



APTA Brief on State Government Affairs

State: New Mexico

Issue(s): Patient Access to PT Services (direct access)

Bill number: Senate Bill 571

Text of legislation: <http://www.nmlegis.gov/Sessions/15%20Regular/final/SB0571.pdf>

On April 10, 2015, New Mexico Governor Susana Martinez signed legislation that improves patient access to physical therapist services. The legislation, sponsored by New Mexico state Sen Benny Shendo Jr, was a joint advocacy effort by the New Mexico Chapter of the American Physical Therapy Association (NMAPTA) and the Desert States Physical Therapy Network.

Patient Access to PT Services

SB 571 eliminates restrictions tied to the current direct access law and will allow physical therapists (PT) to evaluate and treat without a referral or previous medical diagnosis for all patient populations.

A PT must refer a patient to the patient's licensed health care provider if, after 30 days of initiating physical therapist intervention, the patient has not made measurable or functional improvement with respect to the primary complaints. If the patient is making measurable progress and improving, the 30-day limit does not apply. Additionally, the 30-day proviso does not apply to:

- Treatment provided for a condition related to a chronic neuromuscular or developmental condition for a patient previously diagnosed as having a chronic neuromuscular or developmental condition.
- Services provided for health promotion, wellness, fitness, or maintenance purposes.
- Services provided to a patient who is participating in a program pursuant to an individual education plan or individual family service plan under federal law.

The legislation becomes effective Friday, July 10, 2015. The existing direct access law remains in effect until then. APTA provided NMAPTA with a 2015 APTA State Advocacy Grant to assist with the effort.



New Mexico initially achieved direct patient access in 1989; however, the law restricted treatment via direct access to only patients who had a previous medical diagnosis within the past 12 months, or for acute care within the scope of physical therapist practice.

Statement From New Mexico Chapter/Desert States Physical Therapy Network

“This is the result of many years of hard work by various individuals. I want to thank our membership, our board, and Desert States Physical Therapy for their commitment to this collaborative endeavor,” said Leslea Latham, PT, DPT, president of the New Mexico Chapter of APTA. “This legislation will help patients in New Mexico by removing unnecessary restrictions to physical therapy and allowing patients to access the safe care they need when they need it.”

“From the New Mexico PT Licensing Board, to the New Mexico Chapter of APTA, to the director of the University of New Mexico PT School, and Desert States Physical Therapy Network—all involved worked very well together,” said Amy Dixon, executive director of the Desert States Physical Therapy Network. “We proceeded in a collegial, concerted effort, which included consensus from bill language to message control. It was a great campaign!”

***Of note:** 2015 has been a busy year in the statehouses on the issue of patient access to physical therapist services. Legislation in Virginia and Georgia to improve those states’ existing direct access laws have both passed the states’ legislatures and are awaiting action by their governors. Legislation in Florida and Texas is still under consideration.*