# The PT's Guide to Direct Access Law in All 50 States

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As a physical therapist, I'm all-too-familiar with the pervasive PT branding problem—and fighting that problem can feel a lot like pushing a boulder up a steep incline. After all, we have decades of inconsistent industry standards working against us—not to mention our lingering reputation as ancillary care providers who are beholden to physician orders. But, we also have one very big—and, in my opinion, very overlooked—opportunity to gain some serious ground in this battle: patients in all 50 states now have some form of direct access to the physical therapist of their choosing.

Unfortunately, though, not all PTs are leveraging direct access law to its full potential—let alone promoting the immense value of seeking physical therapy first. But, to brand ourselves as the primary care providers we all know we can be—and to ensure our patients and prospective patients receive the best, most efficient care possible—we absolutely must practice at the top of our licenses, and that includes accepting and treating patients on a direct access basis. Thus, it is crucial for each and every one of us to understand the laws in our individual states. To that end, my team and I created the following guide to direct access laws in all 50 states.

I believe that if we all take full advantage of these rules, we'll be one step closer to making ourselves the go-to care providers for patients with neuromusculoskeletal injuries and diseases. After all, if we don't change the public's perception of who we are and what we do, then who will?

Heidi Jannenga,

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Co-Founder and Chief Clinical Officer of WebPT

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#### **Alabama**

#### **Limited Access**

- Alabama is one of two states that allow limited direct patient access to a physical therapist.
- Physical therapists may only evaluate patients and/or provide fitness and wellness services and limited treatment;
  - To children with a diagnosed developmental disability if physical therapy aligns with the patient's care plan.
  - As part of a home health care agency if physical therapy aligns with the patient's care plan.
  - To patients in long-term care facilities if physical therapy aligns with a patient's care plan.
  - When said services include education or activities or wellness services for injury prevention, stress reduction, or fitness promotion.

- To a patient for a previously diagnosed condition for which PT services are deemed necessary. In this scenario:
  - The physical therapist must provide a plan of care to the provider who rendered the diagnosis within the first 15 days of physical therapy intervention.
  - The diagnosis cannot have been made more than 90 days prior to the start of therapy services.

#### Alaska

#### **Unrestricted Access**

- Alaska is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.
- However, if the patient's condition is beyond the PT's scope of practice, the physical therapist is obligated to refer the patient to another qualified healthcare provider. Failure to do so can result in license revocation or suspension.

#### **Arizona**

#### **Unrestricted Access**

- Arizona is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.
- While direct access to a physical therapist is not restricted in Arizona, a PT must refer a patient to the appropriate healthcare provider if they feel the patient's condition is beyond the physical therapy scope of practice or if physical therapy is contraindicated.

#### **Arkansas**

- Arkansas is one of 28 states that allow direct patient access to PT with some provisions.
- In Arkansas, the only provision applies to treatment for bronchopulmonary hygiene, debridement, and wound care.
   In these instances, a physician referral is required.

#### California

#### **Access With Provisions**

- California is one of 28 states that allow direct patient access to PT with some provisions, which have been revised twice in 2013 and 2018, respectively.
- To practice via direct access, a PT must:
  - Refer the patient to the patient's physician if the patient presents with signs of a condition that requires treatment beyond the physical therapy scope of practice.
  - Refer the patient to their physician if they are not progressing toward documented treatment goals in a manner that can be objectively measured.
  - Disclose to the patient any financial interest the therapist has in treating the patient
    - If the PT is working as part of a physical therapy corporation, they must comply with <u>Chapter 1, Article 6,</u> commencing with Section 650.
  - Notify the patient's physician or surgeon—with the patient's written authorization—that the patient is being treated by a physical therapist.
  - Provide written or verbal notice to the patient in at least 14-point type to indicate receipt of direct physical therapy treatment services. This notice must also:

- Note that the patient may continue receiving direct PT treatment up to 45 calendar days or 12 visits, whichever occurs first.
- Indicate that after 45 days or 12 visits, the physical therapist may only continue treating the patient with receipt of a dated signature on the physical therapist's plan of care indicating:
  - 1. approval of that plan and
  - that an in-person examination and evaluation was conducted by the appropriate healthcare provider.

The only exception is when the PT provides wellness services or PT services under a family service plan or individualized education plan (IEP) and the patient does not have a medical diagnosis.

- Be signed by the patient.
- If treatment lasts longer than 45 calendar days or 12 visits—whichever comes first—the physical therapist must obtain a dated signature on the plan of care from the patient's healthcare provider.
  - Approval of the plan of care includes an in-person patient exam and evaluation and, if necessary, testing by the patient's healthcare provider.
- The PT may not diagnose a disease.
- A referral and certification are required before the PT can perform tissue penetration.

#### Colorado

#### **Unrestricted Access**

- Colorado is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.
- State law prohibits PTs from diagnosing diseases.
- If a PT believes the patient's care exceeds the physical therapy scope of practice, the therapist must refer the patient to a qualified healthcare provider. Failure to do so can result in disciplinary action.

#### **Connecticut**

- Connecticut is one of 28 states that allow direct patient access to PT with some provisions.
- To practice via direct access, a PT must:
  - Obtain a bachelor's degree and practice physical therapy for at least four out of the most recent six years, or earn a master's degree or higher.
  - Refer a patient receiving PT treatment to an appropriately licensed healthcare provider if, upon examination or reexamination, the therapist determines that the condition for which the patient sought physical therapy has not objectively demonstrated improvement within a period of 30 consecutive days or at the end of six visits, whichever comes first.
- Grade V spinal manipulation and such treatment shall only be performed by a PT who:
  - Has (1) earned a bachelor's degree prior to January 1, 1998, and practiced physical therapy for at least four out of the most recent six years, or earned a master's degree or higher in physical therapy from an accredited institution of higher education; and
  - (2), holds a specialist certification in orthopedic physical therapy from the American Physical Therapy Association (APTA), or who has completed at least 40 hours of coursework in manual therapy—including Grade V spinal manipulation—and can provide proof of such education.
- PTs may not diagnose a disease.

#### **Delaware**

#### **Access With Provisions**

- Delaware is one of 28 states that allow direct patient access to PT with some provisions.
- Delaware law allows treatment from a PT with or without a referral from a licensed medical or osteopathic physician.
- A PT can treat a patient for up to 30 days, after which the therapist must consult a physician.
- A PT may not modify a patient's existing prescriptions.
- If the patient's condition requires care that falls outside of the PT scope of practice, then the PT must refer the patient to a qualified healthcare provider.

#### **District of Columbia**

#### **Access With Provisions**

- The District of Columbia—along with 28 US states—allows direct patient access to PT with some provisions.
- If the patient does not reasonably progress within 30 days of care, the PT must refer the patient to a primary care provider.

#### **Florida**

- Florida is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2016.
- If the patient's condition falls outside of the PT scope of practice, the PT must refer the patient to, or consult with, a qualified healthcare practitioner.
- If the PT care plan exceeds 30 days and the condition has not been assessed by a physician of record, then the PT must have a practitioner of record review and sign the plan. However, this does not apply if:
  - the patient has been examined by a physician in a different state and diagnosed by the physician as having a condition for which PT is required, and
  - 2. the PT is treating that specific condition.
- PTs may not implement a treatment plan for patients in an acute care setting such as a hospital, ambulatory surgical center, or mobile surgical facility.

# Georgia

- Georgia is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2015.
- To practice via direct access, the PT must:
  - Obtain a doctorate in physical therapy or an equivalent degree from an accredited institution as well as two years of clinical experience; or
  - Obtain a doctorate in PT or an equivalent degree in addition to a post-graduate certification, American Board of Physical Therapy Specialties certification, or residency/fellowship training; or
  - Have five years of experience practicing in a clinical setting.
- After 21 days or eight visits—whichever comes first—from the start of the PT plan of care, the PT must obtain a referral from the appropriately licensed healthcare provider unless:
  - The provided services are for health promotion, wellness, fitness, or health maintenance. Furthermore, if the patient presents with symptoms that exceed the PT scope of practice, the physical therapist must refer that patient to a qualified healthcare provider;
  - The patient received a diagnosis within the last nine months of a neuromuscular or developmental condition and the PT is providing services for symptoms or issues resulting from that previously diagnosed condition; or
  - The patient received a diagnosis within the last 90 days
    of a chronic musculoskeletal condition, and the patient
    can produce current and relevant documentation from an
    appropriate healthcare provider to confirm that diagnosis.
    - In this instance, the physical therapist must provide a written disclosure to the patient that a diagnosis from a PT and a physician's diagnosis are not one and the same, and that a PT diagnosis is not reliant on radiological imaging.
    - This disclaimer should also indicate that some PT services might not be covered by the patient's health insurer.
- Additionally, the PT must consult with the patient's primary care provider or physician's assistant before performing any dry needling treatment on a direct access patient.

# Hawaii

#### **Unrestricted Access**

- Hawaii is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.
- While direct access to a physical therapist is not restricted in Hawaii, a PT must refer a patient to the appropriate healthcare provider if the therapist feels the patient's condition is beyond the physical therapy scope of practice or if physical therapy is contraindicated.
   Failing to do so is considered an act of professional misconduct.

#### Idaho

#### **Unrestricted Access**

- Idaho is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.
- While direct access to a physical therapist is not restricted in Idaho, a PT must refer a patient to the appropriate healthcare provider if the therapist feels the patient's condition is beyond the physical therapy scope of practice.
- PTs are prohibited from radiological, surgical, or medical diagnosis of disease.

#### Illinois

- Illinois is one of 28 states that allow direct patient access to physical therapy with some provisions, which were revised in 2018.
- A physical therapist must refer the patient to the appropriate physician when their condition is beyond the PT scope of practice.
- A PT must notify the patient's physician:
  - within 5 days of the initial visit if they are treating the patient without a referral; or
  - if the patient is receiving PT services pursuant to a diagnosis the physician diagnosed.
  - This provision does not apply to wellness or fitness services unless the patient presents with an injury or ailment.
- A PT must refer the patient to their treating healthcare professional of record (or to a healthcare provider of the patient's choosing when a professional of record does not exist) if:
  - the patient does not improve after 10 visits or 15 business days (whichever occurs first);
  - the patient returns for PT services for the same or similar condition within 30 calendar days after discharge; or
  - the patient's condition is beyond the PT scope of practice.
- A physical therapist may only offer wound debridement services with written authorization from a healthcare professional.
- A physical therapist shall promptly consult and collaborate with the appropriate healthcare professional anytime a patient's condition indicates that it may be related to a temporomandibular disorder so that a diagnosis can be made by that healthcare professional for an appropriate treatment plan.

#### Indiana

- Indiana is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2019.
- To practice via direct access, a PT must:
  - Treat the patient for no more than 42 calendar days (beginning with the initial date of service) without a referral.
    - If the patient requires additional treatment, the physical therapist must obtain a referral from the appropriate healthcare provider.
  - Obtain an order or referral from a physician, osteopath, or chiropractor when PT treatment involves spinal manipulation.
     The referring provider must have conducted his or her own examination of the patient before issuing the order or referral.
    - The <u>APTA</u> defines "spinal manipulation" as "a method of skillful and beneficial treatment by which a physical therapist uses direct thrust to move a joint of the patient's spine beyond its normal range of motion, but without exceeding the limits of anatomical integrity."
  - Obtain an order or referral from a physician, osteopath, or podiatrist in the case of sharp debridement.
    - The <u>APTA</u> defines "sharp debridement" as "the removal of foreign material or dead tissue from or around a wound, without anesthesia and with generally no bleeding, through the use of: (A) a sterile scalpel; (B) scissors; (C) forceps; (D) tweezers; or (E) other sharp medical instruments...to expose health tissue, prevent infection, and promote healing."

#### lowa

#### **Unrestricted Access**

- lowa is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.
- PTs may evaluate and treat direct access patients without a referral.
   However, some hospitals may require that any PT evaluations and treatments performed in the hospital only be provided upon prior authorization from a member of the hospital's medical staff.
- Physical therapists may not:
  - perform operative surgery;
  - · conduct osteopathic or chiropractic manipulation; or
  - prescribe drugs and medicine.

#### Kansas

- Kansas is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2013.
- In Kansas, a PT may evaluate and initiate treatment on a patient without a referral. If a direct access patient does not progress toward documented treatment goals within 10 visits or 15 business days (whichever comes first) from the first date of treatment following the initial evaluative visit, the PT must obtain a referral from an appropriate licensed healthcare practitioner.
- Before treatment can begin, the physical therapist must provide written notice to any self-referring patient that a physical therapy diagnosis and a medical diagnosis are not one in the same.
- The PT must obtain approval from an appropriate, licensed healthcare provider before performing wound debridement.
- If the patient is currently being treated in a hospital or ambulatory surgery center, the facility may require a physician order or referral for PT services.

- Physical therapists may provide—without a referral—services that do not treat a specific condition in the following scenarios:
  - workplace injury prevention; or
  - public education related to fitness, disease prevention, and health promotion.
- PTs can also provide services to special education students without a referral if the treatment or services will allow the students to meet the provisions of their individualized education plan (IEP) or individualized family service plan (IFSP).

# Kentucky

#### **Unrestricted Access**

- Kentucky is one of 20 states that allow patients total, unrestricted access to a physical therapist.
   No type of physician referral is required for a physical therapist to treat a patient.
- While Kentucky allows unrestricted direct access to PT services, a physical therapist must refer a patient to an appropriate licensed healthcare provider when the patient's condition exceeds the physical therapy scope of practice.
- Additionally, when a patient is referred to a physical therapist for treatment, the PT shall confer with the referring provider.

#### Maine

#### **Access With Provisions**

- Maine is one of 28 states that allow direct patient access to PT with some provisions.
- To practice via direct access, the physical therapist must:
  - not apply manipulative thrust to the vertebrae of the spine;
  - · not administer drugs; and
  - make a referral when the patient's condition requires treatment beyond the PT scope of practice.
- When treating a patient without referral, the PT:
  - cannot make a medical diagnosis;
  - must refer the patient to an appropriately licensed healthcare provider if no improvement is noted in the patient record within 30 days of the first treatment date; and
  - must consult or refer the patient to an appropriately licensed healthcare provider if PT treatment is required beyond 120 days.
- Employers may not cover workers' compensation charges for PT services unless the employee has been specifically referred to the PT.

#### Louisiana

- Louisiana is one of 28 states that allow direct patient access to PT with some provisions.
- To practice via direct access, a PT must:
  - Obtain a doctorate-level degree or have five years of clinical practice experience.
    - These providers may only treat a patient without physician referral for 30 calendar days.
    - After 30 days, the PT must obtain a referral from an appropriate healthcare provider, unless there is measurable or functional improvement.

# Maryland

#### **Unrestricted Access**

 Maryland is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.

#### **Massachusetts**

#### **Unrestricted Access**

- Massachusetts is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to treat a patient.
- The PT Code of Ethics is the standard for referral relationships.
- If the PT feels that the patient's care goes beyond the physical therapy scope of practice, or if PT is contraindicated, the therapist must refer the patient to an appropriate licensed practitioner.
- If the patient was referred to the PT, the PT must communicate with the licensed referring practitioner throughout treatment.
  - The PT must also disclose to the patient any financial interest if the referring physician derives income from the PT services.

# **Michigan**

- Michigan is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2015.
- A PT may treat direct access patients when:
  - The treatment lasts for 21 days or 10 individual treatments—whichever occurs first.
    - The PT must confirm that the patient requires physical therapy before allowing a physical therapist assistant to perform treatment interventions.
  - A patient receives services for injury prevention, wellness, or fitness.

- The patient is referred to an appropriate healthcare professional if the PT feels that the patient's care goes beyond his or her scope of practice.
- An appropriate healthcare provider is consulted if the patient does not respond to treatment in an appropriate length of time based on the standards of practice determined by the Board of Physical Therapy.

#### **Minnesota**

#### **Access With Provisions**

- Minnesota is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2008.
- A PT treating direct access patients is contingent upon the following:
  - A PT may not determine a medical diagnosis.
  - A patient may be seen by a PT without referral for up to 90 days.
  - A physical therapist who has been licensed for less than one year may only provide PT services when working alongside a physical therapist who has more than one year of practicing experience.
  - The PT must refer the patient to an appropriate healthcare professional if the PT feels that the patient's care goes beyond the PT's scope of practice.
- A PT may treat a direct access patient without a time limitation if the patient is seeing the PT for disease prevention, wellness, fitness education, or exercise services.

# Mississippi

#### **Limited Access**

- Mississippi is one of two states that allow limited direct patient access to a physical therapist.
- A physical therapist may only provide services on a direct access basis:
  - To any child diagnosed with a developmental disability if physical therapy is pursuant to the patient's plan of care.
  - If the PT is acting as part of a home health agency or long-term care facility and therapy aligns with the patient's determined plan of care.
  - If the patient is seeing the PT for injury prevention, wellness, stress reduction, or fitness services.
  - If the patient has previously received a diagnosis for any condition(s) within the last 180 days that necessitate PT services—and the therapist has notified the provider who determined the diagnosis.
    - Within the first 15 days of therapy, the PT must provide a plan of care to the provider who determined the diagnosis.



#### **Missouri**

- Missouri is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2023.
- A PT may see direct access patients for 10 visits or 30 days, whichever comes first.
  - If the PT feels continuation of services beyond this time frame is necessary they must consult an approved healthcare provider.
     Consultation for continued services must be based upon whether:
    - the patient has demonstrated measurable or functional improvement from the course of the plan of care and treatment; or
    - the PT believes that continuation of care is reasonable and necessary based on the physical therapist's evaluation.
  - The consultation with the approved healthcare provider needs to include the following information:
    - the patient's condition for which physical therapy services or treatments were provided;
    - an assessment and rationale for services recommended, as determined from the initial evaluation;
    - what services or treatment have been delivered prior to the date of the consultation;
    - the patient's outcomes this far showing improvement from services provided prior to date of the consultation;
    - the recommended continued services proposed to be provided following the consultation; and
    - the professional physical therapy basis for the continued physical therapy services or treatment to be delivered.
  - Continuation of services must include approval from the approved healthcare provider as well as include any feedback, advice, opinion, or direction within the plan of care.
  - After the consultation has taken place, care may continue for an additional 10 visits or 30 days unless stated otherwise by the approved healthcare provider.

#### **Montana**

#### **Unrestricted Access**

- Montana is one of 20 states that allow patients total, unrestricted access
  to a physical therapist. According to state law, no type of physician
  referral is required for a physical therapist to evaluate or treat a patient.
- The PT must refer the patient to an appropriate healthcare professional if the PT feels that the patient's care goes beyond his or her scope of practice.
  - Failure to do so will result in license revocation.

#### Nebraska

#### **Unrestricted Access**

- Nebraska is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to evaluate or treat a patient.
- The PT must refer the patient to an appropriate healthcare professional if the PT feels that the patient's care goes beyond the physical therapy scope of practice.
  - Failure to do so is considered unprofessional conduct.

#### Nevada

#### **Unrestricted Access**

- Nevada is one of 20 states that allow patients total, unrestricted access to a physical therapist. No type of physician referral is required for a physical therapist to evaluate or treat a patient.
- The state's direct access law specifies that diagnosis of physical disabilities, massage services, and chiropractic adjustment do not fall under the physical therapy scope.

# **New Hampshire**

#### **Access With Provisions**

- New Hampshire is one of 28 states that allow direct patient access to PT with some provisions.
- A PT must refer a patient to an appropriate healthcare provider:
  - if the PT feels that the patient's care goes beyond the physical therapy scope of practice;
  - if physical therapy treatment is contraindicated; or
  - if the patient shows no documented progress within the first 25 calendar days of therapy.

# **New Jersey**

- New Jersey is one of 28 states that allow direct patient access to PT with some provisions.
- A PT treating direct access patients is contingent upon the following:
  - A PT shall refer a patient to a healthcare professional licensed in this state to practice dentistry, podiatry, or medicine and surgery (or another appropriate licensed healthcare professional):
    - When the PT performing the examination, evaluation, or intervention has reason to believe that therapy is contraindicated or symptoms or conditions are present that require services outside the physical therapy scope of practice; or
    - When the patient has failed to demonstrate reasonable progress within 30 days of the date of the initial treatment.
  - Within 30 days from the date of initial treatment, a physical therapist shall inform the patient's licensed healthcare professional of record of the patient's plan of care.
    - In the event there is no identified licensed healthcare professional of record, the physical therapist shall recommend that the patient consult with a licensed healthcare professional of the patient's choice.
    - In a school setting, the schedule of PT services shall be reported to the child study team by the physical therapist within 30 days of the date of initial treatment.

#### **New Mexico**

- New Mexico is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2015.
- In order for a PT to treat direct access patients:
  - The PT must refer a patient to the patient's licensed healthcare provider if the patient has not made measurable or functional improvement 30 days after starting therapy treatment.
    - If the patient is making measurable progress and improving, the 30-day limit does not apply.
    - The 30-day provision also does not apply to:
      - Treatment provided for complaints related to chronic neuromuscular or developmental conditions for patients previously diagnosed with such a condition.
      - Health promotion, wellness, fitness, or health maintenance services.
      - Services provided to patients who are, under federal law, participating in programs involving an education or family service plan.

#### **New York**

#### **Access With Provisions**

- New York is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - A licensed PT may treat a patient without a referral for 10 visits or 30 days, whichever comes first.
  - The PT must have at least three years of full-time practicing experience.
  - The PT must be at least 21 years old.
  - The PT must notify the patient that PT services might not be covered by the patient's health insurer if they did not receive a referral for PT.
    - Notification must be in written form.
    - Notification must also state that said services could potentially be covered by the health insurer with a referral.
    - The PT must keep a copy of the written notification in the patient's file.

#### **North Carolina**

#### Unrestricted Access

- North Carolina is one of 20 states that allow patients total, unrestricted access to a physical therapist, which was revised in 2019.
- According to state law, no type of physician referral is required for a physical therapist to evaluate or treat a patient.
- The PT may not determine medical diagnosis.
- The PT must refer the patient to an appropriate healthcare professional if the person presents symptoms:
  - that require treatment or diagnosis from a physician;
  - for which PT is contraindicated; or
  - for which care is beyond the scope of practice or education of a physical therapist.
    - Failure to do so is considered unlawful practice.

#### **North Dakota**

#### **Unrestricted Access**

- North Dakota is one of 20 states that allow patients total, unrestricted
  access to a physical therapist. According to state law, no type of physician
  referral is required for a physical therapist to evaluate or treat a patient.
- The PT must refer the patient to an appropriate healthcare professional if the PT feels that the patient's care goes beyond the physical therapy scope of practice.
  - Failure to do so will result in license revocation.

#### Ohio

#### **Access With Provisions**

- Ohio is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - The PT must obtain a master's degree or have two years of clinical experience.
  - If the patient does not demonstrate progress within 30 days, the PT must refer them to an appropriate healthcare provider.
  - The PT must notify the patient's healthcare provider within the first five days following the initial PT evaluation.
  - The PT may only apply certain orthotic devices.

#### Oklahoma

- Oklahoma is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - The PT must obtain a physician's referral after 30 days.
  - Patients must obtain a physician's referral if they are seeking PT for any workers' compensation claims.

# Oregon

#### **Unrestricted Access**

- Oregon is one of 20 states that allow patients total, unrestricted access to a physical therapist, which was revised in 2013.
- According to state law, no type of physician referral is required for a physical therapist to evaluate or treat a patient.
  - The PT must refer the patient to an appropriate healthcare professional if the person presents symptoms:
    - that require treatment or diagnosis from a physician;
    - for which PT is contraindicated; or
    - for which care is beyond the scope of practice or education of a physical therapist.

# **Pennsylvania**

- Pennsylvania is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - Licensee may obtain certification from the board of physical therapy that allows him or her to practice without a physician's referral.
    - This certificate shall not authorize a PT to (1) treat a patient for any non-neurologic, non-muscular, or non-skeletal condition or (2) treat a patient who has an acute cardiac or acute pulmonary condition.
    - The PT may treat the aforementioned patients only if they
      have consulted the patient's healthcare provider or have
      referred the patient to an appropriate healthcare provider.
    - The certificate holder shall publicly display the certificate.
    - The PT shall renew the certificate whenever they renew their therapy license.
    - A PT with this certification may treat a direct access patient for 30 days from the date of the first treatment.
      - The PT may not exceed 30 days of treatment without obtaining a referral from an appropriate healthcare provider.

#### **Rhode Island**

#### **Access With Provisions**

- Rhode Island is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - The PT must provide a written disclosure to the patient indicating the scope and limitations of physical therapy, and the therapist shall obtain the patient's written consent to therapy.
  - The PT must refer the patient to an appropriate healthcare provider within 90 days of the first treatment day.
  - Any PT who accepts direct access patients must have at least one year of clinical experience.

#### **South Carolina**

#### **Access With Provisions**

- South Carolina is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - If there is no physician referral and the PT treats the patient beyond 30 days from the initial evaluation, the PT must refer the patient to an appropriate healthcare provider.
  - The PT must refer the patient to an appropriate healthcare professional if the PT feels that the patient's care goes beyond the physical therapy scope of practice.

#### South Dakota

#### **Unrestricted Access**

South Dakota is one of 20 states that allow patients total, unrestricted
access to a physical therapist. According to state law, no type of
physician referral is required for a physical therapist to evaluate
or treat a patient, and there are no provisions for treatment.

#### **Tennessee**

- Tennessee is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2020.
- Treatment may be administered with the following provisions:
  - Absent a referral from another provider, the PT may perform an initial evaluation or instruction, including recommending exercise to an asymptomatic person.
  - The PT may provide treatment in emergency situations, provided they refer a patient to an appropriate health care provider immediately after treatment.
  - With the patient's consent, the PT must inform the patient's healthcare provider of the physical therapy care plan no later than five business days after the PT evaluation.
    - If the patient seeks physical therapy for a problem that has already been addressed by his or her physician within the past 12 months, the PT does not need patient consent to inform the physician.
  - If the patient doesn't have a primary physician, then the PT must suggest a physician from a list of available providers and inform the patient of the following limitations:

- If no substantial progress has been made within 30 calendar days after the patient's initial visit, the physical therapist shall refer the patient to a licensed physician.
  - If the patient was previously diagnosed with chronic, neuromuscular, or developmental conditions, and the patient sought PT for problems or symptoms associated with at least one of those conditions, then this provision does not apply.
- If the patient returns to PT with the same complaint within a 90-day timeframe starting on the last treatment date, then the PT must immediately refer the patient to the appropriate healthcare provider.
- If the patient's physician has not been notified that the patient sought physical therapy services, the therapy services must not continue beyond 90 days immediately following the date of the patient's first visit.
- The PT must refer the patient to another provider if they believe that:
  - a patient's condition is beyond their scope of practice;
  - progress isn't being made; or
  - their treatment is contraindicated.

#### **Texas**

#### **Access With Provisions**

- Texas is one of 28 states that allow direct patient access to PT with some provisions, which were revised in 2021.
- The PT may not diagnose a disease.
- After being licensed for one year, physical therapists may treat a patient without a referral for no more than 10 consecutive business days.
  - The PT must have the requisite professional liability insurance.
- Additionally, the PT with a doctoral degree in physical therapy who
  has completed a residency or fellowship can treat a patient without a
  physician's referral for no more than 15 consecutive business days.
- Any physical therapist who treats patients without a referral must obtain a signed disclosure from the patient acknowledging that:
  - physical therapy isn't a replacement for a diagnosis from a physician;
  - physical therapy doesn't include radiological imaging;
  - the PT cannot diagnose diseases; and
  - the patient's insurance may not cover PT services.

#### Utah

#### **Unrestricted Access**

- Utah is one of 20 states that allow patients total, unrestricted access to a physical therapist. According to state law, no type of physician referral is required for a physical therapist to evaluate or treat a patient.
- PTs may not provide medical diagnoses of disease, surgery, acupuncture, or imaging.

#### **Vermont**

#### **Unrestricted Access**

 Vermont is one of 20 states that allow patients total, unrestricted access to a physical therapist. According to state law, no type of physician referral is required for a physical therapist to evaluate or treat a patient, and there are no provisions to treatment.

# Virginia

- Virginia is one of 28 states that allow direct patient access to PT with some provisions, which were revised 2021.
- A physical therapist who has obtained a
  doctorate of physical therapy or a certificate of
  authorization pursuant to <u>Section 54.1-3482.1</u> may
  evaluate and treat a patient for no more than 30
  consecutive days after an initial evaluation without
  a referral, under the following conditions:
  - The patient is not receiving care from a licensed healthcare provider, a nurse practitioner acting in accordance with their practice agreement, or a licensed physician assistant under the supervision of a physician for the symptoms that prompted the patient to seek physical therapy services, or;
  - The patient is receiving care from a licensed healthcare provider, a nurse practitioner acting in accordance with their license agreement, or a licensed physician assistant under the supervision of a physician, and:
    - The patient identifies a licensed healthcare provider, a licensed nurse practitioner practicing in accordance with his or her practice agreement, or a licensed physician assistant under the supervision of a physician from whom the patient is currently receiving care.
    - The patient provides written consent for the PT to release all personal health information (PHI) and treatment records to the identified provider.
    - The physical therapist notifies the specified provider within 14 days after the initial treatment and provides the provider with a copy of the initial evaluation along with a copy of the patient history.

- A physical therapist who has not obtained a doctorate of physical therapy or certificate of authorization pursuant to Section 54.1-3482.1 can conduct a onetime evaluation of a patient. However, the therapist cannot provide treatment without a referral.
  - The PT must immediately refer the patient to an appropriate provider if necessary.
- Note that a PT can provide physical therapy services via direct access with no restrictions under the following circumstances:
  - To student athletes in a school setting;
  - For workplace ergonomics;
  - To special education students;
  - For wellness, fitness, and health screenings; and
  - For preventive services.
- Invasive procedures within the scope of PT practice may only be performed under the referral or direction of an appropriate healthcare provider, nurse practitioner, or physician assistant under the direction of a licensed physician.

# Washington

#### **Access With Provisions**

- Washington is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - A PT may only provide treatment using orthoses that are crucial to treating conditions of the foot or ankle by referral or consultation from an authorized healthcare provider.
- There is no restriction on any insurance entity or any state agency or program from limiting use of physical therapy services through a gatekeeper function.
- The PT must refer patients to an appropriate healthcare provider when symptoms or conditions exceed the PT scope of practice.

# **West Virginia**

#### **Unrestricted Access**

- West Virginia is one of 20 states that allow patients total, unrestricted
  access to a physical therapist. According to state law, no type of physician
  referral is required for a physical therapist to evaluate or treat a patient.
- PTs may not conduct electromyography examinations and electrodiagnostic studies—other than determining chronaxia and strength duration curves—except under the supervision of a licensed electromyographer and electrodiagnostician.

#### Wisconsin

#### **Access With Provisions**

- Wisconsin is one of 28 states that allow direct patient access to PT with some provisions.
- Treatment may be administered with the following provisions:
  - Written referral from an appropriate healthcare provider is required unless the PT services are provided:
    - in schools to children with exceptional education needs;
    - under a home healthcare agency;
    - to a patient in a long-term care facility (if PT aligns with the patient's plan of care);
    - in relation to athletic activities, conditioning, or injury prevention; or
    - to an individual for a previously diagnosed medical condition after informing the patient's healthcare provider who made the diagnosis.

- Per the physical therapy examining board regulations:
  - Referral is not required for the following services when provided in employment, home, leisure, recreational, or educational settings:
    - · Conditioning;
    - Injury prevention and biomechanics application; and
    - Treatment of musculoskeletal injuries, excluding acute fractures or soft tissue avulsions.
  - The PT must refer a patient to an appropriate healthcare provider if necessary services exceed the PT scope of practice.
  - Physical therapists who receive a referral shall communicate with the referring provider as necessary to ensure continuity of care.

# **Wyoming**

#### **Unrestricted Access**

- Wyoming is one of 20 states that allow patients total, unrestricted access
  to a physical therapist. According to state law, no type of physician
  referral is required for a physical therapist to evaluate or treat a patient.
- A PT must refer the patient to a physician when:
  - the physical therapist believes there are symptoms or conditions present that require services exceeding his or her scope of practice; or
  - the PT treatment is contraindicated.

Using the information provided in this free download, I call on every physical therapist to seize the opportunity to evaluate—and, if possible, treat—patients on a direct access basis.

PTs and their patients—past, present, and future—to understand their rights and leverage them to the fullest extent of the law. It's time for our profession to step into the primary care limelight. Will you be part of the movement?

This guide is adapted from this APTA resource—which was last updated in June 2023—and includes additional state-level guidance from June 2023.

# Looking to capitalize on direct access patients near you?

WebPT Reach makes it easy to create marketing campaigns and landing pages that grab the attention of prospective patients and turn those leads into new bookings.

See how WebPT Reach can help you bring in more direct access patients. **Request your free demo**.

# **About WebPT**

With more than 160,000 Members and 17,000 clinics, WebPT is the leading software platform for outpatient physical, occupational, and speech therapists. Simple and affordable, WebPT makes it easy for therapy professionals to transition from paper and outdated software to a user-friendly, cloud-based solution. With WebPT, therapists, directors, owners, billers, and front office staff have access to patients' medical records, schedules, and claims anywhere, anytime, from any web-enabled device. WebPT's therapy-centric design and scalable architecture make it a great fit for clinics of any size, and the web-based application alleviates any large, upfront investments; costly IT support; or

bulky, in-office servers. It provides an integrated method

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to manage patient documents and progress as well as clinic schedules, analytical reports, and billing. WebPT has an intuitive workflow, allowing therapists to efficiently create compliant and consistent documentation.

In addition to documentation, WebPT offers the tools necessary to run an organized clinic, including a multiuser scheduler with appointment reminders and the ability to upload external patient documents. With WebPT Analytics, therapists and staff can track productivity, cancellations, and no-shows as well as referrals. Therapists can also benchmark and track patient progress through WebPT's outcomes tracking product and obtain continuing education units entirely online through WebPT CEU. Additionally, WebPT empowers practices to gain and retain patients through our powerful patient relationship management (PRM) platform and improve patient compliance with our interactive, mobile-friendly home exercise program (HEP). Lastly, WebPT's billing options—including the WebPT RCM Service and Billing Software as well as integrations with several certified billing partners—ensure clinics receive reliable, accurate claims submission and processing as well as speedy, maximized reimbursements.

With WebPT, rehab therapists have a modern and intuitive end-to-end software platform that's well-suited to their needs, empowering them to be better in business—and more importantly, enabling them to provide better patient care.

Headquartered in downtown Phoenix, WebPT has a 99.9% uptime rate and a 99% customer retention rate. It was named to the Inc. 5000 list of the nation's fastest-growing companies nine years in a row and to the Deloitte Fast 500 list in 2016.