State Board of Physical Therapy Rules and Regulations

An update on the law and new regulations by the State Board of PT
Goals of the presentation:
- Provide you with an overview of the changes in the rules and regulations that may affect your practice in PA
- Provide you with information related to licensure
- Provide you with information related to supervision of the physical therapist assistant
Requirement for the NPTE Exam

- All physical therapist applicants must have at least a masters degree if they graduated after 2002
It is **still** REQUIRED for all PT and PTAs to report suspected child abuse (Regulations 49 Pa. Code Section 40.202)
If inactive for 5 years or more, applicant must demonstrate current competence to practice via:

- Successfully retaking the licensing exam
- Have practiced in the US or Canada for at least 36 months within the 5 years immediately preceding the application for reactivation
You can not “carry over” CE credits from one biennial period to the next license cycle.

During the biennial renewal cycle in which you were first licensed, you are exempt from the CE requirement.

For this biennial renewal cycle only, (January 1, 2013 –December 31, 2014), 15 hours of board approved continuing education earned between January 1, 2011 and December 31, 2012 can be used for renewal.
Continuing Education Requirement for Direct Access PTs

- All must complete 30 hours of continuing education
- At least 10 of the 30 hours must be in evaluative procedures to treat a person without a referral
- At least 2 hours must be related to law or ethics applicable to the practice of PT
Direct Access Physical Therapists

Hours required

- Gen
- DA
- Law & Ethics
Pre-approved providers

- American Physical Therapy Association (APTA) or its components
- Federation of State Boards of Physical Therapy and its jurisdictions
- PT or PTA education programs accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE)
- The American Heart Association or Red Cross related to emergency health conditions
- An organization credentialed by the APTA to confer a specialty, only for the purpose of conferring the fellowship
Pre-approved providers

- An organization credentialed by the APTA to offer a residency program, only for the purposes of a residency
- The ABPTS for specialty certification
- The State Board maintains a list of pre-approved providers
We maintain a list on the PA State Board site of approved courses

ALL COURSES THAT COUNT TOWARDS YOUR 30 CEUS MUST BE PRE-APPROVED BY THE PA STATE BOARD
Can I apply as an individual for a course that I will attend?

- Yes, but you will need to do this before you attend the course
- You will have to pay the course approval fee
- You will need to complete the Physical Therapy Continuing Education Program Application – Individual application
Approval of CE by the PA State Board is not an endorsement of course quality

All CE courses must have Board approval in order to be “counted” towards your CE for the biennial period

No CE credit can be provided for courses in dry needling, office management, practice building or reimbursement

You cannot get credit for attending the same course within the 2-year licensure period
For all licensees

- Every 2 years, you must do the following:
  - Collect and save documentation of 30 hours of CE (must keep your records for 5 years in case you are audited)
  - If audited, you must submit your materials within 30 days to the Board for review
  - At least 2 of the 30 CE credits must relate to law or ethics applicable to the practice of PT
What may need to “prove” that you did your CE if audited

- You will need a certificate of completion that minimally consists of the following:
  - Your name
  - Name of the provider
  - Date(s) of the course
  - Name of course
  - Board approved number of the course
  - Number of contact hours or academic credits
By authoring a publication about the practice of PT that is approved by the Board (you will need to submit your information on a new form)

For teaching and preparing for a continuing education program related to the practice of physical therapy
Besides CE, how else can I get “credits” for my biennial period?

You may earn credit for the following:

- Authoring or editing a book (no more than 15 hours)*
- Authoring or editing a chapter of a book (not to exceed 10 hours)*
- Authoring or reviewing a published peer-reviewed article (not to exceed 10 hours)*
- Authoring a non-peer reviewed article in a physical therapy publication (not to exceed 5 hours)*

*hours are only awarded in the biennial renewal period in which the item was published
Licensees shall maintain a level of professional liability insurance coverage in the amount of $1,000,000 per occurrence or claims made.

Coverage may be self insurance, personally purchased liability insurance, professional liability insurance coverage provided by the PT’s employer, or similar insurance coverage acceptable to the Board.
Temporary Licensure
PENNSYLVANIA PHYSICAL THERAPY ACT
STEPS TO OBTAIN A PHYSICAL THERAPIST ASSISTANT TEMPORARY LICENSE

STEP 1
Graduate from a CAPTE accredited Physical Therapist Assistant (PTA) Program

STEP 2
Obtain application at www.dos.state.pa.us/portal/server.pt/community/state_board_of_physical_therapy/12522 Click on Board Application; click Applications: National Physical Therapy Examination (PT & PTA).

STEP 3
AFTER obtaining employment. Complete Page 4 of the National Physical Therapy Examination Application. An ORIGINAL application is required, no copies. DO NOT submit the Temporary License application prior to completion by your supervisor.

STEP 4
PA State Board of Physical Therapy issues Temporary License if all requirements met. DO NOT practice until you receive the Temporary License from the Board.
NOTE: Direct On–Premises Supervision may only be performed by the Physical Therapist (up to three PTs) who has agreed to sponsor the temporary licensee.

NOTE: Supervision may not be delegated to another licensed physical therapist or physical therapist assistant. The complete Temporary License Application includes identifying a physical therapist (up to three PTs) to sponsor your temporary license. A physical therapist assistant cannot sign the application as your supervisor.

NOTE: The temporary license is valid for 6 months from the date granted. After the temporary licensee takes the PTA National Physical Therapy Examination a permanent license is issued with a passing score. In the event a passing examination score is not obtained, the temporary is immediately revoked.

Definition: “Direct On–Premises Supervision” means the physical presence of a licensed physical therapist in the facility, INCLUDING AFFILIATED BUILDINGS IN IMMEDIATE PROXIMITY, who is immediately available to exercise supervision, direction and control. PT Act Section 2 – Definitions. Added July 4, 2009, P.L. 293, no. 38.
What rules do I have to follow in order to practice with a temporary license for both physical therapists and physical therapist assistants in the Commonwealth of Pennsylvania?
How long does a temporary license last?

- Up to 6 months or
- Upon failure of the Federation of State Boards of Physical Therapy National Physical Therapy Examination for physical therapists and physical therapist assistants

Six Months Max
Who can supervise me while I have my temporary license?

- Up to three physical therapists can be designated to supervise a graduate from a physical therapist or physical therapist assistant CAPTE approved program.
What are the requirements of a physical therapist supervisor to be my supervisor?

The physical therapist designated supervisor(s) must have at least 2 years of experience under a permanent license to practice in Pennsylvania. (The years of practice are checked by the Physical Therapy State Board office prior to issuing you your temporary license. The issuance of your temporary license will be considerably delayed if the potential supervisor(s) has under the 2 year minimum requirement of practice within Pennsylvania— you will need to resubmit your paperwork).
Can I get more than one temporary license since I want to study longer than 6 months to take the exam or I failed it?

- A temporary license will only be granted one time
If I fail the examination or do not take the examination within the 6-month period, what should I do?

- You cannot continue to practice in Pennsylvania under any circumstances.
- You MUST return the temporary license to the Board office if you have exceeded the 6-month period or have failed the examination.
Can I work under any physical therapist if my supervising PTs are on vacation or are ill?

- You can work *only* under the direct on-premises supervision of one of the 3 designated physical therapists who signed their name to your temporary license application.
What can I do if none of the physical therapists who signed my temporary license form is at work when I show up in the morning?

- You will not be able to work that day. If it is permanent (all three quit), you will need to contact the State Board and have another supervisor sign the application for temporary licensure in order for you to continue to work.
What if my supervisor is suddenly ill or cannot come to work for a long time—can I be supervised by another physical therapist in my practice?

- Yes, but the Board must know who is supervising you.
- You can have up to 3 people who have had at least 2 years of PA licensed experience who can be on your temporary license application who can supervise you.
- You will have to complete the application again and send it to the State Board for verification of your “new” supervisor. The temporary license is still only good for 6 months. You and your employer should carefully consider who is best to supervise you.
Physical Therapist Assistants
STEP 1
Graduate from a CAPTE accredited Physical Therapist Assistant (PTA) Program

STEP 2
Obtain a passing score on the National Physical Therapy Examination

STEP 3
Complete 2,000 clinical practice hours or have at least 3 years of full time experience in the five years immediately preceding October 2, 2008.

STEP 4
Obtain application for Indirect Supervision Certificate by accessing www.portal.state.pa.us/portal/server.pt/community/state_board_of_physical_therapy/12522/licensure_information/572088#forms. Complete Indirect Supervision application and submit original to State Board. DO NOT practice with Indirect supervision until Certification is received from the Board.
Less than 2,000 hours one is not eligible to obtain Indirect Supervision Certificate and requires Direct On-Premises Supervision.

Indirect Supervision Certification does not apply to Acute Care Practice Setting.

Definition: “Indirect Supervision” means the licensed Physical Therapist is available and accessible in person or by telecommunication to the PTA during all working hours of the PTA and is present within a 100-mile radius of the treatment location. PT Act Section 9.1(c)(5)
“Direct On-Premises Supervision” means the physical presence of a licensed physical therapist in the facility, INCLUDING AFFILIATED BUILDINGS IN IMMEDIATE PROXIMITY, who is immediately available to exercise supervision, direction and control. PT Act Section 2, Definitions.
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<td>Direct On-Premises: Required</td>
<td>Indirect: Not Allowable</td>
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<td>Educational Settings</td>
<td>9.1(c)(3)(ii)</td>
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<td>Direct On-Premises: Allowable</td>
<td>Indirect: Allowable as follows: PT shall make on-site visit &amp; examine the pt. at least every 4 patient visits or every 30 days, whichever occurs first</td>
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<td>Independent Private Practice</td>
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<td>40.173.(c) (4)</td>
<td>Direct On-Premises: Required as follows: At least 50% of the hours worked by PTA during calendar week unless otherwise required by Federal law.</td>
<td>Indirect: Allowable as follows: PT shall be immediately available by telecommunications when not providing direct on-premises supervision</td>
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<td>Outpatient Facility – Hospital or Healthcare System</td>
<td>9.1(c)(3)(iii)</td>
<td>40.173.(c) (5)</td>
<td>Direct On-Premises: Required as follows: At least 50% of the hours worked by PTA during calendar week unless otherwise required by Federal law.</td>
<td>Indirect: Allowable as follows: PT shall be immediately available by telecommunications when not providing direct on-premises supervision</td>
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<td>Home Health or other unspecified setting</td>
<td>9.1(c)(3)(iv)</td>
<td>40.173.(c) (6)</td>
<td>Direct On-Premises: Allowable</td>
<td>Indirect: Allowable as follows: PT must make an on-site visit &amp; actively participate in the treatment of patient at least every seven (7) patient visits or 14 days, whichever comes first. Active participation includes examination of the patient. Multiple visits in a day constitute a single patient visit.</td>
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<td>Long Term Care</td>
<td>9.1(c)(3)(iv)</td>
<td>40.173.(c) (7)</td>
<td>Direct On-Premises: Allowable</td>
<td>Indirect: Allowable as follows: PT must make an on-site visit &amp; actively participate in the treatment of patient at least every seven (7) patient visits or 14 days, whichever comes first. Active participation includes examination of the patient. Multiple visits in a day constitute a single patient visit.</td>
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<td>PTA with Temporary Certificate</td>
<td>9.1.(a.1)</td>
<td>40.166.</td>
<td>Direct On–Premises: Required</td>
<td>Indirect: Not Allowable</td>
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<td>Certified PTA (less than 2,000 hours of experience or without Certificate of Indirect Supervision)</td>
<td>9.1(c)(4)</td>
<td>40.163.</td>
<td>Direct On–Premises: Required</td>
<td>Indirect: Not Allowable</td>
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<td>PTA with Certificate for Indirect Supervision</td>
<td>9.1(c)(5)</td>
<td>40.165.</td>
<td>Direct On–Premises: Allowable</td>
<td>Indirect: Allowable depending on practice setting (see practice settings described above) and/or situation (see emergency situation described below)</td>
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<tr>
<td>SITUATION</td>
<td>9.1(i)</td>
<td>40.173.(d)</td>
<td>Direct On-Premises: Allowable</td>
<td>Indirect: Allowable as follows: Unanticipated absence of supervising PT for not more than 2 days/month, certified PTA may continue to render services to only those patients for which the certified PTA has previously participated in the intervention for established plans of care not to exceed the regularly scheduled operational hours of the particular day or days the supervising PT is absent</td>
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<td>Emergency Situation (Defined as a serious illness or death in the family.)</td>
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PTA Supervision Settings Defined

- **Acute care** hospital, acute inpatient rehabilitation center, long-term acute care hospital setting or otherwise required by Federal or State law or regulation;
- **Educational Setting** – Preschool, primary school, secondary school or other similar educational setting, early intervention setting;
- **Independent Private Practice** outpatient facility
- **Outpatient Facility** practice owned or affiliated with a hospital or healthcare system
- **Long Term Care** skilled nursing or extended care facility
- **Maximum Supervision Ratio:** (3:1) Three PTA’s to one PT

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Level of supervision is also based on:

- The complexity and acuity of patient needs
- The proximity and accessibility of the PT and the PTA
- The amount of supervision available in the event of an emergency or critical event
- The type of practice setting
- The PT can require the PTA to provide services under greater supervision that otherwise would appear to be required by the PT Act
PTA Continuing Education

- Must complete at least 30 contact hours within each biennial renewal period
  - At least 4 contact hours must be related to identifying and responding to emergency health conditions
  - At least 2 contact hours must be in law or ethics applicable to the practice of physical therapy
The rules related to reporting of hours, pre-approved providers, length of time to retain the documents, and what activities can be approved are the same as for physical therapists.
Questions?
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