

Webber, Jeanette

From: Federation of State Boards of Physical Therapy <communications@fsbpt.org>
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Important updates and timely information for FSBPT members and stakeholders

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Federation of State Boards of Physical Therapy

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New FSBPT Board Members

We are pleased to welcome Stephen Curley, Craig Miller, and Krista Wolfe as our new board members. We also look forward to having Steven Scherger serve in a new role as Treasurer. Their expertise and perspectives will contribute to our continued success and growth.

We are also grateful for the dedication and commitment of our outgoing board members, Ruggie Canizares, Ellen Donald, and Cindy Potter. Their hard work and insight have been instrumental in guiding our organization through numerous challenges and triumphs.

With these changes, we are introducing new board liaisons to jurisdictions, which you can find at the bottom of this (and every) *News Brief*. Further updates and opportunities to connect with our new liaisons will be shared soon.

Enhancing Fairness and Reducing Bias in Disciplinary Investigations

Boards can take several steps to increase fairness and decrease implicit and other unconscious biases during complaints processing and disciplinary investigations.

The Washington State Medical Commission has several recommendations that boards can consider implementing:

- Redact complaints for identifying information.
- Have the board and staff undergo implicit bias training.
- Translate complaint forms in multiple languages.
- Implement continuing competency requirements for implicit bias training.

By taking these proactive steps, boards can work towards creating a more equitable and just system for handling complaints and disciplinary investigations.

Model Practice Act Moment

We will focus on a different statute section from the Model Practice Act and its accompanying commentary each month.

Statute

3.02 Qualifications for Licensure [and Certification]

A. An applicant for a license as a physical therapist shall:

1. Complete the application process including payment of fees.
2. Submit proof of graduation from a professional physical therapy education program accredited by a national accreditation agency approved by the board.
3. Pass a national examination approved by the board.
4. Pass additional examinations [e.g., jurisprudence examination] required by the board as further established by rule.
5. Submit to a criminal records check.
6. Meet the requirements established by board rule if applicable.
7. Meet other statutory and regulatory requirements applicable to individuals licensed [certified] under this [Act]

C. An applicant for a [certificate/license] as a physical therapist assistant shall:

1. Complete the application process including payment of fees.
2. Submit proof of graduation from a physical therapist assistant education program accredited by a national accreditation agency approved by the board.
3. Pass a national examination approved by the board.
4. Pass additional examinations [e.g., jurisprudence examination] required by the board as further established by rule.
5. Submit to a criminal records check.
6. Meet the requirements established by board rule if applicable.
7. Meet other statutory and regulatory requirements applicable to individuals licensed [certified] under this [Act].

Commentary

The detailed procedure and requirements for license application should be outlined in rules rather than statutes. For example, the board shall decide what questions to include in the application form about criminal records, substance abuse, or any other conduct that shall constitute grounds for denial of a license. (See Grounds for Denial of a License [and Certificate]; Disciplinary Action, Article 4.04.) Rather than a vague statement about moral character, such questions will provide more specific information to a board about fitness to practice in addition to the qualifications for practice determined through graduation and passing an entry-level exam.

Jurisdictions may choose to require additional exams for licensure. A common example is a jurisprudence exam testing knowledge of a state's laws and rules. All licensed physical therapists (PTs) and licensed [certified] physical therapist assistants (PTAs) should be familiar with the practice act and rules under which they are allowed to work.

Many jurisdictions have administrative code that applies to applicants and licensees [certificate holders] of many different disciplines. Applicants and licensees [certificate holders] must meet these requirements to become licensed. Additionally, a jurisdiction may pass laws requiring additional coursework and assessment for applicants within that jurisdiction either at time of initial application or upon renewal. The Model Practice Act provides statutory language enabling any and all of the above examples of additional exams.

An important qualification for licensure is graduation from an accredited educational program. It is not recommended that the actual accrediting agency be named in the statutes. The agency currently accrediting physical therapy education is the Commission on Accreditation in Physical Therapy Education (CAPTE). This agency can be identified either by rule or by board policy. The model language specifies that it is the accrediting agency, rather than each educational program, that needs the approval of the board.

The U.S. Supreme Court (*Dent v. West*, 1889) upheld the constitutional right of jurisdiction licensing boards to set educational requirements for entry into practice. Accreditation, at least for U.S. professional programs, is the means of assuring standardized professional education, thereby giving licensing boards a degree of comfort in licensing a new graduate from any accredited educational program outside their jurisdiction, or granting licensure by endorsement to an applicant previously licensed in another jurisdiction who graduated from an accredited educational program.

The examination approved by the board currently in all jurisdictions is the National Physical Therapy Examination of the Federation of State Boards of Physical Therapy. Board requirements shall also include passing a jurisprudence or law exam.

As with the application process for a physical therapist, the application process for licensure or certification as a physical therapist assistant should be specified in rules.

Jurisdictions will need to determine whether to accept education as a physical therapist as a prerequisite to sit for the physical therapist assistant exam. At this time, there is minimal evidence to allow or deny an individual educated as a physical therapist the opportunity to become licensed as a physical therapist assistant. It may be argued that the knowledge and skills taught within the physical therapist assistant program represent a subset of the knowledge and skills that are taught within a physical therapist education program. There is no evidence to support the concern that graduates of a physical therapist program who become licensed as physical therapist assistants will knowingly or unknowingly use skills such as differential diagnosis, assessment of prognosis, and design plan of care; activities that they were taught in their physical therapist education program but are not within the scope of work of a physical therapist assistant.

Jurisdictions should specify in rules if any additional requirements have to be met prior to licensure of a graduate of a physical therapist program as a physical therapist assistant, such as supervised clinical practice as a physical therapist assistant, working under a restricted license, education regarding the role of the physical therapist assistant, etc.

Available Funding Opportunities

The FSBPT Board is committed to supporting its member jurisdictions in their mission to protect the public. Join the ranks of states, including Alabama, Indiana, Iowa, Louisiana, Minnesota, Nevada, North Carolina, North Dakota, Ohio, Oregon, Texas, and the Virgin Islands, that have all taken a big step toward both administrative efficiency and protecting the public. They are currently leveraging FSBPT Grants to enhance the ELDD, improve compact privilege implementation, and collect workforce data.

Your state should be next! Learn more about our available grants to help jurisdictions with enhancing your participation in or communication with our Examination, Licensure, and Disciplinary Database (ELDD), improving compact privilege implementation, or collecting workforce data.

FSBPT offers grant funding to support its member jurisdictions in their mission to protect the public. If you are interested in receiving a grant, please send an email to [FSBPT's CEO, William A. Hatherill](#) summarizing what you would like to have funded and why it is important or how it can improve efficiencies for your board.

Upcoming Webinars

We are hosting multiple upcoming webinars within the FSBPT Portal, allowing you to easily access member resources, groups, and events all in one place! Be sure to register for these upcoming webinars:

December 2024 Regulatory Hour: Recent Rulings, Real Impact: Navigating the Regulatory Landscape

- December 18, 4:00 p.m. ET

To register, please log in to the [FSBPT Portal](#), select "Events," and click on the event you'd like to register for.

Send Us Additional Recipients

Do you know of any individuals or groups that would be interested in receiving our monthly *News Brief*? Or did someone forward this to you, and you'd like to be on our list?

Please send any referrals our way! Contact us via email at communications@fsbpt.org with information, ideas, or suggestions.

We appreciate your collaboration in our effort to further our mission to protect the public.



FSBPT Forum: Revised Model Practice Act: Spotlight on Animal Physical Therapy

The revised seventh edition of the Model Practice Act includes information and guidance on animal physical therapy and offers appropriate legislative language to reflect an emerging practice area. [This article](#) is by Kirk Peck, Vice Chair of the Nebraska Board of Physical Therapy.



Spotlight on Member Resources: Cannabis and Physical Therapy

FSBPT has [put together resources for regulators who need to learn more about Cannabis](#).



Many Thanks to Our Volunteers

This month, we thank our generous volunteer members for their support of our mission.

- Exam Development Committees
-

In the News

FSBPT provides the following links for your education and awareness but does not endorse the content.

"Practical Issues in Standard Setting Part I: An Approach for Incorporating Policy Considerations with Method," Gregory Cizek and Lorin Mueller [FSBPT Managing Director, Assessment] CLEAR Exam Review, Fall 2024

"This article introduces a thoughtful amendment to standard setting processes by incorporating "historical bookmark" data. This approach provides participants with information on where previous pass rates would be located in the ordered item booklet, serving as useful guideposts without imposing limitations. We're excited to announce that

the exploration of standard setting will continue in the next issue with a follow-up article from these authors."

"Over 200 unqualified Texas educators had someone else take their exams in cheating scandal, officials say," Yahoo!news, October 30, 2024

"Five people have been charged in Texas with organizing and participating in an illegal cheating scheme that certified more than 200 unqualified teachers and helped the plot's "kingpin" rake in more than \$1 million, prosecutors said."

"In the scheme, people would typically pay \$2,500 to have proxies take certification tests for them at two testing centers in Houston. The scandal involved bribing a testing proctor to allow test applicants and their proxies to switch places, Harris County District Attorney Kim Ogg said at a [news conference](#) Monday."

"Rate of Reported Medication and Treatment Errors: U.S. versus Comparable Countries," HealthExecWire Your Healthcare Business Digital Media Source

"Percentage of adults who report having experienced medication or treatment errors in the past two years, 2020."

"2024 Trends Shaping the Health Economy: Macro Edition," trillianhealth, by Sanjula Jain

"The report offers insight into eight data-driven macro trends that are either intensifying or emerging, revealing the importance for stakeholders to optimize value for their customers, as opposed to maximizing value for themselves."

"Longitudinal study of the manifestations and mechanisms of technology-related prescribing errors in pediatrics," Oxford Academic, et al, September 11, 2024

"To examine changes in technology-related errors (TREs), their manifestations and underlying mechanisms at 3 time points after the implementation of computerized provider order entry (CPOE) in an electronic health record; and evaluate the clinical decision support (CDS) available to mitigate the TREs at 5-years post-CPOE."

"Most older adults don't trust AI-generated health information – but many aren't sure what to trust," Jeffrey Kullgren, U-M Institute for Healthcare Policy & Innovation, October 16, 2024

"20% of people age 50 and up aren't confident they can spot health-related misinformation; rates are higher among those with health issues or disabilities."

Board Report

Recently, to advance the business of FSBPT, the board approved the motions listed. Please contact your jurisdiction board liaison if you have any questions or would like additional information.

Appoint the following individuals to the Teller Committee for the 2024 elections:

- Sheri Ryan, AK (Lead Teller)
- Chelsea Cortez, WY
- Sandra Mellott, MT

Approve 2025 PT Compact Budget

Approve FCCPT Cost of Living Adjustment for board stipends.

To appoint, reappoint, or extend the following people to the exam committees listed.

Examination Development Committee-PT

- Co-chair Paul-Neil Czujko, PT (NY): January 1, 2025 to December 31, 2027
- Co-chair Marcia Himes, PT (MO): January 1, 2025 to December 31, 2025
- Co-chair Erica Peterson, PT (AZ): January 1, 2025 to December 31, 2027
- Member Demetrius Collins, PT (TX): January 1, 2025 to December 31, 2027
- Member Daniela Farro, PT (NY): January 1, 2025 to December 31, 2027
- Member Bryce Woodfield, PT (ID): January 1, 2025 to December 31, 2027
- Member Chrysta Lloyd, PT (TX): January 1, 2025 to December 31, 2027
- Member Germaine Ferreira, PT (TX): January 1, 2025 to December 31, 2027
- Member Teresa Briedwell, PT (MO): January 1, 2025 – December 31, 2025
- Member Sheri Hale, PT (VA): January 1, 2025 – December 31, 2025
- Member Navpreet Kaur, PT (PA): January 1, 2025 – December 31, 2025

Examination Development Committee-PTA

- Co-chair Jason Delavan, PT (CO): January 1, 2025 to December 31, 2027
- Co-chair Jennifer McDonald, PT (NY): January 1, 2025 to December 31, 2027
- Member Daphne Joslyn, PTA (WA): January 1, 2025 to December 31, 2027
- Member John Myers, PT (OH): January 1, 2025 to December 31, 2027
- Member Lisa Joranlien, PT (FL): January 1, 2025 to December 31, 2027
- Member Marc Duyck, PTA (OR): January 1, 2025 to December 31, 2027
- Member Andrea Constandis, PT (FL): January 1, 2025 – December 31, 2025
- Member Deanne Yates, PTA (KS): January 1, 2025 – December 31, 2025
- Member Shannon Turner, PTA (AL): January 1, 2025 – December 31, 2025
- Member Danette Neikirk, PT (FL): January 1, 2025 – December 31, 2025

Item Writer Coordinator PT

- Larisa Hoffman, PT (CO): January 1, 2025 to December 31, 2027
- Shelly Watkins, PT (NC): January 1, 2025 to December 31, 2027

To appoint, reappoint, or extend the following people to the task forces listed.

Item Writing Task Force PT

- Josh Halfpap, PT (CA): January 1, 2025 – December 31, 2025
- Jessica Jacobs, PT (SC): January 1, 2025 – December 31, 2025
- Fredy Solis, PT (TX): January 1, 2025 – December 31, 2027
- Ngozi Akotaobi, PT (LA): January 1, 2025 – December 31, 2027
- Danielle Long, PT (NJ): January 1, 2025 – December 31, 2027
- Michael Brown, PT (MS): January 1, 2025 – December 31, 2027

- LaVerene Garner, PT (KS): January 1, 2025 – December 31, 2027
- Douglas Walker, PT (IN): January 1, 2025 – December 31, 2025

Item Writing Task Force PTA

- Terri Dinsmore, PT (OH): January 1, 2025 – December 31, 2027
- Ashley Krehbiel, PTA (KS): January 1, 2025 – December 31, 2027
- Cara Bonick, PTA (IL): January 1, 2025 – December 31, 2027
- Kimberly Goff, PTA (MO): January 1, 2025 – December 31, 2027
- Jeff Miller, PT (FL): January 1, 2025 – December 31, 2027
- Jordan Tucker, PT (VA): January 1, 2025 – December 31, 2027

FSBPT Board of Directors

Members of the board of directors serve as liaisons to multiple jurisdictions.



Stephen Curley

Alabama, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, and West Virginia



Craig Miller

Illinois, Indiana, Kansas, Maryland, Michigan, Missouri, Ohio, and Utah



David Relling

Hawaii, New Jersey, North Dakota, Puerto Rico, South Dakota, and Virgin Islands



Steven Scherger

Arkansas, Colorado, Florida, Minnesota, New Mexico, Oklahoma, South Carolina, and Texas



Michelle Sigmund-Gaines

Alaska, Arizona, California, Idaho, Montana, Oregon, Washington, Wyoming



Michele Thorman

Delaware, District of Columbia, Iowa, Nebraska, Nevada, Virginia, and Wisconsin



Krista Wolfe

Connecticut, Maine, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, and Vermont

Charles E. Reiter

The public member of the board does not serve as a liaison to jurisdictions

Did you know...?

FSBPT's Board of Directors wants members to know **staff is available to assist any jurisdiction with writing statutory or regulatory language**. When you are crafting new laws or regulations/rules, especially involving FSBPT products such as the NPTE or

Coursework Tool, or controversial topics such as dry needling, **FSBPT is a resource to remember!**

Staff Contact Information

If you have questions, challenges, or ideas, we want to hear from you! (703) 299-3100

Subject	Point of Contact/Email
ADA accommodations	Christine Sousa, ext. 201
Assessment or examination development questions	Lorin Mueller, PhD npte@fsbpt.org
Continuing Competence	Jeffrey M. Rosa, ext. 239
Credentials review	Jaime Nolan, FCCPT
ELDD – Exam, Licensure and Disciplinary Database participation	eldd@fsbpt.org
Exam registration processing	Christine Sousa, ext. 201
Foreign educated issues	Leslie Adrian, ext. 233
Immigration	Jaime Nolan, ext. 403
JAM – Jurisprudence Assessment Module	communications@fsbpt.org
Legislation or Model Practice Act	Leslie Adrian, ext. 233
Meeting arrangements	Paul Delaney, ext. 223
NPDB reports/questions	Angela Johnson, ext. 249
Physical Therapy Compact	compact@fsbpt.org
PEAT® – Practice Exam & Assessment Tool	peat@fsbpt.org
Reimbursement of expenses	David Sigman, ext. 226
Other financial matters	David Sigman, ext. 226
School reports	schoolreports@fsbpt.org
Score transfer and reporting	Christine Sousa, ext. 201

SCP PET – Supervised Clinical Practice Performance Evaluation Tool	scppet@fsbpt.org
Security issues	Susan Newman security@fsbpt.org
Anything else, including news to share with members	William A. Hatherill Caitlin Jennings communications@fsbpt.org



Sign-off:

From the autumn ginkgo tree-covered banks of the Potomac, where the fish are faster, the fishing boats are longer, and the fishermen are still full of stories.

- *William A. Hatherill, CEO*



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