

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2509** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 10, by inserting:

"New Section 1. (a) For the purposes of this section, "point-of-care testing" means laboratory-based capillary assays. "Point-of-care testing" does not include point-of-care ultrasound or other imaging modalities and venipuncture or other procedures requiring vascular access beyond the use of a fingerstick or other capillary methods.

(b) Physical therapists may perform point-of-care laboratory testing limited to assays classified by the centers for medicare and medicaid services as CLIA-waived tests. Permitted tests include lactate and blood glucose if used for the purpose of obtaining information related to muscle metabolism, exercise tolerance or rehabilitation status. Such testing shall not include the diagnostic use of point-of-care testing for medical conditions outside the scope of physical therapy practice.

(c) A physical therapist or the facility where testing is performed shall obtain and maintain a CLIA certificate of waiver in accordance with federal law. Testing shall be performed only in accordance with manufacturer instructions, including training requirements for staff performing such tests.

(d) Results of point-of-care testing shall be used as adjunct information to support physical therapy evaluation and treatment planning or to comply with a physician's order.

(e) Point-of-care laboratory testing by physical therapists shall not be construed as granting independent authority to diagnose medical conditions.

(f) Physical therapists shall not bill third-party payers for point-of-care laboratory testing as stand-alone reimbursable services. Nothing in this section shall prohibit a physical therapist or facility from charging a patient for the reasonable cost of testing supplies used in connection with such testing.

(g) A physical therapist shall not perform point-of-care testing unless a patient or the patient's representative provides written consent. Written consent shall include:

- (1) Disclosure of costs to the patient or the patient's representative; and
- (2) an acknowledgment of financial responsibility from the patient or the patient's representative.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking the first "healthcare" and inserting "health professions"; in line 1, after the semicolon by inserting "relating to physical therapists; allowing licensed physical therapists to perform certain capillary blood tests;"

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House