

**STATE REPRESENTATIVE NETWORK, SPTS**  
2018 – 1st quarter report

The following is an overview of the information collected by the State Representative Network. The states not listed do not currently have a State Representative to the SPTS. If you are interested in serving as a State Representative for the Section, please contact Greg Alnwick at [galnwick@ne.rr.com](mailto:galnwick@ne.rr.com) or (603) 466-5972.

Arkansas	Delaware	New Mexico	South Carolina
Vermont	West Virginia		

I'd like to also welcome and say a special thank you to our newest members, Corey Snyder (Michigan), Jaynie Bjornaraa (Minnesota) and Garrett Holle (Kansas). Your time is greatly appreciated.

**ALABAMA – Representative: Andrea Johnson**

- Nothing to report.

**ALASKA – Representative: Rebecca Byerley**

- There has been a change to the Worker's Compensation Medical Fee Schedule. Physical therapists practicing outside of hospitals or ambulatory surgery centers have a different fee schedule than hospitals or physicians.
- The maximum allowable reimbursement for medical services provided by other providers, other than physicians, hospitals, outpatient clinics, or ambulatory surgical centers, is the lowest of 85% of the billed charges.
- This change is affecting the reimbursement rates of the physical therapists in private practice who are not associated with a hospital or physician practice eg: POPTS.
- Alaska Chapter members and elected individuals to the Alaska Physical Therapy Association's Board have spoken and attended meetings on behalf of this change to question the rationale of the reimbursement change and to offer suggestions/recommendations.
- At this time (March 2018), no changes have been made for equitable reimbursement for physical therapists in privately owned physical therapy clinics.

**ARIZONA – Representative: John Heick**

- H2089: Interscholastic Activities; Health Dangers; Information: This bill has been referred to the Senate Education committee and is as follows: School districts policies and procedures relating to the health and safety of students participating in district-sponsored athletic activities must include guidelines, information and forms that are developed in consultation with a statewide private entity that supervises interscholastic activities to inform and educate coaches, students and parents of the dangers of heat-related illnesses, sudden cardiac death and prescription opioid use. Before a student participates in an athletic activity and at least once each school year, the student and his/her parent or guardian is required to sign an information form on these risks.
- H2088: Pupils; Concussions; Parental notification: This bill has been referred to the Senate Education Committee and is as follows: School districts policies and procedures relating to the health and safety of students participating in district-sponsored athletic activities must include a requirement that a student's parent or guardian be notified if the student is suspected of sustaining a concussion in a practice session, game or other interscholastic athletic activity.
- HB 2252 Concussions: Was not heard in the House Education Committee.
- Rep Carter hosted a stakeholder meeting with us, Dr. Cardenas of the AIA Medical Advisory Committee, and lobbyists from PAs, Chiropractic, and Nurses. We made our case for inclusion of PTs in the current return to

play definition. AIA objects as they see us more as treating therapists, not assessing therapists, not in our scope of practice. They want to maintain the status quo. PAs and Nursing seemed OK with our inclusion. Chiropractic wants to include sports chiropractic. We will counter with some additional information on PT education, compared to PA, NP, and ATC. We will provide info on PT assessment of neurological conditions from the Guide to PT Practice. We will amend another AIA bill in the Senate Education Committee to include our concussion language. We have some support from rural PTs that will help us with Sen Allen, chair of that committee.

#### ARKANSAS – Representative: VACANT

- No report submitted.

#### CALIFORNIA--Representative: Andrew Saldivar

- Nothing to report.

#### COLORADO – Representative: Brian Briggs

- January 10, 2018: [HB 18-1155](#), the bill that continues the regulation of Physical Therapists (PTs) and Physical Therapist Assistants (PTAs) by the Dept. of Regulatory Agencies (DORA), has been introduced in the State Legislature with strong support by the APTA/Colorado Chapter.
- The bill is based on the “[2017 Sunset Review: Physical Therapy Practice Act Report](#)” that was researched and written in 2017 by the Colorado Office of Policy, Research and Regulatory Reform and released on October 15<sup>th</sup>.
  - Continues the licensure of PTs and certification of PTAs.
  - Clarifies that a PT may establish a physical therapy diagnosis within the PT scope of practice.
  - Changes “immediate supervision” to “direct supervision” to be consistent throughout statute and remove confusion.
  - Adds PTAs to the list of individuals to whom a PT provides oversight.
  - Modernizes the legislative declaration language to reflect best practice.
  - Makes technical changes to allow Colorado to enter the PT Compact (HB 17-1057).
  - Rotates off a PT and replaces with a PTA on the Board of Physical Therapy at DORA.
  - Simplifies continuing competency for PTs.
  - Adds continuing competency for PTAs, and Clarifies that PTAs can do limited wound care without sharp instruments and only PTs can perform limited wound care with sharp instruments.
- January 9, 2018: The Colorado State Physical Therapy Board recently defeated a lawsuit filed by two acupuncture organizations challenging Physical Therapy Board Rule 211 and physical therapists’ ability to perform dry needling. The Court’s ruling in the PT Board’s favor was significant in that it declared that the Board acted within its statutory authority in allowing physical therapists to perform dry needling. Judge Bruce A. Jones held that "there is sufficient elasticity in the [Physical Therapy Practice] Act's definition of physical therapy to encompass dry needling."

#### CONNECTICUT--Representative: Peg Grey

- Nothing to report.

#### DELAWARE – Representative: VACANT

- No report submitted.

#### DISTRICT OF COLUMBIA- Representative: Tim Vidale

- No report submitted.

#### FLORIDA – Representative: Patrick Pabian

- No report submitted.

## GEORGIA – Representative: Ross Brakeville

- Due to the issue of high co-pays restricting patient access to PT in the state of Georgia, the Physical Therapy Association of Georgia has, once again, proposed a bill “Fair Co-Pays for Physical Therapy”. SB 164, sponsored by Fran Millar, is currently under debate with objective of passing this session.
- SB 164 seeks to prohibit a health insurer from charging co-payments for PT that is greater than that of a primary care physician. Benefits include: save money by reducing out-of-pocket medical expenses, allow greater compliance with the plan of care leading to improved outcomes, less downstream health care costs for insurers and provide a safe alternative for use of prescribed opioids.

## HAWAII – Representative: Ryan Moore

- Nothing to report.

## IDAHO – Representative: Kyle Sela

- Idaho HB 505, one of IPTA’s legislative priorities, has been passed by the Idaho House, and will be considered in the Senate Health and Welfare Committee on Monday, March 5th. This bill would allow Idaho PT's to practice dry needling if passed.

## ILLINOIS – Representative: Anne Bierman

- Direct Access legislation – HB 4643 was just submitted in early February, essentially amending the Practice Act to remove language requiring a diagnosis to be substantiated by a physician. Wednesday, February 7<sup>th</sup> was Lobby Day, and several IPTA members were in Springfield gathering support for this great legislation.
- Physical Therapy Licensure Compact – Illinois plans to be one of the first 10 states to adopt this compact (filed in the House by Representative Dan Burke in late January), which would allow PTs and PTAs to practice in any state that is also a part of the compact without having to obtain licenses in each of those states.
- Fair PT Co-Pays – Senator Martin Sandoval re-introduced this bill, which has been an uphill battle in Illinois and other states. It is waiting for assignment to the Insurance Committee
- Events: ReVitalize 2018 is being planned for April 13-14, 2018.

## INDIANA- Representative: Shane Sommers

- Nothing to report.

## IOWA – Representative: Shane McClinton

- Despite the snowy conditions, more than 60 IPTA members and students attended the IPTA Lobby day February 6<sup>th</sup>, 2018 at the Iowa State Capital. Participants attended the morning education session at the Iowa Legislature and then spend the rest of the day meeting with legislators at the Capitol.
- The licensing compact bill (HF 2296) passed the House State Government Committee on February 15<sup>th</sup>. The bill received unanimous approval from the committee. Rep. Kevin Koester (R-Ankeny) is the floor manager. The bill will need to pass the full House and the Senate State Government Committee by March 16th to remain alive. Past IPTA President, Steve Cassabaum attended the subcommittee hearing on Wednesday along with IPTA lobbyists Matt Eide and Kate Walton.
- HF 2006, concussion legislation pertaining to brain injuries and high school athletes, passed the House Education Committee this week. Physical therapists are included as a "licensed health care professional" that can remove an athlete from activities if he/she observes signs, symptoms or behaviors consistent with a concussion or brain injury.
- The IPTA Spring Conference registration is now open! The conference will be held April 19-21 at Des Moines University. More information is available at:<http://www.cvent.com/events/2018-ipta-spring-conference/event-summary-f54906408e0f49249aef3411ab6e8cb6.aspx>

## KANSAS – Representative: Garrett Holle

- Nothing to report.

## KENTUCKY – Representative: Chris Sharrock

- Nothing to report.

## LOUISIANA - Representative: Christian Coulon

- Nothing to report.

## MAINE- Representative: Hollan Oliver

- Nothing to report.

## MARYLAND – Representative: Michael Zarro

- New dry needling regulations will go in to effect June 19, 2018. Regulations to include minimum education and training requirements and standards of practice. Full regulations listed here: <http://www.dsd.state.md.us/comar/SubtitleSearch.aspx?search=10.38.12.%2a>
- APTA of MD Advocacy Day at Maryland State Legislature February 14, 2018.
- Opposing Athletic Trainers Act – Revised. New proposal will expand scope of practice beyond athletic injuries to all injuries and illness.
- Supporting Daily Physical Activity (Student Health and Fitness). Requires public elementary schools to provide 150 minutes of physical activity per week.
- Opposing Protective Headgear Requirement for Motorcycle Riders – Exception; This bill allows for individuals to elect not to wear a helmet under certain conditions.
- APTA of MD Mini CSM at Howard Community College, March 24, 2019.
- Maryland Board of Physical Therapy Examiners Open Meeting, February 20, 2018.

## MASSACHUSETTS- Representative: Malia Koppin

- APTA on the Hill April 26
- MAPTA Election results: 12.5.2017
  - Chapter Secretary: Maegen Brady
  - Central District Chief Assembly Rep: Eric Folmar
  - Southern Metro Chief Assembly Rep: Maureen Bass
  - Nominating Committee: Patricia Healy
  - Delegate at Large: George Coggeshall and Sara Knox
  - North Metro District Delegate: Jane Baldwin
  - Southeastern District Delegate: Sharon Solomon
  - Western District Delegate: Renae Gorman
  - Assembly Reps and SIG leaders will be updated on the website in the next few weeks.
- Legislative Agenda for 2017-18:
- Support:
  - H.2972 (Rep. David M. Nagle) An Act Relative to pediatric plans of care. Would improve PT care to children with disabilities by authorizing all treatments within the plan of care.
  - H.2165 (Rep. Carolyn C. Dykema) An Act ensuring consumer choice of health care providers. Would ensure that patients maintain the right to choose their providers by stating that insurance carriers or ACO's cannot obstruct patient choice of health care providers if the provider is licensed, located in the geographic coverage of the health benefit plan.
  - S.310 (Sen. Michael Rush) An Act relative to student safety in interscholastic athletic activities. Would require that a licensed athletic trainer be employed by a superintendent or school committee at every high school in the commonwealth offering interscholastic athletic activities.
- Oppose:
  - S.1263 (Sen. Michael F. Rush) & H.1142 (Rep. Edward Coppinger) An Act relative to the practice of athletic training. Would remove the term "athlete" from the ATC scope of practice and the supervision of physicians.

- S.1182 (Sen. Julian Cyr) & H.3247 (Rep. John J. Lawn) An Act relative to safe treatment of pain. Would restrict any provider but acupuncturists from utilizing a filiform or metal needle for therapeutic purposes, effectively prohibiting use of dry needling by physical therapists.

#### MICHIGAN--Representative: Corey Snyder

- Nothing to report.

#### MINNESOTA – Representative: Jaynie Bjornaraa

- The MNPTA has a bill in play that removes the 90day barrier to services of the PT that require a patient to pause and visit a physician to secure a referral to continue services. It would also remove the limitation on access without referral to newly licensed Doctors of Physical Therapy. The bill also strengthens the language relating to duty to refer a patient when the patient is not progressing as expected. The bill does not expand the scope of practice or limit the consumer from seeking a physician referral.
- There is another bill that will allow PTs to certify an applicant is a physically disabled person. That way PTs will be added to the list of health professionals who may prescribe disability parking permits to people with temporary or permanent disability as defined by MN statute.

#### MISSISSIPPI – Representative: Meredith Warf

- No report submitted.

#### MISSOURI- Representative: Chuck Rainey

- Missouri Physical Therapy Association (MPTA) 2018 Spring Conference. When: APRIL 13-15, 2018; Where: Rockhurst University, 1100 Rockhurst Road, Kansas City, MO 64110; Contact: Jacque Bardgett, [Jacque@bardgett.net](mailto:Jacque@bardgett.net), 573-556-6730.
- CE Opportunity: Gross Anatomy Review of Common Clinical Lower Quarter Problems. Earn 6 CEUs and help support the PT-PAC of MO at this MPTA Southwest District sponsored course. When: April 21, 2018, 8:30am-4pm; Where: Missouri State University - McQueary Family Health Science Hall (PT Building), 606 East Cherry Street, Springfield, Missouri 65897; Contact: Jim Hackney, [JamesHackney@MissouriState.edu](mailto:JamesHackney@MissouriState.edu) Web: <http://www.mopt.org/events/EventDetails.aspx?id=1077171>.

#### MONTANA – Representative: John-Henry Anderson

- No report submitted.

#### NEBRASKA – Representative: Dan McCutchen

- On January 31, the Nebraska State Senate Health and Human Services committee held a hearing for the LB 681 PT Licensure Compact sponsored by State Senator Carol Blood. The committee heard testimony from Natalie Harms, PT, DPT, GCS representing the FSBPT, Kirk M. Peck, PT, PhD, CSCS, CCRT, CERP representing the Nebraska Physical Therapy Board, Grace Knott PT, GCS, and Vicki McHugh, PT.

#### NEVADA- Representative: Steven Liaos

- No report submitted.

#### NEW HAMPSHIRE – Representative: Greg Alnwick

- Nothing to report.

#### NEW JERSEY – Representative: Edison Au

- Nothing to report.

## NEW MEXICO--Representative: VACANT

- No report submitted.

## NEW YORK – Representative: Terrance Sgroi

- No report submitted.

## NORTH CAROLINA –Ann Marie Husk

- NCPTA President Kyle Covington, Executive Director Nancy Garland, lobbyist Alex Miller, and APTA Payment Policy Specialist Alice Bell met with state officials in Raleigh on October 31 to discuss the role of Physical Therapy in the opioid crisis. Representatives from the Governor's staff, Daryl Childers, the Attorney General's staff, Steve Mange, Dr. Nancy Henley the State's Chief Medical Officer and the Department of Health and Human Services (DHHS) Assistant Secretary of Legislation Ben Popkin met with the NCPTA leadership.
- The purpose of the meeting was to familiarize the Governor's staff, Attorney General's staff and DHHS staff with the role that physical therapy can play in preventing people from needing opioids.
  - NCPTA stated that Physical Therapy is fighting America's opioid crisis by providing safe solutions for pain.
  - Prescription guidelines released in 2016 recommend non-opioid approaches for the long-term treatment of most pain condition, but without key policy fixes these safe and effective alternatives will remain underused.
- One of the main barriers to patients receiving physical therapy in North Carolina is the high co-pay that many patients are required to pay to receive physical therapy treatment. It was pointed out that co-pays can sometime be \$50-\$60 per visit.

## NORTH DAKOTA – Representative: Kevin Axtman

- Nothing to report.

## OHIO – Representative: Jeffrey Swiers

- Sub House Bill 131 has continued to make progress in the Ohio Health Committee. The bill has been updated to only include defining a Physical Therapy Diagnosis within the practice act. This does not include a Medical Diagnosis.
  - The initial bill included the ordering of appropriate tests, including diagnostic imaging and studies.
  - This has been removed from the bill in its current form. Will assess possible re-introduction in later bill.
- To the knowledge of the committee, the bill in this form has no additional counter arguments or opposition at this time. OPTA and members working on the bill anticipate voting on bill in the first half of 2018.

## OKLAHOMA– Representative: Josh Williams

- House Bill 3336 (HB3336) was introduced in the Oklahoma legislature this legislative session. This bill would amend Oklahoma Statute 2011 Section 887.10 to allow for the Oklahoma State Board of Medical Licensure & Supervision to issue a multi-state compact license. This license would allow therapists licensed in other states with reciprocal agreements to practice in the state of Oklahoma. This bill would allow for therapists to perform such activities such as sports venue coverage across state lines without risking potential legal ramifications such as practicing without a state license. The bill passed the Oklahoma House Public Health Committee on February 13, 2018. The bill is now awaiting to be heard on the House floor.  
<http://www.oklegislature.gov/BillInfo.aspx?Bill=HB3336&Session=1800>
- House Bill 2995 (HB2995) was introduced in the Oklahoma legislature. This bill would create a new law that would require the Oklahoma Medicaid Program to pay for physical medicine & rehabilitative services provided by a licensed Athletic Trainer within their scope of practice. This bill has been referred to the House Rules Committee. <http://www.oklegislature.gov/BillInfo.aspx?Bill=HB2995&Session=1800>

- Senate Bill 1060 (SB1060) was introduced in the Oklahoma legislature. This bill clarifies certain definitions related to sports and events such as boxing, mixed martial arts, and entertainment wrestling. Additionally, it protects the confidentiality of certain medical information of such athletes. This bill passed the Senate Business, Commerce, and Tourism Committee on February 8, 2018 and is awaiting to be heard on the Senate floor. <http://www.oklegislature.gov/BillInfo.aspx?Bill=SB1060&Session=1800>.
- The Oklahoma Physical Therapy Association ([www.okpt.org](http://www.okpt.org)) will hold its annual meeting on April 6-7, 2018. Courses include:
  - To Kinesio Tape or Not to Kinesio Tape
  - Mind the Gap: Practical Solutions for Seamless Linking of Rehab to Training
  - Pediatric Evaluation, Goal Setting, & Outcomes Measurement: Contemporary View of a Traditional Process
  - Orthopedic Physician Panel
  - Project Professionalism: Are you “Walking the Walk?”

### OREGON – Representative: Eric Marchek

- Senate Bill 1547 was introduced in Oregon last month. A summary of the bill is outlined below.
- Establishes a definition for “qualified health professional” that can release an athlete suspected of having a concussion.
- A “qualified health professional” is defined as a licensed physician OR a health care professional who meets the following criteria:
  - Is a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician assistant, a nurse practitioner or an athletic trainer who is licensed, certified or registered under the laws of this state; *AND* Successfully completes an online program established and maintained by Oregon Health Sciences University.
- The OHSU program is required to:
  - Establish a foundation of knowledge related to the assessment, diagnosis and management of sports-related concussions – based on clinical criteria that are evidence based and that incorporate best practices; and They can charge a reasonable fee, must update the program at least once every four years, and must inform health professionals of their professional legal requirements and the limitations of the online training.
- Certificates issued by OHSU after completing the program are valid for 4 years, so qualified health professionals must renew. OHSU will prescribe the requirements for renewal, including requirements for additional training.
- OHSU is required to have the online training operational by Jan. 1, 2019.
- Prior to Jan. 1, 2020 a psychologist, a physician assistant or a nurse practitioner licensed or certified may provide a medical release without a certificate.

### PENNSYLVANIA – Representative: Ivan Mulligan

- Nothing to report.

### RHODE ISLAND – Representative: Jeff Konin

- The RI Legislative is once again looking to dissolve/relocate licensure boards, however this time PT is not being impacted.

### SOUTH CAROLINA – Representative: VACANT

- No report submitted.

### SOUTH DAKOTA- Representative: Matt Dewald

- HB 1079 passed the Senate Floor unanimously and was signed by Governor Dugaard to allow physical therapist trained in dry needling to dry needle in the state. Pending approval of the requirements by the licensing board, physical therapist with appropriate training will be able to dry needle in the state of South Dakota starting July 1<sup>st</sup> of this year.

- A three-member Reimbursement Committee was formed to meet monthly.
- A \$3,000 Community Awareness Grant was awarded to the state of South Dakota from the APTA for developing public's awareness of the profession.
- Planning to go to the legislature in spring 2019 to request PT Licensure Board under the Department of Health, as the South Dakota Board of Medical and Osteopathic Examiners currently is responsible for PT Licensing.

**TENNESSEE – Representative: Joe Black**

- No report submitted.

**TEXAS – Representative: Toko Nguyen**

- Nothing to report.

**UTAH- Representative: Brian Boyle**

- Nothing to report.

**VERMONT - Representative: VACANT**

- No report submitted.

**VIRGINIA - Representative: Andrew Contreras**

- Nothing to report.

**WASHINGTON – Representative: Samantha Gubka**

- No report submitted.

**WEST VIRGINIA - Representative: VACANT**

- No report submitted.

**WISCONSIN – Representative: Steven McCoy**

- Nothing to report.

**WYOMING - Representative: Tom Davis**

- Nothing to report.