



Jeff Landry
Governor

State of Louisiana
Department of Health and Hospitals

Charlotte F. Martin, M.P.A.
Executive Director

Louisiana Physical Therapy Board

August 2, 2024

American Physical Therapy Association – Louisiana
Karl Kleinpeter, PT, President
Cristina Faucheux, PT, Governmental Affairs Chair
8550 United Plaza Blvd
Suite 1001
Baton Rouge, LA 70809

Re: Request for clarification on imaging referral by physical therapists

Dear Mr. Kleinpeter and Ms. Faucheux,

The Louisiana Physical Therapy Board is in receipt of your correspondence dated May 28, 2024 requesting clarification on imaging referral by physical therapists in Louisiana. At the July 24, 2024 Regular Board Meeting, the board members discussed your questions and approved the following response.

The Board is responding to the questions received by the APTA-LA pursuant to the following referenced authority: the Louisiana Physical Therapy Act, La. R.S. 37:2401 *et seq.*, was “enacted for the purpose of protecting the public health, safety, and welfare, and to provide for state administrative control, supervision, licensing, and regulation of the practice of physical therapy in Louisiana.” La. R.S. 37:2402(A). La. R.S. 37:2405(A) of the Louisiana Physical Therapy Act vests in the board the responsibility for enforcement of the provisions of the Act and provides that the board “shall have all the powers, duties, and authority specifically granted by or necessary for the enforcement of this Chapter,” including but not limited to “[e]stablishing by rule the standards of practice”. La. R.S. 37:2405(A)(8). Additionally, the board may “[a]dopt by reference all or part of the following codes, guides, and standards of the American Physical Therapy Association: Code of Ethics, Guide for Professional Conduct, Standards of Ethical Conduct for the Physical Therapist Assistant, and Guide for Conduct of the Physical Therapist Assistant, except when such are in conflict with this Chapter or the rules of the board.” La. R.S. 37:2405(B)(14). Additionally, Section 121 of the Board Rules provides: “The board may issue a declaratory statement on its own initiative or in response to a request for clarification of the effect of the provisions contained in the Practice Act, R.S. 37:2401 *et seq.*, and/or the board’s rules, LAC 46:LIV.Chapter 1 *et seq.*”

Question 1: When a physical therapist has reasonable cause to believe that symptoms or conditions are present requiring services beyond their practice scope, does the therapist have a

duty to refer the patient, in the most timely fashion, to an appropriate healthcare provider/practitioner to assist in managing the case when warranted?

Response to question 1: Yes. La. R.S. 37:2418(B)(2)(b) of the Louisiana Physical Therapy Act provides: “If, after thirty calendar days of implementing physical therapy treatment pursuant to this Paragraph, the patient has not made measurable or functional improvement, the physical therapist shall refer the patient to an appropriate healthcare provider. The board shall take appropriate disciplinary action against any physical therapist who fails to refer a patient pursuant to this Paragraph”.

La. R.S. 37:2420(A)(7) of the Louisiana Physical Therapy Act provides: “After due notice and hearing, the board may refuse to license any applicant, or may refuse to renew the license of any person, or may restrict, suspend, or revoke any license upon proof that the person has...(7) Been found guilty of unprofessional conduct or sexual misconduct, including but not limited to departure from, or failure to conform to, the minimal standards of acceptable and prevailing physical therapy practice, in which proceeding actual injury to a patient need not be established”.

Section 303(C) of the Board Rules provides: “A PT shall exercise sound professional judgment based upon his knowledge, skill, education, training, and experience, and shall perform only those procedures for which he is competent. If, during evaluation, reassessment or screening, the PT finds that treatment which is outside the scope of his knowledge, experience, or expertise is needed, the PT shall notify the patient or client and provide a referral to an appropriate healthcare provider”.

Section 307(B)(1) of the Board Rules provides: “As used in connection with providing wellness or preventive services referred to in R.S. 37:2418 C(4), the PT shall: (1) perform a screening to determine whether treatment or wellness/preventive services are indicated. The therapist shall inform the individual of the screening results and make recommendations for follow-up with the appropriate health care provider if needed.”

Section 345(B)(1)(d) of the Board Rules provides: “As used in R.S. 37:2420(A)(7) of the Practice Act and in these rules, the term unprofessional conduct does not require actual injury to a patient, and includes, but is not limited to, the following... failure to inform and refer the patient or client to an appropriate practitioner, when the licensee becomes aware of findings and/or the need for treatment which are outside the scope of the PT’s competence.”

Pursuant to the above-referenced statutes and board rules, the Louisiana Physical Therapy Board agrees that when a physical therapist finds or becomes aware that symptoms or conditions are present requiring services beyond their practice scope, the physical therapist does have a duty to refer the patient to an appropriate healthcare provider or appropriate practitioner.

Question 2: In reference to the first query and the Statute cited above, does the Board consider a board-certified radiologist to be a “qualified professional or appropriate healthcare provider”?

Response to question 2: Yes.

Question 3: Does the Statute cited above, or any other part of the Louisiana Physical Therapy Board, explicitly prohibit physical therapists from referring patients directly to a radiologist for appropriate diagnostic imaging studies?

Response to question 3: No. Nothing in the Louisiana Physical Therapy Practice Act, La. R.S. 37:2401-2425, nor the Board's Rules, LAC tit. 46: LIV §103 *et seq.*, prohibits a physical therapist from referring a patient directly to a radiologist for appropriate diagnostic imaging studies.

Question 4: Regarding the third question, and specifically regarding our Practice Act's language on "use of roentgen rays and radium, isotopes and ionizing radiation for diagnosis and therapeutic purposes", we respectfully ask the Board to consider as part of its clarification that referral to a radiologist at an outside imaging center that utilizes ionizing radiation does not constitute "use" of radiation by the physical therapist within his or her practice, and that the "roentgen ray" clause does not prohibit physical therapists from referring elsewhere for imaging.

Response to question 4: Nothing in the Louisiana Physical Therapy Practice Act, La. R.S. 37:2401-2425, nor the Board's Rules, LAC tit. 46: LIV §103 *et seq.*, prohibits a physical therapist from referring a patient to an appropriate healthcare provider or practitioner for the use of roentgen rays and radium, isotopes and ionizing radiation for diagnosis and therapeutic purposes. The Louisiana Physical Therapy Board concludes that the exclusion of "the use of roentgen rays and radium, isotopes, and ionizing radiation for diagnostic and therapeutic purposes" from the definition of "physical therapy" in the Practice Act refers to the actual operation of the machine or device that delivers these to the patient and that it in no way limits or restricts the physical therapist's duty to refer.

Please let me know if you have any additional questions following the receipt of this response.

Best regards,



Charlotte F. Martin, MPA
Executive Director

CC:

Danny Lewy, Chairman of the Board