

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number SB 1305

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Newman, Stephen D.

3. Committee Pending

4. Title Health professions; direct access to physical therapists

5. Summary/Purpose: Allows patients to seek treatment from a licensed physical therapist, who also holds a certain certificate, without a referral when the following conditions are met: (i) the patient, at the time of presentation to a physical therapist, is not under the care of a physician; (ii) the patient identifies a practitioner from whom he intends to seek treatment if his condition does not improve; (iii) the patient gives written consent for the physical therapist to release all personal health information and treatment records to the identified practitioner; and (iv) the physical therapist notifies the identified practitioner no later than three days after treatment commences and provides the practitioner with a copy of the initial evaluation along with a copy of the patient history obtained by the physical therapist. The bill also contains requirements for a certificate allowing physical therapists to provide such services.

6. Fiscal Impact is Unknown (see item 8)

7. Budget amendment necessary: No. The Department of Health Professions will adjust fee revenue to meet the anticipated cost of regulation. The department's appropriation can be adjusted once the expenditure impact is more clearly determined.

8. Fiscal implications: Certification of physical therapists for direct access will necessitate an application and renewal fee that will be imposed in addition to the fee for licensure. To qualify for direct access, a physical therapist will have to provide evidence that they meet one of the criteria set forth in law and regulations; to renew their certification, a physical therapist will have to attest to completion of specified continuing education relating to direct access.

This certification was modeled on the certification of oral and maxillofacial surgeons to perform cosmetic procedures under the Board of Dentistry. While it is unlikely that the application will need to be the same for physical therapists as it is for the cosmetic certification (\$225), it is expected that the cost of applying will be similar to the cost for an initial application for physical therapist licensure (\$140). Each application will need to be individually reviewed, and there will be staff and board member time in processing and approving each one.

The renewal fee for the certification has not been determined, but it is not expected to be as much as the fee for renewal of a physical therapy license (\$135). What is unknown is the impact of direct access on the disciplinary workload of the Board of Physical Therapy and the Department of Health Professions. If there is an increase in complaints and disciplinary proceedings, the renewal fee for certification in direct access would need to be tied to that increase in costs.

9. Specific agency or political subdivisions affected:

Department of Health Professions

10. Technical amendment necessary: No

11. Other comments: None

Date: 02/02/07

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cc: Secretary of Health and Human Resources