

STATE OF NEW YORK

1204--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. ZEBROWSKI, WEPRIN, COLTON, BENEDETTO, STECK, STIRPE, THIELE, DICKENS, SEAWRIGHT, GANDOLFO, BRABENEC, CARROLL, SIMON, LUNSFORD, JACOBSON, McDONALD, BUTTENSCHON, EACHUS, REILLY, SILLITTI, McMAHON, SHIMSKY, BENDETT, LEMONDES -- Multi-Sponsored by -- M. of A. McDONOUGH -- read once and referred to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the workers' compensation law, in relation to authorizing treatment of workers' compensation injuries by an occupational therapy assistant or physical therapy assistant

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

1 Section 1. Subdivision 1 of section 13-b of the workers' compensation
2 law is amended by adding two new paragraphs (p) and (q) to read as
3 follows:

4 (p) "Physical therapist assistant" shall mean licensed in accordance
5 with the education law and the licensing requirements of the commis-
6 sioner of education.

7 (q) "Occupational therapy assistant" shall mean licensed in accordance
8 with the education law and the licensing requirements of the commis-
9 er of education.

10 § 2. Subdivision 2 of section 13-b of the workers' compensation law is
11 amended by adding a new paragraph (b-1) to read as follows:

12 (b-1) Under the direction and supervision of an authorized occupa-
13 tional therapist, occupational therapy services may be rendered by an
14 occupational therapy assistant. Under the direction and supervision of
15 an authorized physical therapist, physical therapy services may be
16 rendered by a physical therapist assistant. Where any such care or
17 treatment is rendered, records of the patient's condition and progress,
18 together with records of instruction for treatment, if any, shall be

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

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1 maintained by the physical therapist or occupational therapist and by
2 the referring physician, physician assistant, podiatrist, or nurse prac-
3 titioner. Said records shall be submitted to the chair on forms and at
4 such times as the chair may require.

5 § 3. This act shall take effect on the thirtieth day after it shall
6 have become a law.