

## WSR 22-04-084

## PROPOSED RULES

## DEPARTMENT OF HEALTH

(Board of Physical Therapy)

[Filed January 31, 2022, 11:20 a.m.]

Original Notice.

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Title of Rule and Other Identifying Information: WAC 246-915A-010 Physical therapy licensure compact—Compact commission rules. The board of physical therapy (board) is proposing to update the effective date in WAC 246-915A-010 for the physical therapy compact per RCW 18.74.500, Article IX(2). This proposed rule will update the compact effective date to October 24, 2021.

Hearing Location(s): On March 8, 2022, at 12:00 p.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the board of physical therapy 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. Please register for physical therapy rules hearing on March 8, 2022, 12:00 p.m. PST, at <https://attendee.gotowebinar.com/register/1152319392261663759>. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: March 8, 2022.

Submit Written Comments to: Davis Hylkema, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview>, fax 360-236-2901, by March 1, 2022.

Assistance for Persons with Disabilities: Contact Davis Hylkema, interim program manager, phone 360-236-4633, fax 360-236-2901, TTY 711, email [davis.hylkema@doh.wa.gov](mailto:davis.hylkema@doh.wa.gov), by February 25, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to update the effective date in WAC to the compact rules' most recent version, October 24, 2021. The compact commission rules are not effective in Washington unless the board approves and adopts the rules.

Summary of changes adopted by the physical therapy compact commission rules, effective October 24, 2021, are:

(1) Rule 3.8 - adds clarifying language to a jurisprudence requirement when purchasing or renewing a compact privilege.

(2) Addition of new Rule 3.11 Self Reporting of Enrollment in an Alternative Program - requires a privilege holder to report to the physical therapy compact commission any required enrollment into an alternative program within 30 days. Notification of such automatically places an encumbrance on the individual.

Reasons Supporting Proposal: The board is proposing amendments to comply with RCW 18.74.500, Article IX(2), which mandates that the board must update the effective date of the compact rules to participate in the compact in the state of Washington.

Statutory Authority for Adoption: RCW 18.74.500, Article IX(2) and 18.74.023.

Statute Being Implemented: RCW 18.74.500, Article IX(2).

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: Davis Hylkema, Interim Program Manager, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4633.

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

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 (5)(b)(iii) exempts rules that adopt or incorporate by reference without material change federal statutes or regulations, Washington state law, the rules of other Washington state agencies, or national consensus codes that generally establish industry standards.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

January 31, 2022  
Renee Fullerton  
Executive Director

## OTS-3551.1

AMENDATORY SECTION (Amending WSR 21-11-006, filed 5/7/21, effective 5/7/21)

**WAC 246-915A-010 Physical therapy licensure compact—Compact commission rules.** (1) The physical therapy licensure compact (compact) is established in Washington under RCW 18.74.500. Its purpose is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services.

(2) The rules of the physical therapy compact commission, in effect as of October (~~25, 2020~~) 24, 2021, are adopted and incorporated by reference.

(3) A copy of the rules is available for public inspection from the department of health at <https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/PhysicalTherapyLicensureCompact/RulesInProgress> or by calling the department of health's office of customer service at 360-236-4700.

(4) A licensee may exercise a compact privilege as provided in RCW 18.74.500, Article IV. Applicable fees are set forth in WAC 246-915A-990.

[Statutory Authority: RCW 18.74.023 and 18.74.500, Article IX(2). WSR 21-11-006, § 246-915A-010, filed 5/7/21, effective 5/7/21; WSR 20-11-063, § 246-915A-010, filed 5/19/20, effective 6/19/20. Statutory

Authority: RCW 18.74.500, 18.74.023, and 2017 c 108. WSR 19-12-056, § 246-915A-010, filed 5/31/19, effective 7/1/19.]