

STATE ACTS AND REGULATIONS ON IMAGING: WASHINGTON

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Introduction

APTA supports the ability of physical therapists to order appropriate tests as part of their diagnostic process. This includes ordering imaging studies that are performed and interpreted by other health professionals, as well as performing or interpreting selected imaging or other studies. One aspect of achieving this goal is at the state level, under jurisdictional scope of practice. This includes not only the physical therapist scope of practice, but other provider and facility laws that may come into play. To help identify potential hurdles, APTA conducted an environmental scan of 25 selected states. The purpose is to identify any statutory considerations, as well case law and attorney general opinions that may impact the ability of APTA chapters to pursue legislative efforts on this issue.

Summary

The Revised Code of Washington provides that the use of Roentgen rays and radium for diagnostic and therapeutic purposes is not included under the term “physical therapy.” The Revised Code of Washington does provide that a physical therapist may perform spinal manipulation subject to certain limitations, including evidence of specific training in spinal diagnostic imaging. The chiropractic practice act specifically gives chiropractors the ability to prescribe, perform, and interpret x-rays. In order to operate radiology equipment, the radiologic technologist practice act defines a diagnostic radiologic technologist as licensed by the state and under the supervision of a physician. Furthermore, the nuclear energy and radiation act specifically states that it does not limit the practice of radiology within the scope of health care provider’s license.

Physical Therapy Practice Act and Regulations

The Washington physical therapy practice act states: “Physical therapy’ means the care and services provided by or under the direction and supervision of a physical therapist licensed by the state. Except as provided in RCW 18.74.190, the use of Roentgen rays and radium for diagnostic and therapeutic purposes, the use of electricity for surgical purposes, including cauterization, and the use of spinal manipulation, or manipulative

mobilization of the spine and its immediate articulations, are not included under the term 'physical therapy' as used in this chapter. *Wash Rev Code §18 74-010 (2017)*

The practice act further provides that a physical therapist may perform spinal manipulation subject to certain limitations, including a requirement of "specific training in spinal diagnostic imaging of no less than 150 hours outlined in a course curriculum." *Wash Rev Code §18 74-190 (2017)*

The practice act states: "'Practice of physical therapy' is based on movement science and means: (a) Examining, evaluating, and testing individuals with mechanical, physiological, and developmental impairments, functional limitations in movement, and disability or other health and movement-related conditions in order to determine a diagnosis, prognosis, plan of therapeutic intervention, and to assess and document the ongoing effects of intervention; (b) Alleviating impairments and functional limitations in movement by designing, implementing, and modifying therapeutic interventions that include therapeutic exercise; functional training related to balance, posture, and movement to facilitate self-care and reintegration into home, community, or work; manual therapy including soft tissue and joint mobilization and manipulation; therapeutic massage; assistive, adaptive, protective, and devices related to postural control and mobility except as restricted by (c) of this subsection; airway clearance techniques; physical agents or modalities; mechanical and electrotherapeutic modalities; and patient-related instruction; (c) Training for, and the evaluation of, the function of a patient wearing an orthosis or prosthesis as defined in RCW 18.200.010. Physical therapists may provide those direct-formed and prefabricated upper limb, knee, and ankle-foot orthoses, but not fracture orthoses except those for hand, wrist, ankle, and foot fractures, and assistive technology devices specified in RCW 18.200.010 as exemptions from the defined scope of licensed orthotic and prosthetic services. It is the intent of the legislature that the unregulated devices specified in RCW 18.200.010 are in the public domain to the extent that they may be provided in common with individuals or other health providers, whether unregulated or regulated under this title, without regard to any scope of practice; (d) Performing wound care services that are limited to sharp debridement, debridement with other agents, dry dressings, wet dressings, topical agents including enzymes, hydrotherapy, electrical stimulation, ultrasound, and other similar treatments. Physical therapists may not delegate sharp debridement. A physical therapist may perform wound care services only by referral from or after consultation with an authorized health care practitioner; (e) Reducing the risk of injury, impairment, functional limitation, and disability related to movement, including the promotion and maintenance of fitness, health, and quality of life in all age populations; and (f) Engaging in administration, consultation, education, and research." *Wash Rev Code §18 74-010 (2017)*

Non-Physical Therapy Practice Acts and Regulations

The chiropractic practice act states: “As part of a chiropractic differential diagnosis, a chiropractor shall perform a physical examination, which may include diagnostic x-rays, to determine the appropriateness of chiropractic care or the need for referral to other health care providers. The chiropractic quality assurance commission shall provide by rule for the type and use of diagnostic and analytical devices and procedures consistent with this chapter.” *Wash Rev Code §18 25-005 (2017)*

The chiropractic practice act further provides that “[c]hiropractic care shall not include the prescription or dispensing of any medicine or drug, the practice of obstetrics or surgery, the use of x-rays or any other form of radiation for therapeutic purposes, colonic irrigation, or any form of venipuncture.”
Wash Rev Code §18 25-005 (2017)

The physician practice act states: “A person is practicing medicine if he or she does one or more of the following: (1) Offers or undertakes to diagnose, cure, advise, or prescribe for any human disease, ailment, injury, infirmity, deformity, pain or other condition, physical or mental, real or imaginary, by any means or instrumentality; (2) Administers or prescribes drugs or medicinal preparations to be used by any other person; (3) Severs or penetrates the tissues of human beings; (4) Uses on cards, books, papers, signs, or other written or printed means of giving information to the public, in the conduct of any occupation or profession pertaining to the diagnosis or treatment of human disease or conditions the designation “doctor of medicine,” “physician,” “surgeon,” “m.d.,” or any combination thereof unless such designation additionally contains the description of another branch of the healing arts for which a person has a license: PROVIDED HOWEVER, That a person licensed under this chapter shall not engage in the practice of chiropractic as defined in RCW 18.25.005.” *Wash Rev Code §18 71-011 (2017)*

The radiologic technologist practice act provides that a “[d]iagnostic radiologic technologist, who is a person who actually handles X-ray equipment in the process of applying radiation on a human being for diagnostic purposes at the direction of a licensed practitioner, this includes parenteral procedures related to radiologic technology when performed under the direct supervision of a physician licensed under chapter 18.71 or 18.57 RCW.” *Wash Rev Code §18 84-20 (2010)*

The nuclear energy and radiation practice act states: “Nothing in this chapter shall be construed to limit the kind or amount of radiation that may be intentionally applied to a person for diagnostic or therapeutic purposes by or under the immediate direction of a licensed practitioner of the healing arts acting within the scope of his or her professional license.” *Wash Rev Code §70 98-190 (2012)*

Attorney General Opinions

No attorney general opinions on point were identified.

Jurisdictional Case Law

No jurisdictional case law on point was identified.

State Law and Regulations Governing Hospitals and Other Facilities and Services

No laws or regulations relating to the governance of hospitals or other facilities and services on point were identified.