

STATE OF NEW YORK

3762--B

2017-2018 Regular Sessions

IN SENATE

January 26, 2017

Introduced by Sens. GRIFFO, ADDABBO, AMEDORE, AVELLA, BONACIC, BOYLE, BRESLIN, CARLUCCI, COMRIE, DeFRANCISCO, DILAN, FUNKE, GALLIVAN, GOLDEN, HAMILTON, KENNEDY, LANZA, LARKIN, LATIMER, MARCHIONE, PARKER, RANZENHOFER, RITCHIE, ROBACH, SAVINO, STAVISKY, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the workers' compensation law, in relation to physical therapy care provided through the workers' compensation system

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (d) of subdivision 1 of section 13-b of the work-
2 ers' compensation law, as amended by chapter 473 of the laws of 2000, is
3 amended to read as follows:

4 (d) Upon the referral which may be directive as to treatment of an
5 authorized physician physical therapy care may be rendered by a duly
6 licensed physical therapist or by a certified physical therapist assist-
7 ant, provided that a certified physical therapist assistant shall work
8 under the supervision of a licensed physical therapist performing such
9 patient related activities as are assigned by the supervising physical
10 therapist pursuant to article one hundred thirty-six of the education
11 law. Where physical therapy care is rendered records of the patient's
12 condition and progress, together with records of instruction for treat-
13 ment, if any, shall be maintained by the physical therapist and physi-
14 cian. Physical therapists must co-sign physical therapist assistant
15 treatment notes. Said records shall be submitted to the chair on such
16 forms and at such times as the chair may require. Care provided by a
17 licensed physical therapist or a certified physical therapist assistant
18 shall be in accordance with article one hundred thirty-six of the educa-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 tion law. The chair, in consultation with the board's medical director,
2 shall review physical therapy service codes to determine the appropri-
3 ateness of modifiers, if any, based on the practitioner rendering the
4 service and shall implement modifiers as appropriate. A certified phys-
5 ical therapist assistant shall not be authorized to perform independent
6 medical examinations.

7 § 2. This act shall take effect on the sixtieth day after it shall
8 have become a law.