

---

**Kentucky State Board of Physical Therapy**

9110 Leesgate Road, Suite 6

Louisville, KY 40222-5159

502/327-8497

Fax: 502/423-0934

## ***DIRECT ACCESS IN KENTUCKY***

In 1986, staff to the Legislative Research Commission (LRC) in Kentucky determined that the language in the definition of Aphysical therapy≡ found in KRS 327.010(1) permits patients to receive physical therapy treatment without referral.

KRS 327.010 Definitions.

As used in this chapter, unless the context otherwise requires:

- (1) "Physical therapy" means ... preventive measures, screening, tests in aid of diagnosis by a licensed doctor of medicine, ...and evaluation and invasive or noninvasive procedures with emphasis on the skeletal system, neuromuscular and cardiopulmonary function, as it relates to physical therapy. Physical therapy includes screening or evaluations performed to determine the degree of impairment of relevant aspects such as, but not limited to, nerve and muscle function including subcutaneous bioelectrical potentials, motor development, functional capacity and respiratory or circulatory efficiency. *Physical therapy also includes physical therapy treatment performed upon referral by a licensed doctor of medicine, osteopathy, dentistry, chiropractic or podiatry* including, but not limited to, exercises for increasing or restoring strength, endurance, coordination and range of motion, stimuli to facilitate motor activity and learning, instruction in activities of daily living and the use of assistive devices and the application of physical agents to relieve pain or alter physiological status....≡ (Emphasis added)

This decision was predicated by presence of the phrase, *APhysical therapy also includes physical therapy treatment performed upon referral....≡*. In Kentucky, >also includes=, means, ***Abut is not limited to≡*** (treatment performed upon referral....).

Following that decision withstanding additional legal scrutiny, the Board amended language in Administrative Regulations which indicated referral was required prior to treatment. Amendments included a significant requirement in 201 KAR 22:010 Section 2:

### **201 KAR 22:010. Objectives of physical therapy.**

Section 2. Patient Management. Adequate, effective, and efficient patient care is the ultimate goal of physical therapy. The physical therapist evaluates each patient, and determines those ways in which he can contribute to total health management. He then plans and implements a treatment program, reevaluating and making modifications as necessary. ***A physical therapist shall refer to a licensed physician or dentist any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the physical therapist.*** When basis for treatment is referral, the physical therapist may confer with the referring physician, podiatrist, dentist, or chiropractor. (2 Ky.R. 76; eff. 9-10-75; Am. 7 Ky.R. 310; 442; eff. 11-6-80; 11 Ky.R. 734; eff. 12-11-84; 13 Ky.R. 901; eff. 12-2-86.)

(Emphasis added)

The requirement for the physical therapist to refer a patient whose medical condition is beyond his or her scope of practice is included to provide an appropriate balance to the patients right to direct access.

09/04/97

Nancy Brinly, PT  
Executive Secretary

Deborah Tharp, PT  
Chairman