



PRESENTED AT THE MAY 14, 2020 PHYSICAL THERAPY ADVISORY COMMITTEE

APPROVED BY THE MEDICAL BOARD MAY 21, 2020

Then, Ms. Ball led a discussion which was first brought up in the March 2020 meeting regarding the legality of physical therapists performing physicals for the Department of Transportation ("DOT").

Ms. Ball gave a brief history of the issue and reiterated that she has been contacted by a licensee who wants to know the feasibility of becoming a certified examiner for DOT.

Qualifications include being licensed, certified and/or registered, and the state laws (practice act) allowing for the performance of this type of evaluation. The states that currently allow PTs to perform this examination are Texas, Arkansas, North Dakota and Louisiana. The Federal Motor Carrier Safety Administration ("FMCSA") requires that the state licensure board show that it is within the scope of PT practice before this licensee can register for training. Ms. Hincke stated she was able to determine that if the trucking is intrastate, then the state can change the requirements of whether a physical therapist may perform physicals. If it is a federal trucking company, then it is under federal jurisdiction and they have the final say. Mr. Schneider advised that the federal DOT is deferring back to Oklahoma on whether or not the state allows PTs to perform DOT physicals.

Mr. Schneider stated that he previously reviewed Title 59 O.S. Sec. 887.17.A.3 and 4 and he believes there may be some wiggle room in that statute for this type of activity.

"3. Nothing in the Physical Therapy Practice Act shall prevent a physical therapist from performing screening and educational procedures within the scope of physical therapy practice without a physician referral.

4. Nothing in the Physical Therapy Practice Act shall prevent a physical therapist from performing services that are provided for the purpose of fitness, wellness, or prevention that is not related to the treatment of an injury or ailment."

He went on to state that the Physical Therapy Practice Act does not prevent nor expressly state this is allowed. He advised the question to be considered is: Is what the person is performing the practice of physical therapy or is it not?

Ms. Ball stated the course for certification is live and a test is given at the end to ensure competency. Further, Ms. Ball has performed examinations similar to these and believes it is fairly straightforward. After much discussion, Ms. Martin-Davis moved to recommend that the performance of Department of Transportation physical evaluations is allowed under the Oklahoma Physical Therapy Practice Act under Title 59 O.S. Sec. 887.17.A.3 and 4, or in the alternative it is not expressly prohibited. Ms. Hinkle seconded the motion and the vote was unanimous in the affirmative.