



Academy Leader

Executive Brief

Physical Therapy Bill Hearings

by Dianne Farabi

Letters Have Effect - More Needed

Members of both the Ohio Chapter, AAOP and the Ohio Orthotics and Prosthetics Association have responded to the movement of SB 35, a bill which, if passed, will allow physical therapists to provide orthotic and prosthetic services without benefit of a physician diagnosis or prescription.

SB 35 has now had two hearings, including a sponsor testimony (first) hearing held before the Legislature's summer recess. House Committee Chairman, Greg Jolivet, called several special hearings of the House Health Committee this summer primarily to hear testimony on HB 71, a controversial bill to address the proliferation of specialty hospitals. Ted Ryder (Brace Shop Prosthetic Orthotic Centers, Inc.) was scheduled to testify during one of the hearings when SB 35 was on the

schedule. However, due to the lengthy testimony on HB 71, most scheduled witness, both proponent and opponent, were unable to testify and will be rescheduled at a later date.

In the meantime, Ohio Chapter and OOPA members have been urged to contact legislators in their respective areas who are on the House Health Committee. Members have been encouraged to invite committee members to visit facilities during the summer break.

Dianne Farabi has contacted several legislators on the Committee who may be identified as potential sponsors for an amendment to exclude O & P from the services which may be provided by physical therapists without a physician diagnosis or prescription.

Meeting to Feature International Specialist

Marlo Ortiz will be traveling from Guadalajara, Mexico to speak on the *Evolution of Ischial Containment Socket* during the Ohio Chapter's Fall meeting.

Ortiz is renowned internationally for his teaching and speaking experiences. Graduated as an Engineer in 1977, O & P courses until 1979. He was a guest professor at UCLA Prosthetic school in 1989 and 1990 and has spoken in Argentina, Costa Rica, Panama, Cuba, Spain, Germany, and USA.

Mr. Ortiz received Mexican Prosthetic certification in November 2002.

He is Past President of the Mexican Orthotic & Prosthetic Association in 1980-1982 and 1994-1996.

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Licensure Board Addresses Multiple Issues

Legislation Prepared.

A draft bill is ready to be introduced that will correct selected areas within 4779 of the Ohio Revised Code dealing with the licensure of orthotics, prosthetics and pedorthics.

Senator Steve Austria (R- Beaver Creek) agreed to sponsor the bill, which is expected to be introduced when the legislature returns from its summer recess in September.

Among the issues to be addressed in the bill in addition to "housekeeping" type changes are:

- ♦ Definition of Pedorthics
- ♦ Changes in Threshold Licensure Requirements
- ♦ Reciprocity for other states
- ♦ Broaden the type of supervision that will qualify a candidate for licensure/examination

DME Dispensation of Orthoses

A request was received by the Board from a medical equipment company to clarify some specific items may or may not be dispensed without a license. The Board concurred that the following items would be excluded from the definition of custom fabricated or fitted orthotic device:

1. Custom compression stockings
2. Compression sleeves
3. "Warm and form" lumbar sacral-type bracing

The following two categories were also included for clarification:

4. Ankle-foot orthotics
5. Sports medicine-related knee braces, customized at the manufacturer, described further as ACL-type bracing.

The Board determined that generally items #4 and #5 probably do require a licensed professional. The Board concurred that rather than issuing a code-by-code listing of items that would be excluded from licensure requirements under #4 and #5, the issue would be addressed on a case by case basis as specific inquiries are directed to the Board.

Continuing Education

The Board reviewed other boards' documents used to process CE course approval requests and other administrative functions. The Board currently recognizes courses which have been approved for credit by the American Board for Certification (ABC) and Board for Orthotic Certification (BOC) and will be developing policies for approval of courses other than those already approved by ABC and BOC.

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Write Now, Write Again

Your Letters Have Impact. Ohio Chapter members should be aware that the letters you write do make a difference and are being read by members of the Health Committee. I have heard from several legislators that they have serious concerns regarding SB 35 as a result of letters that you have written.

If you have not written to members of the House Health Committee, it is now timely to do so. Or, if you have already written, it will help the cause if you write again now, to refresh them on the issue or add additional clarification on the issue.

The Message

In addition to the talking points and sample letter that were sent earlier, you should be prepared to respond to the following statements made by proponents of SB35:

- ♦ *Most States Have Direct Access for Physical Therapists.* True, but the statement is misleading because only a small number of those states (four or five, including Ohio), expressly permit physical therapists to design, fabricate or modify orthotics and prosthetics.

- ♦ *O&P Has Been Included in the PT Scope of Practice in Ohio Since the 1950's.* True, but now proponents of SB35 are asking to provide the services without a diagnosis or physician prescription and it is important to note that O & P is not the same profession it was in the 1950's especially considering technology influences and availability of prefabricated items.

- ♦ *There Has Been No Indication of Increased Liability in the Other States Who Have "Direct Access"* We can accept this a valid statement for physical therapy, but it would be difficult to assess this issue as it pertains to O & P without a physician diagnosis. Since O & P falls outside the majority of physical therapy services that have been provided without a physician diagnosis/prescription we don't think this statement has relevancy to O & P services.

Please contact Dianne Farabi if you have questions about this issue or if you need information or assistance in writing or contacting members of the House Health Committee. ■■

Ortiz Continued From Page 1

His most recent participation with US meetings was with AOPA in Phoenix (October 2001), AAOP Orlando (March 2002), Orlando (May 2002), AOPA Chicago (October 2002), AAOP in San Diego (March 2003), Florida Academy Chapter (April 2003) and the Georgia Society Annual Meeting (February 2003).

He also participated in the Orthopaedik Reha-Technik Leipzig Germany (May 2002), Jabeurs Utrecht, Holland (September 2002), BAPO Glasgow, Scotland (March 2003), Neuhof seminar Nurenberg, Germany March 2003, Symposium, Loth Fabenim seminar in Mandaag, Netherlands April 2003 and Belgium seminar April 2003, Japanese Academy of O & P meeting in Ube, Japan July 2003.

Ortiz has been have been attending the National AAOP and AOPA meetings for more than twelve years. ■■

Please note change!

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