**A** **BILL**

TO AMEND SECTION 40‑45‑110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS ON WHICH THE BOARD OF PHYSICAL THERAPY EXAMINERS MAY REFUSE TO GRANT LICENSES OR MAY SUSPEND, REVOKE, OR OTHERWISE RESTRICT LICENSES, SO AS TO REMOVE THE GROUNDS OF PROVIDING PHYSICAL THERAPY SERVICES BEYOND THIRTY DAYS AFTER AN INITIAL EVALUATION OR TREATMENT DATE WITHOUT REFERRAL OF THE PATIENT TO A LICENSED MEDICAL DOCTOR OR DENTIST UNLESS INITIAL EVALUATION AND TREATMENT WAS MADE FROM A REFERRAL FROM A MEDICAL DOCTOR OR DENTIST.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑45‑110(A) of the 1976 Code is amended to read:

“(A) In addition to other grounds provided for in Section 40‑1‑110, the board, after notice and hearing, may restrict or refuse to grant a license to an applicant and may refuse to renew the license of a licensed person, and may suspend, revoke, or otherwise restrict the license of a licensed person who:

(1) requests, receives, participates, or engages directly or indirectly in the dividing, transferring, assigning, rebating, or refunding of fees received for professional services or profits by means of a credit or other valuable consideration including, but not limited to, wages, an unearned commission, discount, or gratuity with a person who referred a patient, or with a relative or business associate of the referring person;

(2) has treated or undertaken to treat human ailments otherwise than by physical therapy or has practiced physical therapy and failed to refer to a licensed medical doctor or dentist any patient whose medical condition should have been determined at the time of evaluation or treatment to be beyond the scope of practice of a physical therapist;

(3) knowingly aided, assisted, procured, or advised a person to practice physical therapy contrary to this chapter or to regulations promulgated by the board pursuant to this chapter or knowingly performed an act which aids, assists, procures, or advises an unlicensed person to practice physical therapy;

(4) ~~in the absence of a referral from a licensed medical doctor or dentist, provides physical therapy services beyond thirty days after the initial evaluation and/or treatment date without the referral of the patient to a licensed medical doctor or dentist;~~

~~(5)~~ changes, or in any way modifies, any specific patient care instructions or protocols established by an appropriate health care provider without prior consultation with and approval by the appropriate health care provider.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑