Main Motion to the 2024 House of Delegates

APTA® American Physical Therapy Association

Required for Adoption:	Majority Vote	**Category**: IN-4	

Motion Contact: Patrick Luo, SPT, Chief Delegate, Student Council
E-mail: aptasa.sptdelegate@gmail.com

RC Contact: Jenny Jordan PT, DPT Board-Certified Cardiovascular and Pulmonary Specialist, Reference Committee
E-mail: jenny.jordan@live.com

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2 **PROPOSED BY: STUDENT COUNCIL**
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4 **RC 13-24 AMEND: DIGITAL HEALTH TECHNOLOGIES, DIGITAL THERAPEUTICS, AND**
5 **ARTIFICIAL INTELLIGENCE IN PHYSICAL THERAPIST PRACTICE (HOD P08-22-07-10)**
6
7 That Digital Health Technologies and Therapeutics in Physical Therapist Practice (HOD P08-22-07-10)
8 be amended by substitution.
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10 **DIGITAL HEALTH TECHNOLOGIES, DIGITAL THERAPEUTICS, AND ARTIFICIAL INTELLIGENCE** ~~AND~~
11 ~~THERAPEUTICS~~ **IN PHYSICAL THERAPIST PRACTICE**
12
13 The American Physical Therapy Association believes digital health technologies, ~~and~~ digital
14 therapeutics, and artificial intelligence have the potential to augment physical therapist practice by
15 expanding access, enhancing care delivery models, promoting safety, reducing administrative burden,
16 and improving outcomes when all of the following criteria are met:
17
18 • Physical therapists, in collaboration with the patient or client, shall determine the optimal modes to
19   access physical therapist services, whether this is in person, remotely, or some combination.
20 • A physical therapist is responsible for all aspects of patient and client management.
21 • Physical therapist services shall be conducted in a manner that allows for patient and client
22   engagement and supports the therapeutic alliance (i.e., fosters participation in the patient and
23   client-provider relationship).
24 • The physical therapist and the physical therapist assistant adhere to scope of practice, including
25   requirements that are based on the jurisdiction in which the patient or client is located when
26   receiving physical therapist services.
27 • Physical therapist services shall be provided consistent with appropriate direction and supervision
28   requirements of assistive personnel and other support personnel, as well as all relevant
29   Association policies, positions, and binding ethical documents.
30 • Physical therapy is represented, provided, and promoted only when it meets term and title
31   protections as defined in state law and in accordance with federal health, communications, and
32   trade authorities.
33
34 **SS**:
35 A. **What is the expected outcome of this motion? How does it contribute to achieving the Vision?**
36   **Does it support APTA priorities (as reflected in the current Strategic Plan), and if so, how?**
37
38   That the DIGITAL HEALTH TECHNOLOGIES AND THERAPEUTICS IN PHYSICAL THERAPIST
39   PRACTICE HOD P08-22-07-10 motion be amended to include the updated definitions of artificial
40   intelligence and administrative burden based on the October 2023 White House Executive Order on the
41   Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence (AI).[1] Another expected
42   outcome is to ensure a physical therapist or physical therapist assistant is actively involved when AI is
43   being used for physical therapist services; specifically when an AI-generated video and audio of a PT/PTA

is being used. AI has been broadly defined by the Food and Drug Administration as "The science and engineering of making intelligent machines, especially intelligent computer programs (McCarthy, 2007). Artificial intelligence can use different techniques, including models based on statistical analysis of data, expert systems that primarily rely on if-then statements, and machine learning."[2] This definition fits in the umbrella term of Digital Health Technologies based on HOD P08-22-07-10 and with *The Digitally Enabled Physical Therapist*.[3] But with the recent White House Executive Order published in October of 2023, newer subdefinitions of AI have been defined such as "generative AI" and "AI red-teaming" that may not fit directly under the digital health technologies umbrella. Additionally, the executive order includes leveraging AI to reduce administrative burdens. Therefore, it is important to encompass future terms of AI that may not directly fit within Digital Health Technologies and include administrative burden within this motion so it can enhance the profession by being ahead of the technology curve and allow practitioners to spend more time with patients.

This motion contributes to the Vision as leveraging AI may support patients in receiving access to PT services in different avenues such as AI-generated physical therapy services that are supervised by a PT/PTA. This motion contributes to the strategic plan by:

Identity: This motion will expand upon a physical therapist's ability to utilize digital health technologies to promote movement and deliver services.

Quality: This motion will support best practices for utilizing digital health technologies with the updated terminology with AI.

Innovation: With the advancement of AI and how exponential its growth is, updating the AI term in this motion will support proactive approaches to increase the value of physical therapy to society.

Demand and Access: Drive demand for and access to physical therapy as a proven pathway to improve the human experience. The motion will include leveraging AI to advance the PT profession by increasing access to PT services for clients and patients.

Sustainable Profession Outcome: Physical therapists and physical therapist assistants will be paid fairly and will spend more time with patients than with paperwork. This motion explicitly states the goal of using AI to reduce administrative burden and this would allow professionals to spend more time with patients than paperwork.

Quality of Care: Elevate the quality of care provided by PTs and PTAs to improve health outcomes for populations, communities, and individuals. AI is growing at an exponential rate and more people are going to be using it. This motion will support leveraging AI in addition to other digital health technologies to better care for patients and clients.

B. How is this motion's subject national in scope or importance?

AI is rapidly growing and evolving, and the new terminologies may not fit into digital health technologies in the future. By introducing AI into this motion, it can capture future sub-definitions of AI and promote ethical usage of it to advance the profession.

C. What Gprevious or current activities of the House, Board, or staff address this topic? Who are the interested parties that might be affected by this motion (internal to APTA as well as relevant groups external to APTA)? Are there any state or federal laws or regulations which also address this topic; if so, what are they?

When communicating with the Board, we have learned the topic of AI have been talked about during BOD meetings, but no action has been taken on it. When communicating with the Digital Innovation team, they have reported no comments on what the APTA is currently doing with AI. When communicating with the Ethics and Judicial Committee, they reported topics of AI had been mentioned in prior meetings and did not confirm if AI would be included in the upcoming revision of the Ethical Guidelines Documents.

Everyone is affected by the advancement of AI as it is a technology that is being used every day. Either with services with ChatGPT, Grammarly, digital health technologies that have a form of AI within the software, and much more. Additionally, there is a prevalence of "Deep Fake" video and/or audio aka AI-generated audio and videos posing as fake or real individuals circulating the internet. It is concerning there are no regulations in place to protect an individual if a Deep Fake video is made about them without their consent and could say things that would compromise their integrity, position, and employment.[4-6]

Aside from the Executive Order from the White House, 17 states have passed laws on AI in the past 5 years. The scope of these laws includes interdisciplinary collaboration, protection from unsafe or ineffective systems, data privacy, transparency, protection from discrimination, and accountability.[7] The interdisciplinary collaboration law has created task forces to identify the potential impacts of AI systems on consumers, potential public sector uses, and cybersecurity challenges (IL, TX, VT, NY). The protection from unsafe or ineffective systems has directed state agencies to analyze AI systems being used and send a report to their respective governors based on potential unintended or emerging effects and potential risks of these systems (CA, CT, LA, VT). The data privacy laws have been enacted to "protect individuals from abusive data practices (i.e., the inappropriate, irrelevant or unauthorized use or reuse of consumer data) and ensure that they have agency over how an AI system collects and uses data about them (CA, CO, CT, DE, IN, IA, MT, OR, TN, TX, VA)." The transparency law requires employers or businesses to disclose when and how an AI system is being used (CA, IL, MD, NY). For the protection from discrimination, it requires those that develop or use AI systems to assess for the potential for bias and discrimination to protect individuals from discrimination and ensure AI systems are designed equitably (CA, CO, IL). For accountability, the goal is "to ensure that those developing and deploying AI systems are complying with the rules and standards governing AI systems and are being held accountable if they do not meet them (CA, CO, CT, DE, IN, IW, MT, OR, TN, TX, VA, WA)."

D. Additional Background Information.

N/A

E. How has this motion concept been disseminated, or how does the motion maker plan to disseminate the concept to other delegates prior to the deadline for submission of main motions?

The motion makers have been sharing updates on this motion with the Hub and opening the invitation to other delegations to participate in the motion development process. We have been in direct collaboration with the Academy of Leadership and Innovation, Ohio Delegation, South Carolina Delegation, and Academy of Cardiovascular and Pulmonary.

REFERENCES
1. Executive order on the safe, secure, and trustworthy development and use of artificial intelligence. The White House. October 30, 2023. Accessed March 15, 2024. Available here.
2. Center for Devices and Radiological Health. Artificial Intelligence and machine learning in software. U.S. Food and Drug Administration. Accessed March 15, 2024. Available here.
3. The digitally enabled physical therapist: An APTA foundational paper. APTA. November 21, 2022. Accessed March 15, 2024. Available here.
4. Vaynerchuk G. Deep Fake Video. TikTok. August 11, 2023. Accessed March 15, 2024. Available here.
5. Sanchez C. AI models are making $10K+ on Ig.. what does it mean for us? Instagram. January 2024. Accessed March 15, 2024. Available here.
6. Yates M. Not everything you see online or in magazines is real. Instagram. January 5, 2024. Accessed March 15, 2024. Available here.
7. Artificial Intelligence in the states: Emerging legislation - the council of state governments. The Council of State Governments. December 12, 2023. Accessed March 15, 2024. Available here.