

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE.

The meeting was called to order by Chairperson Jim Morrison at 1:34 p.m. on March 20, 2003, in Room 243-N of the Capitol.

All members were present except Representatives Landwehr, Holland, Bethell, and Storm, all of whom were excused.

Committee staff present:

Bill Wolff, Kansas Legislative Research Department
Rena Jefferies, Kansas Revisor of Statutes' Office
Gary Deeter, Committee Secretary

Conferees appearing before the committee:

Marla Rhoden, Director, Health Occupations Credentialing, Kansas Department of Health and Environment
Christine Downey, Senator, Kansas Legislature
Dr. Janice Loudon, Associate Professor, Department of Physical Therapy, University of Kansas Medical Center
Sue Klein, Department of Physical Therapy, University of Kansas Medical Center
John Fernandez, Assistant Professor, Department of Physical Therapy, Wichita State University
Susan Willey, Physical Therapist, Wichita
Stephanie Johnson, Physical Therapist, Geary County Schools
Paul Silovsky, Legislative Chair, Kansas Physical Therapist Association
Willard Beaman, Topeka
Jane Beaman, RN, Topeka
Candy Bahner, President, Kansas Physical Therapy Association, and educator, Washburn University

Others attending: See Attached Guest List

Representative Long chaired the hearing for **SB 225**, welcoming Marla Rhoden, Director, Health Occupations Credentialing, Kansas Department of Health and Environment (KDHE), who reviewed the change in level of credentialing for physical therapists according to statutory criteria. (Attachment 1) She noted language overlap with other professions in describing the scope of practice, stating that KDHE supports the basic concept of licensure; she said the credentialing process determined that physical therapists had met the criteria for licensure; however, the process does not intend to restrict other health-care practices. Representative Morrison noted that the duty of the credentialing committee is to recommend a level of practice; scope is a legislative function.

Senator Christine Downey offered support for the legislation, introducing her husband Gordon, who was involved in serious motor vehicle accident and received regular services from a physical therapist. She noted that, in the care of her husband, the dispute over turf did not occur: the neurosurgeon, occupational therapist, physical therapist, and physician worked seamlessly together for treatment, bringing Gordon

CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at on March 20, 2003, in Room 243-N of the Capitol.

from immobility to nearly full recovery. ([Attachment 2](#)) She stated that manipulation is part of what physical therapists do and should not be removed from bill. Members observed that if the existing law works so well, further legislation might be unnecessary.

Dr. Janice Loudon, Associate Professor, Department of Physical Therapy, University of Kansas Medical Center, traced the comprehensive educational requirements one must complete to become a physical therapist. ([Attachment 3](#))

Sue Klein, Department of Physical Therapy, University of Kansas Medical Center, emphasized the scientific inquiry approach to treatment: developing a hypothesis, testing, and improving the treatment. ([Attachment 4](#))

John Fernandez, Assistant Professor, Department of Physical Therapy, Wichita State University, testified that, like the KU programs, WSU follows guidelines and models of recognized physical therapy practice, all of which are accredited according to national standards. ([Attachment 5](#))

Susan Willey, a physical therapist working in Wichita for 24 years, reinforced the concept that a physical therapist is part of a team. She said from her experience in educational and hospital settings working with many other health, educational and behavioral science professionals, she recognizes that various practices overlap; however, each discipline, though separate, treats the whole person so that the various disciplines are complementary, noting that, for instance, though physical therapists and occupational therapists may use the same terminology, each treatment procedure has a different purpose. ([Attachment 6](#))

Stephanie Johnson, a physical therapist working in the Geary County School system, said she works with students with limited function, helping them to develop rudimentary motor skills. She said that her work is distinct, but includes practice activities that overlap with other professions. ([Attachment 7](#)) She noted that federal funding is dependent upon the number of services each child receives; such funding could decrease if the committee were to change the wording in the bill to blur separate services.

Representative Showalter assumed the Chair to continue the hearing on **SB 225**.

Paul Silovsky, Legislative Chair, Kansas Physical Therapist Association, summarized the educational components required for physical therapists, then focused on language in the bill describing the scope of practice. ([Attachment 8](#)) He said education defines a profession, noting that physical therapists' educational standards lay out their scope of practice.

Willard Beaman, Topeka, testified of his personal experience in receiving physical therapy, allowing him much greater comfort and freedom of movement. ([Attachment 9](#))

CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at on March 20, 2003, in Room 243-N of the Capitol.

Jane Beaman, RN, testified of the importance of licensure, stating that the term physical therapy should assure competent treatment; she said that she would be confined to wheelchair without physical therapy. (Attachment 10)

Candy Bahner, President, Kansas Physical Therapy Association and an educator at Washburn University, reviewed the process of obtaining licensure for physical therapists, the national educational standards required, and the certification examination. (Attachment 11) She said physical therapists want the freedom to do their job without infringing on the practice of other health-care professionals. She acknowledged overlaps in terminology and expressed a willingness to compromise so long as the bill does not limit what physical therapists are presently doing.

Members questioned conferees. Dr. Loudon said a scope of practice for physical therapists had never been outlined. Ms. Bahner said the scope listed in the bill describes current physical therapist practice.

Representative Long resumed the Chair.

Ms. Willey said that when different disciplines use the same terms for a treatment strategy, if each person is educated in relation to his/her practice, each can do a particular treatment and call it by the same name.

Members observed that the present law seems adequate for physical therapists to continue doing what they do and expressed frustration that physical therapists had not gained more support from other professions before bringing the bill to the committee; they commented that the scope of practice listed in the bill seems to be overreaching. Representative DeCastro, questioning Mr. Silovsky, commented that physical therapists have education, training, and procedures similar to other professions, but the broad scope of practice laid out in the bill was troubling.

Chairman Morrison closed the hearing on **SB 225**, saying that the hearing would reopen on Monday, March 24. The meeting was adjourned at 3:04 p.m.