TENNESSEE JURISPRUDENCE
FOR
PHYSICAL THERAPISTS

Laws and Regulations
What does it all mean?
Physical Therapy Practice Act
Title 63
Chapter 13
Parts 1, 2 and 3
Also known as T.C.A. 63-13-101, et. seq.
STATUTES

A formal written enactment of a legislative body. An act of the legislature declaring, commanding, or prohibiting something.

Black’s Law Dictionary, 6th Ed.
STATUTE

• A statute is a law or regulation enacted by the legislative branch of government.
  – 73 A. Jur. 2d Statutes § 1

• A statute is the written will of a legislative body “solemnly expressed according to the forms necessary to constitute” the law of the state.
  – 82 C.J.S. Statutes § 1
STATUTES

The primary objective of the courts is to carry out the legislative intent.

See Lind v. Beaman Dodge, Inc.
356 S.W. 3d 889 at 895.
TENNESSEE STATUTES

• The Physical Therapy Practice Act
• Review statutes – Title 63, Chapter 13, Parts 1, 2 and 3
• See attached statutes
REGULATIONS

Tennessee Compilation Of Rules And Regulations
REGULATION

- A rule or order prescribed for management or government
- A regulating principle
- A precept
- That which is issued by various governmental departments to carry out the intent of the law.
- Black’s Law Dictionary, 6th Ed.
TENNESSEE REGULATIONS

Rules of the Tennessee Boards of Occupational and Physical Therapy
General Rules Governing The Practice Of Physical Therapy

• Chapter 1150-01

• See attached Rules and Regulations
TENNESSEE BOARD OF PHYSICAL THERAPY

Policy Statements
Policy Statement

• A policy statement is an authoritative guide to the meaning of the applicable guideline.
  – 21 Am. Jur. 2d Criminal Law § 781
Policy Statements

• See attached policy statements
TENNESSEE ATTORNEY GENERAL OPINIONS

Relating to Physical Therapy
Attorney General Opinion

• The Attorney General is the chief law officer of the state. The Attorney General gives advice and opinions to the governor and to executive and administrative departments or agencies.
  – Black’s Law Dictionary, 6th Ed.
ATTORNEY GENERAL OPINIONS

• An Attorney General Opinion is entitled to substantial weight and respectful consideration, BUT has no controlling authority upon the state of the law discussed in the opinion.
  – 7A C.J.S. Attorney General § 38
Attorney General Opinions

• See attached Attorney General Opinions
TENNESSEE BOARD OF PHYSICAL THERAPY

Administrative Hearing
Administrative Hearing

• An administrative hearing is a proceeding before an administrative agency.
• The hearing may consist of argument, trial or both.
• The use of procedural rules is more relaxed than in a court hearing.

— Black’s Law Dictionary, 6th Ed.
Board of Physical Therapy
Administrative Hearing

• See attached Board of Physical Therapy minutes
TENNESSEE CASES

See attached cases