

1984 S.C. Op. Atty. Gen. 108 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-45, 1984 WL 159852

Office of the Attorney General

State of South Carolina

Opinion No. 84-45

April 13, 1984

\*1 Physical therapists can administer physical therapy to patients who have been referred to them by podiatrists for physical therapy on the human foot, because podiatrists are classified as ‘licensed doctors of medicine.’

To: President

South Carolina State Board of Physical Therapy Examiners

#### DISCUSSION:

You have requested an opinion regarding whether a physical therapist can administer physical therapy to patients who are referred to them by podiatrists. Because only a licensed doctor of medicine or dentistry may refer patients to a physical therapist, the question is thus whether a podiatrist is classified as a ‘licensed doctor of medicine.’

#### OPINION:

It is the opinion of this Office that physical therapists can administer physical therapy to patients who have been referred to them by podiatrists for physical therapy on the human foot, because podiatrists are classified as ‘licensed doctors of medicine’ within the limited scope of that particular discipline.

[Section 40–51–20\(1\) of the 1976 South Carolina Code](#) defines podiatry as ‘the diagnosis, medical and surgical treatment limited to ailments of the human foot, except the administration of an anesthetic other than local.’ [Section 40–51–65 of the 1976 South Carolina Code \[Cum. Supp. 1983\]](#) provides it is unlawful to practice podiatric medicine without obtaining a license from the Board of Podiatry Examiners. That section further provides that in order to take the examination to practice podiatric medicine, an applicant must establish he has completed four years of high school, at least three years of pre-podiatry training at a recognized college, and has received a diploma after four years of study at a recognized college of podiatric medicine.

In [Suber v. South Carolina State Board of Health, 259 S.C. 558, 193 S.E.2d 520 \(1972\)](#), the South Carolina Supreme Court stated:

Podiatry is a very restricted medical field and is defined and regulated by statute. These statutes appear in [[Section 40–51–10, et seq. of the 1976 South Carolina Code](#), as amended]. Under these statutes, the practice of podiatry is limited to the diagnosis, medical and surgical treatment of local ailments of the human foot, provided medical treatment is not permitted to extend to the treatment of any systemic disease causing manifestations in the foot; nor can surgical treatment extend to the amputation of the foot or toes. In administering medical treatment the podiatrist may apply or prescribe ‘any therapeutic agent or remedy for the relief of foot ailments, except the medical treatment of any systemic disease causing manifestations in the foot.’

[Suber v. South Carolina State Board of Health, supra](#), at 521–522.

Podiatry is a recognized, limited medical specialty, and a licensed podiatrist is thus engaged in the ‘practice of medicine’ as defined by [Section 40–47–40 of the 1976 South Carolina Code](#); similarly, chiropractors are engaged in the practice of medicine. [State v. Barnes, 119 S.C. 213, 112 S.E. 62 \(1922\)](#).

\*2 In [Williams v. Capital Life and Health Insurance Company](#), 209 S.C. 512, 41 S.E.2d 208 (1947), the South Carolina Supreme Court held that anyone engaged in the art of healing, in which stringent educational and licensing provisions have been imposed by statute, is equivalent to a physician, within the recognized scope of the particular profession. The Court then noted: ‘An osteopath, a homeopath, a chiropractor, a magnetic healer, and a naturopath . . . are alike practitioners in the field of medicine, and it appears to us to be straining at a gnat to enter into a discussion of distinctions between a ‘practitioner of medicine’ and a ‘physician.’ [Williams v. Capital Life and Health Insurance Company](#), *supra*, at 210.

[Section 40–45–220 of the 1976 South Carolina Code \[Cum. Supp. 1983\]](#) provides that physical therapists may practice physical therapy only by ‘prescription of a licensed doctor of medicine or dentistry.’ Because the case law of South Carolina classifies podiatry as a restricted medical field, limited to diagnosis, medical, and surgical treatment of the human foot, it is the opinion of this Office that licensed podiatrists can refer patients to physical therapists for physical therapy treatment of the human foot.

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