WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

ENROLLED

HOUSE BILL No. 1410

(By Mr. Ashcroft + Mr. Manchin)

Passed March 12, 1983

In Effect Ninety Days From Passage
AN ACT to amend and reenact section three, article twenty, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the licensing of physical therapists and removing the restriction that physical therapists may only treat persons referred to them by a licensed physician or surgeon, dentist, osteopathic physician and surgeon, or chiropodist-podiatrist.

Be it enacted by the Legislature of West Virginia:

That section three, article twenty, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 20. PHYSICAL THERAPISTS.

§30-20-3. License required; exception; firms, associations and corporations engaging in the practice of physical therapy; unauthorized practice of physical therapy.

1 (a) No person shall engage in, offer to engage in or hold himself out to the public as being engaged in, the practice of physical therapy in this state unless he is a licensed physical therapist: Provided, That the foregoing prohibition shall not apply to the activities of a licensed physical therapy assistant performed in accordance with the definitional requirements of a physical therapy assistant as specified in subdivision (1), section two of this article. No
person shall use in connection with his name the words "physical therapy technician," "registered physical therapist," "physical therapist," "licensed physical therapist" or "physiotherapist" or use the initials "R.P.T.,” “P.T.T.,” “P.T.” or any other letters, words or insignia which induces or tends to induce the belief that such person is qualified to engage or is engaged in the practice of physical therapy, unless he is a licensed physical therapist. No person shall use in connection with his name the word "physical therapy assistant,” “registered physical therapy assistant” or “licensed physical therapy assistant” or use the initials “P.T.A.,” “A.P.T.” or any other letters, words or insignia which induces or tends to induce the belief that such person is qualified to act or is acting as a physical therapy assistant, unless he is a licensed physical therapy assistant. No firm, association or corporation shall, except through a licensee or licensees, render any service or engage in any activity which if rendered or engaged in by any individual would constitute the practice of physical therapy.

(b) Notwithstanding the provisions of subsection (a) of this section, any person who practiced physical therapy in this state for five continuous years prior to July one, one thousand nine hundred sixty-three, and who was eligible to qualify for a license under the former provisions of this article by successful completion of a written examination provided by the board and who has not yet successfully completed such examination, may continue to practice physical therapy without a license or temporary permit issued under the provisions of this article, and notwithstanding that such person does not meet the educational requirement specified in subdivision (5), subsection (a), section six of this article, may continue to take such examination: Provided, That unless and until such person passes such examination, such person shall not use in connection with his name the words "physical therapy technician," “registered physical therapist,” “physical therapist,” “licensed physical therapist” or “physiotherapist” or use the initials “R.P.T.,” “P.T.T.,” “P.T.” or any other letters, words or insignia which induces or tends to induce the belief that such person is a licensed physical therapist.
(c) No person shall act, nor hold himself out as being able to act, as a physical therapy assistant unless he is a licensed physical therapy assistant.

(d) Nothing contained within this article shall prohibit any person licensed in this state under any other article of this code from engaging in the practice for which he is licensed.

(e) Nothing contained within this article shall be construed as authorizing a physical therapist, or physical therapy assistant, or any other person to practice medicine, surgery, osteopathy, homeopathy, chiropractics, naturopathy or any other form, branch or method of healing as authorized by the laws of the state of West Virginia.

(f) A licensed physical therapy assistant shall not practice physical therapy other than in accordance with the definitional requirements of a physical therapy assistant as specified in subdivision (i), section two of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within [raised word] approved this the [raised number] day of [raised word] 1983.

[Signature]
Governor