

45:9-37.1 et seq.

LEGISLATIVE HISTORY CHECKLIST

NJSA 45:9-37.1 et seq.

Laws of 1975 Chapter 185

Bill No. S 1214

Sponsor(s) Greenberg

Date Introduced May 16, 1974

Committee: Assembly Commerce, Industry & Professions

Senate Labor, Industry & Professions

Amended during passage Yes  Amendments during passage denoted by asterisks.

Date of passage: Assembly April 21, 1975

Senate January 27, 1975

Date of approval August 16, 1975

Following statements are attached if available:

Sponsor statement  Yes  No

Committee Statement: Assembly Yes  No

Senate  No

Fiscal Note Yes  No

Veto message  No

Message on signing  No

Following were printed:

Reports  No

Hearings  No

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SENATE, No. 1214

STATE OF NEW JERSEY

INTRODUCED MAY 16, 1974

By Senator GREENBERG

Referred to Committee on Labor, Industry and Professions

AN ACT to amend and supplement "An act providing for the registration of physical therapists, prescribing penalties for violations, and amending section 45:9-21 of the Revised Statutes," approved December 16, 1963 (P. L. 1963, c. 169).

1 BE IT ENACTED by the Senate and General Assembly of the State  
2 of New Jersey:

1 1. Section 2 of P. L. 1963, c. 169 (C. 45:9-37.1) is amended to  
2 read as follows:

3 2. As used in this act, unless the context otherwise requires, the  
4 following words shall have the following meanings:

5 (a) "Board" means the State Board of Medical Examiners  
6 which shall enforce and administer the provisions of this act.

7 (b) "Advisory committee" means the physical therapy advisory  
8 committee as described in section 10 of this act.

9 **[(b)]** (c) "Physical therapy" or "physiotherapy" shall mean  
10 and include **[physiotherapy, electro-therapy or hydro-therapy]**  
11 *treatment of a human being by the use of exercise, massage heat,*  
12 *cold, water, radiant energy, electricity, or sound for the purpose*  
13 *of correcting or alleviating any physical condition or preventing*  
14 *the development of any physical disability; \*\*or the performance*  
15 *of appropriate tests and measurements, authorized by the State*  
16 *Board of Medical Examiners, to assess the extent of body mal-*  
17 *function\*\* \***[or the performance of neuro-muscular-skeletal tests***  
17A *and measurements to determine the existence and extent of body*  
17B *malfunction.]\* provided, however, that physical therapy shall not*  
17C *include radiology or electrosurgery.*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

18 (d) *“Physical therapist” shall mean a person who practices*  
 19 *physical therapy, under the direction and supervision of a licensed*  
 20 *physician, or a person who renders physical therapy services upon*  
 21 *the \***[referral]**\* \*direction\* of a licensed physician.*

22 (e) *“Physical therapist assistant” shall mean a person who*  
 23 *assists, under the direction of a registered physical therapist, the*  
 24 *physical therapist in the practice of physical therapy and who per-*  
 25 *forms such procedures delegated to him that are commensurate*  
 26 *with his education and training.*

1 2. Section 3 of P. L. 1963, c. 169 (C. 45:9-37.2) is amended to  
 2 read as follows:

3 3. (a) **[It shall be a violation of this act for any person who is**  
 4 **not registered under this act as a physical therapist, or whose**  
 5 **registration has been suspended or revoked, or whose registration**  
 6 **has lapsed and has not been revived, to render physical therapy**  
 7 **services within this State or to use in connection with his name the**  
 8 **words or letters “R. P. T.,” “Registered Physical Therapist,”**  
 9 **“P. T.,” “Physical Therapist,” or “Physiotherapist,” “Physical**  
 10 **Therapy Technician,” “P. T. T.,” or any other letters, words or**  
 11 **insignia indicating or implying that he is a registered physical**  
 12 **therapist, or, in any way, orally or in writing or in print or by**  
 13 **sign or by implication, to present or hold himself out as a registered**  
 14 **physical therapist or a physical therapist.]** *No person shall*  
 15 *practice, nor hold himself out to be able to practice physical*  
 16 *therapy in this State, unless he is registered in accordance with the*  
 17 *provisions of this act. No person shall act, nor hold himself out as*  
 18 *being able to act as a physical therapist assistant unless he is*  
 19 *registered in accordance with the provisions of this act.*

20 *No physical therapist shall supervise more physical therapist*  
 21 *assistants at any one time than in the opinion of the board can be*  
 22 *adequately supervised. Under usual circumstances the maximum*  
 23 *number of physical therapist assistants that may be supervised by*  
 24 *any physical therapist shall be two except that, upon application to*  
 25 *the board, the board may permit the supervision of a greater*  
 26 *number of physical therapist assistants by a physical therapist if,*  
 27 *in the opinion of the board, there would be adequate supervision*  
 28 *and the public health and safety would be served. In no case, how-*  
 29 *ever, shall the total number of physical therapist assistants exceed*  
 30 *twice the number of physical therapists regularly employed by a*  
 31 *facility.*

32 (b) The board, **[by rules and regulations and]** *on its own motion*  
 33 *or after consultation with the physical therapy advisory com-*

34 mittee, shall establish [standards governing the practice of  
 35 physical therapy which standards shall be adhered to by the persons  
 36 registered under this act] *rules and regulations for the admin-  
 37 istration of this act.*

1 3. Section 4 of P. L. 1963, c. 169 (C. 45:9-37.3) is amended to  
 2 read as follows:

3 4. An applicant for registration as a physical therapist *or*  
 4 *physical therapist assistant* shall submit to the board evidence, in  
 5 such form as the board may prescribe, that the applicant [(1) has  
 6 attained his or her twenty-first birthday; (2) is a citizen of the  
 7 United States; (3)] is of good moral character; [(4) is a graduate  
 8 of a high school approved by the New Jersey Department of  
 9 Education or has equivalent education acceptable to the board; (5)  
 10 has completed satisfactorily a course of study of physical therapy  
 11 at a school, hospital or other institution having a program of educa-  
 12 tion and instruction in physical therapy approved by the board]  
 13 *and that he has completed a program of education approved by the  
 14 board.*

15 *An approved program for physical therapists shall include the  
 16 following: (a) a minimum of 60 academic semester credits or its  
 17 equivalent from a recognized college, including courses in the bio-  
 18 logical and physical sciences; or a diploma from an accredited  
 19 school of professional nursing and in addition (b) an accredited  
 20 course in physical therapy education which has provided adequate  
 21 instruction in the basic sciences, clinical sciences, and physical  
 22 therapy theory and procedures as determined by the advisory com-  
 23 mittee and approved by the board. An approved program for  
 24 physical therapist assistants shall be at least a 2-year program  
 25 offered by a college accredited by a recognized accrediting agency  
 26 and including such elementary or intermediate courses in the  
 27 anatomical, biological, and physical sciences as may be prescribed  
 28 by the advisory committee and approved by the board.*

29 [The board, in establishing, altering or amending the standards  
 30 for approving such programs of education and instruction, shall  
 31 consult with the physical therapy advisory committee and may take  
 32 into consideration the standards suggested by the appropriate  
 33 council of the American Medical Association, the American  
 34 Physical Therapy Association, and the New Jersey State Physical  
 35 Therapy Society, Incorporated.]

1 4. Section 5 of P. L. 1963, c. 169 (C. 45:9-37.4) is amended to  
 2 read as follows:

3 5. The board shall [register as a physical therapist any person  
 4 who applies for such registration within 1 year after this act takes  
 5 effect, and who meets the qualifications prescribed in section 4 of  
 6 this act or who submits to the board evidence that the applicant has  
 7 qualifications (1) and (3) provided in section 4 of this act and has  
 8 rendered physical therapy services for 2 years or more in the State  
 9 of New Jersey prior to the date this act was approved] *give an*  
 10 *examination to applicants who comply with section 4. The board*  
 11 *shall also have the authority to accept alternate ways by which an*  
 12 *applicant may be qualified to take the physical therapist assistant*  
 13 *examination. The examination shall include a written examination*  
 14 *which shall test the applicants' knowledge of the basic and clinical*  
 15 *sciences as they relate to physical therapy, and physical therapy*  
 16 *theory and procedures; and such other subjects as the board may*  
 17 *deem useful to test the applicant's fitness to practice physical*  
 18 *therapy or to act as a physical therapist assistant, as the case may*  
 19 *be. Examinations shall be held within the State at least once a year,*  
 20 *at such time and place as the board shall determine.*

1 5. (New section) The board shall register each applicant who  
 2 passes the examination in accordance with standards fixed by it  
 3 and who is not disqualified to be registered under the provisions of  
 4 section 8 of the act hereby supplemented.

1 6. (New section) On payment to the board of a fee of \$50.00, and  
 2 on submission of a written application on forms provided by the  
 3 board, the board shall register without examination a person who  
 4 is registered or otherwise licensed as a physical therapist or as a  
 5 physical therapist assistant by another state of the United States,  
 6 its possessions, or the District of Columbia, if the requirements  
 7 for licensure or registration in such state, possession or district  
 8 were at the date of his registration or license by such state sub-  
 9 stantially equal to the requirements set forth in this act.

1 7. (New section) Upon submission of a written application on  
 2 forms provided by it, the board shall issue a temporary registra-  
 3 tion to a person who has applied for registration under the pro-  
 4 visions of section 4, of the act hereby supplemented, and who is,  
 5 in the judgment of the board, eligible to take the examination pro-  
 6 vided for in section 5 of the act hereby supplemented. Such tem-  
 7 porary registration shall be available to an applicant only with  
 8 respect to his first application for registration under section 4 and  
 9 such registration shall expire when the board makes a final  
 10 determination with respect to said application.

1 8. (New section) (a) An applicant whose application is based on  
2 a diploma issued to him by a foreign physical therapy school shall  
3 furnish documentary evidence satisfactory to the board, that he  
4 has completed in a physical therapy school or schools a resident  
5 course of professional instruction equivalent to that required in  
6 section 4 of the act hereby supplemented for a physical therapy  
7 applicant.

8 (b) Applicants under this section shall satisfactorily complete a  
9 period of service not to exceed 1 year under the continuous direc-  
10 tion and immediate supervision of a physical therapist registered  
11 by the board in a physical therapy service and in an institution  
12 both of which have been approved by the board for providing such  
13 a period of service. The board may waive all or any portion of the  
14 required period of service based on guidelines developed by the  
15 board.

16 (c) Before a registration may be issued, the applicant must not  
17 only meet the requirements of subdivisions (a) and (b) but must  
18 pass the written examination as provided under section 5 prior to  
19 commencing the period of service, and may be required to pass an  
20 oral examination at the completion of the period of service if such  
21 period of service has not been completed to the satisfaction of the  
22 supervising registered physical therapist. The requirements to  
23 pass the written examination shall not apply to an applicant who  
24 at the time of his application has passed, to the satisfaction of the  
25 board, an examination for licensing or registration in another state,  
26 district or territory of the United States that is, in the opinion of  
27 the board, comparable to the examination given in this State.

28 (d) Nothing contained in this section shall prohibit the board  
29 from disapproving any foreign physical therapy school nor from  
30 denying the applicant if, in the opinion of the board, the instruction  
31 received by the applicant or the courses were not equivalent to  
32 that required in this chapter for a physical therapist applicant.

1 9. Section 6 of P. L. 1963, c. 169 (C. 45:9-37.5) is amended to  
2 read as follows:

3 6. Each initial application under this act shall be accompanied  
4 by a fee of ~~[\$25.00]~~ \$50.00. Registrations under this act shall  
5 expire *biennially* on January 31 ~~[of each calendar year]~~ and shall  
6 be renewed upon application and payment of a fee of ~~[\$10.00]~~  
7 \$20.00 *if said fee is not paid by that date, the registration shall*  
8 *automatically expire. A registration which has thus expired may*  
9 *within 5 years of its expiration date, be renewed on the payment*  
10 *to the board of the sum of \$10.00 for each year or part thereof*

11 *during which the registration was ineffective and the restoration*  
 12 *fee of \$10.00. After said 5-year period such registration may be*  
 13 *renewed only by complying with the provisions herein relating to*  
 14 *the issuance of an original registration.*

1 10. Section 8 of P. L. 1963, c. 169 (C. 45:9-37.7) is amended to  
 2 read as follows:

3 8. The board, after due notice and hearing, may refuse to  
 4 register any applicant, or may refuse to renew the registration  
 5 of any registered person, or may suspend or revoke the registration  
 6 of any registered person:

7 (a) *Who practiced physical therapy other than upon the \*re-*  
 8 *ferral\* \*direction\* of a physician licensed to practice medicine*  
 9 *and surgery in this State or in the case of practice as a physical*  
 10 *therapist assistant has practiced other than under the direction of*  
 11 *a registered physical therapist;*

12 **[(a)]** (b) *Who is habitually drunk or who is addicted to the use*  
 13 *of narcotic drugs;*

14 **[(b)]** (c) *Who has been convicted of violating any State or*  
 15 *Federal narcotic law;*

16 **[(c)]** (d) *Who the board shall find to be guilty of immoral or*  
 17 *unprofessional conduct;*

18 **[(d)]** (e) *Who has been convicted of any crime involving moral*  
 19 *turpitude;*

20 **[(e)]** (f) *Who the board shall find to be guilty of gross negli-*  
 21 *gence as a physical therapist or physical therapist assistant, or*  
 22 *whose conduct as a registered physical therapist or physical thera-*  
 23 *pist assistant is detrimental to the best interests of the public;*  
 24 *except that said person shall have the right of appeal on all matters*  
 25 *of law and fact to the appropriate courts of this State;*

26 **[(f)]** (g) *Who has obtained or attempted to obtain registration*  
 27 *by fraud or material misrepresentation;*

28 **[(g)]** (h) *Who has been declared insane by a court of competent*  
 29 *jurisdiction and who has not thereafter been lawfully declared sane;*

30 **[(h)]** (i) *Who has treated or undertaken to treat ailments of*  
 31 *human beings otherwise than by physical therapy and as autho-*  
 32 *rized by this act, or who has undertaken to practice independently*  
 33 *of the prescription or oral direction of a duly licensed physician;*  
 34 *or*

35 **[(i)]** (j) *Who has violated the provisions of this act or the rules*  
 36 *or regulations adopted hereunder.*

1 11. Section 9 of P. L. 1963, c. 169 (C. 45:9-37.8) is amended to  
 2 read as follows:

3 9. The board shall keep a record of its proceedings under this  
 4 act and a register of all persons registered under it. The register  
 5 shall show the name of every living person registered under this  
 6 act, his last known place of practice and last known place of resi-  
 7 dence, and the date and number of his registration. The board  
 8 shall compile annually a list of registered physical therapists *and*  
 9 *registered physical therapist assistants* authorized to practice  
 10 physical therapy in the State and shall make such list available,  
 11 upon request, to the superintendent of every hospital and to every  
 12 person authorized to practice medicine, surgery, chiropractic,  
 13 osteopathy and physical therapy in this State.

1 12. Section 10 of P. L. 1963, c. 169 (C. 45:9-37.9) is amended to  
 2 read as follows:

3 10. (a) There is hereby created in the Division of **Professional**  
 4 **Boards** *Consumer Affairs* of the Department of Law and Public  
 5 Safety, under the State Board of Medical Examiners, a physical  
 6 therapy advisory committee. The committee shall consist of five  
 7 members, **three** *four* of whom shall be , except for the initial  
 8 members of the committee,  registered physical therapists of this  
 9 State having at least 5 years experience in the practice of physical  
 10 therapy in the State of New Jersey immediately prior to appoint-  
 11 ment. The members of the committee shall be appointed by the  
 12 Governor.  The initial appointments to the committee shall be  
 13 one member for a term of 1 year; one member for a term of 2 years;  
 14 and one member for a term of 3 years.  Members shall   
 15 be appointed for terms of 3 years. Each member shall hold office  
 16 after the expiration of his term until his successor shall be duly  
 17 appointed and qualified.  A vacancy shall exist in the term of any  
 18 of the three registered physical therapist members who ceases to  
 19 be actively engaged in the practice of physical therapy in the State  
 20 of New Jersey.  A vacancy in the office of any member   
 21 filled in the same manner as original appointments and  shall be  
 22 filled for the unexpired term only.

23  The three physical therapists initially appointed to the office  
 24 of member of the advisory committee need not be registered  
 25 physical therapists at the time of appointment but shall satisfy  
 26 the qualifications set forth in section 4 of this act and shall have  
 27 at least 5 years experience in the practice of physical therapy in  
 28 the State of New Jersey immediately prior to the appointment.

29 (b) The advisory committee shall meet at least twice a year  
 30 and shall also meet upon the call of the board or of the Attorney  
 31 General. The advisory committee shall carry out the responsibili-  
 32 ties assigned to it under this act and such matters as the board may



33 require. The Attorney General shall provide the advisory com-  
34 mittee with such facilities and personnel as shall be required for the  
35 proper conduct of its business.

36 The board, with the approval of the Attorney General, may  
37 authorize reimbursement of the members of the advisory committee  
38 for their actual expenses incurred in connection with the perform-  
39 ance of their duties as members of the committee.

40 (c) There is hereby appropriated to the Department of Law  
41 and Public Safety, for the purposes of administering this act, all  
42 fees and revenues received by the board from the effective date  
43 of this act until June 30, 1964. The expenditure of such appropria-  
44 tion shall be authorized by the Attorney General with the approval  
45 of the Director of the Division of Budget and Accounting.

1 *\*13. Any person who is registered as a physical therapist in this*  
2 *State upon the effective date of this act shall be entitled to continue*  
3 *to practice physical therapy under his current registration until*  
4 *the expiration thereof and to have his registration renewed as*  
5 *herein provided without making a new application for an original*  
6 *registration and without examination.\**

1 **\*[13.]\*** *\*14.\** This act shall take effect immediately but shall  
2 remain inoperative until the first day of the third calendar month  
3 following approval except that any appointment provided for  
4 herein and any action necessary to effectuate this act may be made  
5 and taken prior thereto.

SENATE, No. 1214

STATE OF NEW JERSEY

INTRODUCED MAY 16, 1974

By Senator GREENBERG

Referred to Committee on Labor, Industry and Professions

AN ACT to amend and supplement "An act providing for the registration of physical therapists, prescribing penalties for violations, and amending section 45:9-21 of the Revised Statutes," approved December 16, 1963 (P. L. 1963, c. 169).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

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3 2. As used in this act, unless the context otherwise requires, the  
4 following words shall have the following meanings:

5 (a) "Board" means the State Board of Medical Examiners  
6 *which shall enforce and administer the provisions of this act.*

7 (b) "Advisory committee" means the physical therapy advisory  
8 committee as described in section 10 of this act.

9 **[(b)]** (c) "Physical therapy" or "physiotherapy" shall mean  
10 and include **[physiotherapy, electro-therapy or hydro-therapy]**  
11 *treatment of a human being by the use of exercise, massage heat,*  
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13 *of correcting or alleviating any physical condition or preventing*  
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15 *neuro-muscular-skeletal tests and measurements to determine the*  
16 *existence and extent of body malfunction, provided, however, that*  
17 *physical therapy shall not include radiology or electrosurgery.*

18 (d) "Physical therapist" shall mean a person who practices  
19 physical therapy, under the direction and supervision of a licensed  
20 physician, or a person who renders physical therapy services upon  
21 the referral of a licensed physician.

22 (e) "Physical therapist assistant" shall mean a person who  
23 assists, under the direction of a registered physical therapist, the

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

24 *physical therapist in the practice of physical therapy and who per-*  
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 26 *with his education and training.*

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 5 registration has been suspended or revoked, or whose registration  
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 7 services within this State or to use in connection with his name the  
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 9 "P. T.," "Physical Therapist," or "Physiotherapist," "Physical  
 10 Therapy Technician," "P. T. T.," or any other letters, words or  
 11 insignia indicating or implying that he is a registered physical  
 12 therapist, or, in any way, orally or in writing or in print or by  
 13 sign or by implication, to present or hold himself out as a registered  
 14 physical therapist or a physical therapist.] *No person shall*  
 15 *practice, nor hold himself out to be able to practice physical*  
 16 *therapy in this State, unless he is registered in accordance with the*  
 17 *provisions of this act. No person shall act, nor hold himself out as*  
 18 *being able to act as a physical therapist assistant unless he is*  
 19 *registered in accordance with the provisions of this act.*

20 *No physical therapist shall supervise more physical therapist*  
 21 *assistants at any one time than in the opinion of the board can be*  
 22 *adequately supervised. Under usual circumstances the maximum*  
 23 *number of physical therapist assistants that may be supervised by*  
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 25 *the board, the board may permit the supervision of a greater*  
 26 *number of physical therapist assistants by a physical therapist if,*  
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 28 *and the public health and safety would be served. In no case, how-*  
 29 *ever, shall the total number of physical therapist assistants exceed*  
 30 *twice the number of physical therapists regularly employed by a*  
 31 *facility.*

32 (b) The board, [by rules and regulations and] *on its own motion*  
 33 *or after consultation with the physical therapy advisory com-*  
 34 *mittee, shall establish [standards governing the practice of*  
 35 *physical therapy which standards shall be adhered to by the persons*  
 36 *registered under this act] rules and regulations for the admin-*  
 37 *istration of this act.*

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8 of a high school approved by the New Jersey Department of  
9 Education or has equivalent education acceptable to the board; (5)  
10 has completed satisfactorily a course of study of physical therapy  
11 at a school, hospital or other institution having a program of educa-  
12 tion and instruction in physical therapy approved by the board]  
13 *and that he has completed a program of education approved by the*  
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15 *An approved program for physical therapists shall include the*  
16 *following: (a) a minimum of 60 academic semester credits or its*  
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 14 required period of service based on guidelines developed by the  
 15 board.

16 (c) Before a registration may be issued, the applicant must not  
 17 only meet the requirements of subdivisions (a) and (b) but must  
 18 pass the written examination as provided under section 5 prior to  
 19 commencing the period of service, and may be required to pass an  
 20 oral examination at the completion of the period of service if such  
 21 period of service has not been completed to the satisfaction of the  
 22 supervising registered physical therapist. The requirements to  
 23 pass the written examination shall not apply to an applicant who  
 24 at the time of his application has passed, to the satisfaction of the  
 25 board, an examination for licensing or registration in another state,  
 26 district or territory of the United States that is, in the opinion of  
 27 the board, comparable to the examination given in this State.

28 (d) Nothing contained in this section shall prohibit the board  
 29 from disapproving any foreign physical therapy school nor from  
 30 denying the applicant if, in the opinion of the board, the instruction  
 31 received by the applicant or the courses were not equivalent to  
 32 that required in this chapter for a physical therapist applicant.

1 9. Section 6 of P. L. 1963, c. 169 (C. 45:9-37.5) is amended to  
 2 read as follows:

3 6. Each initial application under this act shall be accompanied  
 4 by a fee of ~~[\$25.00]~~ \$50.00. Registrations under this act shall  
 5 expire *biennially* on January 31 ~~[of each calendar year]~~ and shall  
 6 be renewed upon application and payment of a fee of ~~[\$10.00]~~  
 7 \$20.00 *if said fee is not paid by that date, the registration shall*  
 8 *automatically expire. A registration which has thus expired may*  
 9 *within 5 years of its expiration date, be renewed on the payment*  
 10 *to the board of the sum of \$10.00 for each year or part thereof*  
 11 *during which the registration was ineffective and the restoration*  
 12 *fee of \$10.00. After said 5-year period such registration may be*  
 13 *renewed only by complying with the provisions herein relating to*  
 14 *the issuance of an original registration.*

1 10. Section 8 of P. L. 1963, c. 169 (C. 45:9-37.7) is amended to  
 2 read as follows:

3 8. The board, after due notice and hearing, may refuse to  
 4 register any applicant, or may refuse to renew the registration

5 of any registered person, or may suspend or revoke the registration  
6 of any registered person:

7 (a) *Who practiced physical therapy other than upon the referral*  
8 *of a physician licensed to practice medicine and surgery in this*  
9 *State or in the case of practice as a physical therapist assistant*  
10 *has practiced other than under the direction of a registered physical*  
11 *therapist;*

12 **[(a)]** (b) Who is habitually drunk or who is addicted to the use  
13 of narcotic drugs;

14 **[(b)]** (c) Who has been convicted of violating any State or  
15 Federal narcotic law;

16 **[(c)]** (d) Who the board shall find to be guilty of immoral or  
17 unprofessional conduct;

18 **[(d)]** (e) Who has been convicted of any crime involving moral  
19 turpitude;

20 **[(e)]** (f) Who the board shall find to be guilty of gross negli-  
21 gence as a physical therapist *or physical therapist assistant*, or  
22 whose conduct as a registered physical therapist *or physical thera-*  
23 *pist assistant* is detrimental to the best interests of the public;  
24 except that said person shall have the right of appeal on all matters  
25 of law and fact to the appropriate courts of this State;

26 **[(f)]** (g) Who has obtained or attempted to obtain registration  
27 by fraud or material misrepresentation;

28 **[(g)]** (h) Who has been declared insane by a court of competent  
29 jurisdiction and who has not thereafter been lawfully declared sane;

30 **[(h)]** (i) Who has treated or undertaken to treat ailments of  
31 human beings otherwise than by physical therapy and as autho-  
32 rized by this act, or who has undertaken to practice independently  
33 of the prescription or oral direction of a duly licensed physician];  
34 or

35 **[(i)]** (j) Who has violated the provisions of this act or the rules  
36 or regulations adopted hereunder.

1 11. Section 9 of P. L. 1963, c. 169 (C. 45:9-37.8) is amended to  
2 read as follows:

3 9. The board shall keep a record of its proceedings under this  
4 act and a register of all persons registered under it. The register  
5 shall show the name of every living person registered under this  
6 act, his last known place of practice and last known place of resi-  
7 dence, and the date and number of his registration. The board  
8 shall compile annually a list of registered physical therapists *and*  
9 *registered physical therapist assistants* authorized to practice  
10 physical therapy in the State and shall make such list available,  
11 upon request, to the superintendent of every hospital and to every

12 person authorized to practice medicine, surgery, chiropractic,  
13 osteopathy and physical therapy in this State.

1 12. Section 10 of P. L. 1963, c. 169 (C. 45:9-37.9) is amended to  
2 read as follows:

3 10. (a) There is hereby created in the Division of [Professional  
4 Boards] *Consumer Affairs* of the Department of Law and Public  
5 Safety, under the State Board of Medical Examiners, a physical  
6 therapy advisory committee. The committee shall consist of five  
7 members, [three] *four* of whom shall be[, except for the initial  
8 members of the committee,] registered physical therapists of this  
9 State having at least 5 years experience in the practice of physical  
10 therapy in the State of New Jersey immediately prior to appoint-  
11 ment. The members of the committee shall be appointed by the  
12 Governor. [The initial appointments to the committee shall be  
13 one member for a term of 1 year; one member for a term of 2 years;  
14 and one member for a term of 3 years.] Members shall [thereafter]  
15 be appointed for terms of 3 years. Each member shall hold office  
16 after the expiration of his term until his successor shall be duly  
17 appointed and qualified. [A vacancy shall exist in the term of any  
18 of the three registered physical therapist members who ceases to  
19 be actively engaged in the practice of physical therapy in the State  
20 of New Jersey.] A vacancy in the office of any member [shall be  
21 filled in the same manner as original appointments and] shall be  
22 filled for the unexpired term only.

23 [The three physical therapists initially appointed to the office  
24 of member of the advisory committee need not be registered  
25 physical therapists at the time of appointment but shall satisfy  
26 the qualifications set forth in section 4 of this act and shall have  
27 at least 5 years experience in the practice of physical therapy in  
28 the State of New Jersey immediately prior to the appointment.]

29 (b) The advisory committee shall meet at least twice a year  
30 and shall also meet upon the call of the board or of the Attorney  
31 General. The advisory committee shall carry out the responsibili-  
32 ties assigned to it under this act and such matters as the board may  
33 require. The Attorney General shall provide the advisory com-  
34 mittee with such facilities and personnel as shall be required for the  
35 proper conduct of its business.

36 The board, with the approval of the Attorney General, may  
37 authorize reimbursement of the members of the advisory committee  
38 for their actual expenses incurred in connection with the perform-  
39 ance of their duties as members of the committee.

40 (c) There is hereby appropriated to the Department of Law



41 and Public Safety, for the purposes of administering this act, all  
42 fees and revenues received by the board from the effective date  
43 of this act until June 30, 1964. The expenditure of such appropria-  
44 tion shall be authorized by the Attorney General with the approval  
45 of the Director of the Division of Budget and Accounting.

1 13. This act shall take effect immediately but shall remain  
2 inoperative until the first day of the third calendar month following  
3 approval except that any appointment provided for herein and any  
4 action necessary to effectuate this act may be made and taken prior  
5 thereto.

FISCAL NOTE TO  
**SENATE, No. 1214**  
[ASSEMBLY REPRINT]

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**STATE OF NEW JERSEY**

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DATED: APRIL 28, 1975

The Assembly Reprint of Senate Bill No. 1214 amends various statutes pertaining to the regulation of physical therapists.

The Department of Law and Public Safety estimates that enactment of this legislation would require an additional State expenditure of \$11,640.00 in fiscal 1975-76, \$12,216.00 in fiscal 1976-77 and \$12,863.00 in fiscal 1977-78.

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The fiscal note is based on an estimate of costs rather than actual cost information.

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In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

SENATE COMMITTEE AMENDMENTS TO  
SENATE, No. 1214

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STATE OF NEW JERSEY

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ADOPTED JANUARY 20, 1975

Amend page 1, section 1, line 14, omit "or the performance of".

Amend page 1, section 1, line 15, omit.

Amend page 1, section 1, line 16, omit "existence and extent of body malfunction,".

Amend page 1, section 1, line 21, omit "referral", insert "direction".

Amend page 6, section 10, line 7, omit "referral", insert "direction".

Amend page 8, section 12, after line 45, insert new section 13 to read as follows:

"13. Any person who is registered as a physical therapist in this State upon the effective date of this act shall be entitled to continue to practice physical therapy under his current registration until the expiration thereof and to have his registration renewed as herein provided without making a new application for an original registration and without examination."

Amend page 8, section 13, line 1, omit "13.", insert "14."

[OFFICIAL COPY REPRINT]

SENATE, No. 1214

STATE OF NEW JERSEY

INTRODUCED MAY 16, 1974

By Senator GREENBERG

Referred to Committee on Labor, Industry and Professions

AN ACT to amend and supplement "An act providing for the registration of physical therapists, prescribing penalties for violations, and amending section 45:9-21 of the Revised Statutes," approved December 16, 1963 (P. L. 1963, c. 169).

1 BE IT ENACTED by the Senate and General Assembly of the State  
2 of New Jersey:

1 1. Section 2 of P. L. 1963, c. 169 (C. 45:9-37.1) is amended to  
2 read as follows:

3 2. As used in this act, unless the context otherwise requires, the  
4 following words shall have the following meanings:

5 (a) "Board" means the State Board of Medical Examiners  
6 which shall enforce and administer the provisions of this act.

7 (b) "Advisory committee" means the physical therapy advisory  
8 committee as described in section 10 of this act.

9 **[(b)]** (c) "Physical therapy" or "physiotherapy" shall mean  
10 and include **[physiotherapy, electro-therapy or hydro-therapy]**  
11 *treatment of a human being by the use of exercise, massage heat,*  
12 *cold, water, radiant energy, electricity, or sound for the purpose*  
13 *of correcting or alleviating any physical condition or preventing*  
14 *the development of any physical disability; \***[or the performance of***  
15 *neuro-muscular-skeletal tests and measurements to determine the*  
16 *existence and extent of body malfunction,]\* provided, however, that*  
17 *physical therapy shall not include radiology or electrosurgery.*

18 (d) "Physical therapist" shall mean a person who practices  
19 physical therapy, under the direction and supervision of a licensed  
20 physician, or a person who renders physical therapy services upon  
21 the **\*[referral]\*** *\*direction\** of a licensed physician.

22 (e) "Physical therapist assistant" shall mean a person who  
23 assists, under the direction of a registered physical therapist, the

EXPLANATION—Matter enclosed in bold-faced brackets **[thus]** in the above bill  
is not enacted and is intended to be omitted in the law.

24 *physical therapist in the practice of physical therapy and who per-*  
25 *forms such procedures delegated to him that are commensurate*  
26 *with his education and training.*

1 2. Section 3 of P. L. 1963, c. 169 (C. 45:9-37.2) is amended to  
2 read as follows:

3 3. (a) [It shall be a violation of this act for any person who is  
4 not registered under this act as a physical therapist, or whose  
5 registration has been suspended or revoked, or whose registration  
6 has lapsed and has not been revived, to render physical therapy  
7 services within this State or to use in connection with his name the  
8 words or letters "R. P. T.," "Registered Physical Therapist,"  
9 "P. T.," "Physical Therapist," or "Physiotherapist," "Physical  
10 Therapy Technician," "P. T. T.," or any other letters, words or  
11 insignia indicating or implying that he is a registered physical  
12 therapist, or, in any way, orally or in writing or in print or by  
13 sign or by implication, to present or hold himself out as a registered  
14 physical therapist or a physical therapist.] *No person shall*  
15 *practice, nor hold himself out to be able to practice physical*  
16 *therapy in this State, unless he is registered in accordance with the*  
17 *provisions of this act. No person shall act, nor hold himself out as*  
18 *being able to act as a physical therapist assistant unless he is*  
19 *registered in accordance with the provisions of this act.*

20 *No physical therapist shall supervise more physical therapist*  
21 *assistants at any one time than in the opinion of the board can be*  
22 *adequately supervised. Under usual circumstances the maximum*  
23 *number of physical therapist assistants that may be supervised by*  
24 *any physical therapist shall be two except that, upon application to*  
25 *the board, the board may permit the supervision of a greater*  
26 *number of physical therapist assistants by a physical therapist if,*  
27 *in the opinion of the board, there would be adequate supervision*  
28 *and the public health and safety would be served. In no case, how-*  
29 *ever, shall the total number of physical therapist assistants exceed*  
30 *twice the number of physical therapists regularly employed by a*  
31 *facility.*

32 (b) The board, [by rules and regulations and] *on its own motion*  
33 *or after consultation with the physical therapy advisory com-*  
34 *mittee, shall establish [standards governing the practice of*  
35 *physical therapy which standards shall be adhered to by the persons*  
36 *registered under this act] rules and regulations for the admin-*  
37 *istration of this act.*

1 3. Section 4 of P. L. 1963, c. 169 (C. 45:9-37.3) is amended to  
2 read as follows:

3 4. An applicant for registration as a physical therapist or  
 4 *physical therapist assistant* shall submit to the board evidence, in  
 5 such form as the board may prescribe, that the applicant [(1) has  
 6 attained his or her twenty-first birthday; (2) is a citizen of the  
 7 United States; (3)] is of good moral character; [(4) is a graduate  
 8 of a high school approved by the New Jersey Department of  
 9 Education or has equivalent education acceptable to the board; (5)  
 10 has completed satisfactorily a course of study of physical therapy  
 11 at a school, hospital or other institution having a program of educa-  
 12 tion and instruction in physical therapy approved by the board]  
 13 *and that he has completed a program of education approved by the*  
 14 *board.*

15 *An approved program for physical therapists shall include the*  
 16 *following: (a) a minimum of 60 academic semester credits or its*  
 17 *equivalent from a recognized college, including courses in the bio-*  
 18 *logical and physical sciences; or a diploma from an accredited*  
 19 *school of professional nursing and in addition (b) an accredited*  
 20 *course in physical therapy education which has provided adequate*  
 21 *instruction in the basic sciences, clinical sciences, and physical*  
 22 *therapy theory and procedures as determined by the advisory com-*  
 23 *mittee and approved by the board. An approved program for*  
 24 *physical therapist assistants shall be at least a 2-year program*  
 25 *offered by a college accredited by a recognized accrediting agency*  
 26 *and including such elementary or intermediate courses in the*  
 27 *anatomical, biological, and physical sciences as may be prescribed*  
 28 *by the advisory committee and approved by the board.*

29 [The board, in establishing, altering or amending the standards  
 30 for approving such programs of education and instruction, shall  
 31 consult with the physical therapy advisory committee and may take  
 32 into consideration the standards suggested by the appropriate  
 33 council of the American Medical Association, the American  
 34 Physical Therapy Association, and the New Jersey State Physical  
 35 Therapy Society, Incorporated.]

1 4. Section 5 of P. L. 1963, c. 169 (C. 45:9-37.4) is amended to  
 2 read as follows:

3 5. The board shall [register as a physical therapist any person  
 4 who applies for such registration within 1 year after this act takes  
 5 effect, and who meets the qualifications prescribed in section 4 of  
 6 this act or who submits to the board evidence that the applicant has  
 7 qualifications (1) and (3) provided in section 4 of this act and has  
 8 rendered physical therapy services for 2 years or more in the State  
 9 of New Jersey prior to the date this act was approved] *give an*

10 examination to applicants who comply with section 4. The board  
11 shall also have the authority to accept alternate ways by which an  
12 applicant may be qualified to take the physical therapist assistant  
13 examination. The examination shall include a written examination  
14 which shall test the applicants' knowledge of the basic and clinical  
15 sciences as they relate to physical therapy, and physical therapy  
16 theory and procedures; and such other subjects as the board may  
17 deem useful to test the applicant's fitness to practice physical  
18 therapy or to act as a physical therapist assistant, as the case may  
19 be. Examinations shall be held within the State at least once a year,  
20 at such time and place as the board shall determine.

1 5. (New section) The board shall register each applicant who  
2 passes the examination in accordance with standards fixed by it  
3 and who is not disqualified to be registered under the provisions of  
4 section 8 of the act hereby supplemented.

1 6. (New section) On payment to the board of a fee of \$50.00, and  
2 on submission of a written application on forms provided by the  
3 board, the board shall register without examination a person who  
4 is registered or otherwise licensed as a physical therapist or as a  
5 physical therapist assistant by another state of the United States,  
6 its possessions, or the District of Columbia, if the requirements  
7 for licensure or registration in such state, possession or district  
8 were at the date of his registration or license by such state sub-  
9 stantially equal to the requirements set forth in this act.

1 7. (New section) Upon submission of a written application on  
2 forms provided by it, the board shall issue a temporary registra-  
3 tion to a person who has applied for registration under the pro-  
4 visions of section 4, of the act hereby supplemented, and who is,  
5 in the judgment of the board, eligible to take the examination pro-  
6 vided for in section 5 of the act hereby supplemented. Such tem-  
7 porary registration shall be available to an applicant only with  
8 respect to his first application for registration under section 4 and  
9 such registration shall expire when the board makes a final  
10 determination with respect to said application.

1 8. (New section) (a) An applicant whose application is based on  
2 a diploma issued to him by a foreign physical therapy school shall  
3 furnish documentary evidence satisfactory to the board, that he  
4 has completed in a physical therapy school or schools a resident  
5 course of professional instruction equivalent to that required in  
6 section 4 of the act hereby supplemented for a physical therapy  
7 applicant.

8 (b) Applicants under this section shall satisfactorily complete a

9 period of service not to exceed 1 year under the continuous direc-  
 10 tion and immediate supervision of a physical therapist registered  
 11 by the board in a physical therapy service and in an institution  
 12 both of which have been approved by the board for providing such  
 13 a period of service. The board may waive all or any portion of the  
 14 required period of service based on guidelines developed by the  
 15 board.

16 (c) Before a registration may be issued, the applicant must not  
 17 only meet the requirements of subdivisions (a) and (b) but must  
 18 pass the written examination as provided under section 5 prior to  
 19 commencing the period of service, and may be required to pass an  
 20 oral examination at the completion of the period of service if such  
 21 period of service has not been completed to the satisfaction of the  
 22 supervising registered physical therapist. The requirements to  
 23 pass the written examination shall not apply to an applicant who  
 24 at the time of his application has passed, to the satisfaction of the  
 25 board, an examination for licensing or registration in another state,  
 26 district or territory of the United States that is, in the opinion of  
 27 the board, comparable to the examination given in this State.

28 (d) Nothing contained in this section shall prohibit the board  
 29 from disapproving any foreign physical therapy school nor from  
 30 denying the applicant if, in the opinion of the board, the instruction  
 31 received by the applicant or the courses were not equivalent to  
 32 that required in this chapter for a physical therapist applicant.

1 9. Section 6 of P. L. 1963, c. 169 (C. 45:9-37.5) is amended to  
 2 read as follows:

3 6. Each initial application under this act shall be accompanied  
 4 by a fee of ~~[\$25.00]~~ \$50.00. Registrations under this act shall  
 5 expire *biennially* on January 31 ~~[of each calendar year]~~ and shall  
 6 be renewed upon application and payment of a fee of ~~[\$10.00]~~  
 7 \$20.00 *if said fee is not paid by that date, the registration shall*  
 8 *automatically expire. A registration which has thus expired may*  
 9 *within 5 years of its expiration date, be renewed on the payment*  
 10 *to the board of the sum of \$10.00 for each year or part thereof*  
 11 *during which the registration was ineffective and the restoration*  
 12 *fee of \$10.00. After said 5-year period such registration may be*  
 13 *renewed only by complying with the provisions herein relating to*  
 14 *the issuance of an original registration.*

1 10. Section 8 of P. L. 1963, c. 169 (C. 45:9-37.7) is amended to  
 2 read as follows:

3 8. The board, after due notice and hearing, may refuse to  
 4 register any applicant, or may refuse to renew the registration



5 of any registered person, or may suspend or revoke the registration  
6 of any registered person:

7 (a) Who practiced physical therapy other than upon the \***[re-**  
8 **ferral]**\* *direction*\* of a physician licensed to practice medicine  
9 and surgery in this State or in the case of practice as a physical  
10 therapist assistant has practiced other than under the direction of  
11 a registered physical therapist;

12 **[(a)]** (b) Who is habitually drunk or who is addicted to the use  
13 of narcotic drugs;

14 **[(b)]** (c) Who has been convicted of violating any State or  
15 Federal narcotic law;

16 **[(c)]** (d) Who the board shall find to be guilty of immoral or  
17 unprofessional conduct;

18 **[(d)]** (e) Who has been convicted of any crime involving moral  
19 turpitude;

20 **[(e)]** (f) Who the board shall find to be guilty of gross negli-  
21 gence as a physical therapist *or physical therapist assistant*, or  
22 whose conduct as a registered physical therapist *or physical thera-*  
23 *pist assistant* is detrimental to the best interests of the public;  
24 except that said person shall have the right of appeal on all matters  
25 of law and fact to the appropriate courts of this State;

26 **[(f)]** (g) Who has obtained or attempted to obtain registration  
27 by fraud or material misrepresentation;

28 **[(g)]** (h) Who has been declared insane by a court of competent  
29 jurisdiction and who has not thereafter been lawfully declared sane;

30 **[(h)]** (i) Who has treated or undertaken to treat ailments of  
31 human beings otherwise than by physical therapy and as autho-  
32 rized by this act**],** or who has undertaken to practice independently  
33 of the prescription or oral direction of a duly licensed physician**];**  
34 or

35 **[(i)]** (j) Who has violated the provisions of this act or the rules  
36 or regulations adopted hereunder.

1 11. Section 9 of P. L. 1963, c. 169 (C. 45:9-37.8) is amended to  
2 read as follows:

3 9. The board shall keep a record of its proceedings under this  
4 act and a register of all persons registered under it. The register  
5 shall show the name of every living person registered under this  
6 act, his last known place of practice and last known place of resi-  
7 dence, and the date and number of his registration. The board  
8 shall compile annually a list of registered physical therapists *and*  
9 *registered physical therapist assistants* authorized to practice  
10 physical therapy in the State and shall make such list available,  
11 upon request, to the superintendent of every hospital and to every

12 person authorized to practice medicine, surgery, chiropractic,  
13 osteopathy and physical therapy in this State.

1 12. Section 10 of P. L. 1963, c. 169 (C. 45:9-37.9) is amended to  
2 read as follows:

3 10. (a) There is hereby created in the Division of [Professional  
4 Boards] *Consumer Affairs* of the Department of Law and Public  
5 Safety, under the State Board of Medical Examiners, a physical  
6 therapy advisory committee. The committee shall consist of five  
7 members, [three] *four* of whom shall be[, except for the initial  
8 members of the committee,] registered physical therapists of this  
9 State having at least 5 years experience in the practice of physical  
10 therapy in the State of New Jersey immediately prior to appoint-  
11 ment. The members of the committee shall be appointed by the  
12 Governor. [The initial appointments to the committee shall be  
13 one member for a term of 1 year; one member for a term of 2 years;  
14 and one member for a term of 3 years.] Members shall [thereafter]  
15 be appointed for terms of 3 years. Each member shall hold office  
16 after the expiration of his term until his successor shall be duly  
17 appointed and qualified. [A vacancy shall exist in the term of any  
18 of the three registered physical therapist members who ceases to  
19 be actively engaged in the practice of physical therapy in the State  
20 of New Jersey.] A vacancy in the office of any member [shall be  
21 filled in the same manner as original appointments and] shall be  
22 filled for the unexpired term only.

23 [The three physical therapists initially appointed to the office  
24 of member of the advisory committee need not be registered  
25 physical therapists at the time of appointment but shall satisfy  
26 the qualifications set forth in section 4 of this act and shall have  
27 at least 5 years experience in the practice of physical therapy in  
28 the State of New Jersey immediately prior to the appointment.]

29 (b) The advisory committee shall meet at least twice a year  
30 and shall also meet upon the call of the board or of the Attorney  
31 General. The advisory committee shall carry out the responsibili-  
32 ties assigned to it under this act and such matters as the board may  
33 require. The Attorney General shall provide the advisory com-  
34 mittee with such facilities and personnel as shall be required for the  
35 proper conduct of its business.

36 The board, with the approval of the Attorney General, may  
37 authorize reimbursement of the members of the advisory committee  
38 for their actual expenses incurred in connection with the perform-  
39 ance of their duties as members of the committee.

40 (c) There is hereby appropriated to the Department of Law

41 and Public Safety, for the purposes of administering this act, all  
42 fees and revenues received by the board from the effective date  
43 of this act until June 30, 1964. The expenditure of such appropria-  
44 tion shall be authorized by the Attorney General with the approval  
45 of the Director of the Division of Budget and Accounting.

1     \*13. *Any person who is registered as a physical therapist in this*  
2 *State upon the effective date of this act shall be entitled to continue*  
3 *to practice physical therapy under his current registration until*  
4 *the expiration thereof and to have his registration renewed as*  
5 *herein provided without making a new application for an original*  
6 *registration and without examination.\**

1     \*~~13.~~\* \*14.\* This act shall take effect immediately but shall  
2 remain inoperative until the first day of the third calendar month  
3 following approval except that any appointment provided for  
4 herein and any action necessary to effectuate this act may be made  
5 and taken prior thereto.

Division of State Library  
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**ASSEMBLY COMMERCE, INDUSTRY, AND  
PROFESSIONS COMMITTEE**

STATEMENT TO  
**SENATE, No. 1214**  
[OFFICIAL COPY REPRINT]

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**STATE OF NEW JERSEY**

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DATED: APRIL 7, 1975

This bill provides for definitions of physical therapy, physical therapist, and physical therapist assistant; establishes an approved educational program for physical therapists and physical therapist assistants; provides for examination of, registration and fees for applicants by the State Board of Medical Examiners; and creates in the Division of Consumer Affairs of the Department of Law and Public Safety, under the State Board of Medical Examiners, a physical therapy advisory committee.

ASSEMBLY COMMITTEE AMENDMENT TO  
**SENATE, No. 1214**

**STATE OF NEW JERSEY**

ADOPTED FEBRUARY 24, 1975

Amend page 1, section 1, line 14, after "disability;" insert "or the performance of appropriate tests and measurements, authorized by the State Board of Medical Examiners, to assess the extent of body malfunction".

[ASSEMBLY REPRINT]  
**SENATE, No. 1214**  
[OFFICIAL COPY REPRINT]

with Assembly committee amendment adopted February 24, 1975

**STATE OF NEW JERSEY**

INTRODUCED MAY 16, 1974

By Senator GREENBERG

Referred to Committee on Labor, Industry and Professions

AN ACT to amend and supplement "An act providing for the registration of physical therapists, prescribing penalties for violations, and amending section 45:9-21 of the Revised Statutes," approved December 16, 1963 (P. L. 1963, c. 169).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 2 of P. L. 1963, c. 169 (C. 45:9-37.1) is amended to  
2 read as follows:

3 2. As used in this act, unless the context otherwise requires, the  
4 following words shall have the following meanings:

5 (a) "Board" means the State Board of Medical Examiners  
6 *which shall enforce and administer the provisions of this act.*

7 (b) "Advisory committee" means the physical therapy advisory  
8 *committee as described in section 10 of this act.*

9 **[(b)]** (c) "Physical therapy" or "physiotherapy" shall mean  
10 and include **[physiotherapy, electro-therapy or hydro-therapy]**  
11 *treatment of a human being by the use of exercise, massage heat,*  
12 *cold, water, radiant energy, electricity, or sound for the purpose*  
13 *of correcting or alleviating any physical condition or preventing*  
14 *the development of any physical disability; \*\*or the performance*  
15 *of appropriate tests and measurements, authorized by the State*  
16 *Board of Medical Examiners, to assess the extent of body mal-*  
17 *function\*\* \***[or the performance of neuro-muscular-skeletal tests***  
17A *and measurements to determine the existence and extent of body*  
17B *malfunction,]\* provided, however, that physical therapy shall not*  
17C *include radiology or electrosurgery.*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

18 (d) "Physical therapist" shall mean a person who practices  
19 physical therapy, under the direction and supervision of a licensed  
20 physician, or a person who renders physical therapy services upon  
21 the \***[referral]**\* \*direction\* of a licensed physician.

22 (e) "Physical therapist assistant" shall mean a person who  
23 assists, under the direction of a registered physical therapist, the  
24 physical therapist in the practice of physical therapy and who per-  
25 forms such procedures delegated to him that are commensurate  
26 with his education and training.

1 2. Section 3 of P. L. 1963, c. 169 (C. 45:9-37.2) is amended to  
2 read as follows:

3 3. (a) **[It shall be a violation of this act for any person who is**  
4 not registered under this act as a physical therapist, or whose  
5 registration has been suspended or revoked, or whose registration  
6 has lapsed and has not been revived, to render physical therapy  
7 services within this State or to use in connection with his name the  
8 words or letters "R. P. T.," "Registered Physical Therapist,"  
9 "P. T.," "Physical Therapist," or "Physiotherapist," "Physical  
10 Therapy Technician," "P. T. T.," or any other letters, words or  
11 insignia indicating or implying that he is a registered physical  
12 therapist, or, in any way, orally or in writing or in print or by  
13 sign or by implication, to present or hold himself out as a registered  
14 physical therapist or a physical therapist.] No person shall  
15 practice, nor hold himself out to be able to practice physical  
16 therapy in this State, unless he is registered in accordance with the  
17 provisions of this act. No person shall act, nor hold himself out as  
18 being able to act as a physical therapist assistant unless he is  
19 registered in accordance with the provisions of this act.

20 No physical therapist shall supervise more physical therapist  
21 assistants at any one time than in the opinion of the board can be  
22 adequately supervised. Under usual circumstances the maximum  
23 number of physical therapist assistants that may be supervised by  
24 any physical therapist shall be two except that, upon application to  
25 the board, the board may permit the supervision of a greater  
26 number of physical therapist assistants by a physical therapist if,  
27 in the opinion of the board, there would be adequate supervision  
28 and the public health and safety would be served. In no case, how-  
29 ever, shall the total number of physical therapist assistants exceed  
30 twice the number of physical therapists regularly employed by a  
31 facility.

32 (b) The board, **[by rules and regulations and]** on its own motion  
33 or after consultation with the physical therapy advisory com-

34 mittee, shall establish [standards governing the practice of  
 35 physical therapy which standards shall be adhered to by the persons  
 36 registered under this act] *rules and regulations for the admin-*  
 37 *istration of this act.*

1 3. Section 4 of P. L. 1963, c. 169 (C. 45:9-37.3) is amended to  
 2 read as follows:

3 4. An applicant for registration as a physical therapist *or*  
 4 *physical therapist assistant* shall submit to the board evidence, in  
 5 such form as the board may prescribe, that the applicant [(1) has  
 6 attained his or her twenty-first birthday; (2) is a citizen of the  
 7 United States; (3)] is of good moral character; [(4) is a graduate  
 8 of a high school approved by the New Jersey Department of  
 9 Education or has equivalent education acceptable to the board; (5)  
 10 has completed satisfactorily a course of study of physical therapy  
 11 at a school, hospital or other institution having a program of educa-  
 12 tion and instruction in physical therapy approved by the board]  
 13 *and that he has completed a program of education approved by the*  
 14 *board.*

15 *An approved program for physical therapists shall include the*  
 16 *following: (a) a minimum of 60 academic semester credits or its*  
 17 *equivalent from a recognized college, including courses in the bio-*  
 18 *logical and physical sciences; or a diploma from an accredited*  
 19 *school of professional nursing and in addition (b) an accredited*  
 20 *course in physical therapy education which has provided adequate*  
 21 *instruction in the basic sciences, clinical sciences, and physical*  
 22 *therapy theory and procedures as determined by the advisory com-*  
 23 *mittee and approved by the board. An approved program for*  
 24 *physical therapist assistants shall be at least a 2-year program*  
 25 *offered by a college accredited by a recognized accrediting agency*  
 26 *and including such elementary or intermediate courses in the*  
 27 *anatomical, biological, and physical sciences as may be prescribed*  
 28 *by the advisory committee and approved by the board.*

29 [The board, in establishing, altering or amending the standards  
 30 for approving such programs of education and instruction, shall  
 31 consult with the physical therapy advisory committee and may take  
 32 into consideration the standards suggested by the appropriate  
 33 council of the American Medical Association, the American  
 34 Physical Therapy Association, and the New Jersey State Physical  
 35 Therapy Society, Incorporated.]

1 4. Section 5 of P. L. 1963, c. 169 (C. 45:9-37.4) is amended to  
 2 read as follows:



3 5. The board shall [register as a physical therapist any person  
4 who applies for such registration within 1 year after this act takes  
5 effect, and who meets the qualifications prescribed in section 4 of  
6 this act or who submits to the board evidence that the applicant has  
7 qualifications (1) and (3) provided in section 4 of this act and has  
8 rendered physical therapy services for 2 years or more in the State  
9 of New Jersey prior to the date this act was approved] *give an*  
10 *examination to applicants who comply with section 4. The board*  
11 *shall also have the authority to accept alternate ways by which an*  
12 *applicant may be qualified to take the physical therapist assistant*  
13 *examination. The examination shall include a written examination*  
14 *which shall test the applicants' knowledge of the basic and clinical*  
15 *sciences as they relate to physical therapy, and physical therapy*  
16 *theory and procedures; and such other subjects as the board may*  
17 *deem useful to test the applicant's fitness to practice physical*  
18 *therapy or to act as a physical therapist assistant, as the case may*  
19 *be. Examinations shall be held within the State at least once a year,*  
20 *at such time and place as the board shall determine.*

1 5. (New section) The board shall register each applicant who  
2 passes the examination in accordance with standards fixed by it  
3 and who is not disqualified to be registered under the provisions of  
4 section 8 of the act hereby supplemented.

1 6. (New section) On payment to the board of a fee of \$50.00, and  
2 on submission of a written application on forms provided by the  
3 board, the board shall register without examination a person who  
4 is registered or otherwise licensed as a physical therapist or as a  
5 physical therapist assistant by another state of the United States,  
6 its possessions, or the District of Columbia, if the requirements  
7 for licensure or registration in such state, possession or district  
8 were at the date of his registration or license by such state sub-  
9 stantially equal to the requirements set forth in this act.

1 7. (New section) Upon submission of a written application on  
2 forms provided by it, the board shall issue a temporary registra-  
3 tion to a person who has applied for registration under the pro-  
4 visions of section 4, of the act hereby supplemented, and who is,  
5 in the judgment of the board, eligible to take the examination pro-  
6 vided for in section 5 of the act hereby supplemented. Such tem-  
7 porary registration shall be available to an applicant only with  
8 respect to his first application for registration under section 4 and  
9 such registration shall expire when the board makes a final  
10 determination with respect to said application.

1 8. (New section) (a) An applicant whose application is based on  
2 a diploma issued to him by a foreign physical therapy school shall  
3 furnish documentary evidence satisfactory to the board, that he  
4 has completed in a physical therapy school or schools a resident  
5 course of professional instruction equivalent to that required in  
6 section 4 of the act hereby supplemented for a physical therapy  
7 applicant.

8 (b) Applicants under this section shall satisfactorily complete a  
9 period of service not to exceed 1 year under the continuous direc-  
10 tion and immediate supervision of a physical therapist registered  
11 by the board in a physical therapy service and in an institution  
12 both of which have been approved by the board for providing such  
13 a period of service. The board may waive all or any portion of the  
14 required period of service based on guidelines developed by the  
15 board.

16 (c) Before a registration may be issued, the applicant must not  
17 only meet the requirements of subdivisions (a) and (b) but must  
18 pass the written examination as provided under section 5 prior to  
19 commencing the period of service, and may be required to pass an  
20 oral examination at the completion of the period of service if such  
21 period of service has not been completed to the satisfaction of the  
22 supervising registered physical therapist. The requirements to  
23 pass the written examination shall not apply to an applicant who  
24 at the time of his application has passed, to the satisfaction of the  
25 board, an examination for licensing or registration in another state,  
26 district or territory of the United States that is, in the opinion of  
27 the board, comparable to the examination given in this State.

28 (d) Nothing contained in this section shall prohibit the board  
29 from disapproving any foreign physical therapy school nor from  
30 denying the applicant if, in the opinion of the board, the instruction  
31 received by the applicant or the courses were not equivalent to  
32 that required in this chapter for a physical therapist applicant.

1 9. Section 6 of P. L. 1963, c. 169 (C. 45:9-37.5) is amended to  
2 read as follows:

3 6. Each initial application under this act shall be accompanied  
4 by a fee of ~~[\$25.00]~~ \$50.00. Registrations under this act shall  
5 expire *biennially* on January 31 ~~[of each calendar year]~~ and shall  
6 be renewed upon application and payment of a fee of ~~[\$10.00]~~  
7 \$20.00 *if said fee is not paid by that date, the registration shall*  
8 *automatically expire. A registration which has thus expired may*  
9 *within 5 years of its expiration date, be renewed on the payment*  
10 *to the board of the sum of \$10.00 for each year or part thereof*

11 *during which the registration was ineffective and the restoration*  
 12 *fee of \$10.00. After said 5-year period such registration may be*  
 13 *renewed only by complying with the provisions herein relating to*  
 14 *the issuance of an original registration.*

1 10. Section 8 of R. L. 1963, c. 169 (C. 45:9-37.7) is amended to  
 2 read as follows:

3 8. The board, after due notice and hearing, may refuse to  
 4 register any applicant, or may refuse to renew the registration  
 5 of any registered person, or may suspend or revoke the registration  
 6 of any registered person:

7 (a) *Who practiced physical therapy other than upon the \***[re-***  
 8 *ferral]\* \*direction\* of a physician licensed to practice medicine*  
 9 *and surgery in this State or in the case of practice as a physical*  
 10 *therapist assistant has practiced other than under the direction of*  
 11 *a registered physical therapist;*

12 **[(a)]** (b) *Who is habitually drunk or who is addicted to the use*  
 13 *of narcotic drugs;*

14 **[(b)]** (c) *Who has been convicted of violating any State or*  
 15 *Federal narcotic law;*

16 **[(c)]** (d) *Who the board shall find to be guilty of immoral or*  
 17 *unprofessional conduct;*

18 **[(d)]** (e) *Who has been convicted of any crime involving moral*  
 19 *turpitude;*

20 **[(e)]** (f) *Who the board shall find to be guilty of gross negli-*  
 21 *gence as a physical therapist or physical therapist assistant, or*  
 22 *whose conduct as a registered physical therapist or physical thera-*  
 23 *pist assistant is detrimental to the best interests of the public;*  
 24 *except that said person shall have the right of appeal on all matters*  
 25 *of law and fact to the appropriate courts of this State;*

26 **[(f)]** (g) *Who has obtained or attempted to obtain registration*  
 27 *by fraud or material misrepresentation;*

28 **[(g)]** (h) *Who has been declared insane by a court of competent*  
 29 *jurisdiction and who has not thereafter been lawfully declared sane;*

30 **[(h)]** (i) *Who has treated or undertaken to treat ailments of*  
 31 *human beings otherwise than by physical therapy and as autho-*  
 32 *rized by this act**],** or who has undertaken to practice independently*  
 33 *of the prescription or oral direction of a duly licensed physician**];***

34 or

35 **[(i)]** (j) *Who has violated the provisions of this act or the rules*  
 36 *or regulations adopted hereunder.*

1 11. Section 9 of P. L. 1963, c. 169 (C. 45:9-37.8) is amended to  
 2 read as follows:

3 9. The board shall keep a record of its proceedings under this  
4 act and a register of all persons registered under it. The register  
5 shall show the name of every living person registered under this  
6 act, his last known place of practice and last known place of resi-  
7 dence, and the date and number of his registration. The board  
8 shall compile annually a list of registered physical therapists *and*  
9 *registered physical therapist assistants* authorized to practice  
10 physical therapy in the State and shall make such list available,  
11 upon request, to the superintendent of every hospital and to every  
12 person authorized to practice medicine, surgery, chiropractic,  
13 osteopathy and physical therapy in this State.

1 12. Section 10 of P. L. 1963, c. 169 (C. 45:9-37.9) is amended to  
2 read as follows:

3 10. (a) There is hereby created in the Division of [Professional  
4 Boards] *Consumer Affairs* of the Department of Law and Public  
5 Safety, under the State Board of Medical Examiners, a physical  
6 therapy advisory committee. The committee shall consist of five  
7 members, [three] *four* of whom shall be[, except for the initial  
8 members of the committee,] registered physical therapists of this  
9 State having at least 5 years experience in the practice of physical  
10 therapy in the State of New Jersey immediately prior to appoint-  
11 ment. The members of the committee shall be appointed by the  
12 Governor. [The initial appointments to the committee shall be  
13 one member for a term of 1 year; one member for a term of 2 years;  
14 and one member for a term of 3 years.] Members shall [thereafter]  
15 be appointed for terms of 3 years. Each member shall hold office  
16 after the expiration of his term until his successor shall be duly  
17 appointed and qualified. [A vacancy shall exist in the term of any  
18 of the three registered physical therapist members who ceases to  
19 be actively engaged in the practice of physical therapy in the State  
20 of New Jersey.] A vacancy in the office of any member [shall be  
21 filled in the same manner as original appointments and] shall be  
22 filled for the unexpired term only.

23 [The three physical therapists initially appointed to the office  
24 of member of the advisory committee need not be registered  
25 physical therapists at the time of appointment but shall satisfy  
26 the qualifications set forth in section 4 of this act and shall have  
27 at least 5 years experience in the practice of physical therapy in  
28 the State of New Jersey immediately prior to the appointment.]

29 (b) The advisory committee shall meet at least twice a year  
30 and shall also meet upon the call of the board or of the Attorney  
31 General. The advisory committee shall carry out the responsibili-

32 ties assigned to it under this act and such matters as the board may  
33 require. The Attorney General shall provide the advisory com-  
34 mittee with such facilities and personnel as shall be required for the  
35 proper conduct of its business.

36 The board, with the approval of the Attorney General, may  
37 authorize reimbursement of the members of the advisory committee  
38 for their actual expenses incurred in connection with the perform-  
39 ance of their duties as members of the committee.

40 (c) There is hereby appropriated to the Department of Law  
41 and Public Safety, for the purposes of administering this act, all  
42 fees and revenues received by the board from the effective date  
43 of this act until June 30, 1964. The expenditure of such appropria-  
44 tion shall be authorized by the Attorney General with the approval  
45 of the Director of the Division of Budget and Accounting.

1 *\*13. Any person who is registered as a physical therapist in this*  
2 *State upon the effective date of this act shall be entitled to continue*  
3 *to practice physical therapy under his current registration until*  
4 *the expiration thereof and to have his registration renewed as*  
5 *herein provided without making a new application for an original*  
6 *registration and without examination.\**

1 **\*[13.]** \*14.\* This act shall take effect immediately but shall  
2 remain inoperative until the first day of the third calendar month  
3 following approval except that any appointment provided for  
4 herein and any action necessary to effectuate this act may be made  
5 and taken prior thereto.