



## 2025 South Dakota Legislature

# Senate Bill 110

SENATE HEALTH AND HUMAN SERVICES ENGROSSED

Introduced by: **Senator Davis**

1 **An Act to revise licensure and supervision requirements for physical therapists and**  
 2 **physical therapist assistants.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 36-10-27 be AMENDED:**

5 **36-10-27.** A person seeking licensure to practice physical therapy in this state  
 6 shall:

- 7 (1) File ~~a written~~ an application with the State Board of Physical Therapy;
- 8 (2) Submit an application fee in an amount established by the board, in rule pursuant  
 9 to chapter 1-26, but not exceeding three hundred dollars;
- 10 (3) Present evidence satisfactory to the board that the applicant is of good moral,  
 11 ethical, and professional character; ~~and~~
- 12 (4) Present evidence satisfactory to the board that the applicant has graduated from  
 13 a physical therapy program accredited by an accrediting body recognized by the  
 14 United States Department of Education or by the Commission on Recognition of  
 15 Postsecondary Accreditation, or present evidence satisfactory to the board that:  
 16 (a) The applicant completed a course of professional instruction equivalent to  
 17 an approved ~~a~~ program accredited by an accrediting body recognized by the  
 18 United States Department of Education or the Commission on Recognition  
 19 of Postsecondary Accreditation; and  
 20 (b) The applicant has ~~scored at least five hundred fifty on the TOEFL, obtained~~  
 21 ~~a passing score on a comparative nationally recognized~~ passed an English  
 22 proficiency examination approved by the board, or completed two years of  
 23 secondary or postsecondary education in any educational institution in  
 24 which the instruction is conducted in English; and
- 25 (5) Pass a national examination recognized by the board, with a grade acceptable to  
 26 the board.

1 **Section 2. That § 36-10-29 be AMENDED:**

2 **36-10-29.** The State Board of Physical Therapy shall issue a license to each  
3 applicant who:

4 ~~(1) Has passed a national examination, recognized by the board, with a grade~~  
5 ~~acceptable to the board; and~~

6 ~~(2) Meets~~ meets the requirements for licensure under this chapter and rules  
7 promulgated by the board.

8 **Section 3. That § 36-10-35.1 be AMENDED:**

9 **36-10-35.1.** A person seeking licensure as a physical therapist assistant shall:

- 10 (1) ~~Apply to~~ File an application with the State Board of Physical Therapy;
- 11 (2) Submit an application fee in an amount established by the board, in rule pursuant  
12 to chapter 1-26, but not exceeding three hundred dollars; ~~and~~
- 13 (3) Present evidence satisfactory to the board that the applicant is of good moral,  
14 ethical, and professional character;
- 15 ~~(4)~~ Present evidence satisfactory to the board of:
- 16 ~~(a)~~ Graduation that the applicant has graduated from an accredited a physical therapist  
17 assistant's assistant education program accredited by an accredited body  
18 recognized by the board; and United States Department of Education or by the  
19 Commission on Recognition of Postsecondary Accreditation, or present evidence  
20 satisfactory to the board that:
- 21 (a) The applicant completed a course of professional instruction equivalent to a  
22 program accredited by an accrediting body recognized by the United States  
23 Department of Education or the Commission on Recognition of  
24 Postsecondary Education; and
- 25 ~~(b) Passage of a written examination,~~ The applicant has passed an English  
26 proficiency examination approved by the board, which tests the applicant's  
27 knowledge on subjects relating to physical therapy or completed two years  
28 of secondary or postsecondary education in any educational institution in  
29 which the instruction is conducted in English; and
- 30 ~~(5)~~ Pass a national examination recognized by the board, with a grade acceptable to  
31 the board.

32 **Section 4. That § 36-10-35.8 be AMENDED:**

1           **36-10-35.8.** A physical therapist may not, at any one time, supervise more than  
2 the equivalent of two full-time physical therapist assistants. ~~The supervising physical~~  
3 ~~therapist shall register, with the State Board of Physical Therapy, the name and address~~  
4 ~~of each physical therapist assistant whom the physical therapist is supervising. The~~  
5 ~~registration must be on a form provided by the board, and submitted at least fifteen days~~  
6 ~~prior to the date on which supervision is to commence.~~

7           ~~The supervising physical therapist shall, within ten days of termination, provide~~  
8 ~~written notification to the board, if the supervision of a physical therapist assistant is~~  
9 ~~terminated.~~ The supervising physical therapist may delegate responsibility for the  
10 supervision of a physical therapist assistant to another physical therapist, ~~for a period not~~  
11 ~~exceeding thirty days.~~

12   **Section 5. That § 36-10-35.9 be AMENDED:**

13           **36-10-35.9.** When supervising a physical therapist assistant's care of a patient ~~at~~  
14 in any setting, the supervising physical therapist shall comply with the following standards  
15 of supervision:

16       (1) ~~The supervising physical therapist shall be accessible either in person or by~~  
17 ~~telecommunications to the physical therapist assistant at all times while the~~  
18 ~~physical therapist assistant is treating patients;~~

19       (2) ~~The initial visit shall be made by the supervising physical therapist for evaluation~~  
20 ~~of the patient and establishment of a plan of care;~~

21       (3) ~~At least every five physical therapist assistant visits, there shall be a joint visit or~~  
22 ~~a treatment rendered by the supervising physical therapist. The physical therapist~~  
23 ~~assistant shall be supervised by the supervising physical therapist at least once~~  
24 ~~every thirty calendar days. Every five physical therapist assistant visits or every~~  
25 ~~thirty days, whichever occurs first, a documented conference with the physical~~  
26 ~~therapist assistant outlining current treatment goals and program modifications~~  
27 ~~shall occur. The supervising physical therapist shall make the final scheduled visit~~  
28 ~~to terminate the plan of care; and~~

29       (4) ~~Each visit by the supervising physical therapist shall include:~~

30       (a) ~~A complete assessment of the patient;~~

31       (b) ~~A review of the plan of care with appropriate revision or termination; and~~

32       (c) ~~Assessment and recommendation for utilization of outside resources~~ Before  
33 assigning the physical therapist assistant to the patient for physical therapy

1           procedures and related tasks, the supervising physical therapist must perform a  
2           comprehensive assessment of the patient and establish a plan of care;

3       (2)   The supervising physical therapist must be present at least one of every ten patient  
4           visits or one patient visit every thirty calendar days, whichever occurs sooner. The  
5           supervising physical therapist may be present through the use of interactive audio  
6           and visual communications technology. During each visit at which the supervising  
7           physical therapist is required to be present, the supervising physical therapist shall  
8           reassess the patient, review the plan of care, and if appropriate, make changes to  
9           or terminate the plan of care; and

10       (3)   During any other patient visit at which the supervising physical therapist is not  
11           required to be present, the supervising physical therapist must be immediately  
12           available for consultation and direction, either in person or by telecommunications  
13           technology, while the physical therapist assistant is performing physical therapy  
14           procedures and related tasks.