

## WSR 23-03-106

## PROPOSED RULES

## DEPARTMENT OF HEALTH

(Board of Physical Therapy)

[Filed January 17, 2023, 5:10 p.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 30, 2022.

Hearing Location(s): On February 27, 2023, at 10:15 a.m., at Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98502; or virtual. Please follow this link to register for the virtual hearing which will give you instructions to either join the meeting on a device, or to call in to the meeting on the phone, [https://us02web.zoom.us/webinar/register/WN\\_2-X17yG-Siavk27o6YaZFQ](https://us02web.zoom.us/webinar/register/WN_2-X17yG-Siavk27o6YaZFQ). The board will provide a virtual and physical location for this hearing to promote social distancing and the safety of the citizens of Washington state.

Date of Intended Adoption: February 27, 2023.

Submit Written Comments to: Allyson McIver, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, email [physical.therapy@doh.wa.gov](mailto:physical.therapy@doh.wa.gov), fax 360-236-2901, by February 20, 2023.

Assistance for Persons with Disabilities: Contact Allyson McIver, program manager, phone 360-236-2878, fax 360-236-2901, TTY 711, email [physical.therapy@doh.wa.gov](mailto:physical.therapy@doh.wa.gov), by February 13, 2023.

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 30, 2022. The compact commission rules are not effective in Washington unless the board approves and adopts the rules.

The physical therapy compact commission rules, effective October 30, 2022, amended existing rules to:

(1) Conform with the model compact language.

(2) Change the time frame for reporting disciplinary actions to the compact commission.

(3) Clarify the change of home state notification requirements.

(4) Add a new definition of "Initial."

(5) Clarify the jurisprudence requirements.

(6) Clarify the National Physical Therapy Examination (NPTE) as the requirement for licensure.

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: Allyson McIver, Program Manager, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2878.

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. Please explain: 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.

Explanation of exemptions: The proposed changes adopt without change amendments made to the physical therapy licensure compact. The proposed rule references the compact rules most recent adopted version.

Scope of exemption for rule proposal:  
Is fully exempt.

January 17, 2023  
Harold Wright, Jr.  
Executive Director

## OTS-4268.1

AMENDATORY SECTION (Amending WSR 22-10-021, filed 4/25/22, effective 4/25/22)

**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 (~~(24, 2021)~~) 30, 2022, 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 22-10-021, § 246-915A-010, filed 4/25/22, effective 4/25/22; 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.]