

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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MDK:kmg:jf

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Representative Gard:

Note that the definitions of “diagnosis” and “physical therapy” have the following logical problem. “Physical therapy” is defined to include doing things to determine a “diagnosis,” which is defined, in part, as using the techniques and science of “physical therapy.” As a result, the definition of the term “physical therapy” uses the same term that it attempts to define. However, there is precedent in other professional licensing statutes for using definitions in this manner. For example, “dentistry” is defined, in part, as using dental science and “practice of chiropractic” is defined, in part, as using the principles or techniques of chiropractic science. See ss. 446.01 (2) (b) and 447.01 (8) (a), stats.

Also note that, in the definition of “diagnosis,” I don’t think it’s necessary to specify that it is made by a physical therapist. I think that idea is clear in the context of the definition of “physical therapy.”

Finally, I drafted this as a simple amendment. Do you also want a substitute amendment that makes the same changes?

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