



**LATE**

## **SB2478 Relating to Health**

### **Position: Oppose, Changes Offered**

Chair Baker and Members of the Senate Consumer Protection Committee,

I am Ann Frost, PT, Legislative Committee Chairperson of the Hawaii Chapter of the American Physical Therapy Association (HAPTA). HAPTA represents 250 physical therapists and physical therapist assistants employed in hospitals, nursing homes, the Armed Forces, the Department of Education and Department of Health systems, and private clinics throughout our community. Physical therapists work with everyone, from infants to the elderly, to restore and improve function and quality of life.

HAPTA opposes SB2478 as written, in particular the inclusion of the term “physiotherapeutic”, on page 2 line 8 of the legislation. The inclusion of this term in the definition of chiropractic is misleading and may be misinterpreted by both chiropractic practitioners, as well as the public. HAPTA strongly recommends the deletion of the term “physiotherapeutic” from the legislation, and recommends a substitute term be used instead, such as “therapeutic modalities.”

Many people equate the term physiotherapeutic with physical therapy. Physical therapy and physiotherapy are not a generic terms - they describes the care and services provided by or under the direction of a licensed physical therapist. Other health care providers have attempted to classify or advertise physical agents, mechanical modalities, and/or rehabilitative interventions as "physical therapy" or "physiotherapy." However the use of these modalities can be described as the practice of physical therapy or physiotherapy only when a licensed physical therapist provides the modalities. Other professions, like chiropractic, use some of the same physical agents and modalities as physical therapists, but only physical therapists and physical therapist assistants under the direction and supervision of physical therapists practice "physical therapy" or "physiotherapy."

In all other English-speaking countries—Canada, the United Kingdom, Australia, and New Zealand—the term physiotherapy is synonymous with physical therapy. In addition 461J-2 of the Physical Therapy practice act forbids the use of the terms physiotherapist/physiotherapy by anyone other than a physical therapist. In the past, chiropractors have termed the use of modalities such as electrical stimulation and ultrasound as “physiotherapy”, which is misleading to the public.

Let me be clear, we are NOT saying that chiropractors cannot perform rehabilitative modalities— we recognize that there is overlap in the scopes of practice between our two professions. However they should NOT be described or called ‘physiotherapeutic’ due to the potential to cause confusion for the public.



Ultimately, the physical therapy community is committed to ensuring public protection through accurate portrayal and description of services provided by licensed health care practitioners. Therefore HAPTA is strongly opposed to the inclusion of the term “physiotherapeutic” in the legislation.

Please feel welcome to contact me at [annfrost.pt@gmail.com](mailto:annfrost.pt@gmail.com).

Ann Frost, PT, MPT, CLT



ARC / Advocacy Resource Center  
Advocating on behalf of physicians and patients at the state level

## Truth in Advertising: 2008 and 2010 survey results

Education and training matters when it comes to who provides your health care, but do most patients know the qualifications of their health care provider? A 2008 survey found that while patients strongly support a physician-led health care team, many are confused about the level of education and training of their health care provider.<sup>1</sup> A 2010 follow-up survey<sup>2</sup>, which confirmed that patients want a physician to lead the health care team, underscored that confusion remains high. Key findings from the 2010 survey included:

- ▶ Ninety percent of respondents said that a physician's additional years of medical education and training (compared to a nurse practitioner) are vital to optimal patient care, especially in the event of a complication or medical emergency.
- ▶ Eighty-six percent of respondents said that patients with one or more chronic diseases benefit when a physician leads the primary health care team.
- ▶ Eighty-three percent of respondents said that they prefer a physician to have primary responsibility for the diagnosis and management of their health care.

Truth in Advertising legislation can help provide the clarity and transparency necessary for patients to have the information they need to make informed decisions about their health care.

### Patients are not sure who is—and who is not—a medical doctor

Is this person a medical doctor?	Yes (%)		No (%)		Not sure (%)	
	2008	2010	2008	2010	2008	2010
Orthopaedic surgeon/Orthopaedist	94	84	3	12	3	4
Obstetrician/Gynecologist	92	93	5	4	3	3
Primary care physician*	n/a	91	n/a	7	n/a	2
General or family practitioner	88	88	8	9	3	4
Dermatologist <sup>2</sup>	n/a	84	n/a	12	n/a	4
Dentist	77	69	20	29	3	2
Anesthesiologist	76	78	16	19	8	8
Psychiatrist	74	75	20	21	6	4
Ophthalmologist	69	71	14	16	17	13
Podiatrist	67	68	22	21	11	11
Optometrist	54	54	36	38	10	8
Psychologist	49	41	44	53	8	6
Chiropractor	38	31	53	64	9	6
Doctor of nursing practice	38	35	37	46	25	19
Audiologist	33	30	40	47	27	23
Otolaryngologist/ENT <sup>1</sup>	32	43	13	33	55	24
Nurse Practitioner	29	26	63	69	7	5
Physical Therapist	26	19	68	78	6	3
Midwife	11	7	82	88	7	7

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## Additional findings from the “Truth in Advertising” surveys

### Patients strongly prefer physicians to lead the health care team

Should only a medical doctor be allowed to perform the following procedures; or should other health care professionals be allowed to perform this specific activity?	Only a medical doctor (%)		Other health care professional (%)		Don't know (%)	
	2008	2010	2008	2010	2008	2010
Amputations of the foot?	93	93	5	5	2	2
Surgical procedures on the eye that require the use of a scalpel?	92	94	6	4	2	2
Facial surgery such as nose shaping and face lifts?	90	89	8	8	3	3
Treat chronic pain by prescribing drugs or other substances that have a high potential for addiction or abuse?	82	75	16	23	2	3
Write prescriptions for medication to treat mental health conditions such as schizophrenia and bi-polar disorder?	80	75	17	22	3	3
Use techniques such as spinal injections to diagnose and treat chronic pain?	79	78	19	19	2	3
Administer and monitor anesthesia levels and patient condition before and during surgery?	71	70	27	23	3	7
Commit individuals for psychiatric care against their will?	70	70	23	23	7	7

### Patients want their health care professional to clearly designate their education and training

Do you agree or disagree with the following?	Agree (%)		Disagree (%)		Don't know (%)	
	2008	2010	2008	2010	2008	2010
Only licensed medical doctors should be able to use the title “physician”?	91	93	7	6	2	1
It is easy to identify who is a licensed medical doctor and who is not by reading what services they offer, their title and other licensing credentials in advertising or other marketing materials?	46	51	51	44	3	3
Would you support or oppose legislation in your state to require all health care advertising materials to clearly designate the level of education, skills and training of all health care professionals promoting their services?	Support		Oppose		Don't know	
	2008	2010	2008	2010	2008	2010
	93	87	6	10	1	3

#### Footnotes:

- Global Strategy Group conducted a telephone survey on behalf of the Scope of Practice Partnership between August 13–18, 2008. Global Strategy Group surveyed 850 adults nationwide. The overall margin of error is +/- 3.4 percent at the 95 percent confidence level.
- Baselice & Associates conducted a telephone survey on behalf of the Scope of Practice Partnership between November 4–8, 2010. Baselice & Associates surveyed 850 adults nationwide. The overall margin of error is +/- 3.4 percent at the 95 percent level.
- The physician professions “primary care physician” and “dermatologist” were not referenced in the 2008 survey.
- The abbreviation for ear, nose and throat—“ENT”—was not referenced in the 2008 survey.