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**\*OKLAHOMA ADMINISTRATIVE CODE  
TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION  
CHAPTER 20. PHYSICAL THERAPISTS AND ASSISTANTS**

**SUBCHAPTER**

1. General Provisions
3. Licensure of Physical Therapists and Assistants
5. Regulation of Practice
7. Supervision of Physical Therapist Assistants
9. Professional Development

\*This is an unofficial copy of Chapter 20 of Title 435 of the Oklahoma Administrative Code. Official copies may be obtained from the Office of Administrative Rules.

## CHAPTER 20. PHYSICAL THERAPISTS AND ASSISTANTS

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*[Authority: Title 59 O.S., Section 887.5]*

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### SUBCHAPTER 1. GENERAL PROVISIONS

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#### **435:20-1-1. Purpose**

The rules in this Chapter provide requirements for licensure as a physical therapist/physical therapist assistant and regulation of practice.

#### **435:20-1-1.1. Definitions**

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Act"** means the Physical Therapy Practice Act, unless otherwise specified.

**"Alternate Supervising Physical Therapist"** means the physical therapist who temporarily provides direct or general supervision of a physical therapist assistant or applicant for licensure in the absence of the supervising physical therapist and who will be identified in the medical record as the therapist of record.

**"Board"** means the Oklahoma State Board of Medical Licensure and Supervision.

**"CAPTE"** means the Commission on Accreditation of Physical Therapy Education.

**"Committee"** means the Physical Therapy Committee of the Board.

**"Examination/Evaluation"** means a comprehensive visit by the physical therapist, in the presence of the patient, to determine the plan of care, based on the physical therapist's clinical judgments, which are supported by the data gathered during the examination.

**"Foreign-educated physical therapist"** means a physical therapist who graduated from any physical therapy education program outside the United States.

**"General supervision"** means the responsible supervision and control of the practice of the licensed physical therapist assistant by the supervising physical therapist. The supervising therapist is regularly and routinely on-site, and every three months will provide a minimum of one (1) co-treatment of face to face, real time interaction with each physical therapist assistant providing services with his/her patients. These co-treatments will be documented in the medical record and on a supervision log, which is subject to inspection. When not on-site, the

supervising therapist is on call and readily available physically or through direct telecommunication for consultation.

**"Group Setting"** means two or more physical therapists providing supervision to physical therapist assistants in the same practice setting or physical facility.

**"Immediate Supervision"** means the supervising physical therapist or physical therapist assistant is on the premises and in attendance when patient care is being delivered.

**"On-site supervision"** or **"Direct supervision"** means the supervising physical therapist is continuously on-site and present in the department or facility where services are provided, is immediately available to the person being supervised and maintains continued involvement in appropriate aspects of each treatment session in which assistive personnel are involved in components of care.

**"Physical Therapist"** means a licensed professional health care worker who is a graduate of a program accredited by the Commission on Accreditation of Physical Therapy Education or approved successor organization, and who provides physical therapy services including evaluation, treatment program design/management/ modification, and supervision of delegated portions of a treatment program. The Physical Therapist is responsible and accountable for the overall use and actions of unlicensed personnel and Physical Therapist Assistant (s) under his/her supervision and control during a therapy session or service delivery, whether in person or by telehealth.

**"Physical Therapist Assistant"** means a licensed technically educated health care provider who is a graduate of a program accredited by an agency recognized by the Commission on Accreditation of Physical Therapy Education or approved successor organization, and who performs selected physical therapy procedures and related tasks under the direction and supervision of a Physical Therapist.

**"Physical Therapist of Record"** means the physical therapist who assumes the responsibility for the provision and /or supervision of physical therapy services for a patient, delivered in person or by telehealth, and is held accountable for the coordination, continuation and progression of the plan of care.

**"Physical Therapy Aide"** means a person on-the-job trained and working under the immediate supervision of a physical therapist or physical therapist assistant who performs designated and supervised routine tasks as outlined in 435:20-7-1.

**"Poses a reasonable threat"** means the nature of criminal conduct for which the person was convicted involved an act or threat of harm against another and has a bearing on the fitness or ability to serve the public or work with others in the occupation.

**"Practice Setting"** means the type of service delivery such as acute care, outpatient, inpatient rehabilitation, long term care, home health, educational settings or DDS.

**"Re-examination/Re-evaluation/Assessment"** means visits by the physical therapist, in the presence of the patient, to assess the patient's current status, gather additional data, and update the plan of care.

**"Secretary"** means the Secretary of the Board.

**"Substantially relates"** means the nature of criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation.

**"Supervision"** means the physical therapist is delegating portions of the patient's care to licensed personnel or applicants for licensure but remains accountable for the coordination,

continuation and progression of the care of the patient.

**"Supervising Physical Therapist"** means the physical therapist of record who provides either direct or general supervision for a physical therapist assistant or applicant for licensure and delegates components of patient care to that person.

**"Telehealth"** means, and shall have, the same meaning as it does under 59 O.S. § 887.2(7).

**"Telecommunication"** means, and shall have, the same meaning as it does under 59 O.S. § 887.2(8).

#### **435:20-1-2. Interpretation of rules and regulations**

(a) The rules and modes of procedures contained in this Chapter are adopted for the purpose of simplifying procedure, avoiding delays, saving expenses and facilitating the administration of the Medical Practice Act and the Physical Therapy Act. To that end, the rules of this Chapter shall be given a fair and impartial construction.

(b) Effective date of the rules of this Chapter shall be the 4th day of February, 1980. These rules shall apply to all proceedings after the effective date and all previous rules are re-pealed.

(c) If any section, sentence, clause, or phrase of this Chapter shall be held, for any reason, to be inoperative or unconstitutional, void, or invalid, the validity of the remaining portion of the rules shall not be affected thereby, it being the intention of the Oklahoma State Board of Medical Licensure and Supervision in adopting the rules that no portion or provision herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any portion or provision, and the Oklahoma State Board of Medical Licensure and Supervision does hereby declare it would have severally passed and adopted the provisions contained in this Chapter separately and apart one from another.

#### **435:20-1-3. Removal from Committee - quorum**

(a) The State Board of Medical Licensure and Supervision may remove any member from the Committee for neglect of duty, for incompetency, or for unethical or dishonorable conduct.

(b) Three members of the Committee shall constitute a quorum and a majority of the required quorum shall be sufficient for the Committee to take action by vote.

(c) At the first meeting held after July 1 of each year, the advisory committee shall elect by a majority vote of those members present a chair and vice-chair.

### **SUBCHAPTER 3. LICENSURE OF PHYSICAL THERAPISTS AND ASSISTANTS**

#### Section

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435:20-3-1.1 Training outside the U.S.

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435:20-3-4. Licensure by endorsement

435:20-3-5. Licensure by examination

435:20-3-6. Requirements for renewal and re-entry

#### **435:20-3-1. Qualifications of applicants**

(a) **Physical therapy school.** A qualified physical therapist must have graduated from a school of physical therapy accredited by the Commission on Accreditation of Physical Therapy Education or approved successor organization.

(b) **Evaluation of credentials for applicants trained outside the U.S.** The credentials of an individual who has received training outside the United States of America will be evaluated on individual merits for the purposes of:

- (1) Issuance of a Letter Granting Permission to Practice Temporarily
- (2) Permission to take the licensure examination
- (3) Being issued a permanent license contingent upon meeting the experience requirements set out in (b) of 435:20-3-1 and all qualifications for licensure as cited in 59 O.S. ss 887.6.

(c) **Physical therapist assistant program.** A qualified Physical Therapist Assistant must have graduated from a program for Physical Therapist Assistants accredited by the Commission on Accreditation of Physical Therapy Education or approved successor organization. Such a program shall have been completed in a college which is accredited by the regional accrediting agency for higher education. In no event shall the requirements for training of Physical Therapist Assistants be less than those required by 59 O.S. 1971, Section 887.6, as amended.

(d) **Statutory requirements.** Any person making application to the State Board of Medical Licensure and Supervision for a license as a Physical Therapist or a Physical Therapist Assistant shall be eligible for the appropriate license if he/she meets the requirements as provided in the Oklahoma law relating to the practice of Physical Therapy, 59 O.S. 1971, Sections 887.5 through 887.11, as amended.

#### **435:20-3-1.1. Training outside the U.S.**

(a) Pursuant to requirements set out in Title 59 O.S. § 887.6, a foreign-educated physical therapist whose native language is not English shall submit evidence of having passed the:

- (1) Test of:
  - (A) English as a Foreign Language (TOEFL) with a score of at least 560 or 220 computer equivalent; and
  - (B) Spoken English (TSE) with a score of at least 50; and
  - (C) Written English (TWE) with a score of at least 4.5 or
- (2) Test of English as a Foreign Language Internet-based Test (TOEFL iBT) with a total score of at least 89 and:
  - (A) a score of at least 24 on the Writing section
  - (B) a score of at least 26 on the Speaking section
  - (C) a score of at least 21 on the Reading section
  - (D) a score of at least 18 on the Listening section.

(b) A foreign-educated physical therapist applying for licensure in the State of Oklahoma shall submit verification of the equivalency of the applicant's education to that attained by entry-level graduates training the United States at the time of graduation.

(c) Assessment of equivalency may be performed by a professional education credentials service approved by the Board using the following standards:

- (1) **Graduation on or before May 31, 2001:**
  - (A) The minimum equivalent education credentials of a foreign educated physical therapist should be a bachelor's degree in physical therapy with all

credits being earned at an institution of higher learning that confers at least a bachelor's degree in physical therapy which is approved by the country's Ministry of Education/Health.

(B) The minimum number of semester hour credits should be one-hundred-twenty (120). A semester hour credit is equal to fifteen (15) hours of classroom instruction per semester. For courses with laboratory component, a semester hour credit is also equal to thirty (30) hours of laboratory instruction per semester. For clinical courses, a semester hour credit is equal to forty-eight (48) hours of clinical instruction per semester.

(i) Fifty (50) semester hour credits shall be the minimum number required in general education.

(ii) The applicant has the opportunity to meet the objective of one hundred twenty (120) semester hour credits by utilizing additional elective credits in either general or professional education beyond the minimal requirements.

(iii) Sixty (60) semester hour credits shall be the minimum required in professional education. A grade of "C" or better will be required in each professional education course.

**(2) Graduation after May 31, 2001:**

(A) The minimum equivalent education credentials of a foreign educated physical therapist should be a master's degree in physical therapy with all credits being earned at an institution of higher learning that confers at least a master's degree in physical therapy which is approved by the country's Ministry of Education/Health.

(B) The minimum number of semester hour credits should one-hundred-seventy (170). A semester hour credit is equal to fifteen (15) hours of classroom instruction per semester. For courses with laboratory component, a semester hour credit is also equal to thirty (30) hours of laboratory instruction per semester. For clinical courses, a semester hour credit is equal to forty-eight (48) hours of clinical instruction per semester.

(i) Ninety (90) semester hour credits shall be the minimum number required in general education.

(ii) The applicant has the opportunity to meet the objective of one-hundred-seventy (170) semester hour credits by utilizing additional elective credits in either general or professional education beyond the minimal requirements.

(iii) Eighty (80) semester hour credits shall be the minimum required in professional education. A grade of "C" or better will be required in each professional education course.

**(3) Minimum course requirements.**

(A) **General education.** A minimum of one semester course must be successfully completed in each category of general education unless otherwise noted.

(i) Humanities

(I) English

- (II) English composition
- (III) Speech or oral communication
- (IV) Foreign language (other than native language)
- (V) Literature
- (VI) Art
- (VII) Music
- (ii) Physical science: A one semester course in chemistry and a one semester course in physics must be successfully completed.
  - (I) Chemistry with laboratory (Organic or Inorganic)
  - (II) Physics with laboratory
  - (III) Geology
  - (IV) Astronomy
- (iii) Biological science
  - (I) Biology
  - (II) Anatomy
  - (III) Physiology
  - (IV) Zoology
  - (V) Kinesiology
  - (VI) Neuroscience
  - (VII) Genetics
- (iv) Social science
  - (I) History
  - (II) Geography
  - (III) Sociology
  - (IV) Economics
  - (V) Government
  - (VI) Religion
- (v) Behavioral science
  - (I) Psychology
  - (II) Anthropology
  - (III) Philosophy
  - (IV) Ethics
- (vi) Mathematics
  - (I) Statistics
  - (II) Algebra
  - (III) Pre-calculus
  - (IV) Calculus
  - (V) Trigonometry
  - (VI) Geometry
- (B) Professional education.**
  - (i) Basic health sciences: A minimum of one semester course is required in each of the following topics.
    - (I) Human anatomy (specific to physical therapy)
    - (II) Human physiology (specific to physical therapy)
    - (III) Neurological science

- (IV) Kinesiology or functional anatomy
- (V) Psychology
- (VI) Pathology

(ii) Clinical sciences: The essential element of physical therapy education is teaching the student to assess and treat appropriately across the spectrum of age. Therefore any education course work should contain all of the following:

(I) Clinical medicine pertinent to physical therapy. This should include but not be limited to: neurology, orthopedics, pediatrics, geriatrics.

(II) Physical therapy course work to include but not limited to: physical agents, musculoskeletal assessment and treatment, neuromuscular assessment and treatment, cardiopulmonary assessment and treatment.

(iii) Clinical education: Clinical education must include physical therapist-supervised demonstrated application of physical therapy theories, techniques, and procedures. The applicant must have a minimum of two (2) clinical affiliations of no less the 800 hours total which are supervised by a physical therapist.

(iv) Related professional course work: A minimum of three (3) semester courses are required from the following topics in related professional course work - professional ethics, administration, community health, research, education techniques, and medical terminology.

(d) Pursuant to 59 O.S. § 887.6, foreign-educated physical therapists applying for licensure must submit verification of having successfully completed an eight-hundred (800) hour (at least 120 days) interim supervised clinical practice period under the continuous and immediate supervision of an Oklahoma licensed physical therapist. The Board will issue an interim permit to the applicant for the purpose of participating in the supervised clinical practice period. The time period of an initial interim permit shall not exceed six (6) months.

(1) The interim supervised clinical practice period must be completed in Oklahoma at a facility that serves as a clinical education facility for students enrolled in an accredited program education physical therapists or physical therapist assistants in Oklahoma.

(2) The supervising physical therapist shall submit an evaluation of the applicant's performance at the end of four-hundred (400) hours of supervision. A final report will be submitted at the end of the second four-hundred (400) hours of supervision. These reports will be submitted on forms or evaluation tools determined by the Board.

(3) If the applicant's performance is unsatisfactory during the supervision period, or the applicant ceases working at the training facility for any reason, the supervising physical therapist must notify the Board in writing within five (5) working days.

(4) If the interim supervised clinical practice period is not satisfactorily completed within a six-month period, the Board may issue a second interim permit for an additional six month period. A third permit will not be issued.

(e) The interim supervised clinical practice period may be waived for foreign-educated physical therapists at the discretion of the Board, if:

(1) the applicant for licensure is able to verify the successful completion of one (1) year



of clinical practice in the United States or the District of Columbia, or

(2) the applicant is able to document exceptional expertise acceptable to the Board in the fields of research, education, or clinical practice.

(f) The interim supervised clinical practice period may be shortened for foreign-educated physical therapists at the discretion of the Board.

**435:20-3-2. Criteria for disqualification as a physical therapist**

No license will be issued to a Physical Therapist who has:

- (1) Provided Physical Therapy treatment other than upon referral of a duly licensed physician or surgeon, dentist, chiropractor or podiatrist.
- (2) Used drugs or alcohol excessively, affecting competence or judgment, unless is able to provide satisfactory evidence of rehabilitation and participation efforts;
- (3) Been convicted of a felony crime that substantially relates to the occupation of physical therapy or poses a reasonable threat to public safety or of a misdemeanor crime involving moral turpitude;
- (4) Been adjudged mentally incompetent unless competency has been legally re-established;
- (5) Conducted himself/herself in a manner considered improper by recognized acceptable standards of moral and ethical conduct.

**435:20-3-3. Criteria for disqualification as a physical therapist assistant**

No license will be issued to a Physical Therapist Assistant who has:

- (1) Practiced other than under the direction and supervision of a licensed Physical Therapist;
- (2) Used drugs or alcohol excessively, affecting competence or judgment, unless is able to provide satisfactory evidence of rehabilitation and participation efforts;
- (3) Been convicted of a felony crime that substantially relates to the occupation of physical therapy or poses a reasonable threat to public safety or of a misdemeanor crime involving moral turpitude;
- (4) Been adjudged mentally incompetent unless competency has been legally re-established;
- (5) Conducted himself/herself in a manner considered improper by recognized acceptable standards of moral and ethical conduct.

**435:20-3-4. Licensure by endorsement**

(a) Any person who is currently registered or licensed by examination as a Physical Therapist or Physical Therapy Assistant in another state of the United States of America, the District of Columbia or Puerto Rico, is eligible for licensure by endorsement provided by the written examination and grade standard, upon which such license is based, is acceptable to the Board. In the event the examination was that of the recognized examination service providing a nationally accepted standardized examination, scores must be submitted through the Interstate Reporting Service, or other recognized reporting service. All such applicants must have Oklahoma passing score on the examination or they must re-take the examination. Failure to achieve Oklahoma passing score on a re-take of the examination, in Oklahoma or elsewhere, shall be considered as an additional failure. If the applicant has not been employed as a Physical Therapist during the

year prior to application, such applicant may be required to present himself/herself for a personal interview with a member or members of the Board or Committee.

(b) Applications for licensure by endorsement from another state must be on file in the office of the State Board of Medical Licensure and Supervision at least 30 days prior to an examination or prior to a meeting of the Physical Therapy Committee for consideration of applications.

(c) A temporary License may be granted to an out of state licensee to conduct continuing education instruction within the State of Oklahoma under the supervision of a Physical Therapist who is a holder of a current and unrestricted license to practice as a Physical Therapist in the State of Oklahoma. The temporary license may be issued by the Board Secretary after verification that the licensee is the holder of a current and unrestricted license from another state of the United States of American, District of Columbia or Puerto Rico. The Temporary License may be granted for a period not to exceed ninety (90) days.

#### **435:20-3-5. Licensure by examination**

##### **(a) Qualifications.**

(1) Any applicant for licensure as a Physical Therapist by examination must meet the criteria of qualifications outlined in (a) through (c) of 435:20-3-1.

(2) Any applicant for licensure as a Physical Therapist Assistant by examination must be a graduate of a program for education of Physical Therapist Assistants accredited by the Commission on Accreditation of Physical Therapy Education or approved successor organization, provided in no event shall the qualifications for licensure be less than those required by 59 O.S. 1971, Section 887.6, as amended.

(b) **Admittance.** No person shall be admitted to the examination until satisfactory evidence is submitted to the Board of his/her qualifications to be admitted to such examination.

(c) **Examination dates.** Examinations must be taken by the applicant within sixty (60) days of receiving written notice of eligibility to sit for the examination.

(d) **Passing score.** In the event the examination used, for either Physical Therapists or Physical Therapist Assistants, is provided by the recognized examination service providing a nationally accepted standardized examination, the candidate will pass based on criterion referenced standards as established by the recognized examination service. This passing point will be set equal to a scaled score of 600 based on a scale ranging from 200 to 800. Prior to March 1993 no criterion referenced scoring system existed; examinations taken prior to March 1993 shall be considered to have passed if his/her raw score on the total examination fell within 1.50 standard deviation below the National Average for the particular examination.

(1) Applicants who do not pass the examination after the first attempt may retake the examination one additional time without re-application for licensure. This must occur within six months of the Board's receipt of notification of the first failure. Prior to being approved by the Board for subsequent testing beyond two attempts, individuals shall reapply and present evidence satisfactory to the Board of having successfully completed additional clinical training and/or course work as approved by the Board.

(2) In the event of failure to pass the first examination, the applicant may work under the direct, on the premises supervision and direction of a licensed physical therapist for a period not to exceed six months.

(3) In the event of failure to pass the second examination, the applicant:

(A) may not practice;

- (B) must meet with the Committee; and
- (C) must submit a new application.
- (4) In the event of failure to pass the third examination, an applicant will not be eligible to re-apply for examination in Oklahoma.
- (5) The applicant may re-take the examination in another state, if the examination is one provided by the Professional Examination Service or another recognized examination service providing a nationally accepted standardized examination and is the same examination service then providing the examination being given in Oklahoma. All scores must be submitted to the Oklahoma Board for evaluation by the Interstate Reporting Service or another nationally recognized reporting service. Failure to make passing scores accepted in Oklahoma on such re-takes will be considered as having failed the re-take examination in Oklahoma.
- (6) Any applicant may be required to make a personal appearance before the Board to discuss individual circumstances at any time.

**435:20-3-6. Requirements for renewal and re-entry**

(a) **Renewal of license.** In order to renew the license, each Physical Therapist and Physical Therapist Assistant shall:

- (1) complete the renewal application;
- (2) pay the required fee as set out in OAC 435:1-1-7(a)(2);
- (3) complete a jurisprudence examination prepared by the Board focusing on the areas of the Oklahoma Physical Therapy Practice Act and related Oklahoma Administrative Code;
- (4) and meet requirements for continuing education as set out in Subchapter 9 of this Chapter.

(b) **Re-entry requirements.** Pursuant to 59 O.S. §495h, physical therapists and physical therapist assistants with licenses lapsed more than three months wishing to re-enter the practice of physical therapy will be required to file an application on forms provided by the Board and submit documentation of continuing competence. Physical therapists and physical therapist assistants may be required to meet one or more of the following requirements:

- (1) Personal appearance before the Advisory Committee;
- (2) Work under the direct supervision of a physical therapist licensed in the State of Oklahoma for at least one month (at least 22 days) for each year license was lapsed, not to exceed twelve (12) months. The applicant must obtain authorization from the Board before beginning the period of supervised practice. On completion of the period of supervised practice, the applicant will provide to the Board an adequate performance evaluation from the supervising physical therapist;
- (3) Participation in continuing education activities directed towards maintaining or improving clinical knowledge and skills;
- (4) Achieve a passing score on an examination approved by the Board.

#### **435:20-3-7. Licensure by agreement**

- (a) The Secretary may enter into a written agreement with an applicant for licensure to provide assurance that the Physical Therapist or Physical Therapist Assistant may be able to practice physical therapy with reasonable skill and safety.
- (b) The Secretary may enter such an Agreement when circumstances and/or conditions of an applicant raise questions as to the fitness or ability of the applicant to practice physical therapy with reasonable skill and safety or questions as to prior actions of the applicant in this or any other jurisdiction would constitute a violation of the Act or these rules, as the Secretary may determine.
- (c) The Agreement shall be a written statement of conditions on which a license may be granted to an applicant, although no license shall be guaranteed or granted should an applicant enter into an Agreement, by which the Secretary shall devise and specify authority of the Board or its staff to meet with the applicant upon specific terms, to gather additional information from the applicant or to require the applicant to take certain specific actions if, when and after the applicant is granted a license by the Board. Additionally, the Applicant shall agree to pay all actual costs incurred for any testing or monitoring required under the Agreement.
- (d) Any Agreement entered into by the Secretary and an applicant shall not be effective until ratified by the Board.
- (e) The Board intends any agreement entered into by the Secretary and an applicant to be of continuing nature until set aside or otherwise terminated by the Board.
- (f) Licensure by agreement shall not be considered by the Board to be disciplinary action.
- (g) The failure of a licensee who is subject of an agreement to comply with the terms of an agreement shall be considered in violation of the rules of the Board and shall be grounds for disciplinary action by the Board pursuant to section 8, subchapter 5, chapter 20 of this Title. Failure to comply with an agreement hereunder may subject a licensee to revocation by the Board.
- (h) The Committee may recommend an application to the Secretary and request the Secretary to review the application for the possibility of entering an agreement with an applicant.

### **SUBCHAPTER 5. REGULATION OF PRACTICE**

#### Section

- 435:20-5-1. Display certificate
- 435:20-5-2. Working under supervision
- 435:20-5-3. Aiding and abetting the unlicensed practice
- 435:20-5-4. Titles used for physical therapist assistants
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- 435:20-5-8. Unprofessional conduct – Grounds for disciplinary action
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**435:20-5-1. Display certificate**

All persons licensed under Title 59 O.S., Sections 887.1 through 887.17 and practicing in the State shall prominently display the certificate of licensure and evidence of a current renewal in the primary place of practice.

**435:20-5-2. Working under supervision**

Recent physical therapist or physical therapist assistant graduates who have completed eligibility requirements for examination and submitted all required forms and fees for examination may work in a Physical Therapy facility under the direct, on the premises, supervision and direction of a licensed Physical Therapist.

**435:20-5-3. Aiding and abetting the unlicensed practice**

It shall be unlawful for any person to aid or abet, directly or indirectly, the practice of physical therapy by any person not duly authorized under the laws of Oklahoma.

**435:20-5-4. Titles used for physical therapist assistants**

Any person holding a license as a Physical Therapist Assistant may use the title "Physical Therapist Assistant", "Registered Physical Therapist Assistant" or "Licensed Physical Therapist Assistant", or the letters "PTA", "RPTA", or "LPTA".

**435:20-5-5. Screening and educational procedure; statutory terms defined**

Screening and educational procedures as described in the Physical Therapy Practice Act are defined as follows:

- (1) "To educate" means to train by formal instruction and supervised practice.
- (2) "To screen" means to examine methodically in order to separate into different groups to identify problems which can be managed within the expertise of a licensed physical therapist.

**435:20-5-6. Physical therapists under probation**

Physical therapists on probation shall not supervise physical therapist assistants or new graduates who require supervision under 435:20-5-2.

**435:20-5-7. Emeritus status**

- (a) Individuals who hold or have held a full and unrestricted license to practice as a physical therapist or physical therapist assistant may choose at any time to apply for emeritus (fully retired) status by notifying this office and paying a \$50.00 processing fee. There will be no renewal fee.
- (b) Physical therapists or physical therapist assistants in this status may continue to use the title or append to their name the letters PT, RPT, LPT, PTA, RPTA, LPTA or any other title, letters or designation which represents that such person is a physical therapist or physical therapist assistant, followed by (Ret.) or (Retired). Service on boards, committees or other such groups which require that a member be a physical therapist or physical therapist assistant shall be allowed.
- (c) Once this status is acquired the physical therapist or physical therapist assistant shall not practice physical therapy in any form, as defined in 887.2.
- (d) When a physical therapist or physical therapist assistant has been granted the emeritus status

and subsequently chooses to return to active practice from emeritus status within 12 months of the date of expiration of full licensure, the physical therapist or physical therapist assistant shall:

- (1) Pay required fees;
- (2) Complete required forms; and,
- (3) Resume responsibility for compliance with continuing education requirements.

(e) When a physical therapist or physical therapist assistant has been granted emeritus status and chooses to return to active practice from emeritus status more than 12 months after date of expiration of full licensure, in addition to the requirements set out in subsection (d) of this section, the physical therapist or physical therapist assistant may be required to meet one or more of the following:

- (1) Personal appearance before the Advisory Committee;
- (2) Work under the direct supervision of a physical therapist licensed in the State of Oklahoma for at least one month (at least 22 days) for each year license was lapsed, not to exceed twelve (12) months. The applicant must obtain authorization from the Board before beginning the period of supervised practice. On completion of the period of supervised practice, the applicant will provide to the Board an adequate performance evaluation from the supervising physical therapist;
- (3) Participation in continuing education activities directed towards maintaining or improving clinical knowledge and skills;
- (4) submit to a physical examination, psychological and/or psychiatric examination;
- (5) Achieve a passing score on an examination approved by the Board.

#### **435:20-5-8. Unprofessional conduct – Grounds for disciplinary action**

(a) The Physical Therapy Advisory Committee may recommend to the Board to revoke or take other disciplinary action against a licensee or deny a license to an applicant for unprofessional conduct.

(b) Acts that constitute unprofessional conduct include, but are not limited to:

- (1) Procuring aiding or abetting a criminal operation.
- (2) Habitual intemperance or the habitual use of habit-forming drugs.
- (3) Been convicted of a felony crime that substantially relates to the occupation of physical therapy or poses a reasonable threat to public safety or of a misdemeanor crime involving moral turpitude of a felony or of any offense involving moral turpitude.;
- (4) Dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public.
- (5) Aiding or abetting, directly or indirectly, the practice of physical therapy by any person not duly authorized under the laws of this state.
- (6) Engaging in physical conduct with a patient that is sexual in nature, or in any verbal behavior that is seductive or sexually demeaning to a patient.
- (7) Participation in fraud, abuse and/or violation of state or federal laws.
- (8) Any conduct which potentially or actually jeopardizes a patient's life, health or safety.
- (9) Verbally or physically abusing patients.
- (10) Discriminating in the rendering of patient care.
- (11) Negligence while in practice of physical therapy or violating the "Standards of Ethics and Professional Conduct" adopted by the Board.

- (12) Habitual intemperance or addicted use of any drug, chemical or substance that could result in behavior that interferes with the practice of physical therapy and the responsibilities of the licensee.
  - (13) Unauthorized possession or use of illegal or controlled substances or pharmacological agents without lawful authority or prescription by an authorized and licensed independent practitioner of the State of Oklahoma.
  - (14) Fraudulent billing practices and/or violation of Medicare and Medicaid laws or abusive billing practices.
  - (15) Improper management of medical records, inaccurate recording, falsifying or altering or failing to complete documentation of patient records.
  - (16) Falsely manipulating patient's records or forging a prescription for medication/drugs, or presenting a forged prescription.
  - (17) Aiding, abetting or assisting any other person to violate or circumvent any law, rule or regulation intended to guide the conduct of a physical therapist or physical therapist assistant.
  - (18) Being judged mentally incompetent by a court of competent jurisdiction.
  - (19) Failing to timely make application for license renewal.
  - (20) Falsifying documents submitted to the Physical Therapy Committee or the Oklahoma State Board of Medical Licensure and Supervision.
  - (21) Obtaining or attempting to obtain a license, certificate or documents of any form as a physical therapist or physical therapist assistant by fraud or deception.
  - (22) Cheating on or attempting to subvert the national physical therapy examination or skills assessment tests.
  - (23) Leaving a patient care assignment without properly advising the appropriate personnel.
  - (24) Violating the confidentiality of information or knowledge concerning a patient.
  - (25) While engaged in the care of a patient, engaging in conduct with a patient, patient family member, or significant other that is seductive or sexually demeaning/exploitive in nature.
  - (26) Failure to report through proper channels the unsafe, unethical or illegal practice of any person who is providing care.
  - (27) Failure to furnish to the Board, its investigators or representatives, information lawfully requested by the Board.
  - (28) Failure to cooperate with a lawful investigation conducted by the Board.
  - (29) Violation of any provision(s) of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board.
  - (32) Failure to report to the Board any adverse action taken against him or her by another licensing jurisdiction (United States or foreign), by any governmental agency, by any law enforcement agency, or by a court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section.
- (c) A physical therapist or physical therapist assistant who knowingly allows or participates with individual(s) who are in violation of the above will be prohibited from supervising other physical therapy practitioners for so long as the Board deems appropriate, and may themselves be subject to disciplinary action pursuant to their conduct.

#### **435:20-5-9. Standards of Ethics and Professional Conduct**

In the conduct of their professional activities, the physical therapist and physical therapist assistant shall be bound by the following ethical and professional principles. Physical therapists and physical therapist assistants shall:

- (1) Respect the rights and dignity of all individuals and shall provide compassionate care.
- (2) Demonstrate behavior that reflects integrity, supports objectivity, and fosters trust in the profession and its professionals.
- (3) Comply with state and/or federal laws that govern and relate to physical therapy practice.
- (4) Exercise sound professional judgment and perform only those procedures or functions in which they are individually competent and that are within the scope of accepted and responsible practice. A physical therapist shall not delegate to a less qualified person any activity that requires the unique skill, knowledge, and judgment of the physical therapist. A physical therapist assistant shall provide selected physical therapy interventions only under the supervision and direction of the evaluating physical therapist. A physical therapist assistant shall make judgments that are commensurate with their education and legal qualifications as a physical therapist assistant.
- (5) Actively maintain and continually improve their professional competence and represent it accurately.
- (6) Maintain high standards by following sound scientific procedures and ethical principles in research and the practice of physical therapy.
- (7) Seek reasonable remuneration for physical therapy practice.
- (8) Provide and make available accurate and relevant information to patients about their care and maintain patient confidentiality.
- (9) May provide information to the public about societal benefits of physical therapy services. A physical therapist may advertise his/her services to the public.
- (10) Refuse to participate in illegal or unethical acts, and shall refuse to conceal illegal, unethical or incompetent acts of others.
- (11) Endeavor to address the health needs of society through pro bono services and/or community health services.
- (12) Respect the rights, knowledge and skills of colleagues and other healthcare professionals.

#### **435:20-5-10. Referrals**

(a) A licensed physical therapist who has received a referral from a person licensed as an allopathic physician, osteopathic physician, physician assistant, dentist, chiropractor, podiatrist, or advanced practice registered nurse, consistent with his or her respective areas of training and practice, may extend or reinstitute physical therapy for the patient named on the referral for a time period not to exceed ninety (90) days after the origination of the referral, unless a longer duration of physical therapy services is requested by the referring health care professional, provided that:

- (1) the diagnosis or symptom listed on the referral is the same as the reason for the extension or reinstitution of the physical therapy treatment;



- (2) the referring health care professional is notified of the extension or reinstatement of the treatment within five (5) business days of the date of the extension or reinstatement of the physical therapy treatment; and
- (3) the patient involved has made or is making sufficient improvement in symptoms or function to warrant the extension or reinstatement of the physical therapy treatment without first being seen or re-evaluated by the referring health care professional.
- (b) The physical therapist may not make a medical diagnosis or diagnosis of disease.
- (c) If the physical therapist determines, based on the physical therapy screening and evaluation, that the patient's condition is outside the scope of the physical therapy practice, the physical therapist may not initiate, extend, or reinstate treatment and must immediately refer the patient to a licensed health care professional.
- (d) If the physical therapist determines, based on reasonable evidence that appropriate improvement in symptoms or function has not been made within 60 days of the date on the referral, the physical therapist shall consult with or refer the patient back to the health care professional who originated the referral.
- (e) The provisions of paragraphs (a) – (d) of this section do not apply if the patient is receiving physical therapy services pursuant to the Individuals with Disabilities Education Improvement Act of 2004, as may be amended, and the Rehabilitation Act of 1973, Section 504, as may be amended.

#### **435:20-5-11. Telehealth regulations**

- (a) In order to provide physical therapy via telehealth defined in 435:20-1-1.1 of the Code, a physical therapist or physical therapist assistant providing services to a patient or client, physically located in Oklahoma, must have a valid and current Oklahoma Physical Therapist or Physical Therapist Assistant license, issued by State of Oklahoma.
- (b) Provision of services via telehealth shall be synchronous.
- (c) A physical therapist shall determine whether an in-person evaluation or in-person interventions are necessary in lieu of telehealth provision, considering: the complexity of the patient's/client's condition; the provider's own knowledge, skills and abilities; the nature and complexity of the intervention; the requirements of the practice setting; and the patient's/client's context and environment. The clinical documentation for the visit shall reflect:
  - (1) that the visit was rendered, by one or more parties, via telehealth; and
  - (2) all clinicians present, in person or via telehealth, during the visit.
- (d) All legal, regulatory, and ethical rules applicable to the delivery of in-person physical therapy shall also apply to the delivery of physical therapy via telehealth technology.
- (e) Audio and video equipment must allow for interactive, real-time communications which permit the physical therapist or physical therapist assistant and the patient to see and hear each other. Any telehealth technology used by any physical therapist or physical therapist assistant must comply with confidentiality requirements imposed by federal or state law concerning network connection security in place for video and non-video connections, specifically including requirements under HIPAA.
- (f) A physical therapist or physical therapist assistant providing physical therapy services via telehealth shall:
  - (1) Exercise the same standard of care when providing physical therapy services via telehealth as with any other mode of delivery of physical therapy services;

- (2) Provide physical therapy in a manner consistent with the standards of practice, ethical principles, and rules for Oklahoma physical therapy practitioners. Therefore, it is the physical therapy practitioner's responsibility to determine when a telehealth encounter is not the appropriate treatment model;
- (3) Be proficient in the use of the telehealth technology.
- (g) A physical therapist may utilize telehealth methods for routine and general supervision of Form 5-registered supervisees.
- (h) While providing physical therapy to a patient using telehealth technology, physical therapist or physical therapist assistant students must follow the Commission on Accreditation in Physical Therapy Education (CAPTE) standards, academic program rules, and practice setting policies regarding the use of telehealth service delivery as well as follow all applicable supervision rules.
- (i) Failure to comply with telehealth regulations shall be considered unprofessional conduct as set forth in 435:20-5-8 and 435:20-5-9. of Oklahoma Administrative Code and Section 887.13 of the Physical Therapy Practice Act.

## **SUBCHAPTER 7. SUPERVISION OF PHYSICAL THERAPIST ASSISTANTS**

### Section

435:20-7-1. Direction and supervision of Physical Therapist Assistants

#### **435:20-7-1. Direction and supervision of Physical Therapist Assistants**

(a) Responsible supervision.

(1) Physical therapists have a duty to provide therapy services that protect the public safety and maximize the availability of their services. The physical therapist assistant is the only individual permitted to assist in selected treatment interventions. A physical therapist assistant shall be supervised by a specific physical therapist or group of physical therapists working in the same practice setting or physical facility. A physical therapist assistant may not be supervised by any other person including those licensed in other professions. The physical therapist of record is accountable and responsible at all times for the direction of the actions of the physical therapist assistant when treating his/her patient. When determining the extent of assistance the physical therapist assistant can provide, the physical therapist should consider:

- (A) the physical therapist assistant's experience and skill level
- (B) the patient/client criticality and complexity
- (C) the setting in which the care is being delivered
- (D) the predictability of the patient/client outcomes
- (E) the needed frequency of re-examination

(2) A physical therapist shall not delegate to a less qualified person any service that requires the skill, knowledge and judgment of a physical therapist. For each date of service, a physical therapist shall provide all therapeutic interventions that require the expertise of a physical therapist and shall determine when assistive personnel may be used to provide delivery of services in a safe, effective, and efficient manner for each patient.

- (A) A physical therapist assistant shall work under a physical therapist's direct or general supervision. A physical therapist assistant may document care provided

without the co-signature of the supervising physical therapist. The physical therapist assistant will respond to acute changes in the patient's physiological state and report these findings promptly to the physical therapist. Contact, or attempts to contact the physical therapist of record, will be documented in the medical record.

(B) A physical therapist and a physical therapist assistant may use physical therapy aides for designated and immediately supervised routine tasks. The physical therapist shall not delegate the same type and level of duties to the physical therapy aide as are delegated to the physical therapist assistant. A physical therapy aide shall work under immediate supervision of the physical therapist or physical therapist assistant who is continuously on-site and present in the facility.

(b) Patient Care Management. Upon accepting a patient for provision of services, the physical therapist becomes the Physical Therapist of Record for that patient and is solely responsible for managing all aspects of the physical therapy plan of care for that patient. The Physical Therapist of Record shall:

- (1) Perform the initial examination and evaluation
- (2) Establish a plan of care and remain responsible to provide and/or supervise the appropriate interventions outlined in the plan of care.
- (3) Perform the re-examination/re-evaluation of the patient in light of their goals and revision of the plan of care when indicated. This will be performed no less frequently than:

(A) every 30 days in acute care, outpatient, inpatient rehabilitation and long term care settings with documented case consultation no less frequently than every 15 days;

(B) every 60 days in home health settings with documented case consultation no less frequently than every 30 days;

(C) every 90 days in consultative DDS with documented case consultation no less frequently than every 45 days;

(D) every 10th visit for DDS for patients under 21 years of age with documented case consultation no less frequently than every 5th visit;

(E) every 60 days in educational settings with documented case consultation no less frequently than every 30 days;

(4) Establish the discharge plan and provide or review the documentation of the discharge summary prepared by the physical therapist assistant.

(5) A physical therapist's responsibility for patient care management shall include oversight of all documentation for services rendered to each patient, including awareness of fees charged or reimbursement methodology used. A physical therapist shall also be aware of what constitutes unreasonable or fraudulent fees.

(c) Designation of a new Physical Therapist of Record. In the event that the Physical Therapist of Record can no longer assume these responsibilities, care must be turned over to another physical therapist who will become the new Physical Therapist of Record. The Therapist of Record must make sure that the new Physical Therapist of Record is authorized and qualified to receive the patient, must obtain acceptance from the receiving physical therapist, document the hand-over of the patient and maintain the care and responsibility of the patient until the new

Physical Therapist of Record is acknowledged in the documentation.

(d) Designation and responsibilities of Supervising Physical Therapist and Alternate Supervising Physical Therapist. Both the physical therapist and physical therapist assistant are responsible for completion of the Form #5, Verification of Supervision.

(1) A Form #5, Verification of Supervision must be completed annually for each clinical practice setting in which the physical therapist assistant works, identifying the supervising physical therapist for the physical therapist assistant. The physical therapist assistant will be responsible to inquire of their supervising physical therapist(s) or the Board, the number of persons being supervised by that physical therapist. If responsible supervision is not practiced, both the supervising physical therapist and the physical therapist assistant are in violation of this rule. Any revised or new Form #5 for a physical therapist assistant at a clinical practice setting will supersede the existing Form #5 for that setting. A physical therapist assistant will not practice in any clinical setting without the necessary Form #5. It is the responsibility of both physical therapists and physical therapist assistants to notify the Board of any changes to a Form #5 that they have signed.

(2) A physical therapist will not supervise and utilize more than four (4) licensed personnel or applicants for licensure. Only three (3) may be physical therapist assistants or applicants for physical therapist assistant licensure. Any of the four (4) may be applicants for physical therapist licensure. This total is inclusive of all geographic locations or employing agencies.

(3) For each practice setting in which he or she works, the physical therapist assistant and the supervising physical therapists must indicate on the Form #5, Verification of Supervision which of the method of supervision described in (A) or (B) below will be employed in that practice setting.

(A) A physical therapist will provide direct or general supervision of a physical therapist assistant and will be listed on the Form #5 as the supervising physical therapist. In the event that he or she is unable to provide supervision, a supervising physical therapist may:

(i) temporarily delegate the supervision of up to three licensed physical therapist assistants to an alternate supervising physical therapist who agrees to provide consultation to the physical therapist assistant(s) for existing plans of care for a period of time not to exceed thirty (30) days. In this event, a new Form #5 is not required, but the alternate supervising physical therapist must be identified as the Therapist of Record in the documentation.

(ii) designate a new Therapist of Record, as in 435:20-7-1-(c) above, to assume full responsibility of the plan of care who may, if they so chose, delegate to a physical therapist assistant under their supervision as listed on their Form #5.

(B) A group of physical therapists, working in the same practice setting may provide supervision to a physical therapist assistant providing the following conditions are met:

(i) all supervising physical therapists are listed on a Form #5 for the physical therapist assistant.

(ii) the ratio of physical therapists to physical therapists assistants in that

practice setting does not exceed the ratio of one (1) physical therapist to three (3) physical therapist assistants or applicants for licensure at any given time.

(iii) The group director, who must be a licensed physical therapist or physical therapist assistant, is identified and assumes responsibility for accurate information on the Form #5 and the appropriate ratio of physical therapist to physical therapist assistants. The Board may assign disciplinary action to the clinical director or all members of the group for violation of the supervision rules.

(e) Supervision of additional physical therapist assistants. In unique cases, a physical therapist may petition the Chair of the Physical Therapy Committee to receive permission to supervise additional physical therapist assistants or applicants for licensure, but this decision to supervise additional assistive personnel must be reviewed and approved by the committee at the next scheduled meeting.

(f) **Limits of practice for the physical therapist assistant.** The physical therapist assistant may not:

- (1) Specify, other than to the Physical Therapist of Record, perform or interpret definitive (decisive, conclusive, final) evaluative and assessment procedures. Definitive evaluation procedures may not be recommended to anyone other than the patient's physical therapist, unless previously approved by the physical therapist.
- (2) Alter overall treatment, goals and/or plan.
- (3) Recommend adaptive equipment, assistive devices, or alterations to architectural barriers to persons other than a physical therapist.
- (4) File discharge documents for permanent record until approved by a physical therapist.
- (5) Perform duties or tasks for which he/she is not trained.

## **SUBCHAPTER 9. PROFESSIONAL DEVELOPMENT**

### Section

435:20-9-1. Definitions

435:20-9-2. Professional development requirements for renewal

435:20-9-3. Professional development categories

435:20-9-4. Guidelines for the audit process

### **435:20-9-1. Definitions**

The following words and terms, when used in this SubChapter, shall have the following meaning, unless the content clearly indicates otherwise:

**"Activities"** means activities that a licensee participates in to either assess his/her competence or to develop competency. An activity is assigned a value toward meeting professional development requirements.

**"APTA"** means the American Physical Therapy Association.

**"Asynchronous instruction"** means instructional interaction whereby instructional delivery and learner participation occurs other than simultaneously, offering either a delayed opportunity or no opportunity for instructional feedback.

**"Board"** means the Board of Medical Licensure and Supervision.

**"Clinical practice"** means physical therapy consultation or patient care or client management or the supervision thereof.

**"Committee"** means the Physical Therapy Advisory Committee.

**"Compliance period"** means the initial compliance period starting on February 1, 2022 through January 31, 2024.

**"Competence"** means the application of knowledge, skills, and behaviors required to function effectively, safely, ethically and legally within the context of the patient/client's role and environment.

**"Continuing competence"** means the lifelong process of maintaining and documenting competence through ongoing self-assessment, development, and implementation of a personal learning plan, and subsequent reassessment.

**"Continuing education"** means those appropriate learning experiences physical therapists and physical therapist assistants undertake to expand their scope of knowledge beyond the basic preparation for the profession of physical therapy and these experiences should be referenced to one of four areas: administration, education, patient care, or research.

**"Documentation"** means evidence of completion of continuing education and competence activities.

**"FSBPT"** means the Federation of State Boards of Physical Therapy.

**"IACET"** means the International Association for Continuing Education and Training.

**"Jurisprudence assessment"** means an outline set of questions concerning the Oklahoma Physical Therapy Practice Act, Board rules, and Position Statement posted on the Board's website at [www.okmedicalboard.org](http://www.okmedicalboard.org).

**"Licensee"** means a Physical Therapist or Physical Therapist Assistant licensed in Oklahoma.

**"OPTA"** means the Oklahoma Physical Therapy Association.

**"Pre-approval"** means the professional development experience has received approval prior to the end of the compliance period.

**"Professional development"** means the fusion of continuing competence and continuing education, which demonstrates and evidences a licensee's ability and knowledge to practice physical therapy consistent with the requirements of Oklahoma law and the standards of the physical therapy profession.

**"Professional Development Unit or PDU"** means one contact hour (60 minutes) of continuing education coursework or an approved PDU activity (detailed in section 435:20-9d)

**"Provider"** means an entity that has been approved by the Board to provide professional development activities for licensees as provided in the rules of this section.

**"Synchronous instruction"** means instructional interaction conducted in real time where the instructional delivery and learner participation occurs concurrently with an immediate opportunity for instructional feedback.

#### **435:20-9-2. Professional development requirements for renewal**

(a) Beginning with the renewal period ending January 31, 2000 and every two years thereafter, the applicant for renewal of licensure shall sign a statement indicating whether or not

professional development requirements have been fulfilled for the preceding two-year period.

(b) Effective February 1, 2022 and every two years thereafter, physical therapists will be required to show proof of forty (40) approved contact hours and/or PDU equivalent and Physical Therapist Assistants will be required to show proof of thirty (30) approved contact hours and/or PDU equivalent.

(1) At least half of the required hours must be professional development coursework.

(2) Three of the required hours must contain ethics education that includes the APTA Guide for Professional Conduct and the APTA Code of Ethics.

(3) No professional development hours may be carried over from one compliance period to another.

(c) Any applicant for renewal who cannot meet the requirements for professional development may not renew until deficient professional development units (PDUs) are obtained and verified. Additionally, within the next compliance period the licensee will be required to obtain double the required units of approved PDUs.

(d) Each licensee is responsible for maintaining evidence/proof/record of participation in a professional development experience for a minimum of four years, two compliance periods. Copies of such proof shall be submitted to the Board upon request. Such proof shall include:

(1) date, place, course title, schedule, presenter(s), etc.,

(2) number of contact hours/PDUs for the activity,

(3) proof of completion, such as abstracts, certificates of attendance, or other certification of completion.

(e) Any physical therapist or physical therapist assistant initially licensed in Oklahoma during the second year of a compliance period shall be exempt from the professional development requirements for that first renewal period.

(f) The Physical Therapy Committee shall conduct random audits of the professional development records of the number of licensees that time and resources permit. The Physical Therapy Committee may appoint a sub-committee to review audits and requests for approval of professional development experiences and make recommendations to the Physical Therapy Committee for disposition.

(g) Penalties for failure to comply with professional development requirements may be assessed after notice and hearing as required by law. Penalties may include imposition of additional PDUs, probation of license, suspension of license, or revocation of license.

(h) Failure to maintain records of professional development rebuts the presumption that professional development requirements have been completed.

(i) Misrepresenting compliance with professional development requirements constitutes a fraudulent application.

### **435:20-9-3. Professional development categories**

#### **(a) Approval for professional development activities**

(1) To receive initial approval for a professional development offering submission of an Application for Approval of Physical Therapy Professional Development form is required. The application must include the following information:

(A) Course title with an abstract, summary or course syllabus and sufficient evidence

demonstrating relevancy, recency and consistency with current practice.

(B) A program agenda complete with a breakdown of all time spent in instructional and non-instructional periods to include meals. (PDU will be awarded for instructional hours only.) (If a course is six hours or longer, the agenda must include at-least a 30 minute lunch.)

(C) The course or program's goals and objectives sufficient to provide information for evaluation of relevance and practical application to the field of physical therapy beyond basic preparation of the licensee. If basic information is needed, the licensee will complete the professional self- reflection form to demonstrate current knowledge and competency of the topic and rationale as to why this course should be approved.

(D) Documentation of instructor background/expertise relevant to the field of physical therapy.

(E) Location of the program, including the address, city, state, and zip, or Internet site.

(F) Contact name, phone number and address of course sponsors or publishers.

(G) Specific date(s) of course participation.

(H) Method of certifying attendance and instructional hours. (Adjustment of PDU awarded may occur within the approval process.)

(2) Individual participants are responsible for maintaining these records.

(3) Physical therapists and physical therapist assistants working less than 250 hours per year may submit a request for a lesser professional development requirement.

(4) Pre-approval is required for guaranteed credit.

**(b) Synchronous professional development opportunities.**

(1) Synchronous education – Real time participation in a course, workshop or conference.

(2) Presentation of program - A licensee who presents an original professional development program targeted towards peers and other health care professionals may receive professional development credit of 1.5 PDU per contact hour of instruction for the first presentation of this original material. No additional PDU for subsequent presentations within the compliance period.

(3) Post Graduate Studies - Successful completion of post graduate education course work related to physical therapy will be awarded professional development credit of up to 16 PDU for each college credit course based on credit hours, syllabus, and learning objectives.

**(c) Asynchronous educational and competence opportunities.** For licensees participating in a non-interactive course offered by videotape, satellite transmission, webcast, DVD, or other electronic media, one hour of participation earns one PDU. This method must include a post-test proficiency assessment in order to be accepted.

**(d) Other professional development activities.**

(1) Publication - Writing for professional publication may be awarded professional development credit. Acceptance for publication must occur within the current compliance period. Contact hours will not be approved for repeat publication of the same material. Licensee must present copy of published material to receive credit.

(A) Each published paper/book and/or chapter/or case study will receive fifteen (15) PDUs.

(B) Each published book review will receive of ten (10) PDUS.

(2) Study groups - A series of meetings designed for intense study in a physical therapy related topic. A minimum of four participants and four hours of participation are required for



professional development eligibility. Those seeking approval for a group study project shall submit a full description including an outline of the topics and subtopics, references, or copies of the printed materials, a time and place of study, the methods to be used, the number of hours of credit sought, and any other information relevant to the evaluation of the proposed projects. The maximum number of PDUs of this type allowed during a compliance period is 12.

(3) Collaboration with educational programs:

(A) Supervising Physical Therapist or Physical Therapist Assistant students as a clinical instructor.

(i) Continuous direct supervision of students and/or candidates for licensure can earn up to 10 PDUs in this category in a compliance period. Forty (40) hours of direct supervision will earn one (1) PDU regardless of the number of students and/or candidates for licensure being supervised.

(ii) The licensee shall submit materials listing the licensee as a clinical instructor with the name of the school/program and the length of time of clinical placement.

(B) Presentations as a guest lecturer for Physical Therapist and Physical Therapist Assistant Programs earns 2 PDU for the first presentation of original material, up to 4 PDU for two presentations of original material in a compliance period. No additional PDU for subsequent presentation may be earned within a compliance period. The licensee shall submit materials including: syllabus, curriculum vitae demonstrating expertise, statement of objectives, and strength of evidence demonstrating references used within last 5 years.

(4) Research/Publication/Presentations

(A) Publication:

(i) Authorship or co-authorship of a book relating to physical therapy earns up to fifteen (15) PDU in a compliance period.

(ii) The licensee must present a copy of published material to receive credit. (B) Research (published only):

(i) Principal or co-investigator, project director, or research assistant earns five (5) PDU, up to ten (10) PDU in a compliance period, provided a licensee may only earn five (5) PDU for one original publication.

(ii) The licensee shall submit research proposal/abstract, final results and a summary of the licensee's involvement.

(C) Presentations at professional workshops, seminars, conferences related to physical therapy earns 1.5 PDU per contact hour of instruction for the first presentation of original materials. A licensee may not earn additional PDU for subsequent presentations of the same materials within the compliance period. The licensee shall submit materials including: brochures or program, curriculum vitae demonstrating expertise, a statement of objectives and strength of evidence demonstrating references used within last 5 years.

(5) Advanced Training:

(A) Specialty certification. Achievement of an APTA or APTA Section-recognized specialty certification related to physical therapy/Advanced Proficiency for PTA will be awarded ten (10) PDU for initial certification and five (5) PDU for recertification. Credit will be granted for certification obtained within the compliance period in which the certification was granted. The licensee shall submit proof of certification for PDU

determination.

(B) Residences/Fellowships. For fellowships conferred by organizations credentialed by APTA in a specialty area of the practice of physical therapy, ten (10) PDU shall be awarded for each full year of clinical participation up to a maximum of twenty (20) PDU per compliance period for this activity.

(i) The licensee shall submit the certificate conferred on the licensee or evidence that all requirements of the fellowship program have been met.

(ii) For completion of a residency program in physical therapy offered by an APTA credentialed organization, ten (10) PDU shall be awarded for each full year of clinical participation, up to a maximum of twenty (20) PDU per compliance period for this activity.

(iii) The licensee shall submit the certificate conferred on the licensee or evidence that all requirements of the fellowship program have been met.

(6) Physical Therapy organizations

(A) Participation in the national physical therapy or multidisciplinary organization that includes physical therapy:

(i) Participation as a board member, committee chair, task force member or delegate to a national assembly earns five (5) PDU per position for a maximum of ten (10) PDU.

(ii) The licensee shall submit materials documenting the licensee as a participant (for example minutes) as well as a description of the position and a summary of the licensee's involvement.

(B) Participation in a state physical therapy or multidisciplinary organization that includes physical therapy:

(i) Participation as a voting board member or committee chair earns five (5) PDU per position for a maximum of ten (10) PDU in a compliance period.

(ii) The licensee shall submit materials listing the licensee as a participant (for example minutes) as well as a description of the position and a summary of the licensee's involvement.

(C) Participation in a regional or district physical therapy or multidisciplinary organization that includes physical therapy:

(i) Participation as a district officer earns two (2) PDU per position for a maximum of four (4) PDU in a compliance period.

(ii) The licensee shall submit materials listing the licensee as a participant (for example minutes) as well as a description of the position and a summary of the licensee's involvement.

(D) Membership in the APTA for one year earns one PDU, up to two PDU in a compliance period.

(i) The licensee shall submit membership card or certificate for each year of the compliance period.

(ii) Membership in an APTA section for one year earns one half PDU, up to one PDU in a compliance period. Additional PDU are not awarded for membership in more than one section. Section membership is validated by membership card.

(E) Learning opportunities not listed above may be considered for professional development credit, but will require pre-approval if submitted by the requested deadline.

(F) Learning opportunities not accepted include but are not limited to:

- (i) Regularly scheduled education opportunities provided within an institution, such as: rounds or on-the-job required in-service training such as CPR, blood-borne pathogens, equipment or procedural updates.
- (ii) Staff meetings.
- (iii) Meetings, workshops or seminars held by personnel with less medical training than registered physical therapists or physical therapist assistants.
- (iv) Publications for the lay public.
- (v) Presentations to lay groups and non-professionals.
- (vi) Teaching personnel, students or staff within one's job requirement-

#### **435:20-9-3.1. Approval of providers**

- (a) The Board shall approve a provider if it is satisfied that the provider's programs have met the standard set forth in 435:20-9-4(a) of this section.
- (b) Once a provider is approved, the professional development activities offered by that organization are approved for credit and no application must be made to the Board for approval.
- (c) The provider must submit the course information to the Board for posting on the Board website.
- (c) The following organizations are considered approved providers:
  - (1) Any agency or board responsible for licensing individuals to practice physical therapy in the United States or Canada.
  - (2) The American Physical Therapy Association (APTA), including any Sections, Academies, credentialed residencies and fellowships and its accrediting subsidiaries.
  - (3) State Chapters of APTA.
  - (4) The Federation of State Boards of Physical Therapy (FSBPT) and any accrediting subsidiary.
  - (5) The International Association for Continuing Education and Training (IACET).
  - (6) Any providers approved or accredited by the agencies or organizations listed in subparagraphs (1) through (5) of this paragraph.
  - (7) Physical therapist and physical therapist assistant programs approved by an agency recognized by either the U.S. Department of Education or the Council on Postsecondary Accreditation.

#### **435:20-9-4. Guidelines for the audit process**

- (a) The Physical Therapy Committee will, each compliance period, randomly or for cause select licensees for verification that all professional development requirements have been met.
- (b) Those being audited will receive notification and have thirty (30) calendar days from the date of the correspondence to submit proof of professional development to the Committee.
- (c) The Physical Therapy Committee or its appointed sub-committee shall review the documentation of each individual for compliance with established professional development standards.
- (d) Those found to be in compliance shall be notified.
- (e) Those found not to be in compliance shall be notified, by certified mail, within five (5) working days following the determination of non-compliance. They will be given specific

information concerning areas of deficiency, what further information is needed to bring them into compliance, given opportunity to submit additional documentation and/or appear in person at the next Physical Therapy Committee meeting.

(f) A summarized report shall be submitted to the Physical Therapy Committee listing the names of those audited who are in compliance with professional development requirements. Those not in compliance shall be listed with notation of deficiencies found and/or recommendations.