

SENATE CONCURRENT RESOLUTION NO. 19

BY SENATOR MILLS

A CONCURRENT RESOLUTION

To direct the Louisiana Physical Therapy Board to create the Physical Therapy Patient Access Review Committee.

WHEREAS, the practice of physical therapy is the evaluation and treatment of any physical or medical condition to restore normal function of the neuromuscular and skeletal system, to relieve pain, or to prevent disability by use of physical or mechanical means, including therapeutic exercise, mobilization, passive manipulation, therapeutic modalities, and activities or devices for preventative, therapeutic, or medical purposes, and further shall include physical therapy evaluation, treatment planning, instruction, consultative services, and the supervision of physical therapy supportive personnel, including physical therapist assistants; and

WHEREAS, since the 1970s, the United States uniformed services, the United States Army, the United States Navy, the United States Air Force, and the United States Public Health Service have eliminated the professional practice restriction regarding referral to or prescription for physical therapy services; and

WHEREAS, eighteen states have unrestricted patient access to physical therapy services; and

WHEREAS, Louisiana is one of nine states that have the most restrictive and limited patient access to physical therapy whereby access to physical therapy is limited to evaluation, wellness, and a limited treatment patient population, including but not limited to access to patients with a previous diagnosis or previous referral or prescription; and

WHEREAS, Louisiana enacted a less restrictive form of patient access to physical therapist services in 2003, and there have not been adverse health or safety issues related to increased access to physical therapy services since the law took effect; and

WHEREAS, the restrictions and provisions tied to the current patient access law are a barrier to access, resulting in increased healthcare costs and preventing a majority of the

patient population from seeing their physical therapist unless they have a referral or a prescription; and

WHEREAS, studies have shown that improved patient access to physical therapist services promotes a free-market health care environment, reduces health care costs, and improves patient outcomes thereby promoting the public health, safety, and welfare; and

WHEREAS, if following the physical therapy evaluation and diagnosis the physical therapist determines that a patient requires treatment and care that is outside the physical therapist's scope of practice, the physical therapist informs the patient and client and refers him to an appropriate medical professional.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby direct the Louisiana Physical Therapy Board to create the Physical Therapy Patient Access Review Committee with the membership to include at least the individuals listed hereinafter.

BE IT FURTHER RESOLVED that the committee shall investigate the potential benefits of removing the current restrictions tied to patient access to a physical therapist's services by allowing direct patient access to a physical therapist's services without restrictions and report its findings and make recommendations to the legislature.

BE IT FURTHER RESOLVED that the committee shall be staffed and meetings of the committee hosted by the Louisiana Physical Therapy Board.

BE IT FURTHER RESOLVED that the committee shall include the following members:

- (1) The commissioner of the Louisiana Department of Insurance or his designee.
- (2) The president of the Louisiana Senate or his designee.
- (3) The speaker of the Louisiana House of Representatives or his designee.
- (4) The secretary of the Department of Health and Hospitals or his designee.
- (5) The executive director of the Louisiana Physical Therapy Board or his designee.
- (6) The executive director of the Louisiana State Board of Medical Examiners or his designee.
- (7) The executive director of the Louisiana State Board of Chiropractic Examiners or his designee.
- (8) The president of the Louisiana Physical Therapy Association or his designee.

(9) The chief executive officer of the Louisiana State Medical Society or his designee.

(10) The chief executive officer of the Louisiana Association of Health Plans or his designee.

(11) The assistant chief of physical therapy services at Bayne-Jones Army Community Hospital and captain of the United States Army or his designee.

(12) The dean of Louisiana State University Health Sciences Center School of Allied Health Professionals, New Orleans, or his designee.

(13) The dean of Louisiana State University Health Shreveport School of Allied Health Professions or his designee.

(14) The president of the Louisiana Orthopaedic Association or his designee.

(15) The president of the American Physical Therapy Association or his designee.

(16) The president of the Private Practice Section of the American Physical Therapy Association or his designee.

(17) The president of the Health Policy and Administration Section of the American Physical Therapy Association or his designee.

(18) The president of the Acupuncture Association of Louisiana or his designee.

(19) The executive director of the Chiropractic Association of Louisiana or his designee.

(20) The president of the Federation of State Boards of Physical Therapy or his designee.

(21) The president of the American Academy of Orthopaedic Manual Physical Therapists or his designee.

(22) An individual designated by the Coalition for Patients' Rights.

(23) An individual designated by Evidence in Motion.

(24) The president of the Louisiana Athletic Trainers' Association, Inc. or his designee.

(25) The president of the American Academy of Orthopaedic Surgeons or his designee.

BE IT FURTHER RESOLVED that the committee seek from Healthcare Providers

Service Organization liability and malpractice information and data obtained from states with limited physical therapy patient access, states with less restrictive physical therapy patient access, and states with unrestrictive physical therapy patient access for comparative analysis.

BE IT FURTHER RESOLVED that the members of the committee shall serve without compensation except per diem or expense reimbursement to which they may be individually entitled as members of the constituent organizations.

BE IT FURTHER RESOLVED that the executive director of the Louisiana Physical Therapy Board or his designee shall serve as the chairperson of the committee.

BE IT FURTHER RESOLVED that the chairperson of the committee shall call the first meeting of the committee on or before September 1, 2015.

BE IT FURTHER RESOLVED that a majority of the total membership shall constitute a quorum of the committee, and any official action by the committee shall require an affirmative vote of a majority of the quorum present and voting.

BE IT FURTHER RESOLVED that the committee may conduct such meetings at such times as it deems necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this Resolution.

BE IT FURTHER RESOLVED that the committee shall submit a report of its findings and recommendations to the legislature no later than January 15, 2016.

BE IT FURTHER RESOLVED that the authority of the committee shall terminate upon submission of the report to the legislature.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the commissioner of the Louisiana Department of Insurance, the secretary of the Department of Health and Hospitals, the executive director of the Louisiana Physical Therapy Board or his designee, the executive director of the Louisiana State Board of Medical Examiners, the director of the Louisiana State Board of Chiropractic Examiners, the president of the Louisiana Physical Therapy Association, the chief executive officer of the Louisiana State Medical Society, the chief executive officer of the Louisiana Association of Health Plans, assistant chief of physical therapy services at Bayne-Jones Army Community Hospital, the chancellor of Louisiana State University Health Sciences Center School of Allied Health

Professionals, New Orleans, the chancellor of Louisiana State University Health Shreveport School of Allied Health Professions, the president of the Louisiana Orthopaedic Association, the president of the American Physical Therapy Association, the president of the Private Practice Section of the American Physical Therapy Association, the president of the Health Policy and Administration Section of the American Physical Therapy Association, the executive director of the American Association of Acupuncture and Oriental Medicine, the executive director of the Chiropractic Association of Louisiana, the president of the Federation of State Boards of Physical Therapy, the president of the American Academy of Orthopaedic Manual Physical Therapists, the Coalition for Patients' Rights, and Evidence in Motion.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES