

Senate Bill 544

Sponsored by Senator GEORGE (at the request of Oregon Physical Therapists in Independent Practice)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies provision requiring health care practitioner to disclose to patient for whom health care practitioner prescribes physical therapy nature of relationship between health care practitioner and physical therapist.

A BILL FOR AN ACT

1
2 Relating to physical therapy; amending ORS 688.125.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 688.125 is amended to read:

5 688.125. [*In order to ensure that physical therapy treatment of a patient is based solely on the*
6 *needs of a patient, any health care practitioner licensed by a health professional regulatory board as*
7 *defined in ORS 676.160 who owns, in part or in whole, a physical therapy practice, or who employs*
8 *a physical therapist, shall communicate the facts of that ownership or employment relationship to pa-*
9 *tients for whom physical therapy is prescribed and inform the patient that alternative sources of phys-*
10 *ical therapy treatment are available.]*

11 **(1)(a) As used in this section, "health care practitioner" means a person who is licensed**
12 **by a health professional regulatory board, as defined in ORS 676.160, and who:**

13 **(A) Employs a physical therapist;**

14 **(B) Owns an outpatient physical therapy practice, either individually or as a shareholder,**
15 **member or partner of an entity that is separate from the health care practitioner's practice;**
16 **or**

17 **(C) Is an employee of or contracts with a health care entity that owns or operates an**
18 **outpatient physical therapy practice.**

19 **(b) "Health care practitioner" does not include a person who is exclusively employed by**
20 **a health maintenance organization as defined in ORS 750.005.**

21 **(2) In order to ensure that physical therapy treatment of a patient is based solely on the**
22 **needs and personal health choices of the patient, a health care practitioner shall:**

23 **(a) Communicate the facts of the health care practitioner's ownership, employment or**
24 **contractual relationship as described in subsection (1) of this section to a patient for whom**
25 **the health care practitioner prescribes physical therapy;**

26 **(b) Provide an unrestricted referral or order for physical therapy to the patient; and**

27 **(c) Inform the patient that alternative sources of physical therapy treatment are avail-**
28 **able and that the patient may receive physical therapy from a physical therapist or physical**
29 **therapy practice of the patient's choice.**

30

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.