

HOUSE No. 2662

Mr. Armstrong of Plymouth gives notice that he will move that this bill be substituted for the Bill relating to the practice of physical therapy by registered physical therapists (House, No. 2568, amended). July 18.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE PRACTICE OF PHYSICAL THERAPY BY REGISTERED PHYSICAL THERAPISTS.

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 112 of the General Laws is
2 hereby amended by inserting after section 23, under
3 the caption REGISTRATION OF PHYSICAL THERA-
4 PISTS, the following sections: —

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

9 (a) "Physical therapy", the treatment of any
10 bodily or mental condition of any person by the use
11 of the physical, chemical and other properties of
12 heat, light, water, electricity, massage and active
13 and 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 (b) "Physical therapist", a person who practices
19 physical therapy under the prescription, supervision
20 or direction of a person licensed in this commonwealth
21 to practice medicine and surgery.

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

24 *Section 23B.* A person who desires to be regis-
25 tered as a physical therapist shall apply to the board,
26 in writing, on an application form prescribed and
27 furnished by the board. He shall include in his
28 application statements under oath, satisfactory to
29 the board, showing that he possesses the qualifica-
30 tions preliminary to examination required by section
31 twenty-three C. He shall pay to the board at the
32 time of filing his application a fee of twenty-five
33 dollars.

34 *Section 23C.* To be eligible for registration by the
35 board as a physical therapist an applicant shall —

36 (a) Be at least twenty-one years old.

37 (b) Be of good moral character.

38 (c) Have been graduated by an approved high
39 school or its equivalent as determined by the board.

40 (d) Have been graduated by a school of physical
41 therapy approved for training physical therapists
42 by the appropriate sub-body of the American Medi-
43 cal Association, if any, at the time of his graduation,
44 or if graduated prior to nineteen hundred and thirty-
45 six, the school or course was approved by the Ameri-
46 can Physical Therapy Association at the time of his
47 graduation.

48 (e) Pass to the satisfaction of the board an ex-

49 amination conducted by it to determine his fitness
50 for practice as a physical therapist.

51 *Section 23D.* The board may, in its discretion,
52 register as a physical therapist, without examination,
53 on the payment of the required fee, an applicant for
54 registration who is a physical therapist registered
55 under the laws of another state, if the requirements
56 for registration of physical therapists in the state
57 in which the applicant was registered were at the
58 date of his registration substantially equal to the
59 requirements in force in this commonwealth, and if
60 such other state accords a similar privilege of regis-
61 tration without examination to holders of certifi-
62 cates as a registered physical therapist under the
63 laws of this commonwealth. At the time of making
64 application, such applicant shall pay the board a
65 fee of ten dollars.

66 *Section 23E.* The board shall examine applicants
67 for registration as physical therapists at such times
68 and places as it may determine. It shall employ
69 three registered physical therapists to aid it in such
70 examinations. The examinations shall embrace the
71 following subjects: — The applied sciences of anat-
72 omy, neuro-anatomy, kinesiology, physiology, path-
73 ology, psychology, physics; physical therapy, ap-
74 plied to medicine; neurology, orthopedics, pediat-
75 rics, psychiatry, surgery; medical ethics; technical
76 procedures in the practice of physical therapy. The
77 type of examination shall be determined by the board.

78 *Section 23F.* The board shall register as a physi-
79 cal therapist each applicant who proves to the
80 satisfaction of the board his fitness for registration
81 under the terms of sections twenty-three A to
82 twenty-three P, inclusive. It shall issue to each

83 person registered a certificate of registration, which
84 shall be prima facie evidence of the right of such
85 person to represent himself as a registered physical
86 therapist, subject to the conditions and limitations
87 of said sections.

88 *Section 23G.* Every registered physical therapist
89 shall, during January in the year nineteen hundred
90 and fifty-two, and during January in every third
91 year thereafter, apply to the board for a renewal of
92 his registration and pay a fee of five dollars. Any
93 registration that is not so renewed prior to April
94 first in any such year shall automatically lapse on
95 said date. The board may in its discretion revive
96 and extend a lapsed registration on the payment of
97 all unpaid renewal fees.

98 *Section 23H.* The board, after due notice and
99 hearing, may refuse to register any applicant, or
100 may refuse to renew the registration of any regis-
101 tered person, and may suspend or revoke the regis-
102 tration of any registered person on the grounds that
103 such applicant

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

106 (b) Has been convicted of violating any state or
107 federal narcotic law;

108 (c) Is guilty of, in the judgment of the board, im-
109 moral or unprofessional conduct;

110 (d) Has been convicted of any crime involving
111 moral turpitude;

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

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

116 (g) Has been declared insane by a court of com-
117 petent jurisdiction and has not thereafter been
118 lawfully declared sane; or

119 (h) Has treated or undertaken to treat ailments of
120 human beings otherwise than by physical therapy
121 and as authorized by sections twenty-three A to
122 twenty-three P, inclusive, or has undertaken to
123 practice independent of the prescription, direction
124 or supervision of a person licensed in this common-
125 wealth to practice medicine and surgery without
126 limitation.

127 *Section 23I.* The board may adopt reasonable
128 rules to carry into effect sections twenty-three A to
129 twenty-three P, inclusive, and may amend and re-
130 voke such rules at its discretion. The board shall
131 keep a record of its proceedings under said sections
132 and a register of all persons registered by it. The
133 register shall show the name of every living regis-
134 trant, his last known place of business and last known
135 place of residence, and the date and number of his
136 registration and certificate as a registered physical
137 therapist. The board shall, during the month of May
138 in every year in which the renewal of registration is
139 required, compile a list of registered physical thera-
140 pists authorized to practice therapy in the common-
141 wealth, and shall mail a copy of such list to the
142 attorney general and every district attorney in the
143 commonwealth, every chief of police in the common-
144 wealth, the superintendent of every hospital, and
145 every person licensed to practice medicine and sur-
146 gery in the commonwealth. Any interested person
147 in the commonwealth shall be entitled to obtain a
148 copy of such list upon application to the board and

149 payment of such amount as may be fixed by the
150 board, which amount shall not exceed the cost of the
151 list so furnished.

152 *Section 23J.* The board shall investigate every
153 alleged violation of sections twenty-three A to
154 twenty-three P, inclusive, coming to its notice, and
155 shall report to the proper prosecuting officers all
156 cases which in the judgment of the board warrant
157 prosecution. Every police officer shall investigate
158 each alleged violation of said sections which comes to
159 his notice or of which he has received complaint, and
160 he shall apprehend and arrest all violators. It shall
161 be the duty of the attorney general and of the several
162 district attorneys to prosecute violations of said
163 sections.

164 *Section 23K.* A person who is not registered as a
165 physical therapist, or whose registration has been
166 suspended or revoked, or whose registration has
167 lapsed and has not been revived, who uses in con-
168 nection with his name the words or letters "R. P. T.",
169 "Registered Physical Therapist", or any other
170 letters, words or insignia indicating or implying that
171 he is a registered physical therapist, or who in any
172 other way, orally or in writing, or in print, or by
173 sign, directly or by implication, represents himself
174 as a registered physical therapist shall be punished
175 by a fine of not more than fifty dollars.

176 *Section 23L.* A person who makes a wilfully false
177 oath or affirmation in any case in which an oath or
178 affirmation is required under sections twenty-three A
179 to twenty-three P, inclusive, or who obtains or
180 attempts to obtain registration by any fraudulent
181 representation, shall be punished by a fine of not
182 more than fifty dollars.

183 *Section 23M.* A person registered as a physical
184 therapist shall not treat human ailments by physical
185 therapy or otherwise except under the prescription,
186 supervision or direction of a person licensed to
187 practice medicine and surgery in this commonwealth.
188 Nothing in sections twenty-three A to twenty-three P,
189 inclusive, shall be construed as authorizing a physical
190 therapist, whether registered or not, to practice
191 medicine, osteopathy, chiropractic, or any other
192 form or method of healing. Any person violating
193 the provisions of this section shall be punished by a
194 fine of not more than fifty dollars.

195 *Section 23N.* Nothing contained in sections
196 twenty-three A to twenty-three P, inclusive, shall be
197 construed to limit or prevent the practice of physical
198 therapy by any person not registered under said
199 sections, if such person does not represent himself to
200 be a registered physical therapist.

201 *Section 23O.* If any provision of sections twenty-
202 three A to twenty-three P, inclusive, or the appli-
203 cation of such provision to any person or circum-
204 stance shall be held invalid, the remainder of said
205 sections, or the application of such provision to per-
206 sons or circumstances other than those as to which it
207 is held invalid, shall not be affected thereby.

208 *Section 23P.* Sections twenty-three A to twenty-
209 three P, inclusive, shall be known and may be cited
210 as the "Registered Physical Therapists Law."

1 SECTION 2. Notwithstanding the provisions of
2 sections twenty-three A to twenty-three P of chapter
3 one hundred and twelve of the General Laws, in-
4 serted by section one of this act, the board of regis-
5 tration in medicine shall register as a physical thera-

6 pist any person who applies for such registration on
7 or before March first, nineteen hundred and fifty-
8 two, who on the effective date of this act is a member
9 of the American Physical Therapy Association, or
10 the American Registry of Physical Therapists, or
11 the Massachusetts Society of Graduate Physical
12 Therapists; or is practicing physical therapy in this
13 commonwealth and was so practicing for five years
14 immediately prior to said effective date. Such appli-
15 cant shall pay the board a fee of five dollars and shall
16 be entitled to a certificate of registration.