

HOUSE No. 2468

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 2, 1951.

The committee on Public Health, to whom was referred the petition (accompanied by bill, House, No. 1171) of May Macdonald and others for legislation relative to the practice of physical therapy by registered physical therapists, report the accompanying bill (House, No. 2468).

For the committee,

JOHN A. ARMSTRONG.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-One.

AN ACT REGULATING THE PRACTICE OF PHYSICAL THERAPY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 13 of the General Laws is
2 hereby amended by inserting after section 11 the
3 two following sections: —

4 *Section 11A.* Said board is authorized to adopt
5 reasonable rules to carry into effect sections twenty-
6 three A to twenty-three M, inclusive, of chapter one
7 hundred and twelve, and may amend and revoke
8 such rules at its discretion. The board shall keep a
9 record of its proceedings under said sections and a
10 register of all persons registered under it. The regis-
11 ter shall show the name of every living registrant,
12 his last known place of business and last known place
13 of residence, and the date and number of his regis-
14 tration and certificate as a registered physical thera-
15 pist. The board shall, during the month of May of
16 every year in which the renewal of registration is
17 required, compile a list of registered physical thera-
18 pists authorized to practice physical therapy in this
19 commonwealth, and shall mail a copy of such list,
20 together with a copy of section twenty-three M of
21 chapter one hundred and twelve, to the attorney

22 general and every district attorney in the common-
23 wealth, every chief of police in the commonwealth,
24 the superintendent of every known hospital and
25 every person licensed to practice medicine in the
26 commonwealth. Any interested person in the com-
27 monwealth shall be entitled to obtain a copy of such
28 list upon application to the board and payment of such
29 amount as may be fixed by the board, which amount
30 shall not exceed the cost of the list so furnished.

31 *Section 11B.* Said board shall investigate every
32 alleged violation of sections twenty-three A to
33 twenty-three M, inclusive, of chapter one hundred
34 and twelve coming to its notice, and shall report to
35 the appropriate district attorney all cases which in
36 the judgment of the board warrant prosecution.
37 Every police officer shall investigate each alleged
38 violation of said section which comes to his notice
39 or of which he has received complaint, and he shall
40 apprehend and arrest all violators. It shall be the
41 duty of the attorney general and of the several dis-
42 trict attorneys to prosecute violations of said sec-
43 tions.

1 SECTION 2. Chapter 112 of the General Laws is
2 hereby amended by inserting after section 23, under
3 the caption REGISTRATION OF PHYSICAL THERAPISTS,
4 the thirteen following sections:—

5 *Section 23A.* The following words as used in sec-
6 tions twenty-three A to twenty-three M, inclusive,
7 unless the context otherwise requires, shall have the
8 following meanings:—

9 “Physical therapy”, the treatment of any bodily
10 or mental condition of any person by the use of the
11 physical, chemical and other properties of heat,

12 light, water, electricity, massage and active and
13 passive exercise. The use of Roentgen rays and
14 radium for diagnostic and therapeutic purposes and
15 the use of electricity for surgical purposes, including
16 cauterization, are not authorized under the term
17 "Physical therapy" as used in said sections.

18 "Physical therapist", a person who practices
19 physical therapy as above defined under the prescrip-
20 tion of a person licensed in this commonwealth to
21 practice medicine.

22 "Board", the board of registration in medicine
23 established under section ten of chapter thirteen.

24 "Approving authority", the body constituted as
25 provided in section two of this chapter.

26 *Section 23B.* A person who has not been regis-
27 tered by the board as a physical therapist shall not
28 represent himself as being so registered.

29 *Section 23C.* To be eligible for registration by the
30 board as a physical therapist an applicant must —

31 (a) Be at least twenty years old;

32 (b) Be of good moral character;

33 (c) Have been graduated from an approved high
34 school or its equivalent as determined by the board;

35 (d) Have been graduated from a school of physical
36 therapy or physical therapy techniques approved for
37 training physical therapists by the approving author-
38 ity at the time of his graduation; or, if he was
39 graduated prior to nineteen hundred and thirty-
40 six, the school or course of physical therapy instruc-
41 tion was approved by the American Physical Therapy
42 Association at the time of his graduation; and

43 (e) Pass to the satisfaction of the board an exami-
44 nation conducted by it to determine his fitness for
45 practice as a physical therapist.

46 *Section 23D.* A person who desires to be regis-
47 tered as a physical therapist shall apply to the board,
48 in writing, on an application form prescribed and
49 furnished by the board. He shall include in that
50 application statements made under oath, satisfactory
51 to the board, showing that he possesses the qualifi-
52 cations preliminary to examination required by
53 section twenty-three C. He shall pay to the board
54 at the time of filing his application a fee of twenty-
55 five dollars, no portion of which shall be returned.

56 *Section 23E.* The board may, in its discretion,
57 register as a physical therapist, without examination,
58 upon the payment of the required fee, an applicant
59 for registration who is a physical therapist registered
60 under the laws of another state or territory, if the
61 requirements for registration of physical therapists
62 in the state or territory in which the applicant was
63 registered were at the date of his registration sub-
64 stantially equal to the requirements in force in this
65 commonwealth, and if such other state or territory
66 accords a similar privilege of registration without
67 examination to holders of certificates as registered
68 physical therapists under the laws of this common-
69 wealth. At the time of making application, such
70 applicant shall pay the board a fee of ten dollars.

71 *Section 23F.* The board shall examine applicants
72 for registration as physical therapists at such times
73 and places as it may determine. It shall employ
74 three registered physical therapists to aid it in such
75 examinations. The examinations shall embrace the
76 following subjects:— the applied sciences of anat-
77 omy, neuro-anatomy, kinesiology, physiology, path-
78 ology, psychology, physics; physical therapy applied
79 to medicine; neurology, orthopedics, pediatrics,

80 psychiatry, surgery; medical ethics; and technical
81 procedures in the practice of physical therapy. The
82 type of examination shall be determined by the
83 board.

84 *Section 23G.* The board shall register as a physical
85 therapist each applicant who proves to the satisfac-
86 tion of the board his fitness for registration under the
87 terms of sections twenty-three A to twenty-three M,
88 inclusive. It shall issue to each person registered a
89 certificate of registration, which shall be prima facie
90 evidence of the right of such person to represent him-
91 self as a registered physical therapist, subject to the
92 conditions and limitations of said sections.

93 *Section 23H.* Every registered physical therapist
94 shall, during January, nineteen hundred and fifty-
95 three, and during January of every third year there-
96 after, apply to the board for a renewal of his regis-
97 tration and pay a fee of five dollars. Any registration
98 that is not so renewed prior to April first in any such
99 year shall automatically lapse on said date. The
100 board may in its discretion revive a lapsed registra-
101 tion upon payment of all unpaid renewal fees.

102 *Section 23I.* The board, after due notice and
103 hearing, may refuse to register any applicant or
104 may refuse to renew the registration of any regis-
105 tered person and may suspend or revoke the registra-
106 tion of any registered person on the ground that such
107 applicant or person —

108 (a) Is habitually drunk or is addicted to the use of
109 narcotic drugs;

110 (b) Has been convicted of violating a state or
111 federal narcotic law;

112 (c) Is guilty of, in the judgment of the board,
113 immoral or unprofessional conduct;

114 (d) Has been convicted of a crime involving moral
115 turpitude;

116 (e) Is guilty, in the judgment of the board, of gross
117 negligence in his practice as a physical therapist;

118 (f) Has obtained or attempted to obtain registra-
119 tion by fraud or material misrepresentation;

120 (g) Has been declared insane by a court of compe-
121 tent jurisdiction and has not thereafter been lawfully
122 declared sane; or

123 (h) Has treated or undertaken to treat ailments of
124 human beings otherwise than by physical therapy
125 and as authorized by sections twenty-three A to
126 twenty-three M, inclusive, or has undertaken to
127 practice independent of the prescription of a person
128 licensed in this state to practice medicine without
129 limitation.

130 *Section 23J.* A person who is not registered as a
131 physical therapist, or whose registration has been
132 suspended or revoked, or whose registration has
133 lapsed and has not been revived, who uses in connec-
134 tion with his name the words or letters "R. P. T.",
135 "Registered Physical Therapist", or any other
136 letters, words or insignia indicating that he is a
137 registered physical therapist, or who in any other
138 way, orally or in writing, or in print, or by sign,
139 represents himself as a registered physical therapist
140 shall be punished by a fine of not more than five
141 hundred dollars or by imprisonment for not more
142 than three months, or both.

143 *Section 23K.* A person who makes a wilfully
144 false oath or affirmation in any case in which an oath
145 or affirmation is required under sections twenty-
146 three A to twenty-three M, inclusive, or who obtains
147 or attempts to obtain registration by any fraudulent

148 representation, shall be punished by a fine of not
149 more than five hundred dollars or by imprisonment
150 for not more than three months, or both.

151 *Section 23L.* A person registered as a physical
152 therapist shall not treat human ailments by physical
153 therapy or otherwise except under the prescription
154 of a person licensed to practice medicine in this com-
155 monwealth. Nothing contained in sections twenty-
156 three A to twenty-three M, inclusive, shall be con-
157 strued as authorizing a physical therapist, whether
158 registered or not, to practice medicine, osteopathy,
159 chiropractic or any other form or method of healing.
160 Any person violating the provisions of this section
161 shall be punished by a fine of not more than five
162 hundred dollars or by imprisonment for not more
163 than three months, or both.

164 *Section 23M.* Nothing contained in sections
165 twenty-three A to twenty-three M, inclusive, shall
166 be construed to limit or prevent the practice of
167 physical therapy by any person not registered under
168 said sections, if such person does not represent him-
169 self to be a registered physical therapist; nor shall
170 said sections be construed to prevent such unregis-
171 tered physical therapist or physical therapist tech-
172 nician from using in connection with his name the
173 words or letters "P. T.", "Physical Therapist" or
174 "P. T. T.", "Physical Therapist Technician".

1 SECTION 3. Notwithstanding the provisions of
2 this act, the board of registration in medicine shall,
3 without examination, register as a physical therapist
4 any person who applies for such registration on or
5 before March first, nineteen hundred and fifty-two,
6 provided that at the time of application such person

7 is practicing physical therapy in this commonwealth
8 and is a member of the American Physical Therapy
9 Association, the American Registry of Physical
10 Therapists or the Massachusetts Society of Graduate
11 Physical Therapists. Such applicant shall pay the
12 board a fee of five dollars and shall be entitled to
13 receive a certificate of registration.

1 SECTION 4. If any provision of this act or the
2 application thereof to any person or circumstances
3 is held invalid, such invalidity shall not affect other
4 provisions or applications of the act which can be
5 given effect without the invalid provision or applica-
6 tion, and to this end the provisions of this act are
7 declared to be severable.

1 SECTION 5. This act may be cited as the “Regis-
2 tered Physical Therapists’ Act.”

