

November 17, 2011

Testimony of the Pennsylvania Physical Therapy Association
House Bill 1717, Printer's No. 2188

As President of the Pennsylvania Physical Therapy Association ("PPTA"), I ask that you please allow this letter to serve as the PPTA's written testimony regarding House Bill 1717, Printer's No. 2188 ("HB 1717") and include this letter as part of the official hearing record. HB 1717 is of interest to the PPTA in that it seeks to license naturopathic doctors and provide for the practice of naturopathic medicine. The PPTA is concerned that the language of HB 1717 would permit a naturopathic doctor to provide services which are outside of the scope of his or her training and education. The PPTA would like to take this opportunity to provide specific comments regarding its concerns with the language of HB 1717.

HB 1717 defines "naturopathic musculoskeletal therapy" in part to mean "[t]he treatment by manual and other mechanical means of all body tissues and structures...located anywhere in the human body...involv[ing] the use of...mobilization through physiologic and extra physiologic ranges of motion, including passive intrinsic mobility of all body joints, and repositioning of displaced body tissues and organs." Additionally, the term "naturopathic physical medicine" is defined in part to mean "[t]he methods of treating the body by means of...therapeutic exercise and therapeutic use by naturopathic physicians of...physical modalities and procedures, including, but not limited to, therapeutic exercise...". In reviewing the Council on Naturopathic Medical Education Accreditation Standards, adopted June 2009 ("Accreditation Standards") the PPTA has concerns that the scope of naturopathic medicine set forth in HB 1717, as defined in part by the above referenced definitions, is outside of the scope of training and education described in the Accreditation Standards. The PPTA believes that permitting naturopathic doctors to treat patients within the scope of practice provided for in HB 1717 raises significant consumer protection concerns.

Chapter 4 of HB 1717 describes the scope of practice for a naturopathic doctor to include a naturopathic doctor's ability to "[d]ispense, administer, order, prescribe or perform the following...[n]aturopathic physical medicine...[n]aturopathic musculoskeletal therapy." To the extent "naturopathic physical medicine" and "naturopathic musculoskeletal therapy," as currently defined, are deemed by the Commonwealth to be within the scope of practice of a naturopathic doctor, it is unclear to the PPTA who would perform naturopathic physical medicine and naturopathic musculoskeletal therapy pursuant to an "order" or prescription. The PPTA believes that this point requires further clarification.

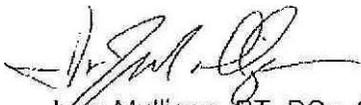
Finally, the PPTA believes that in Chapter 4 of HB 1717, under Section 401(b), it should be clarified that a naturopathic doctor shall not perform physical therapy, as such term is defined in the Pennsylvania Physical Therapy Practice Act, unless licensed as a physical therapist by the Commonwealth. Section 401(b) addresses this issue relative to other professions; however, it fails to include physical therapy. This is of concern to the PPTA because it believes that elements of the definitions of "naturopathic musculoskeletal therapy" and "naturopathic physical medicine" includes terms that require the training and education of a physical therapist. As a specific example, physical therapy is defined to include "mobilization-manual therapy" which itself is defined as a group of techniques comprising a continuum of skilled passive movements to the joints and/or related soft tissues throughout the normal physiologic range of motion that are applied at varying speeds and amplitudes, without limitation. The PPTA

believes that the language of HB 1717 should be more narrowly tailored so as to be consistent with the education and training proposed for licensure of a naturopathic doctor.

For the reasons illustrated above, the PPTA has significant concerns regarding HB 1717 in its current form. In summary, the PPTA believes that HE 1717 as written would permit a naturopathic doctor to perform activities outside the scope of his or her training and education, resulting *in risk* to the consumer.

Thank you for allowing the PPTA the opportunity to provide testimony regarding this legislation. Please do not hesitate to contact me directly should you have any questions regarding the PPTA's position on HB 1717.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ivan Mulligan', with a stylized flourish at the end.

Ivan Mulligan, PT, DSc, SCS, ATC, CSCS
PPTA President