

STATE ACTS AND REGULATIONS ON IMAGING: LOUISIANA

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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 Louisiana Physical Therapy Practice Act states that the term “physical therapy” does not include the use of roentgen rays and radium, isotopes, and ionizing radiation for diagnostic and therapeutic purposes. The Chiropractic Practice Act states that x-ray procedures for the sole purpose of chiropractic analysis is included within the “practice of chiropractic.” Moreover, under the statutes governing licensed radiologic technologists, the board can revoke any license to practice as a radiation technologist if the person has applied radiation to humans without a prescription from a licensed practitioner.

Physical Therapy Practice Act and Regulations

The Louisiana Physical Therapy Practice Act states: “[w]hen used in this Chapter, the following words and phrases shall have the following meaning, unless the context clearly indicates otherwise:...(5) Practice of physical therapy’ is the health care profession practiced by a physical therapist licensed under this Chapter and means the holding out of one’s self to the public as a physical therapist and as being engaged in the business of, or the actual engagement in, the evaluation and treatment of any physical or medical condition to restore normal function of the neuromuscular and skeletal system, to relieve pain, or to prevent disability by use of physical or mechanical

means, including therapeutic exercise, mobilization, passive manipulation, therapeutic modalities, and activities or devices for preventative, therapeutic, or medical purposes, and further shall include physical therapy evaluation, treatment planning, instruction, consultative services, and the supervision of physical therapy supportive personnel, including physical therapist assistants.” *La RS § 37:2407 (A) (2017)*

The act further states: “[a]s used in this Chapter, ‘physical therapy’ does not include the use of roentgen rays and radium, isotopes, and ionizing radiation for diagnostic and therapeutic purposes.” *La RS § 37:2407 (B) (2017)*

The act also provides that “[i]n seeking and receiving reimbursement for services, an initial physical therapy evaluation as defined in this Chapter shall be considered a physical therapy diagnosis and shall not constitute the practice of medicine.” *La RS § 37:2407 (C) (2017)*

Non-Physical Therapy Practice Acts and Regulations

The Louisiana Statutes governing chiropractors provide the following:

- “‘Practice of chiropractic’ means holding one's self out to the public as a chiropractor and as being engaged in the business of, or the actual engagement in, the diagnosing of conditions associated with the functional integrity of the spine and treating by adjustment, manipulation, and the use of the physical and other properties of heat, light, water, electricity, sound, massage, therapeutic exercise, mobilization, mechanical devices, and other physical rehabilitation measures for the purpose of correcting interference with normal nerve transmission and expression. A chiropractor may also make recommendations relative to personal hygiene and proper nutritional practices for the rehabilitation of the patient. A chiropractor may also order such diagnostic tests as are necessary for determining conditions associated with the functional integrity of the spine.” *La RS § 37:2801 (3)(a) (2017)*
- “The practice of chiropractic does not include the right to prescribe, dispense or administer medicine or drugs, or to engage in the practice of major or minor surgery, obstetrics, X-ray therapy, radium therapy, or nuclear medicine. For the purposes of this Chapter, the terms, ‘medicine’ and ‘drugs’ shall not include orthotic devices, vitamin, mineral, and nutritional supplements, therapeutic devices, postural modification equipment, exercise equipment, or homeopathic remedies.” *La RS § 37:2801 (3)(c) (2017)*
- “A chiropractor licensed under this Chapter is entitled to utilize x-ray procedures for the sole purpose of chiropractic analysis. Such x-ray procedures shall be administered with efficient exposure techniques and optimal operation of radiation equipment in order to minimize the amount of and repetition of x-ray

exposure to which a patient is subjected during such analysis.” *La RS § 37:2817 (A) (2017)*

- “The board may suspend or revoke any license to practice as a radiologic technologist or censure, reprimand, or otherwise discipline a licensee upon proof that the person:...(9) Has applied radiation to humans without a prescription from a licensed practitioner as defined in this Chapter. (10) Has applied radiation to humans without the direction and supervision of a licensed practitioner as defined in this Chapter.” *La RS § 37:3219 (A) (9)-(10) (1984)*

Louisiana statutes governing licensed radiologic technologists provide that “[l]icensed practitioner’ means a person licensed to practice medicine, dentistry, podiatry, chiropractic, or osteopathy in this state, or an advanced practice registered nurse licensed to practice in this state.” *La RS § 37:3200 (5) (2010)*

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 law or regulations on point were identified.