

From The Desk of the Investigator....

Throughout each quarter a variety of questions are presented to the Board Staff in order to obtain clarification regarding the Physical Therapist Practice Act. In an effort to widely disseminate relevant information regarding current concerns, this article will address several of the most common questions. Please feel free to contact the Board office directly at 602-274-0236 or contact me (Karen.donahue@ptboard.az.gov) if you have further questions. The Board Staff encourages anyone who has a question regarding the Arizona Physical Therapy Practice Act to contact the Board Office.

Q: Can the Board provide recommendations regarding how to bill physical therapy services?

A: No. The Board does not regulate the rules and policies of insurance companies and thus questions regarding billing and reimbursement should be directed to the insurance carrier for clarification. The Board does take into consideration the billing related to individual cases and can determine under A.R.S. 32-2044(c) whether an individual complaint has charged unreasonable or fraudulent fees for services performed or not performed. A.R.S. 32-2043 (J) mandates "A physical therapist's responsibility for patient care management includes accurate documentation and billing of services provided."

Q: How long do I have to retain patient records before they can be destroyed?

A: [12-2297](#). [Retention of records](#)

A. Unless otherwise required by statute or by federal law, a health care provider shall retain the original or copies of a patient's medical records as follows:

1. If the patient is an adult, for at least six years after the last date the adult patient received medical or health care services from that provider.
2. If the patient is a child, either for at least three years after the child's eighteenth birthday or for at least six years after the last date the child received medical or health care services from that provider, whichever date occurs later.
3. Source data may be maintained separately from the medical record and must be retained for six years from the date of collection of the source data.

B. When a health care provider retires or sells the provider's practice the provider shall take reasonable measures to ensure that the provider's records are retained pursuant to this section.

C. A person who is licensed pursuant to title 32 as an employee of a health care provider is not responsible for storing or retaining medical records but shall compile and record the records in the customary manner.

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D. A nursing care institution as defined in section 36-401 shall retain patient records for six years after the date of the patient's discharge. For a minor, the nursing care institution shall retain the records for three years after the patient reaches eighteen years of age or for six years after the date of the patient's discharge, whichever date occurs last.

Q: If, as a physical therapist, I engage in teaching community exercise classes or education do I have to consider each participant a patient and thus perform an initial evaluation, re-evaluation an discharge as prescribed in R4-24-303 (A) “A physical therapist is responsible for the scope of patient management in the practice of physical therapy as defined by A.R.S 32-2001. For each patient the physical therapist shall:

- 1. Perform and document an initial evaluation;**
- 2. Perform and document periodic reevaluation;**
- 3. Document a discharge summary and the patient’s response to the course of treatment at discharge;**
- 4. Ensure that the patient’s physical therapy record is complete and accurate, and;**
- 5. Ensure that services reported for billing, whether billed directly to the patient or through a third party, are accurate and consistent with information in the patient’s physical therapy record.**

A: No. If a physical therapist is to engage in community activities or teaches a class, provided they are not establishing a patient/client relationship, they would not have to engage in providing an evaluation for each participant. If teaching a class of current patients under the patient/client relationship, the therapist has the responsibility to perform an evaluation and develop a plan of care for each participant. If a current patient attends a public class, then it is recommended that the physical therapist documents their attendance in the patient record. It is recommended that the physical therapist, who engages in community activities or education in a group setting, that a written and signed waiver of liability be signed by each participant that clearly states that each participant understands that the instructor of this even at this facility is a physical therapist. However, the physical therapist is not responsible for knowing the medical conditions of each participant and is not, through participation in the class/event, engaging in a patient/client relationship with the participant. This statement should be followed by a general participation agreement, release and assumption of risk. This release should be in writing and signed prior to participation. Consultation with an attorney to develop this statement regarding specific settings is highly recommended. Please remember that a licensed physical therapist is obligated to uphold the Code of Ethics at all times.

Q: Can a PTA delegate services or tasks to technicians.

A: No. The law states that a physical therapy aide (technician) performs routine tasks only under the on-site supervision of a licensed physical therapist. A.R.S. §32-2043(C) specifies:

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32-2043. Supervision; patient care management

- A. A physical therapist is responsible for patient care given by assistive personnel under the physical therapist's supervision. A physical therapist may delegate to assistive personnel and supervise selected acts, tasks or procedures that fall within the scope of physical therapy practice but that do not exceed the education or training of the assistive personnel.
- B. A physical therapist assistant certified pursuant to this chapter may perform selected interventions under the general supervision of a physical therapist licensed pursuant to this chapter.
- C. A physical therapy aide and other assistive personnel shall perform designated routine tasks only under the on-site supervision of a licensed physical therapist who is present in the facility.
- D. A licensed physical therapist must provide on-site supervision of an interim permit holder.
- E. A physical therapist student and a physical therapist assistant student must practice under the on-site supervision of a licensed physical therapist.
- F. A physical therapist is responsible for managing all aspects of the physical therapy care of each patient. A physical therapist must provide:
 - 1. The initial evaluation of and documentation for a patient.
 - 2. Periodic reevaluation of and documentation for a patient.
 - 3. The documented discharge of a patient, including the response to therapeutic intervention at the time of discharge.
- G. A physical therapist must verify the qualifications of physical therapist assistants and other assistive personnel under the physical therapist's direction and supervision.
- H. For each patient on each date of service, a physical therapist must provide and document all of the therapeutic intervention that requires the expertise of a physical therapist and must determine the use of physical therapist assistants and other assistive personnel to ensure the delivery of care that is safe, effective and efficient. Documentation for each date of service must be as prescribed by the board by rule.
- I. A physical therapist assistant must document care provided but may do so without the co-signature of the supervising physical therapist if the physical therapist complies with the requirements of subsections G and H.
- J. A physical therapist's responsibility for patient care management includes accurate documentation and billing of the services provided.

Renewal Time Approaching

Renewals will again begin at the end of June. To ensure that you receive Board mailings make sure your address is current with the Board. You can complete a change of address by downloading the form off the website (<http://www.ptboard.az.gov> > Publications > Forms) and send it to the board by fax or by mail. You may also e-mail your change of address to kellye.conner@ptboard.az.gov. A licensee or certificate holder is required to notify the Board office within 30-days of a change of address of home or business. If you would like to verify what address the Board has on record, you may call Kellye at 602.274.1072

Arizona Statement of Citizenship

During the last renewal period (or at the time of your initial application) all licensees and certificate holders were required to submit the Arizona Statement of Citizenship or Alien Status for Public Benefits along with proof of status. Pursuant to A.R.S. 41-1080, as of September 30, 2008, proof of citizenship or alien status is only required for any licensee or certificate holder who:

- 1) Held a non-permanent status at the time of the last submission of the statement of citizenship;

OR

- 2) Has had a change of status from either permanent to non-permanent status or from non-permanent to permanent status.

If you fall into either of the above categories, you must submit a new *Arizona Statement of Citizenship and Alien Status for Public Benefits* form along with proof of current status with your renewal application. A non-permanent status expiring before September 1, 2010 can not be accepted for renewal.

Contact Board Staff

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