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APPROVED AND SIGNED BY THE GOVERNOR

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Date 3-29-83

OFFICE OF THE GOVERNOR

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



ENROLLED

HOUSE BILL No. 1410

(By Mr. Ashcraft + Mr. Manchin)



Passed March 12, 1983

In Effect Ninety Days From Passage



ENROLLED

H. B. 1410

(By MR. ASHCRAFT and 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
2 hold himself out to the public as being engaged in, the
3 practice of physical therapy in this state unless he is a
4 licensed physical therapist: *Provided*, That the foregoing
5 prohibition shall not apply to the activities of a licensed
6 physical therapy assistant performed in accordance with the
7 definitional requirements of a physical therapy assistant as
8 specified in subdivision (1), section two of this article. No

9 person shall use in connection with his name the words "phy-
10 sical therapy technician," "registered physical therapist,"
11 "physical therapist," "licensed physical therapist" or "phy-
12 siotherapist" or use the initials "R.P.T.," "P.T.T.," "P.T." or
13 any other letters, words or insignia which induces or tends
14 to induce the belief that such person is qualified to engage
15 or is engaged in the practice of physical therapy, unless he is
16 a licensed physical therapist. No person shall use in connec-
17 tion with his name the word "physical therapy assistant,"
18 "registered physical therapy assistant" or "licensed physical
19 therapy assistant" or use the initials "P.T.A.," "A.P.T." or
20 any other letters, words or insignia which induces or tends to
21 induce the belief that such person is qualified to act or is
22 acting as a physical therapy assistant, unless he is a licensed
23 physical therapy assistant. No firm, association or corpor-
24 ation shall, except through a licensee or licensees, render
25 any service or engage in any activity which if rendered
26 or engaged in by any individual would constitute the practice
27 of physical therapy.

28 (b) Notwithstanding the provisions of subsection (a) of
29 this section, any person who practiced physical therapy in
30 this state for five continuous years prior to July one, one
31 thousand nine hundred sixty-three, and who was eligible to
32 qualify for a license under the former provisions of this
33 article by successful completion of a written examination
34 provided by the board and who has not yet successfully
35 completed such examination, may continue to practice physi-
36 cal therapy without a license or temporary permit issued
37 under the provisions of this article, and notwithstanding that
38 such person does not meet the educational requirement speci-
39 fied in subdivision (5), subsection (a), section six of this article,
40 may continue to take such examination: *Provided*, That unless
41 and until such person passes such examination, such person
42 shall not use in connection with his name the words "physical
43 therapy technician," "registered physical therapist," "physical
44 therapist," "licensed physical therapist" or "physiotherapist"
45 or use the initials "R.P.T.," "P.T.T.," "P.T." or any other
46 letters, words or insignia which induces or tends to
47 induce the belief that such person is a licensed physical
48 therapist.

49 (c) No person shall act, nor hold himself out as being
50 able to act, as a physical therapy assistant unless he is a
51 licensed physical therapy assistant.

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

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

61 (f) A licensed physical therapy assistant shall not practice
62 physical therapy other than in accordance with the definitional
63 requirements of a physical therapy assistant as specified in
64 subdivision (i), section two of this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Harold E. Bell

Chairman Senate Committee

Ronald Anello

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Joel C. Mills

Clerk of the Senate

Donald L. Kopp

Clerk of the House of Delegates

Walter R. McCreaw

President of the Senate

William M. Lee, Jr.

Speaker House of Delegates

The within *is approved* this the *29*
day of *March*, 1983.

John R. Roper

Governor

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SECY. OF STATE