

CHAPTER 148

OCCUPATIONS IN PROTECTION OF
PUBLIC HEALTH

148.65	Definitions.
148.75	Certificates; denial, suspension, revocation.
148.76	Prohibited conduct.

148.65 DEFINITIONS.

Subdivision 1. **Physical therapy.** As used in sections 148.65 to 148.78 the term "physical therapy" means the evaluation or treatment or both of any person by the employment of physical measures and the use of therapeutic exercises and rehabilitative procedures, with or without assistive devices, for the purpose of preventing, correcting, or alleviating a physical or mental disability. Physical measures shall include but shall not be limited to heat or cold, air, light, water, electricity and sound. Physical therapy includes evaluation other than medical diagnosis, treatment planning, treatment, documentation, performance of appropriate tests and measurement, interpretation of orders or referrals, instruction, consultative services, and supervision of supportive personnel. "Physical therapy" does not include the practice of medicine as defined in section 147.10, or the practice of chiropractic as defined in section 148.01.

[For text of subd 2, see M.S.1984]

History: 1985 c 182 s 1

148.75 CERTIFICATES; DENIAL, SUSPENSION, REVOCATION.

The state board of medical examiners may refuse to grant registration to any physical therapist, or may suspend or revoke the registration of any physical therapist for any of the following grounds:

- (a) using drugs or intoxicating liquors to an extent which affects professional competence;
- (b) been convicted of a felony;
- (c) conviction for violating any state or federal narcotic law;
- (d) procuring, aiding or abetting a criminal abortion;
- (e) registration or attempted registration by fraud or deception;
- (f) conduct unbecoming a person registered as a physical therapist or conduct detrimental to the best interests of the public;
- (g) gross negligence in the practice of physical therapy as a physical therapist;
- (h) treating human ailments by physical therapy treatment except by the order or referral of a person licensed in this state to practice medicine and whose license is in good standing; or when a previous diagnosis exists indicating an ongoing condition warranting physical therapy treatment, subject to periodic review defined by board of medical examiners rule;
- (i) treating human ailments other than by physical therapy unless duly licensed or registered to do so under the laws of this state;
- (j) inappropriate delegation to a physical therapist assistant or inappropriate task assignment to an aide or inadequate supervision of either level of supportive personnel;

(k) treating human ailments other than by performing physical therapy procedures unless duly licensed or registered to do so under the laws of this state;

(l) practicing as a physical therapist performing medical diagnosis, the practice of medicine as defined in section 147.10, or the practice of chiropractic as defined in section 148.01;

(m) failure to comply with a reasonable request to obtain appropriate clearance for mental or physical conditions which would interfere with the ability to practice physical therapy, and which may be potentially harmful to patients; and

(n) dividing fees with, or paying or promising to pay a commission or part of his or her fee to, any person who contacts the physical therapist for consultation or sends patients to the physical therapist for treatment.

A certificate of registration to practice as a physical therapist is suspended if (1) a guardian of the person of the physical therapist is appointed by order of a probate court pursuant to sections 525.54 to 525.612, for reasons other than the minority of the physical therapist; or (2) the physical therapist is committed by order of a probate court pursuant to 253B or sections 526.09 to 526.11. The certificate of registration remains suspended until the physical therapist is restored to capacity by a court and, upon petition by the physical therapist, the suspension is terminated by the board of medical examiners after a hearing.

History: 1985 c 182 s 2

148.76 PROHIBITED CONDUCT.

Subdivision 1. No person shall

(a) use the title of physical therapist without a certificate of registration as a physical therapist issued to him pursuant to the provisions of sections 148.65 to 148.78;

(b) in any manner represent himself as a physical therapist, or use in connection with his name the words or letters Physical Therapist, Physiotherapist, Physical Therapy Technician, Registered Physical Therapist, Licensed Physical Therapist, P.T., P.T.T., R.P.T., L.P.T., or any letters, words, abbreviations or insignia indicating or implying that he is a physical therapist, without a certificate of registration as a physical therapist issued to him pursuant to the provisions of sections 148.65 to 148.78. To do so is a gross misdemeanor;

(c) employ fraud or deception in applying for or securing a certificate of registration as a physical therapist.

Nothing contained in sections 148.65 to 148.78 shall prohibit any person licensed or registered in this state under another law from carrying out the therapy or practice for which he is duly licensed or registered.

Subd. 2. No physical therapist shall

(a) treat human ailments by physical therapy treatment except by the order or referral of a person licensed in this state to practice medicine and whose license is in good standing; or when a previous diagnosis exists indicating an ongoing condition warranting physical therapy treatment, subject to periodic review defined by board of medical examiners rule;

(b) treat human ailments other than by physical therapy unless duly licensed or registered to do so under the laws of this state.

History: 1985 c 182 s 3