

HB 3824 A -A2, -A3, -A4 STAFF MEASURE SUMMARY

Senate Committee On Health Care

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Meeting Dates: 5/6, 5/8, 5/20

WHAT THE MEASURE DOES:

The measure makes changes to laws regulating the practice of physical therapy, including modifying the scope of practice of physical therapists. Takes effect on 91st day following adjournment sine die.

Detailed Summary:

- Permits the Oregon Board of Physical Therapy (OBPT) to approve by rule a national examination to determine the fitness of a person to practice as a physical therapist or physical therapist assistant.
 - Specifies the skills and knowledge exam should test for.
 - Requires OBPT to report exam standard violations to the Federal or State Boards of Physical Therapy.
- Allows OBPT to require fingerprints for criminal records checks of licensee applicants, employees with access to confidential information, and individuals under investigation.
- Requires OBPT licensees to report name, address, or contact information changes to the Board within 30 days.
- Authorizes physical therapists to prescribe durable medical equipment.
- Authorizes physical therapists to administer vaccines to:
 - Individuals seven years of age or older,
 - Individuals three years of age or older during a declared public health emergency, and
 - Individuals six months of age or older for influenza vaccines.
- Allows OBPT to reinstate a revoked or suspended license in specified circumstances.
 - Permits OBPT to require license conditions, passage of examination, or successful completion of continuing competence education or practice assessment tools.
- Permits physical therapists and physical therapist assistants to provide physical therapy services via telemedicine.
- Defines terms, including "competence," "consultation," "continuing competency," "on-site supervision," "supervision," "telehealth," and "testing."
- Updates definition of "practice of physical therapy."
- Updates individuals and circumstances to which OBPT licensing requirements apply.
- Clarifies requirements for individuals whose licenses have lapsed to have their license reinstated.
- Clarifies physical therapists' scope of practice, including permitted delegation to a physical therapy aide.
- Clarifies circumstances authorizing OBPT to impose sanctions on licensees.
- Limits term of OBPT members.
- Clarifies Board responsibilities and duties.
- Exempts physical therapist from requirement to obtain a license to use sonographic equipment if therapist is using equipment solely for physical therapy purposes.
- Permits physical therapist to sign and date application for disabled person parking permit.

House Vote: Ayes, 52; Nays, 2

Fiscal impact: Minimal fiscal impact

Revenue impact: No revenue impact

ISSUES DISCUSSED:

This summary has not been adopted or officially endorsed by action of the committee.

EFFECT OF AMENDMENT:

-A2 Removes provisions that would allow physical therapists prescribe durable medical equipment and provide vaccines. Allows the Oregon Board of Physical Therapy to make rules permitting physical therapists to perform dry needling.

Detailed Summary:

- Removes authorization for physical therapists to prescribe durable medical equipment.
- Removes authorization for physical therapists to provide vaccines.
- Permits physical therapists to provide dry needling as defined by the Oregon Board of Physical Therapy (OBPT).
 - Directs OBPT to establish rules regarding dry needling.
- Removes authorization for OBPT to reinstate revoked or suspended license in specified circumstances.
- Removes authorization for physical therapists to provide services via telehealth.
- Removes updates to the definition of "practice of physical therapy."
- Adds physical therapists to Oregon Revised Statute (ORS) 742.400, relating to the duty to report a claim of negligence to a licensing board.
- Changes the operative date to July 1, 2027.

-A3 Removes provisions that would allow physical therapists prescribe durable medical equipment and provide vaccines. Allows the Oregon Board of Physical Therapy to make rules permitting physical therapists to perform dry needling. Allows physical therapists to order x-rays.

Detailed Summary:

- Removes authorization for physical therapists to prescribe durable medical equipment.
- Removes authorization for physical therapists to provide vaccines.
- Permits physical therapists to provide dry needling as defined by the Oregon Board of Physical Therapy (OBPT).
 - Directs OBPT to establish rules regarding dry needling.
- Permits physical therapist to order X-rays.
- Removes authorization for physical therapists to provide services via telehealth.
- Removes updates to the definition of "practice of physical therapy."
- Adds physical therapists to Oregon Revised Statute (ORS) 742.400, relating to the duty to report a claim of negligence to a licensing board.
- Changes the operative date to July 1, 2027.

-A4 Removes provisions that would allow physical therapists to perform needle insertion therapies and vaccines.

Detailed Summary:

- Removes authorization for physical therapists to provide vaccines.
- Updates the definition of the term "competence."
- Removes authorization for physical therapists to provide needle insertion therapies.
- Clarifies that physical therapists may provide manual therapy only on soft tissue.

BACKGROUND:

Physical therapy is treatment offered to help people improve their movement and physical function, manage pain and other chronic conditions, and recover from and prevent injury. Physical therapy can be part of a generalized pain management plan or part of a specific treatment plan for an injury or health condition, including recovery from surgery.

The Oregon Board of Physical Therapy licenses physical therapists and physical therapy assistants in Oregon. According to the [Health Care Workforce Reporting Program](#), there were 5,463 licensed physical therapists and

1,364 licensed physical therapy assistants in Oregon in 2022.

House Bill 3824 A makes changes to laws regulating the practice of physical therapy, including modifying the scope of practice of physical therapists.

PRELIMINARY