

BEFORE THE BOARD OF PHYSICAL THERAPY EXAMINERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the adoption of New) NOTICE OF PUBLIC HEARING ON
Rule I treatments performed) PROPOSED ADOPTION
exclusively by the physical therapist)

TO: All Concerned Persons

1. On February 12, 2013, at 10:00 a.m., a public hearing will be held in room 439, 301 South Park Avenue, Helena, Montana, to consider the proposed adoption of the above-stated rule.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Physical Therapy Examiners (board) no later than 5:00 p.m., on February 6, 2013, to advise us of the nature of the accommodation that you need. Please contact Linda Grief, Board of Physical Therapy Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2395; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; e-mail dlibsdtpt@mt.gov.

3. The proposed new rule provides as follows:

NEW RULE I TREATMENTS PERFORMED EXCLUSIVELY BY THE PHYSICAL THERAPIST (1) Treatments that require immediate and continuous examination and evaluation throughout the intervention must be performed exclusively by the physical therapist. Such procedural treatments include, but are not limited to:

- (a) spinal and peripheral joint mobilization/manipulation, as components of manual therapy; and
- (b) sharp selective debridement, as a component of wound management.

AUTH: 37-1-131, 37-11-201, MCA
IMP: 37-1-131, 37-11-101, 37-11-104, MCA

REASON: The board determined this new rule is reasonably necessary to help ensure that only physical therapists, and not physical therapist assistants, perform mobilization/manipulation and wound management. Mobilization/manipulation is within the realm of physical measures used within the scope of physical therapy and requires a physical therapist license. Additionally, the University of Montana physical therapy curriculum for physical therapy students includes wound management (sharp debridement) and mobilization/manipulation.

The board believes this new rule will help address licensee concern and confusion, as demonstrated by the number of licensee questions received on this topic, by clarifying that only physical therapists can perform these procedures.

4. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Physical Therapy Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or by e-mail to dlibsdptp@mt.gov, and must be received no later than 5:00 p.m., February 20, 2013.

5. An electronic copy of this Notice of Public Hearing is available through the department and board's web site on the World Wide Web at www.pt.mt.gov. The department strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the department strives to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

6. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Physical Therapy Examiners, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to dlibsdptp@mt.gov; or made by completing a request form at any rules hearing held by the agency.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. Anne O'Leary, attorney, has been designated to preside over and conduct this hearing.

BOARD OF PHYSICAL THERAPY EXAMINERS
BRIAN MILLER, PT, PRESIDING OFFICER

/s/ DARCEE L. MOE
Darcee L. Moe
Alternate Rule Reviewer

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State January 7, 2013