

WSR 23-08-031

PROPOSED RULES

DEPARTMENT OF HEALTH

(Board of Physical Therapy)

[Filed March 28, 2023, 2:37 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-17-143.

Title of Rule and Other Identifying Information: The board of physical therapy (board) is proposing amendments to licensure requirements for foreign educated applicants under WAC 246-915-120. The board is proposing updates to the test of English as foreign language (TOEFL) scoring requirements to bring them into alignment with the Federation of State Boards of Physical Therapy (FSBPT) guidelines. Additionally, the board is proposing to remove the requirement that an applicant's first professional degree can only be from a Commission on Accreditation in Physical Therapy Education (CAPTE) approved program. Finally, additional proposed edits to clarify the language of the rule without changing its effect are being proposed.

Hearing Location(s): On June 12, 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\\_u7soEf4eQkqdmT7oSszZgg](https://us02web.zoom.us/webinar/register/WN_u7soEf4eQkqdmT7oSszZgg).

Date of Intended Adoption: June 12, 2023.

Submit Written Comments to: Davis Hylkema, Interim Program Manager, P.O. Box 47877, Olympia, WA 98504-7877, email [physical.therapy@doh.wa.gov](mailto:physical.therapy@doh.wa.gov) or <https://fortress.wa.gov/doh/policyreview/>, fax 360-236-2901, by June 2, 2023.

Assistance for Persons with Disabilities: Contact Davis Hylkema, interim program manager, phone 360-236-4633, fax 360-236-2901, TTY 711, email [physical.therapy@doh.wa.gov](mailto:physical.therapy@doh.wa.gov), by May 30, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The board is proposing amendments to TOEFL's minimum passing scores which are necessary to protect the public without creating unnecessary barriers for licensure. Washington state's current passing score requirements were originally established based on FSBPT's passing score recommendation. FSBPT's minimum passing score recommendations have since been updated. To align with FSBPT's recommendation, the board is proposing to lower the minimum passing score for the writing and speaking tests and raise the minimum passing score requirements for the reading and listening tests. Consistent licensing standards between states will help support a framework of equality and increased mobility for physical therapists and physical therapy assistants. Additionally, FSBPT research has shown that candidates who meet their recommended criteria are more likely to pass the National Physical Therapy Exam. Additionally, the board is proposing to remove the requirement that an applicant's first professional degree only must be from a CAPTE accredited program, in order to allow applicants who went on to pursue additional professional degrees in physical therapy through a CAPTE accredited program to pursue licensure outside of the foreign-educated pathway.

Reasons Supporting Proposal: The intent 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. The intent of RCW 18.74.023 is to

give authority to the board to pass upon the qualifications of applicants for a license and to certify to the secretary duly qualified applicants. The proposed rule brings Washington state's TOEFL score requirements into alignment with FSBPT's recommended scores which creates consistent licensing standards which supports a framework of equality and increased mobility for physical therapist and physical therapy assistants. The proposed rules also remove a barrier hindering applicants who, after earning a professional degree from a non-CAPTE approved program, have gone on to earn subsequent professional degree(s) from a CAPTE approved program.

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: 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 required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Davis Hy-lkema, P.O. Box 47877, Olympia, WA 98504-7877, phone 360-236-4633, fax 360-236-2901, TTY 711, email physical.therapy@doh.wa.gov.

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(4).

Scope of exemption for rule proposal:

Is fully exempt.

March 27, 2023  
Kathryn Dale, PT, DSc  
Board Chair

## OTS-4267.1

AMENDATORY SECTION (Amending WSR 22-10-016, filed 4/25/22, effective 5/26/22)

**WAC 246-915-120 Foreign educated applicants.** (1) An applicant whose ((first)) professional degree in physical therapy was awarded from a foreign physical therapy program that is not or was not accredited by the CAPTE shall submit:

(a) An application for review by the board;

(b) A credentials evaluation report of professional education and training prepared by a board-approved credentials evaluation agency. The report must be sent directly from the credentialing agency to the board. It is the responsibility of the applicant to pay the expenses associated with the credentials evaluation:

(i) The report must provide evidence and documentation that the applicant completed education outside a state or territory of the United States that is substantially equivalent to the education of a

physical therapist who graduated from a physical therapy education program accredited by CAPTE.

(ii) To be approved as a credentialing agency, the agency must use the appropriate course work tool (CWT) adopted by the Federation of State Boards of Physical Therapy to determine substantial equivalency. The appropriate CWT means the CWT in place at the time the foreign educated physical therapist earned their first professional degree in physical therapy.

(c) Evidence of English language proficiency:

(i) Verification that English is the native language of the country of origin, and the physical therapy program employs English as the language of training; or

(ii) Verification that the applicant has achieved a score of not less than 560 on the paper Test of English as a Foreign Language (TOEFL) or a score of not less than 220 on the computer Test of English as a Foreign Language (TOEFL), a score of not less than 50 on the Test of Spoken English (TSE) and a score of not less than four and one-half on the Test of Written English (TWE); or

(iii) Verification that the applicant has achieved an overall score of not less than 89, and the following minimum scores for each category of the internet-based TOEFL (ibTOEFL) examination: Writing, ((24)) 22; speaking, ((26)) 24; reading, ((21)) 22; listening, ((18)) 21.

(d) Verification of a valid, unencumbered license or authorization to practice physical therapy in the country in which the physical therapy education was obtained;

(e) Official transcripts from the physical therapy program showing degree date;

(f) Passing scores for the Washington jurisprudence examination;

(g) Passing scores for the National Physical Therapy Examination (NPTE) as described in WAC 246-915-030; and

(h) Any additional supporting documentation as requested by the board.

(2) The applicant shall have received a grade of "C" or higher (or equivalent) in all professional education course work;

(3) The applicant may apply for the college-level education program (CLEP) and their scores may be applied toward college credit. The board will consider the conversion of CLEP scores to college credits provided by a board-approved credentialing agency;

(4) The board may allow applicants to correct general education and professional education course work deficiencies by:

(a) Completing ((board-approved)) course work pre-approved by the board. To obtain ((professional)) course work preapproval, the applicant shall submit a written request along with the course description/syllabus for the proposed course; or

(b) Obtaining a new passing education evaluation from a board-approved credentials evaluation agency after correcting deficiencies as recommended by the credentialing agency. The report must be sent directly from the credentialing agency to the board; and

(5) An applicant whose ((first)) professional degree in physical therapy was awarded from a foreign physical therapy program that is or was accredited by the CAPTE shall follow the requirements under WAC 246-915-030 and 246-915-100.

[Statutory Authority: RCW 18.74.023. WSR 22-10-016, § 246-915-120, filed 4/25/22, effective 5/26/22. Statutory Authority: RCW 18.74.023 and chapter 18.74 RCW, RCW 18.340.020. WSR 18-15-067, § 246-915-120,

filed 7/17/18, effective 8/17/18. Statutory Authority: RCW 18.74.023. WSR 08-17-026, § 246-915-120, filed 8/13/08, effective 8/13/08; WSR 07-07-066, § 246-915-120, filed 3/15/07, effective 4/15/07; WSR 94-05-014 (Order 403B), § 246-915-120, filed 2/4/94, effective 3/7/94; WSR 93-04-081 (Order 328B), § 246-915-120, filed 2/1/93, effective 3/4/93; WSR 92-08-039 (Order 259B), § 246-915-120, filed 3/24/92, effective 4/24/92; WSR 91-02-011 (Order 103B), recodified as § 246-915-120, filed 12/21/90, effective 1/31/91; WSR 84-13-057 (Order PL 471), § 308-42-125, filed 6/19/84.]