



## KENTUCKY BOARD OF PHYSICAL THERAPY

Steven L. Beshear  
Governor

312 Whittington Pkwy. Suite 102  
Louisville, KY 40222  
Phone (502) 429-7140  
Fax (502) 429-7142  
<http://pt.ky.gov>

Rebecca E. Klusch  
Executive Director

July 19, 2009

Beth Ennis, PT, EdD, PCS, ATP  
Primary Level Evaluator, First Steps  
7410 New LaGrange Road Suite 300  
Louisville, KY 40222

Dear Dr. Ennis:

Opinion and Declaratory ruling regarding state law governing assessments performed under the authority of the First Steps program by the Kentucky Board of Physical Therapy.

### I. Introduction

The Board has authorized this Opinion as an Opinion and Declaratory Ruling pursuant to KRS 13A.130(3) and KRS 13A.010(2)(b) as the agency with jurisdiction to interpret the statutes and regulations governing the practice of physical therapy in the Commonwealth of Kentucky.

Due to concern over recommended practices directed by First Steps, multiple providers have questions regarding the practice of First Steps to go directly to IFSP (Individualized Family Service Plan) prior to ongoing team members having visited with the child and their family. First Steps is a program within the Commonwealth of Kentucky in response to the federal Infant-Toddler Program. It involves the early intervention and interaction and treatment by multiple health care providers all working towards a common goal for the overall health and well-being of children with developmental disabilities from birth to age 3 and their families.

In the First Steps program, an IFSP is created as defined in 911 KAR 2:130, Kentucky Early Intervention Program Assessment and Service Planning. A team, composed of the family, a service coordinator, potential service providers, and others the family may choose to include, works together to develop an IFSP that delineates a six-month approach to meet the developmental needs of the child. The IFSP is often created before the physical therapist has had one-on-one, face-to-face interaction with the child.

Here are the questions presented.

- 1) We consider the IFSP, and objectives and strategies written in it, to be a part of our assessment and plan of care, similar to school system policy with IEP (Individualized Education Plan). Does the board consider this to be the case?
- 2) Is it allowable within our practice act to have a Physical Therapist ("PT") develop objectives and strategies prior to having seen the child?
- 3) Is it allowable for another discipline to develop objectives and strategies for PT to follow, prior to the PT having seen the child?



An Equal Opportunity Employer M/F/D

According to 201 KAR 22:053 Section 2(2)(a), “a physical therapist shall evaluate each patient prior to initiation of treatment.” Furthermore, as defined in 201 KAR 22:053 Section 5(1)(a-e) the initial evaluation shall include:

- (a) Pertinent medical and social history;
- (b) Subjective information;
- (c) Appropriate objective testing;
- (d) Assessment, which may include problems, interpretation, and a physical therapy diagnosis identifying the nature and extent of the patient’s impairment; and
- (e) Plan of care, including:
  - 1. Treatment to be rendered;
  - 2. Frequency and duration of treatment; and
  - 3. Measurable goals;

The initial assessment that is completed as part of the First Steps intake, including the five area assessment with or without a diagnostic assessment with a norm-referenced instrument, does not meet the requirements noted above.

Therefore, in reference to questions 2 and 3 above, it is a violation of law under KRS 327 for a physical therapist to develop objectives and strategies for a child prior to completing a physical therapy evaluation to include all of the required components as mandated by 201 KAR 22:053 Section 2(2)(a). It is also a violation of law under KRS 327 for a physical therapist to follow objectives or strategies developed by another professional prior to completion of a physical therapy evaluation. Kentucky law requires the physical therapist to perform an initial evaluation in all cases. Physical Therapists have an independent scope of practice and must exercise their own clinical judgment and skill in treating a patient, thus are required to perform the initial evaluation.

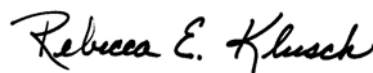
With regard to question 1, once a physical therapist has completed the initial evaluation, it is appropriate for the physical therapist to collaborate with the other members of the IFSP team in developing the IFSP, which may then be used by the physical therapist to develop or modify the physical therapist plan of care.

## **II. Conclusion**

As the agency authorized by the Kentucky General Assembly to regulate the practice of physical therapy in this state, the Board is empowered to interpret its statutes and regulations. In summary, prior to developing objectives or strategies for inclusion in a child’s IFSP, a PT must complete an evaluation including all the required elements. Furthermore, while the objectives and strategies recommended by other disciplines are essential to consider, a PT may not use these as a substitute for a PT evaluation to initiate intervention.

Sincerely yours,

Ron Barbato, P.T., Chair  
Kentucky Board of Physical Therapy



Rebecca E. Klusch  
Executive Director

cc: Board members