

WSR 21-13-119

PROPOSED RULES

DEPARTMENT OF HEALTH

(Board of Physical Therapy)

[Filed June 21, 2021, 1:28 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-19-142.

Title of Rule and Other Identifying Information: WAC 246-915-085 Continuing competency, physical therapists and physical therapist assistants. The board of physical therapy (board) is proposing general updates, revisions, and housekeeping amendments.

Hearing Location(s): On August 2, 2021, at 10:00 a.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the board will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical meeting space, will be held instead.

Physical therapy board meeting and rules hearing, August 2, 2021, at 10:00 a.m. PDT, a Microsoft Teams meeting, call in (audio only) +1 564-999-2000,,787948424# United States, Olympia, phone conference ID 787 948 424#. Join on your computer or mobile app https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F1%2Fmeetup-join%2F19%3Ameeting_OWY2MThmN2EtMjM4MC00ZjMwLTgwZmYtODM3Y2U2NmJhYzFi%40thread.v%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%252211d0e217-264e-400a-8ba0-57dcc127d72d%2522%252c%2522Oid%2522%253a%2522179ae2cc-af7d-41c0-9005-8be98625ea56%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=029b27ca-c931-4209-8f0c-495e2fe5e5b8&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true.

Date of Intended Adoption: August 2, 2021.

Submit Written Comments to: Kris Waidely, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview>, fax 360-236-2901, by July 15, 2021.

Assistance for Persons with Disabilities: Contact Kris Waidely, program manager, phone 360-236-4847, fax 360-236-2901, TTY 711, email kris.waidely@doh.wa.gov, by July 23, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The board is proposing updates, revisions, and housekeeping amendments to the continuing competency requirements as a prerequisite to renewing a license as a physical therapist or physical therapist assistant. The current rules are not clearly defined in some instances which leaves the rule up for interpretation. The board is proposing updates to the rules to provide more clarity to some of the listed continuing education activities. Also, some of the activities listed in these rules are no longer available to licensees, therefore the board is proposing to remove those activities from the rules.

Reasons Supporting Proposal: The purpose of chapter 18.74 RCW is to protect the public health, safety, and welfare and to provide for state administrative control, supervision, licensure, and regulation of the practice of physical therapy. It is the intent of the legislature that only individuals who meet and maintain prescribed standards of competence and conduct be allowed to engage in the practice of physical therapy as defined and authorized by this chapter. Reasons supporting the proposal are to: (1) Ensure physical therapists and

physical therapist assistants clearly understand required standard of care and current minimum standards in order to proactively protect patients in Washington state; and (2) ensure compliance with statutory requirements.

Statutory Authority for Adoption: RCW 18.74.023.

Statute Being Implemented: Chapter 18.74 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Board of physical therapy, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kris Waidely, Program Manager, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4847.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Kris Waidely, P.O. Box 47877, Olympia, WA 98504-7877, phone 360-236-4847, fax 360-236-7901, TTY 711, email kris.waidely@doh.wa.gov.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The rules do no [not] impact businesses; these rules pertain only to providers.

June 21, 2021
Renee Fullerton
Executive Director

OTS-2997.1

AMENDATORY SECTION (Amending WSR 20-06-029, filed 2/26/20, effective 3/28/20)

WAC 246-915-085 Continuing competency. (1) Every two years, a physical therapist shall complete thirty-two hours of continuing education (CE) through any of the following means:

	CE Type	Maximum Hours Allowed	Documentation Requirements
a.	Participation in a course, live or online, including recorded.	No limit	Keep certificates of completion for each course, and, if not contained in the certificate of completion, information describing the course sponsors, the goals and objectives of the course, the credentials of the presenter as a recognized authority on the subject presented, dates of attendance, and total hours for all continuing education courses being reported.

	CE Type	Maximum Hours Allowed	Documentation Requirements
b.	Live or recorded instructional electronic media <u>relating to the practice of physical therapy</u> that does not include specific goals and objectives <u>((relating to the practice of physical therapy))</u> .	Four hours	Instead of course goals, objectives and certificate of completion, the PT shall write and submit to the department a <u>((one-page synopsis in twelve-point font)) minimum of two takeaways</u> for each hour of running time.
c.	Books or articles reviewed.	Eight hours (reading time only)	The PT shall write and submit to the department a one-page synopsis in twelve-point font for each hour of reading time. The time spent writing a synopsis is not reportable.
d.	Preparation and presentation of professional physical therapy courses or lectures.	((Ten)) <u>Sixteen</u> hours	The PT shall submit to the department <u>((an outline of)) a description and objectives of the presentation ((materials)),</u> date, and location of presentation.
e.	Written <u>preparation and publication</u> of original scholarly research or work published in a peer-review journal.	Ten hours	The PT shall submit to the department proof of publication which may include poster presentations.
f.	Clinical instruction of physical therapy students enrolled in a physical therapy educational program accredited by the American Physical Therapy Association's Commission on Accreditation in Physical Therapy Education (CAPTE) or clinical instruction in a postgraduate residency or fellowship through the American Board of Physical Therapy Residency and Fellowship Education (ABPTRFE).	Ten hours	The PT shall obtain and submit to the department a letter or certificate from the student's academic institution verifying that the student has completed the course of clinical instruction. Each thirty-two hours of student mentorship equals one hour for purposes of CE credit.
g.	<u>((Completion of Option, which is a self-assessment tool created by the Federation of State Boards of Physical Therapy.)) Courses required for professional certification such as to work in public schools.</u>	((Five)) <u>Fifteen</u> hours	The PT shall submit a copy of the completion certificate to the department.

	CE Type	Maximum Hours Allowed	Documentation Requirements
h.	Courses provided by an accredited institution of higher education which may include, but are not limited to, courses leading to an advanced degree in physical therapy or other courses that advance the PT's competence.	No limit	The PT shall submit a transcript to the department verifying courses taken. One quarter credit is equal to ten hours; one trimester is equal to twelve hours; and one semester credit is equal to fifteen hours.
i.	((Participation in the use of the Federation of State Boards of Physical Therapy's aptitude continuing competence resource.)) <u>Attendance at science-based conferences.</u>	((Two hours)) <u>No limit</u>	((The PT shall submit verification of completion by FSBPT.)) <u>Certificate of attendance.</u>
j.	<u>Preparing for and successfully taking and passing board certification exams through the American Board of Physical Therapy Specialties.</u>	<u>No limit</u>	<u>Certificate of certification.</u>

(2) Every two years a physical therapist who holds a spinal manipulation endorsement shall complete at least ten hours of continuing education directly related to spinal manipulation with at least five hours related to procedural techniques and application of spinal manipulation. For documentation, refer to the documentation required for the particular type of continuing education chosen. The hours spent completing spinal manipulation continuing education count toward meeting any applicable continuing competency requirements.

(3) Every two years, a physical therapist assistant shall complete twenty-four hours of continuing education through any of the following means:

	CE Type	Hours Allowed	Documentation Requirements
a.	Participation in a course, live or online, <u>including recorded.</u>	No limit	Keep certificates of completion for each course, and, if not contained in the certificate of completion, information describing the course sponsors, the goals and objectives of the course, the credentials of the presenter as a recognized authority on the subject presented, dates of attendance, and total hours for all continuing education courses being reported.

	CE Type	Hours Allowed	Documentation Requirements
b.	Live or recorded instructional electronic media <u>relating to the practice of physical therapy</u> that does not include specific goals and objectives <u>((relating to the practice of physical therapy))</u> .	Four hours	Instead of course goals, objectives and certificate of completion, the PTA shall ((write and submit a one-page synopsis in twelve-point font)) submit to the department a <u>minimum of two takeaways</u> for each hour of running time.
c.	Books or articles reviewed.	Eight hours (reading time only)	The PTA shall write and submit a one-page synopsis in twelve-point font for each hour of reading time. The time spent writing a synopsis is not reportable.
d.	Preparation and presentation of professional physical therapy courses or lectures.	((Ten)) <u>Sixteen</u> hours	The PTA shall submit ((an outline)) to the department a <u>description and objectives of the presentation ((materials))</u> , date, and location of presentation.
e.	Written <u>preparation and publication of original scholarly research or work published in a peer-review journal.</u>	Ten hours	The PTA shall submit proof of publication which may include poster presentations.
f.	Clinical instruction of physical therapist assistant students enrolled in a physical therapy assistant program accredited by the American Physical Therapy Association's Commission on Accreditation in Physical Therapy Education (CAPTE) or clinical instruction in a postgraduate residency or fellowship through the American Board of Physical Therapy Residency and Fellowship Education (ABPTRFE).	Ten hours	The PTA shall obtain and submit to the department a letter or certificate from the student's academic institution verifying that the student has completed the course of clinical instruction. Each thirty-two hours of student mentorship equals one hour for purposes of CE credit.
g.	((Completion of Option, which is a self-assessment tool created by the Federation of State Boards of Physical Therapy.)) <u>Courses required for professional certification such as to work in public schools.</u>	((Five)) <u>Fifteen</u> hours	The PTA shall submit a copy of the completion certificate.

	CE Type	Hours Allowed	Documentation Requirements
h.	Courses provided by an accredited institution of higher education which may include, but are not limited to, courses leading to an advanced degree in physical therapy or other courses that advance the PTA's competence.	No limit	The PTA shall submit a transcript verifying courses taken. One quarter credit is equal to ten hours; one trimester credit is equal to twelve hours; and one semester credit is equal to fifteen hours.
i.	((Participation in the use of the Federation of State Boards of Physical Therapy's aptitude continuing competence resource.)) Attendance at science-based conferences.	((Two hours)) No limit	((The PTA shall submit verification of completion by FSBPT.)) Certificate of attendance.
j.	Preparing for and successfully taking and passing board certification exams through the American Board of Physical Therapy Specialties.	No limit	Certificate of certification.

(4) Each physical therapist and physical therapist assistant shall complete a one-time, three hour suicide assessment training described in WAC 246-915-086.

(5) Every two years, each physical therapist and physical therapist assistant shall complete two hundred hours involving the application of physical therapy knowledge and skills which may be obtained in the clinical practice of physical therapy or in the nonclinical activities which include, but are not limited to, the following:

	Clinical Activities	Hours Allowed	Documentation
a.	Physical therapy clinical practice.	No limit	Documentation of physical therapy employment, the PT or PTA shall provide copies of employment records or other proof acceptable to the board of employment for the hours being reported.
	Nonclinical Activities	Hours Allowed (within the two hundred hours required)	Documentation
b.	Physical therapy teaching of: <ul style="list-style-type: none"> • Patient/client management, prevention and wellness. • Physical therapy ethics and standards of practice. • Professional advocacy/ involvement. 	No limit	The PT or PTA shall provide documentation of such activities as acceptable to the board.

	Nonclinical Activities	Hours Allowed (within the two hundred hours required)	Documentation
c.	Active service on boards or participation in professional or government organizations, <u>or attendance at professional or government organizations meetings</u> specifically related to the practice of physical therapy.	No limit	The PT or PTA shall provide documentation of such activities as acceptable to the board.
d.	Developing course work in physical therapy schools or education programs or physical therapy continuing education courses.	No limit	The PT or PTA shall provide documentation of such activities as acceptable to the board.
e.	Physical therapy research as a principal or associate researcher.	No limit	The PT or PTA shall provide documentation of such activities as acceptable to the board.
f.	Physical therapy consulting.	No limit	The PT or PTA shall provide documentation of such activities as acceptable to the board.
g.	Management of physical therapy services.	No limit	The PT or PTA shall provide documentation of such activities as acceptable to the board.
h.	<u>Physical therapy volunteer hours or observation in physical therapy practice.</u>	<u>No limit</u>	<u>The PT or PTA shall provide documentation verifying volunteer or observation hours.</u>

[Statutory Authority: RCW 18.74.023, chapter 18.74 RCW and 2018 c 222. WSR 20-06-029, § 246-915-085, filed 2/26/20, effective 3/28/20. Statutory Authority: RCW 18.74.023 and chapter 18.74 RCW, RCW 18.340.020. WSR 18-15-067, § 246-915-085, filed 7/17/18, effective 8/17/18. Statutory Authority: RCW 18.74.023 and 43.70.442. WSR 15-14-093, § 246-915-085, filed 6/29/15, effective 7/1/15. Statutory Authority: RCW 18.74.023. WSR 08-17-026, § 246-915-085, filed 8/13/08, effective 8/13/08. Statutory Authority: RCW 18.74.023(4). WSR 04-08-101, § 246-915-085, filed 4/6/04, effective 5/7/04. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-915-085, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.74.023. WSR 94-05-014 (Order 403B), § 246-915-085, filed 2/4/94, effective 3/7/94.]