established in the rules promulgated under s. 448.527.

13          **SECTION 43.** 448.57 (2) (fm) of the statutes is created to read:

14          448.57 (2) (fm) Engaged in sexual misconduct with a patient.

15          **SECTION 44.** 448.57 (2) (g) of the statutes is amended to read:

16          448.57 (2) (g) Engaged in conduct while practicing or assisting in the practice  
17 of physical therapy which evidences a lack of knowledge or ability to apply  
18 professional principles or skills.

19          **SECTION 45.** 448.57 (3) of the statutes is created to read:

20          448.57 (3) (a) A licensee may voluntarily surrender his or her license to the  
21 affiliated credentialing board, which may refuse to accept the surrender if the  
22 affiliated credentialing board has received allegations of unprofessional conduct  
23 against the licensee. The affiliated credentialing board may negotiate stipulations  
24 in consideration for accepting the surrender of licenses.

**SENATE BILL**

1 (b) The affiliated credentialing board may restore a license that has been  
2 voluntarily surrendered under par. (a) on such terms and conditions as it considers  
3 appropriate.

4 **SECTION 46.** 448.57 (4) of the statutes is created to read:

5 448.57 (4) The affiliated credentialing board shall prepare and disseminate to  
6 the public an annual report that describes final disciplinary action taken against  
7 licensees during the preceding year.

8 **SECTION 47.** 448.57 (5) of the statutes is created to read:

9 448.57 (5) The affiliated credentialing board may report final disciplinary  
10 action taken against a licensee to any national database that includes information  
11 about disciplinary action taken against health care professionals.

12 **SECTION 48.** 450.10 (3) (a) 5. of the statutes is amended to read:

13 450.10 (3) (a) 5. A physician, physician assistant, podiatrist, physical  
14 therapist, physical therapist assistant, occupational therapist, or occupational  
15 therapy assistant licensed under ch. 448.

16 **SECTION 49. Nonstatutory provisions.**

17 (1) PHYSICAL THERAPIST ASSISTANT LICENSES. Notwithstanding section 448.535  
18 (1) of the statutes, as created by this act, the physical therapists affiliated  
19 credentialing board shall grant a physical therapist assistant license under section  
20 448.535 (1) of the statutes, as created by this act, to an individual who, not later than  
21 the first day of the 24th month beginning after the effective date of this subsection,  
22 does all of the following:

23 (a) Pays the fee specified in section 440.05 (1) of the statutes.

**SENATE BILL**

1           (b) Subject to sections 111.321, 111.322, and 111.335 of the statutes, submits  
2 evidence satisfactory to the physical therapists affiliated credentialing board that he  
3 or she does not have an arrest or conviction record.

4           (c) Provides evidence satisfactory to the physical therapists affiliated  
5 credentialing board that he or she has graduated from an accredited physical  
6 therapist assistant program.

7           (d) Provides evidence satisfactory to the physical therapists affiliated  
8 credentialing board that, during at least 2 years of the 5-year period immediately  
9 preceding the effective date of this paragraph, he or she was a physical therapist  
10 assistant, as defined in section 448.52 (3), 1999 stats., assisting a physical therapist  
11 in practice under the general supervision of a physical therapist as specified in the  
12 rules promulgated under section 448.52 (3), 1999 stats.

13           (e) Passes an examination conducted or arranged by the physical therapists  
14 affiliated credentialing board, on state laws and administrative rules relating to  
15 physical therapy.

16           (f) Submits letters of recommendation from 2 physical therapists licensed  
17 under subchapter III of chapter 448 of the statutes who have personal knowledge of  
18 the individual's activities in assisting a physical therapist in practice.

19           (2) INITIAL PHYSICAL THERAPIST ASSISTANT MEMBER. Notwithstanding the length  
20 of term specified in section 15.406 (1) (intro.) of the statutes, the initial term of the  
21 physical therapist assistant member of the physical therapists affiliated  
22 credentialing board appointed under section 15.406 (1) (am) of the statutes, as  
23 created by this act, shall expire on July 1, 2007.

24           **SECTION 50. Effective dates.** This act takes effect on the first day of the 24th  
25 month beginning after publication, except as follows:



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0750/4dn

MDK:.....

*King*

Senators Chvala and Burke:

This version is identical to the previous version, except for a change to the definition of "physical therapy" and the elimination of proposed s. 448.51 (1m).

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.state.wi.us](mailto:mark.kunkel@legis.state.wi.us)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0750/4dn  
MDK:kmg:pg

October 10, 2001

Senators Chvala and Burke:

This version is identical to the previous version, except for a change to the definition of "physical therapy" and the elimination of proposed s. 448.51 (1m).

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.state.wi.us](mailto:mark.kunkel@legis.state.wi.us)