

To: Members of the House Health Committee

From: Jonathan Feibel, M.D.

Date: June 21, 2017

RE: Opposition to H.B. 131

Chairman Huffman, Vice Chair Gavarone and members of the House Health Committee, I am Dr. Jonathan Feibel, Immediate Past President of the Ohio Orthopaedic Society, Ohio Councilor to the American Academy of Orthopaedic Surgeons, Assistant Program Director and Director of Foot and Ankle Surgery of the Mount Carmel Health Orthopedic Surgery Residency Program. I practice in Columbus at Orthopedic One, the largest independent orthopaedic practice in Ohio and the sixth largest private orthopedic practice in the nation.

We currently have _____ - physicians and _____ physical therapists in our offices.

I am here to testify against HB 131, legislation that expands the Scope of Practice in Ohio for physical therapists.

HB 131 would permit a physical therapist to evaluate, medically diagnose and determine a plan of therapeutic treatment for a patient. Under current law, a physical therapist can evaluate and assess, but not medically diagnose, a patient's disability. This bill changes that.

HB 131 would also allow a physical therapist to order tests, including diagnostic imaging and studies that are performed and interpreted by other licensed health care professionals. Physical Therapists don't have the training or knowledge to order these diagnostic tests. In addition, after these tests are interpreted (read) by other health care professionals presumably a radiologist, the practitioner must then use that interpretation and integrate it into an appropriate treatment plan. Physical Therapists have inadequate training to use that interpretation to know what to do next, whether physical therapy is appropriate or whether the patient needs further diagnostic or therapeutic imaging. This is what MD's and DO's are extensively trained to do.

The first question you must ask yourselves when considering this bill is quite simply, Why? Why do we need this bill? What problem is it going to address? I submit that it could potentially create more problems for a patient than it would ever theoretically solve.

Our collective goal both as a medical community that administers care, and as a legislative body that creates laws dictating how that care is rendered, should be to first and foremost protect the patient. This bill will severely erode that protection and cause harm to the patients we all try to protect. We would never allow a doctor to practice medicine without meeting all the criteria needed to diagnose and treat a medical diagnosis. Why then would we allow physical therapists who don't have the training to

know which tests are appropriate to order for a particular condition and then make a medical diagnosis thereafter. They have not met the criteria needed to perform these tasks.

Consider that at a time when we are all moving towards a patient-centered medical home approach, this bill would walk back from that model. Granting physical therapists the ability to diagnose a condition effectively grants them the authority to independently practice medicine. While PT's are certainly a valued part of the health care team, their education and training is not commensurate with the unfettered ability to diagnose any medical condition.

Another point to consider which I am sure resonates with this body is cost. So much of the discussion surrounding health care delivery today focuses on its exorbitant costs. Some of those high costs are certainly due to the ordering of too many tests. HB169 creates an unnecessary avenue for ordering more and potentially unnecessary or duplicate tests by granting PT's the authority to do so. They simply don't have the training to know which tests are correct to order and which aren't.

Again, I have not heard of any resounding outcry for PT's to address some gap in patient care, whereby patients aren't being diagnosed by their physicians in a timely fashion. There is simply no evidence of this being a widespread problem and certainly no evidence that empowering a PT to independently diagnose medical conditions and order tests will do anything to improve the delivery of health care.

We at Orthopedic One work daily with our physical therapists to provide quality patient care. I have not talked to one PT in our practice who wants to change this relationship. I believe HB131 is trying to address a problem that does not exist.

In closing, I hope you will see that physical therapists do not have the medical training or clinical experience to order x-rays, CAT scans, MRI's or ultrasounds and then translate those reports to a correct plan of action, let alone offer a medical diagnosis. We as medically trained MD/DO's take the Hippocratic oath to first do no harm. HB131 will most certainly set up a situation where patients are harmed.

Thank you for your consideration. I am happy to answer any questions you might have.