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**STATE OF OKLAHOMA
PHYSICAL THERAPY PRACTICE ACT
Title 59 O.S., Sections 887.1 - 887.18**

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887.1. Short Title

This act shall be known as the "Physical Therapy Practice Act".

887.2. Definitions

As used in the Physical Therapy Practice Act:

1. "Physical therapy" means the use of selected knowledge and skills in planning, organizing and directing programs for the care of individuals whose ability to function is impaired or threatened by disease or injury, encompassing preventive measures, screening, tests in aid of diagnosis by a licensed doctor of medicine, osteopathy, chiropractic, dentistry or podiatry, or a physician assistant, and evaluation and invasive or noninvasive procedures with emphasis on the skeletal system, neuromuscular and cardiopulmonary function, as it relates to physical therapy. Physical therapy includes screening or evaluations performed to determine the degree of impairment of relevant aspects such as, but not limited to, nerve and muscle function including transcutaneous bioelectrical potentials, motor development, functional capacity and respiratory or circulatory efficiency. Physical therapy also includes physical therapy treatment performed upon referral by a licensed doctor of medicine, osteopathy, dentistry, chiropractic or podiatry, or a physician assistant including, but not limited to, exercises for increasing or restoring strength, endurance, coordination and range of motion, stimuli to facilitate motor activity and learning, instruction in activities of daily living and the use of assistive devices and the application of physical agents to relieve pain or alter physiological status. The use of roentgen rays and radium for diagnostic or therapeutic purposes, the use of electricity for surgical purposes, including cauterization and colonic irrigations are not authorized under the term "physical therapy" as used in this chapter;

2. "Physical therapist assistant" means a person who assists in the practice of physical therapy subject to the direction and supervision of a licensed physical therapist, who meets all the educational requirements, and who is licensed pursuant to the provisions of the Physical Therapy Practice Act;

3. "Licensed physical therapist" means a person who is licensed as required in the Physical Therapy Practice Act and who regularly practices physical therapy;

4. "Board" means the State Board of Medical Licensure and Supervision; and

5. "Committee" means the Physical Therapy Committee.

887.3. License requirements

No person shall designate himself as a physical therapist or physical therapist assistant, nor practice, nor hold himself out to the public as being able to practice physical therapy in this state, unless licensed in accordance with the provisions of the Physical Therapy Practice Act. The

Physical Therapy Practice Act shall not prohibit or prevent any person licensed in the healing arts in this state from engaging in the practice for which he is duly licensed.

887.4. Physical Therapy Committee - Membership - Powers and duties

A. There is hereby established a Physical Therapy Committee to assist the State Board of Medical Licensure and Supervision in conducting examinations for applicants and to advise the Board on all matters pertaining to the licensure, education, and continuing education of physical therapists and physical therapist assistants and the practice of physical therapy.

B. 1. The Physical Therapy Committee shall consist of five (5) members who shall be appointed by the State Board of Medical Licensure and Supervision as follows:

- a. three members shall be licensed physical therapists,
- b. one member shall be a licensed physical therapist assistant, and
- c. one member shall be a lay person.

2. Except for the lay appointee, each appointee shall be selected from a list of three persons submitted for each vacancy by the Oklahoma Chapter of the American Physical Therapy Association.

- a. Members serving on the Committee on the effective date of this act may continue serving until expiration of their terms of office and may be reappointed if eligible pursuant to the provisions of this act. Members of the original Physical Therapy Committee shall have been appointed for staggered terms of one (1), two (2), and three (3) years, respectively. Terms of office of each appointed member shall expire July 1 of that year in which they expire regardless of the calendar date when such appointments were made. Subsequent appointments shall be made for a term of three (3) years or until their successors are appointed and qualified.
- b. The lay member and physical therapist assistant member initially appointed to fill the two new positions created pursuant to this act shall be appointed for staggered terms of office which will expire July 1, 1998, and July 1, 1999. Thereafter, members appointed to these positions shall serve for terms of three (3) years or until their successors are appointed and qualified.
- c. Vacancies shall be filled by the Board in the same manner as the original appointment.

3. Each member of the Committee shall be a resident of this state. The physical therapist and physical therapist assistant members shall be licensed pursuant to the Physical Therapy Practice Act for at least three (3) years prior to appointment to the Committee. The lay member shall not be a physical therapist or a licensed health care professional or be related by adoption, blood, or marriage within the third degree of consanguinity to a physical therapist or a licensed health care professional.

4. Members of the Committee shall be reimbursed for all actual and necessary expenses incurred in the performance of duties required by the Physical Therapy Practice Act in accordance with the provisions of the State Travel Reimbursement Act.

C. The Committee shall have the power and duty to:

1. Assist in selecting and conducting examinations for licensure, and in determining which applicants successfully passed such examination;

2. Advise the Board on all matters pertaining to the licensure, education, and continuing education requirements for, and practice of physical therapy in this state;

3. Maintain a current list of approved schools of physical therapy and physical therapist assistants; and

4. Assist and advise in all hearings involving physical therapists or physical therapist assistants who are deemed to be in violation of the Physical Therapy Practice Act.

887.5. Powers and duties of Board

A. The State Board of Medical Licensure and Supervision shall have the power and duty to:

1. Promulgate the rules and regulations necessary for the performance of its duties pursuant to the provisions of the Physical Therapy Practice Act;

2. Determine, as recommended by the Committee, the qualifications of applicants for licensure, conduct all examinations, and determine which applicants successfully passed such examinations;

3. Issue a license to each applicant who passes the examination in accordance with standards promulgated by the Board pursuant to the Physical Therapy Practice Act, and who is otherwise in compliance with the Physical Therapy Practice Act. A license shall also be issued to persons who qualify for such license pursuant to the provisions of Sections 887.9 and 887.10 of this title. Said licenses shall be subject to annual renewal as provided by the Physical Therapy Practice Act;

4. Make such investigations and inspections as are necessary to ensure compliance with the Physical Therapy Practice Act and the rules and regulations of the Board promulgated pursuant to the act;

5. Conduct hearings as required by the provisions of the Administrative Procedures Act, Section 301 et seq. of Title 75 of the Oklahoma Statutes;

6. Report to the district attorney having jurisdiction or the Attorney General any act committed by any person which may constitute a misdemeanor pursuant to the provisions of the Physical Therapy Practice Act;

7. Initiate prosecution and civil proceedings;

8. Suspend, revoke or deny the license of any physical therapist and physical therapist assistant for violation of any provisions of the Physical Therapy Practice Act or rules and regulations promulgated by the Board pursuant to this act;

9. Maintain a record listing the name of each physical therapist and physical therapist assistant licensed in this state;

10. Compile a list of physical therapists and physical therapist assistants licensed to practice in this state. Said list shall be available to any person upon application to the Board and the payment of such fee as determined by the Board for the reasonable expense thereof pursuant to the provisions of the Physical Therapy Practice Act; and

11. Make such expenditures and employ such personnel as it may deem necessary for the administration of the provisions of the Physical Therapy Practice Act.

887.6. Qualifications for license

A. Except as otherwise provided by law, to be eligible for licensure as a physical therapist or physical therapist assistant pursuant to the provisions of the Physical Therapy Practice Act an applicant shall;

1. Be of good moral character; and

2. Pass an examination based on standards promulgated by the State Board of Medical Licensure and Supervision pursuant to the Physical Therapy Practice Act which shall include a written examination testing the knowledge of the applicant on:

a. the basic and clinical sciences as they relate to physical therapy theory and physical therapy procedures, and

b. such other subjects as the Board may deem necessary to test the applicant's fitness to practice physical therapy or as a physical therapist assistant. Examinations shall be held within this state at least once per year, at such time and place as the Board shall determine.

B. 1. In addition to the requirements provided by subsection A of this section, and except as provided in paragraph 2 of this subsection or subsection D of this section, an applicant for a license to practice as a physical therapist shall have graduated from a school of physical therapy approved by a national accrediting body which has been recognized by the Board.

2. An applicant for a license to practice as a physical therapist who has been educated through a program or school of physical therapy which is or has been sponsored by a branch of the armed forces of the United States may be licensed as a physical therapist if the Board determines that the education of the applicant is substantially equivalent to, or exceeds, the requirements of accredited educational program.

C. 1. In addition to the requirements provided by subsection A of this section, and except as provided in paragraph 2 of this subsection, an applicant for a license to practice as a physical therapist assistant shall have graduated from an approved program for physical therapist assistants consisting of at least a two-year program approved by a national accrediting body which has been recognized by the Board. An approved course of study shall include such elementary and intermediate courses in the anatomical, biological, and physical sciences as may be determined by the Board.

2. An applicant for a license to practice as a physical therapist assistant who has been educated through a program for physical therapist assistants which is or has been sponsored by a branch of the armed forces of the United States may be licensed as a physical therapist assistant if the Board determines that the education of the applicant is substantially equivalent to, or exceeds, the requirements of accredited educational programs.

D. 1. Except as otherwise provided by paragraph 2 of this subsection, an applicant for licensure as a physical therapist who has been educated in physical therapy outside the United States shall meet the following qualifications:

- a. be of good moral character,
- b. have completed the application process,
- c. provide satisfactory evidence that their education is substantially equivalent to the requirements of physical therapists educated in accredited educational programs as determined by the Board. If the Board determines that a foreign-educated applicant's education is not substantially equivalent, it may require completion of additional course work before proceeding with the application process,
- d. provide written proof that the school of physical therapy education is recognized by its own ministry of education,
- e. provide written proof of authorization to practice as a physical therapist without limitations in the country where the professional education occurred,
- f. provide proof of legal authorization to reside and seek employment in the United States or its territories,
- g. have their educational credentials evaluated by a Board-approved credential evaluation agency,
- h. have passed the Board-approved English proficiency examinations if their native language is not English,
- i. have participated in an interim supervised clinical practice period prior to licensure, which may be waived at the discretion of the Board, if:

- (1) the applicant for licensure is able to verify the successful completion of one (1) year of clinical practice in the United States or the District of Columbia, or
 - (2) the applicant is able to document exceptional expertise acceptable to the Board in the fields of research, education, or clinical practice, and
- j. have successfully passed the national examination approved by the Board.

2. If the foreign-educated physical therapist applicant is a graduate of a CAPTE-accredited physical therapy education program, requirements in subparagraphs c, d, g and i of paragraph 1 of this subsection may be waived.

E. When a foreign-educated applicant satisfies the qualifications for licensure set forth in subparagraphs a through h of paragraph 1 of subsection D of this section, prior to licensure the Board shall issue an interim permit to the applicant for the purpose of participating in a supervised clinical practice period. The time period of an interim permit shall not be less than ninety (90) days nor more than six (6) months. An interim permit holder, to the satisfaction of the Board, shall complete a period of clinical practice under the continuous and immediate supervision of a physical therapist who holds an unrestricted license issued pursuant to the Physical Therapy Practice Act in a facility approved by the Board.

887.7. Application for licenses - Fees

Any person intending to practice as a physical therapist or physical therapist assistant in this state shall apply to the Board in writing. Such application shall be on a form and in a manner prescribed by the Board and shall request such information from the applicant as will indicate to the Board the applicant's qualifications to take the required examination or otherwise comply with the provisions of the Physical Therapy Practice Act. An application to the Board to practice as a physical therapist or physical therapist assistant shall be accompanied by a fee as required by the provisions of the Physical Therapy Practice Act. Said fee shall not be refundable.

887.8. Issuance of license - Reexamination

The Board shall issue an appropriate license to each applicant who successfully passes the examination in accordance with standards promulgated by the Board and who otherwise complies with the provisions of the Physical Therapy Practice Act.

Any applicant who fails to pass the examination may request to retake the examination in accordance with standards established by the Board.

887.9. License without examination

Upon payment to the Board of a fee as provided by the Physical Therapy Practice Act, and submission of a written application on forms provided by the Board, the Board may issue a license without examination to any person who is licensed or otherwise registered as a physical

therapist by another state or any territory of the United States which has substantially the same standards for licensure as are required by this state pursuant to the provisions of the Physical Therapy Practice Act.

887.10. Temporary permit without examination

A. Upon proper application to the Board, and payment of the fee required by the provisions of the Physical Therapy Practice Act, the Board shall issue without examination a temporary permit to practice physical therapy or to practice as a physical therapist assistant in this state for a period of not to exceed one (1) year to any person who meets the qualifications required for applicants to take the examination and who submits satisfactory evidence to the Board that such applicant is in this state on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project. The Board may shorten the term of the temporary permit for less than one (1) year.

B. Upon proper application and payment of fees, the Board may issue a temporary permit to a person who has applied for a license pursuant to the provisions of Section 887.7 of this title, and who is eligible to take the examination pursuant to the provisions of the Physical Therapy Practice Act. Such temporary permit shall be available to an applicant only with respect to his first application for licensure. Such permit shall expire upon notice that the applicant has or has not passed the examination.

887.11. Repealed

887.12. Renewal of licenses

A. 1. Except as otherwise provided by the Physical Therapy Practice Act, all licenses shall expire on January 31 of each year. A license may be renewed during the month of January of each year upon:

- a. application,
- b. evidence of satisfactory completion of a program of continuing education or of alternative requirements, as required by the State Board of Medical Licensure and Supervision pursuant to subsection B of this section, and
- c. payment of fees.

2. Applications for renewal of licensure shall be sent by the Board to all licensed physical therapists and physical therapist assistants at their last-known address. Failure to renew a license three (3) months after notification shall effect a forfeiture of the license granted pursuant to the provisions of the Physical Therapy Practice Act. Upon recommendation of the Board, a lapsed license may be revived upon the payment of all unpaid registration fees and pursuant to such rules as may be promulgated by the Board.

3. A physical therapist or physical therapist assistant who fails to apply for a renewal of

a license for five (5) years may renew the license by complying with the provisions of the Physical Therapy Practice Act relating to the issuance of an original license.

B. For physical therapists and physical therapist assistants, the Board shall establish by rule the requirements for:

1. A program of continuing education; and
2. Alternative requirements to establish continuing competence to practice.

The Board shall also establish by rule the minimum hours of continuing education needed to satisfy these requirements. In establishing these requirements, the Board shall consider any existing programs of continuing education currently being offered to licensed physical therapists or physical therapist assistants.

887.13. Refusal, suspension or revocation of license

The State Board of Medical Licensure and Supervision may refuse to issue or renew, or may suspend or revoke a license to any person, after notice and hearing in accordance with rules and regulations promulgated pursuant to the Physical Therapy Practice Act and the provisions of the Administrative Procedures Act of the Oklahoma Statutes who has:

1. Practiced physical therapy other than under the referral of a physician, surgeon, dentist, chiropractor or podiatrist duly licensed to practice medicine or surgery, a physician assistant or in the case of practice as a physical therapist assistant, has practiced other than under the direction of a licensed physical therapist;
2. Treated or attempted to treat ailments or other health conditions of human beings other than by physical therapy as authorized by the Physical Therapy Practice Act;
3. Failed to refer patients to other health care providers if symptoms are known to be present for which physical therapy treatment is inadvisable or if symptoms indicate conditions for which treatment is outside the standards of practice as specified in the rules and regulations promulgated by the Board pursuant to the provisions of the Physical Therapy Practice Act;
4. Used drugs, narcotics, medication, or intoxicating liquors to an extent which affects the professional competency of the applicant or licensee;
5. Been convicted of a felony or of a crime involving moral turpitude;
6. Obtained or attempted to obtain a license as a physical therapist or physical therapist assistant by fraud or deception;
7. Been grossly negligent in the practice of physical therapy or in acting as a physical

therapist assistant;

8. Been adjudged mentally incompetent by a court of competent jurisdiction and has not subsequently been lawfully declared sane;

9. Been guilty of conduct unbecoming a person licensed as a physical therapist or physical therapist assistant or guilty of conduct detrimental to the best interests of the public or the profession;

10. Been guilty of any act in conflict with the ethics of the profession of physical therapy;
or

11. Had a license suspended or revoked in another state.

887.14. Titles and abbreviations

Any person holding a license pursuant to the provisions of the Physical Therapy Practice Act as a physical therapist may use the title "Physical Therapist", "Registered Physical Therapist", or "Licensed Physical Therapist", or the letters "P.T.", "R.P.T.", or "L.P.T.", as authorized by the license obtained from the Board.

887.15. Obtaining license by misrepresentations - Penalty

Any person who obtains, or attempts to obtain, licensure as a physical therapist or physical therapist assistant by any willful misrepresentation, grossly negligent misrepresentation, or any fraudulent misrepresentation, upon conviction, shall be guilty of a misdemeanor and shall be punished as required by the provisions of the Physical Therapy Practice Act.

887.16. Misrepresentations - Penalties and actions

A. No person shall advertise, in any manner, or otherwise represent himself as a physical therapist or physical therapist assistant or as a provider of physical therapy services unless such person is licensed pursuant to the provisions of the Physical Therapy Practice Act.

B. Any person who violates any provision of the Physical Therapy Practice Act shall be found guilty of a misdemeanor and upon conviction shall be subject to punishment pursuant to the provisions of Section 491 of this title and to one or more of the following actions which may be taken by the State Board of Medical Licensure and Supervision in consultation with the Physical Therapy Committee:

1. Revocation of license;

2. Suspension of license not to exceed six (6) months from the date of hearing;

3. Invocation of restrictions in the form of probation as defined by the Board; or

4. For emergency situations where the question of continued right to practice is a threat to public welfare, utilization of procedures as outlined in Section 481 et seq. of this title regarding physicians.

887.17. Referrals by physicians and surgeons - Agents - Exceptions

A. 1. Any person licensed under this act as a physical therapist or physical therapist assistant

shall treat human ailments by physical therapy only under the referral of a person licensed as a physician or surgeon with unlimited license, or the physician assistant of the person so licensed, and Doctors of Dentistry, Chiropractic and Podiatry, with those referrals being limited to their respective areas of training and practice; provided, however, a physical therapist may provide services within the scope of physical therapy practice without a physician referral to children who receive physical therapy services pursuant to the Individuals with Disabilities Education Improvement Act of 2004, as may be amended, and the Rehabilitation Act of 1973, Section 504, as may be amended. Provided further, a plan of care developed by a person authorized to provide services within the scope of the Physical Therapy Practice Act shall be deemed to be a prescription for purposes of providing services pursuant to the provisions of the Individuals with Disabilities Education Improvement Act of 2004, as may be amended, and Section 504 of the Rehabilitation Act of 1973, as may be amended.

2. Nothing in this act shall prevent a physical therapist from performing screening and educational procedures within the scope of physical therapy practice without a physician referral.

3. Nothing in this act shall be construed as authorization for a physical therapist or physical therapist assistant to practice any branch of the healing art.

4. Any person violating the provisions of this act shall be guilty of a misdemeanor as per Section 887.16 of this title.

B. 1. The provisions of this act are not intended to limit the activities of persons legitimately engaged in the nontherapeutic administration of baths, massage, and normal exercise.

2. This act shall not prohibit students who are enrolled in schools of physical therapy approved by the State Board of Medical Licensure and Supervision from performing such work as is incidental to their course of study; nor shall it prevent any student in any recognized school of the healing art in carrying out prescribed courses of study; provided such school is a recognized institution by the statutes of Oklahoma, and its practitioners are duly licensed as prescribed by law.

3. Nothing in this act shall apply to any person employed by an agency, bureau, or

division of the federal government while in the discharge of official duties, however, if such individual engages in the practice of physical therapy outside the line of official duty, the individual must be licensed as herein provided.

887.18. Fees

The Board shall prescribe and publish, in the manner established by its rules and regulations, fees in the amounts determined by the Board but not exceeding the following maximum amounts unless cost justification is present:

Physical Therapist Examination	\$150.00
Physical Therapist Assistant Examination	\$100.00
Physical Therapist License and renewal thereof	\$ 50.00
Physical Therapist Assistant License and renewal thereof	\$ 35.00
Temporary Permit	\$ 25.00