

NEW SECTION. Sec. 7. Sections 1 through 5 of this act are each added to chapter 70.95 RCW.

Passed the House March 9, 1988.

Passed the Senate March 6, 1988.

Approved by the Governor March 22, 1988.

Filed in Office of Secretary of State March 22, 1988.

CHAPTER 185

[Engrossed Substitute Senate Bill No. 6218]

PHYSICAL THERAPY

AN ACT Relating to the practice of physical therapy; amending RCW 18.74.010; and adding new sections to chapter 18.74 RCW.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 239, Laws of 1949 as last amended by section 2, chapter 116, Laws of 1983 and RCW 18.74.010 are each amended to read as follows:

Unless the context otherwise requires, the definitions in this section apply throughout this chapter.

(1) "Board" means the board of physical therapy created by RCW 18.74.020.

(2) "Department" means the department of licensing.

(3) "Director" means the director of licensing.

(4) "Physical therapy" means the treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, cold, air, light, water, electricity, sound, massage, and therapeutic exercise, which includes posture and rehabilitation procedures; the performance of tests and measurements of ~~((neuro-muscular))~~ neuro-muscular function as an aid to the diagnosis or treatment of any human condition; performance of treatments on the basis of test findings after consultation with and periodic review by an authorized health care practitioner except as provided in section 2 of this 1988 act until June 30, 1991; supervision of selective forms of treatment by trained supportive personnel; and provision of consultative services for health, education, and community agencies. The use of Roentgen rays and radium for diagnostic and therapeutic purposes, the use of electricity for surgical purposes, including cauterization, and ~~((chiropractic practices as defined by RCW 18.25.005, which include the adjustment or manipulation of the articulations of the spine and its immediate articulations or mobilization of these articulations by use of a thrusting force))~~ the use of spinal manipulation or manipulative mobilization of the spine and its immediate articulations, are not included under the term "physical therapy" as used in this chapter.

(5) "Physical therapist" means a person who practices physical therapy as defined in this chapter but does not include massage operators as defined in RCW 18.108.010.

(6) Words importing the masculine gender may be applied to females.

(7) "Authorized health care practitioner" means and includes licensed physicians, osteopathic physicians, chiropractors, naturopaths, podiatrists, and dentists: PROVIDED, HOWEVER, That nothing herein shall be construed as altering the scope of practice of such practitioners as defined in their respective licensure laws.

NEW SECTION. Sec. 2. A new section is added to chapter 18.74 RCW to read as follows:

Notwithstanding the provisions of RCW 18.74.010(4), a consultation and periodic review by an authorized health care practitioner is not required for treatment of neuromuscular or musculoskeletal conditions: PROVIDED, That a physical therapist may only provide treatment utilizing orthoses that support, align, prevent, or correct any structural problems intrinsic to the foot or ankle by referral or consultation from an authorized health care practitioner. The legislative budget committee shall review whether the practices authorized under this section shall be continued and shall report to the legislature by January 1, 1991.

NEW SECTION. Sec. 3. A new section is added to chapter 18.74 RCW to read as follows:

(1) Physical therapists shall refer persons under their care to authorized health care practitioners if they have reasonable cause to believe symptoms or conditions are present which require services beyond the scope of their practice or for which physical therapy is contraindicated.

(2) A violation of this section is unprofessional conduct under this chapter and chapter 18.130 RCW.

NEW SECTION. Sec. 4. A new section is added to chapter 18.74 RCW to read as follows:

(1) Physical therapists shall not advertise that they perform spinal manipulation or manipulative mobilization of the spine.

(2) A violation of this section is unprofessional conduct under this chapter and chapter 18.130 RCW.

NEW SECTION. Sec. 5. A new section is added to chapter 18.74 RCW to read as follows:

This chapter shall not be construed to restrict the ability of any insurance entity regulated by Title 48 RCW, or any state agency or program from limiting or controlling the utilization of physical therapy services by the use of any type of gatekeeper function; nor shall it be construed to require or prohibit that individual or group policies or contracts of an insurance carrier, health care service contractor, or health maintenance organization provide benefits or coverage for services and supplies provided

by a person licensed under this chapter. For the purpose of this chapter, "gatekeeper function" means any provision in a contract which establishes a threshold requirement, such as a recommendation from a case manager or a primary care provider, which must be satisfied before a covered person is eligible to receive benefits under the contract.

Passed the Senate March 7, 1988.

Passed the House March 2, 1988.

Approved by the Governor March 22, 1988.

Filed in Office of Secretary of State March 22, 1988.

CHAPTER 186

[Engrossed Substitute House Bill No. 1382]

BOARDS AND COMMITTEES, SUNSET AND TERMINATION

AN ACT Relating to termination and sunset review; amending RCW 90.44.410 and 43.63A.230; adding a new section to chapter 43.168 RCW; adding new sections to chapter 43.131 RCW; repealing RCW 77.12.670, 77.12.680, 77.12.690, 43.155.010, 43.155.020, 43.155.030, 43.155.040, 43.155.050, 43.155.060, 43.155.070, 43.155.080, 43.155.090, 43.168.030, 43.240.010, 43.240.020, 43.240.030, 43.240.040, 43.240.050, 43.240.060, 43.240.070, 43.30.380, 31.30.140, 43.63A.310, 43.63A.320, 43.63A.330, 70.94.487, 67.34.011, and 67.34.021; repealing section 2, chapter 316, Laws of 1986 (uncodified); and providing effective dates.

Be it enacted by the Legislature of the State of Washington:

PART I

GROUND WATER MANAGEMENT ADVISORY COMMITTEES

Sec. 1. Section 2, chapter 453, Laws of 1985 and RCW 90.44.410 are each amended to read as follows:

(1) ~~((To assist in the development of ground water management programs, a ground water management advisory committee, with representation from major user and public interest groups, and state and local governments shall be appointed by the department for each area or sub-area. The procedure for advisory committee appointment, terms of appointment, and committee responsibilities shall be addressed in the rules prepared under RCW 90.44.400.~~

(2)) The ground water area or sub-area management programs shall include:

(a) A description of the specific ground water area or sub-areas, or separate depth zones within any such area or sub-area, and the relationship of this zone or area to the land use management responsibilities of county government;

(b) A management program based on long-term monitoring and resource management objectives for the area or sub-area;

(c) Identification of water resources and the allocation of the resources to meet state and local needs;