

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 24-1327

BY REPRESENTATIVE(S) Bradley and Duran, Brown, Lieder, McCormick, Young, Bird, English;
also SENATOR(S) Mullica, Buckner, Exum, Ginal, Hansen, Jaquez Lewis, Kolker, Priola, Roberts, Simpson, Van Winkle.

CONCERNING THE CONTINUATION OF THE REGULATION OF PHYSICAL THERAPY PRACTICE, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE 2023 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 12-285-104, **amend** (6)(a)(II) introductory portion, (6)(a)(II)(E), and (6)(a)(II)(F); and **add** (6)(a)(II)(G) as follows:

12-285-104. Definitions. As used in this article 285, unless the context otherwise requires:

(6) (a) (II) ~~For purposes of~~ AS USED IN this article 285, "physical therapy" includes:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(E) The provision of consultative, educational, and other advisory services for the purpose of reducing the incidence and severity of physical disability, movement dysfunction, bodily malfunction, and pain; and

(F) General wound care, including the assessment and management of skin lesions, surgical incisions, open wounds, and areas of potential skin breakdown in order to maintain or restore the integumentary system; AND

(G) THE AUTHORIZATION TO DIRECTLY RECOMMEND AND PRESCRIBE DURABLE MEDICAL EQUIPMENT TO PATIENTS WITHOUT REQUESTING A PRESCRIPTION FROM A LICENSED PHYSICIAN.

SECTION 2. In Colorado Revised Statutes, **amend** 12-285-132 as follows:

12-285-132. Repeal of part - review of functions. This part 1 and the licensing functions of the board as set forth in this part 1 are repealed, effective ~~September 1, 2024~~ SEPTEMBER 1, 2035. Before the repeal, the licensing functions of the board are scheduled for review in accordance with section 24-34-104.

SECTION 3. In Colorado Revised Statutes, **amend** 12-285-220 as follows:

12-285-220. Repeal of part - review of functions. This part 2 is repealed, effective ~~September 1, 2024~~ SEPTEMBER 1, 2035. Before the repeal, the functions of the board in regulating physical therapist assistants under this part 2 are scheduled for review in accordance with section 24-34-104.

SECTION 4. In Colorado Revised Statutes, 24-34-104, **repeal** (25)(a)(XVIII) and (25)(a)(XIX); and **add** (36) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (25) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2024:

(XVIII) ~~The licensing of physical therapists by the physical therapy board in accordance with part 1 of article 285 of title 12;~~

~~(XIX) The certification of physical therapist assistants by the physical therapy board in accordance with part 2 of article 285 of title 12;~~

(36) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2035:

(I) THE LICENSING OF PHYSICAL THERAPISTS BY THE PHYSICAL THERAPY BOARD IN ACCORDANCE WITH PART 1 OF ARTICLE 285 OF TITLE 12;

(II) THE CERTIFICATION OF PHYSICAL THERAPIST ASSISTANTS BY THE PHYSICAL THERAPY BOARD IN ACCORDANCE WITH PART 2 OF ARTICLE 285 OF TITLE 12.

(b) THIS SUBSECTION (36) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2037.

SECTION 5. In Colorado Revised Statutes, 12-285-104, **amend** (4), (6)(a)(II)(E), (6)(a)(II)(F), and (6)(b)(III); and **add** (6)(a)(II)(H) as follows:

12-285-104. Definitions. As used in this article 285, unless the context otherwise requires:

(4) "Physical therapist" means a person who is licensed to practice physical therapy. The ~~terms~~ TERM "physiotherapist" and "~~physical therapy technician~~" ~~are~~ IS synonymous with the term "physical therapist".

(6) (a) (II) For purposes of this article 285, "physical therapy" includes:

(E) The provision of consultative, educational, and other advisory services for the purpose of reducing the incidence and severity of physical disability, movement dysfunction, bodily malfunction, and pain; ~~and~~

(F) General wound care AND WOUND DEBRIDEMENT, including the assessment and management of skin lesions, surgical incisions, open wounds, and areas of potential skin breakdown in order to maintain or restore the integumentary system. WOUND DEBRIDEMENT INCLUDES SHARP DEBRIDEMENT AND NONSHARP DEBRIDEMENT, SUCH AS MECHANICAL, AUTOLYTIC, ENZYMATIC, AND MAGGOT.

(H) ONGOING REVIEW, INTEGRATION, AND UNDERSTANDING OF A PATIENT'S OR CLIENT'S PRESCRIPTION AND NONPRESCRIPTION MEDICATION REGIMEN, WITH CONSIDERATION OF ITS IMPACT ON HEALTH, FUNCTION, MOVEMENT, AND DISABILITY.

(b) For the purposes of subsection (6)(a)(II) of this section:

(III) ~~"Tests and measurements" includes, but is not limited to, tests of muscle strength, force, endurance, and tone; reflexes and automatic reactions; movement skill and accuracy; joint motion, mobility, and stability; sensation and perception; peripheral nerve integrity; locomotor skill, stability, and endurance; activities of daily living; cardiac, pulmonary, and vascular functions; fit, function, and comfort of prosthetic, orthotic, and other assistive devices; posture and body mechanics; limb length, circumference, and volume; thoracic excursion and breathing patterns; vital signs; nature and locus of pain and conditions under which pain varies; photosensitivity; and physical home and work environments~~ MEANS STANDARD METHODS AND TECHNIQUES USED TO OBTAIN DATA ABOUT THE PATIENT OR CLIENT, INCLUDING DIAGNOSTIC IMAGING AND ELECTRODIAGNOSTIC AND ELECTROPHYSIOLOGICAL TESTS AND MEASURES.

SECTION 6. In Colorado Revised Statutes, **amend** 12-285-107 as follows:

12-285-107. Use of titles restricted. (1) A person licensed as a physical therapist may use the title "physical therapist" or the letters "P.T." or any other generally accepted terms, letters, or figures that indicate that the person is a physical therapist. No other person shall be so designated or shall use the terms "physical therapist", "licensed physical therapist", "physiotherapist", "DOCTOR OF PHYSICAL THERAPY", "DOCTOR OF PHYSIOTHERAPY", or "physical therapy technician", or the letters "P.T.", or "L.P.T.", "P.T.A.", "D.P.T.", "R.P.T.", OR ANY LETTERS, ABBREVIATIONS, OR INSIGNIA INDICATING OR IMPLYING THAT THE PERSON IS A PHYSICAL THERAPIST UNLESS THE PERSON IS LICENSED PURSUANT TO THIS ARTICLE 285.

(2) A PERSON ENROLLED AS A STUDENT PHYSICAL THERAPIST IN AN EDUCATIONAL PROGRAM ACCREDITED BY THE COMMISSION ON ACCREDITATION IN PHYSICAL THERAPY EDUCATION OR A COMPARABLE ORGANIZATION, AS DETERMINED BY THE BOARD, MAY USE THE TITLE

"STUDENT PHYSICAL THERAPIST". NO OTHER PERSON SHALL USE THE TERM "STUDENT PHYSICAL THERAPIST" OR THE LETTERS "S.P.T." OR ANY LETTERS, ABBREVIATIONS, OR INSIGNIA INDICATING OR IMPLYING THAT THE PERSON IS A STUDENT PHYSICAL THERAPIST.

SECTION 7. In Colorado Revised Statutes, 12-285-113, **amend** (1) introductory portion and (1)(b) as follows:

12-285-113. Licensing of internationally-educated applicants.

(1) Every ~~foreign-trained~~ applicant for licensing WHO IS EDUCATED BY A PROGRAM THAT IS NOT ACCREDITED BY THE COMMISSION ON ACCREDITATION IN PHYSICAL THERAPY EDUCATION OR A COMPARABLE ORGANIZATION, AS DETERMINED BY THE BOARD, shall:

(b) Possess an active, valid license in good standing or other authorization to practice physical therapy from an appropriate authority in the country where the ~~foreign-trained~~ applicant is practicing or has practiced;

SECTION 8. In Colorado Revised Statutes, 12-285-116, **amend** (3) as follows:

12-285-116. Special practice authorities and requirements - definition - rules. (3) **Wound debridement.** A physical therapist is authorized to perform wound debridement under a physician's order, ~~or~~ the order of a physician assistant authorized under section 12-240-107 (6), OR THE ORDER OF AN ADVANCED PRACTICE REGISTERED NURSE AUTHORIZED UNDER SECTION 12-255-111 when debridement is consistent with the scope of physical therapy practice. The performance of wound debridement does not violate the prohibition against performing surgery pursuant to section 12-285-108 (1)(a).

SECTION 9. In Colorado Revised Statutes, 12-285-203, **add** (3) as follows:

12-285-203. Limitations on authority. (3) A PHYSICAL THERAPIST ASSISTANT:

(a) SHALL NOT PERFORM SHARP WOUND DEBRIDEMENT;

(b) MAY PERFORM GENERAL WOUND CARE AND NONSHARP DEBRIDEMENT, INCLUDING MECHANICAL, AUTOLYTIC, ENZYMATIC, AND MAGGOT, UNDER THE SUPERVISION OF A PHYSICAL THERAPIST WHEN DEBRIDEMENT IS CONSISTENT WITH THE SCOPE OF PHYSICAL THERAPY PRACTICE.

SECTION 10. In Colorado Revised Statutes, 12-285-207, **amend** (1) introductory portion and (1)(b) as follows:

12-285-207. Certification of internationally-educated applicants.

(1) Every ~~foreign-trained~~ applicant for certification WHO IS EDUCATED BY A PROGRAM THAT IS NOT ACCREDITED BY THE COMMISSION ON ACCREDITATION IN PHYSICAL THERAPY EDUCATION OR A COMPARABLE ORGANIZATION, AS DETERMINED BY THE BOARD, shall:

(b) Possess an active, valid license, certification, or registration in good standing or other authorization to practice as a physical therapist assistant from an appropriate authority in the country where the ~~foreign-trained~~ applicant is practicing or has practiced;

SECTION 11. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO