

## Understanding “Standards of Care” in Physical Therapy

Expert Physical Therapists have a deep understanding of Musculoskeletal Dysfunction. They speak to the discipline’s Standard of Care through the use of the APTA’s Guide to Physical Therapy (Revised 2<sup>nd</sup> Edition) and follow a Code of Ethics. An Expert Physical Therapist practices clinical care daily, interacts with other PTs, and reads evidenced-based literature. The Expert PT also reviews PT journals / bulletins and stays current on State and National PT legislative changes.



The Standard of Care is defined as a diagnostic and treatment process that a clinician should follow for a certain type of patient, injury or clinical circumstance. Legally, the standard of care recognizes the way in which an average, prudent healthcare provider in any given community would practice. It looks at how similarly qualified practitioners would have managed the patient’s care under the same or similar circumstances. It is commonly the Plaintiff that must demonstrate the appropriate standard of care and must then demonstrate that the standard of care has been breached.

While the APTA’s Guide to Physical Therapy Practice (Revised 2<sup>nd</sup> Edition) conveys best practices and professionalism for PTs and PTAs, it does not offer a particular procedure specific to each situation; hence it does not provide protocols for treatment. It was never meant to establish the standard of care that a PT or PTA must satisfy with respect to any patient or client. Refer to the Guide’s disclaimers for more details. However, the PT expert may utilize it in testimony.

The Standard of Care in Physical Therapy is defined by a consideration of the following:

- The appropriateness and thoroughness of the Evaluation performed
- The specificity of the treatment technique being rendered
- The legalities and ethical responsibilities in choosing an appropriate Treatment / Plan of Care
- The normal routine for evaluation and treatment when performed on a daily basis with like circumstances

This is where the Guide comes in as it does suggest that a comprehensive evaluation is conducted with all necessary tests and measurements. This is why an expert physical therapist must be familiar with differential diagnosis and evidence-based practice.

The Standard of Care is defined in *Black’s Law Dictionary* as “the law of negligence, the degree of care that a reasonable person should exercise”. In the cases of professional negligence (malpractice), the standard of care depends on how similar healthcare professionals practice in a relevant geographic community. In other words, the “standard of care” is defined as the degree of skill ordinarily employed, under similar circumstances, by the members of his/her profession in good standing in the same community or locality, and to use reasonable care and diligence, along with his/her judgment, in the application of his / her skill.

It is important to note that the duty of a PT Clinic Owner is different than the duty of the treating clinician. The PT clinic owner has a duty regarding the maintenance of the premises.

Only an Expert Physical Therapist can rightfully perform the task of determining if a Standard of Care has been breached or not breached. Many considerations go into determining the outcome of a physical therapy case. Analysis of a malpractice (negligence) case should include: use of documentation standards, verbal informed consent practices, evaluation procedures, treatment choice methodology, treatment technique, re-evaluation and discharge requirements, and incident follow through.

Written by Dr. Michelle Wolpov, PT, DPT, MBA  
Contact: [info@physicaltherapyexpertwitness.com](mailto:info@physicaltherapyexpertwitness.com)

