

# Kansas Orthopaedic Society, Inc.

623 SW 10<sup>th</sup> Ave

Topeka, KS 66612

Telephone: 785-235-2383

Fax: 785-235-5114

---

March 14, 2012

**TO:** SENATE PUBLIC HEALTH AND WELFARE COMMITTEE  
**FROM:** PETE HODGES, M.D.  
**SUBJECT:** HOUSE BILL 2159 REGARDIN PHYSICAL THERAPY

---

Thank you for the opportunity to offer comments on House Bill 2159 regarding physical therapy. The Kansas Orthopaedic Society is opposed to physical therapists initiating treatment on individuals without a physician referral beyond the parameters currently in place.

The Kansas Orthopaedic Society was involved along with KMS and the Kansas Physical Therapy Association in discussions that brought Kansas the current law regarding the limited direct access enjoyed by physical therapists. The current law was the product of careful thought and deliberation between the parties and maintains the continuity of care with a patient's physician with appropriate limitations.

Our surgeons work closely with physical therapists on a regular basis and the public benefits from that professional collaboration as it currently exists with a physician providing diagnosis and continuity in patient care throughout the treatment. To depart so radically from current law and practice, suddenly allowing a physical therapist to diagnose and initiate treatment without the involvement and supervision of a physician, is major departure from the well-established and safe model of health care delivery Kansans currently benefit from.

The role of the physician, especially his/her familiarity with all of the patient's medical conditions, is critical to the continuity of care and ensuring that the total patient is carefully evaluated in developing any course of treatment, including physical therapy. This bill would allow a physical therapist to continue treating a patient that self-referred for as long as the physical therapist deems in their judgment the patient is "progressing" toward goals they established. Only if in their judgment the patient is not progressing would they then refer the patient to a physician for a medical diagnosis.

Physical therapists are not trained to make a medical diagnosis. Patients often have a broad range of medical conditions that present with similar symptoms. These spectra of conditions must be considered to arrive at a medical diagnosis before commencing any treatment, including physical therapy. These conditions must be weighed and evaluated by a physician, as only physicians have the training to consider the patient's broad range of medical diagnoses and care needs,

which oftentimes include conditions or treatments not within the scope of a physical therapist's education and training.

The Kansas Orthopaedic Society opposes House Bill 2159 and asks that you consider the following:

- Physical therapists cannot make a medical diagnosis.
- There is no lack of access to physical therapy services or delay as a result of continuing to require a Physician referral, a patient protection model that has been successfully in place for decades.
- Decentralizing healthcare at a time when the concept of coordinated care and medical homes is being advanced as the best practice for health care creates conflicting public policy.
- Federal programs like Medicare do not accept physical therapy services without a physician referral (see attached Medpac letter).
- This bill would create a more disjointed and confusing system of delivering health care by allowing physical therapists an independent practice not allowed other practitioners like physician assistants and nurse practitioners who do have training in medical diagnosis.
- Kansas is already a "direct access" state and has been since 2007 according to the APTA website.  
[http://www.apta.org/uploadedFiles/APTAorg/Advocacy/State/Issues/Direct\\_Access/DirectAccessMap.pdf#search=%22directaccessmap%22](http://www.apta.org/uploadedFiles/APTAorg/Advocacy/State/Issues/Direct_Access/DirectAccessMap.pdf#search=%22directaccessmap%22)

We do not support House Bill 2159 and do not believe there is any compelling reason to give physical therapists such unbridled access to the public needing medical care, without the involvement of a physician with the appropriate training and education to consider all medical needs of the patient.

I would be happy to answer any questions the committee may have.