

Arizona State Board of Physical Therapy

# Newsletter

January 2008

2008 Board of  
Physical Therapy

**Joni Kalis, PT**  
Physical Therapist, Tucson  
Term Expires: 1-18-2010

**Mark Cornwall, PT, PhD,**  
Physical Therapist, Flagstaff  
Term Expires: 1-19-2009

**Randy Robbins**  
Public Member, Casa Grande  
Term Expires: 1-21-2008

**Merle Gossman**  
Public Member, Miami  
Term Expires: 1-15-07

**James Sieveke, PT**  
Physical Therapist, Tucson  
Term Expires: 1-17-11

**Lisa Akers, PT**  
Physical Therapist, Maricopa  
Term Expires: 1-17-11

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## Verification of Citizenship and Alien Status for Renewal

In the 2007 Arizona State Legislature HB 2467 was signed into law establishing a new requirement for any person applying for or renewing a professional or occupational license in the State of Arizona. Pursuant to this new statute, A.R.S. § 1-501, any individual applying for initial licensure or certification, or renewing, the same with the State of Arizona must provide documentation verifying the applicant is lawfully present in the United States.

### 1-501. Eligibility for public programs; documentation; definition

A. Notwithstanding any other state law and to the extent permitted by federal law, any person who applies for a state administered public program that requires participants to be citizens of the United States, legal residents of the United States or otherwise lawfully present in the United States, shall submit documentation to the entity that administers the state public program demonstrating lawful presence in the United States. Self-declaration of lawful presence, even if made under penalty of perjury, is not sufficient by itself to demonstrate lawful presence in the United States.

B. This section shall be enforced without regard to race, color, religion, sex, age, disability or national origin.

C. For the purposes of this section, "self-declaration" means a written or oral declaration without additional proof, even if made under penalty of perjury, that the person is a citizen of the United States, legal resident of the United States or otherwise lawfully present in the United States.

Federal law provides that a "public program" includes a professional license (8 U.S.C. § 1621(c)(1)).

Beginning in 2008 all physical therapist licensure and physical therapist assistant certification renewals will require completion of the **Arizona Statement of Citizenship & Alien Status for Public Benefits** form which is included as an insert in this newsletter. This document MUST BE COMPLETED and returned **with the required supporting documentation** to the Arizona Board of Physical Therapy by anyone who intends to renew a physical therapist license or a physical therapist assistant certificate for the 2008-2010 period. **The deadline for submission of this form is April 25, 2008.** If this form is not received by this date, you will not be eligible to renew your license or certificate using the Board's on-line application. Failure on the part of a licensee or certificate holder filing a renewal application to complete and submit the **Arizona Statement of Citizenship & Alien Status for Public Benefits** form will result in the licensure or certification renewal application either being determined incomplete or being denied by the Board.

# Important Renewal Information for 2008

## NEW INFORMATION REQUIRED FROM YOU FOR 2008 RENEWALS

Summer is on the way and our lazy hot summer is the season to renew your license or certificate. Per Arizona law, all licenses and certificates expire August 31, 2008 at midnight.

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "Qualified aliens" (and sometimes only particular categories of qualified aliens), non-immigrants, and certain aliens paroled into the United States are eligible to receive state or local public benefits. With certain exceptions, a professional license and commercial license issued by a state agency is a State public benefit. Arizona Revised Statutes § 1-105 requires, in general, that a person applying for a license must submit documentation to the licensing agency that satisfactorily demonstrates that the applicant is lawfully present in the United States.

That being said, it is of extreme importance to note that it is now the responsibility of every physical therapist and physical therapist assistant to submit documentation of citizenship **before the renewal is complete**. The document and accompanying instructions are included with this newsletter. The completed two page document must be returned before renewal and must include proof of citizenship. If you will be renewing your license or certificate online, we must receive the citizenship document and proof of citizenship before the online renewal will be accepted as complete.

In Addition: keep the following in mind. . .

**Address** ~ Did you move during 2006 or 2007 or more recently? Did you change employment? Did you notify the Board office in writing (US mail, fax or email) of the change? The Board will be mailing the renewal application in early July of 2008; therefore, it is imperative that you inform us if any of the above has changed so that we know where to send the renewal application. A.A.C. R4-24-208.

**Change of name** ~ If you are submitting a change of name, we must have legal documentation describing the change such as a copy of your marriage license, divorce decree or a copy of your social security card and driver's license. You can find the change of name form on our website at [www.ptboard.state.az.us](http://www.ptboard.state.az.us).

**Completing the renewal application** ~ Before you send the

application for renewal or submit the online renewal form, note the following:

1) If you have not completed and mailed the form, "Citizenship and Alien Status for Public Benefits" you must send it with your application. If you are doing online renewal, the document and proof of citizenship must be received before your renewal will be considered complete.

2) Verify that you have completely answered every question on the paper renewal application or online form. Renewals that are missing even one piece of information will be returned as incomplete and may result in a lapse of license or certificate if the form is not completed and returned prior to the deadline posting date of August 31, 2008. A.R.S. § 32-2027.

### **Renewal Fee** ~

The renewal fee for a physical therapist is \$160.00. The renewal fee for a physical therapist assistant is \$55.00. A.A.C. R4-24-107.

### **How can you verify receipt of your renewal?**

Board staff recommends sending the renewal application by any means of mail that requires a receipt of acceptance, i.e. certified mail or priority mail. We cannot return phone calls to confirm receipt of application due to significant time constraints.

**Be on time** ~ Submit the renewal application prior to the August 31, 2008 deadline. Board staff cannot guarantee applications received after August 15, 2008 will be processed in time for licensee/certificate holders to receive confirmation of renewal in the mail prior to August 31, 2008.

**Can you practice if you miss the deadline?** Pursuant to A.R.S. § 32-2027, you may not practice as a physical therapist or work as a physical therapist assistant until your license or certificate has been reinstated. Practicing with lapsed credentials will result in disciplinary action by the Board. A.R.S. § 32-2048.

**What happens if you miss the deadline?** You will be required to renew and reinstate your license or certificate. This will require a reinstatement fee in addition to the renewal fee. A.A.C. R4-24-107

Visit the Board's web site [www.ptboard.state.az.us](http://www.ptboard.state.az.us)

# Documentation Rules Language Proposed

At the Regular Session Meeting on December 18, 2006 the Board of PT appointed a work group to recommend new administrative rule language addressing patient documentation standards. The work group met between 5/15/07–11/01/07 and submitted a draft to the Board of proposed language establishing standards for physical therapy patient documentation. The proposed rule concerning documentation standards was the result of extensive review of documentation literature as well as consultation from experts in the field.

The resources utilized by the work group included: APTA standards for practice, guidelines for documentation, Guide to Physical Therapist Practice documentation templates, APTA Defensible Documentation, FSBPT MPA 4th edition language, various PT Magazine articles on risk management and physical therapy documentation, Medicare documentation requirements, definitions and documentation language from other Arizona licensed health professions, and documentation language from a large sampling of state practice acts.

The Board reviewed the language submitted by the Work Group and determined to disseminate the draft for wider comment by the physical therapy community via a survey posted on the Board's web site. Over 200 survey responses were received. Following the Board's review of the comments



submitted by survey respondents, the Board submitted a draft of documentation language to a rule-writing expert for final changes to comply with Arizona rule-making standards. In February 2008 the Board will discuss and adopt final language for filing with GRRC (Governor's Regulatory Review Council) and opening of a rule-making docket. The proposed rules, as well as dates for oral and written comments, will be posted on the Board's web site [www.ptboard.state.az.us](http://www.ptboard.state.az.us) in late February or March.

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## Index of Substantive Policy Statements

### 2004-01 Use of Titles

The purpose of this substantive policy statement is to clarify the proper use of titles, academic designations and professional certifications that shall be used by an Arizona licensed physical therapist.

### 2005-01 Graduates of Programs Not Yet Licensed

The substantive policy statement clarifies what patient care activities in which a graduate of a physical therapist education program may engage prior to being granted licensure by the Arizona Board of Physical Therapy.

### 2006-01 ADA Accommodations

*The purpose of this substantive policy statement is to clarify the requirements for filing a request for accommodations to the National Physical Therapy Examination (NPTE) and to the Arizona Laws Examination in order to ensure that qualified individuals with disabilities are provided the protections guaranteed them under Title II of the Americans with Disabilities Act (ADA).*

### 2006-02 Supervision; Patient Care Management

*The purpose of this substantive policy statement is to clarify the requirements for patient care management and supervision of assistive personnel by a physical therapist. The substantive policy statement also clarifies the patient care documentation requirements for both a physical therapist and a physical therapist assistant.*

### 2007-01 Interim Permit and Supervised Clinical Practice Period (SCPP) Requirements

The purpose of this substantive policy statement is to clarify the requirements for a supervised clinical practice period. The substantive policy statement also clarifies the requirements for a supervisor of an interim permit holder completing a supervised clinical practice period.

The complete Substantiated Policy Statements adopted by the Board of Physical Therapy can be viewed or downloaded from our website.

# From the Board President...Joni Kalis, P.T.

Many physical therapists and physical therapists assistants are unaware that the Arizona Board of Physical Therapy (Board) is separate and unrelated to the Arizona Physical Therapy Association (AzPTA). All licensees and certificate holders are regulated and subject to the jurisdiction of the Physical Therapy Board, whereas membership in the AzPTA is voluntary.

The Board of Physical Therapy was created by the Arizona State Legislature in 1952 and is the body politic empowered pursuant to A.R.S. §32-2001 *et seq.* to administer the laws of the State of Arizona relating to the practice of physical therapy. The Board is charged with protecting the public. The PT Board consists of 7 members: 4 Physical Therapists, 2 public members and 1 Physical Therapist Assistant (currently this position is open).

The Board conducts monthly face-to-face meetings in Phoenix, and also occasionally meets via teleconference as Board business dictates. Most meetings have quite a diverse agenda and you may be surprised by what is discussed and what types of actions the Board takes. A "typical" Board meeting may include any of the following agenda items:

Initial review of a complaint: After the Board's investigator submits a report including patient records, billing records, statements from the complainant and licensee, and interview results as appropriate to the Board, the Board reviews and discusses the case in public session. At this initial review the Board may decide to dismiss the case, issue an advisory letter, offer a consent agreement, or vote the matter to an informal or formal hearing. The Board performed 28 initial reviews in 2007.

Informal hearing: At an informal hearing, the Board hears testimony from the licensee, the complainant, or other witnesses. Often the licensee is represented by legal council. At the level of the informal hearing, the Board may dismiss the case, issue an advisory letter, or administer discipline by adopting findings of fact, conclusions of law, and possibly corrective action in the form of a Board Order. The Board conducted 14 informal hearings in 2007.

License and certificate applications: After a substantive review of the application, including official transcripts, National Physical Therapy Exam (NPTE) and Arizona Law test scores, a personal information "questionnaire", and a signed affidavit verifying the truthfulness of the statements made in the application, the Board may grant or deny a license or certificate. In 2007, the Board reviewed 327 physical therapist applications and 120 physical therapist assistant applications.

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Foreign educated physical therapists have a slightly more complicated process. Their education is reviewed by a credentialing agency to help the Board determine if their education is "substantially equivalent" to that of a U.S. graduate. The applicant must also demonstrate English proficiency and provide proof of possessing an HB1 Visa and right to reside in this country. The Board also reviews their clinical experience and may require the applicant to complete a supervised clinical practice period. In 2007, the Board reviewed 37 foreign educated applications.

Applicant disclosure of moral character: Applicants who disclose information relating to their moral character must come before the Board prior to obtaining approval to take the NPTE. Pertinent personal information on their application might include previous arrests, convictions, DUI's etc. Failure to disclose this information on the application may result in denial of license, disciplinary action, or loss of license.

Continuing Competence Non-Compliance: To renew or reinstate your license, you must sign an affirmation that you have completed 20 hours of continuing competence activities. If audited, you must provide proof of these hours. Inability or provide proof of these hours or failure to complete hours as directed may result in disciplinary action.

Summary Suspension: The Board may summarily suspend a license or certificate if the Board has evidence to suggest that a licensee or certificate holder poses an imminent threat to the safety and welfare of the public. The Board voted to summarily suspend 1 license in 2007.

Substantive Policy Statements: In 2007 the Board adopted one substantive policy statement regarding interim permits and the supervised clinical practice period.

In addition to the above, the Board also:

- promulgates rules;
- takes action when a PT or PTA is non-compliant with a board order or consent agreement;
- remands cases to formal hearing for purposes of revocation or suspension of a license or certificate;
- establishes substance abuse monitoring programs;
- issues non-disciplinary orders for continuing education (1 in 2007);
- issues advisory letters (6 letters issued in 2007);
- accepts the voluntary surrender of a license or certificate through a consent agreement (1 in 2007)

The PT Board meets on the 4<sup>th</sup> Tuesday of every month at 1400 W. Washington in Phoenix and all meetings are open to the public. I encourage everyone to attend a meeting (or two) in 2008 and I hope to see you there!

# FAQs Concerning General Supervision of PTAs

1. Can a PTA supervise a physical therapy aide (technician)?

*No. Neither A.R.S. §32-2043. Supervision; patient care management nor A.A.C. R4-24-303. Patient Care Management grants any authority to a PTA to supervise any assistive personnel.*

2. Do I need to be within 50 miles of the PTA for whom I am providing general supervision?

*No. The temporary session law that was in effect from 9/19/06 to 7/01/07 stipulated that the supervising PT be within 50 miles of the PTA providing selected treatment interventions. The current rule A.A.C. R4-24-303(F)(3) that replaced the temporary session law on 7/02/07 requires that a PT who provides general supervision for a PTA “go to the location at which and on the same day that the physical therapist assistant provides a selected treatment intervention if the physical therapist, after consultation with the physical therapist assistant, determines that going to the location is in the best interest of the patient.”*

3. What can I do if my employer wants me to provide general supervision to a PTA and I am not comfortable doing so?

*Pursuant to A.R.S. §32-2043(H) only a PT may determine the use of PTAs and other assistive personnel to ensure the delivery of care that is safe, effective and efficient. No other person is authorized by law to make this determination. The same statute at subsection (A) states “a physical therapist is responsible for patient care given by assistive personnel under the physical therapist’s supervision”.*

4. How do I comply with the requirement that I verify that the PTA I am supervising has completed at least 2,000 hours of experience as a PTA working with patients under the on-site supervision of a PT?

*The rule A.A.C. R4-24-303(D)(2) states that the supervising PT must “ensure” the PTA has met this requirement. Without documentation to establish this fact, it would be difficult for the supervising PT to prove compliance with this rule. A PT who accepts verification of a PTA’s prior experience from a third party may be wise to consider the potential risks and implications of doing so.*

5. Can I provide general supervision to a person who is a PTA in another state but who is awaiting certification in Arizona?

*No. That person may only work as a physical therapy aide (technician) under the on-site supervision of a PT until that*

*person is certified as a PTA by the Arizona Board of Physical Therapy.*

6. How do I ensure that I am complying with the requirement that I reevaluate and treat a patient every 4th treatment visit or every 30 days, whichever occurs first, when on some days the PTA who is also providing selected treatment interventions is doing so under on-site and general supervision intermittently?

*On the days a PT is providing on site supervision to a PTA, the requirement that the PT reevaluate and treat a patient every 4<sup>th</sup> treatment visit or every 30 days, whichever occurs first, **does not** apply. On the days a PT provides general supervision to a PTA, this requirement **does** apply. A dynamic whereby on-site and general supervision is provided intermittently may very well exist; however, the supervising PT is responsible for monitoring this situation to ensure that this rule is not violated when general supervision is provided.*

7. Do any of the requirements such as that which requires a PT to reevaluate and treat a patient every 4th treatment visit or every 30 days, whichever occurs first, apply when I am supervising a PTA under on-site supervision?

*No.*

8. What happens if I am providing general supervision for a PTA treating patients in a home health setting and I am working someplace where I don’t have cell phone service?

*If the supervising PT cannot accept telecommunications from the PTA, the PT cannot comply with A.R.S. §32-2001(3) “general supervision means that the supervising PT is on call and is readily available via telecommunications when the PTA is providing treatment interventions”. Additionally, the PT is in violation of A.A.C. R4-24-303(F)(2), a physical therapist who provides general supervision for a physical therapist assistant shall respond to a communication from the physical therapist assistant within 15 minutes.*

9. Can a physical therapist student provide general supervision to a PTA who is working off-site?

*No. A physical therapist student is not a licensed physical therapist and therefore the statutes do not grant a student any authority to supervise a PTA or other assistive personnel.*

10. Can I go on vacation for a week and have my PTA treat the patients under my general supervision while I am gone if the PTA knows how to perform the treatments in the patients’ plans of care?

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# FSBPT Practice Review Tool

In 2008 the Federation of State Boards of Physical Therapy (FSBPT) is moving forward with the development of new tools and resources to assist physical therapists in assessing their ongoing competence.

One new instrument that is in development is the Practice Review Tool. The first Practice Review Tool, which goes live in July 2008, is designed to cover general physical therapy knowledge. This means all licensed PTs can take the PRT to see how their knowledge, skills and abilities rate when assessed in an objective manner.

What exactly is the PRT?

- An exciting, new initiative created by the FSBPT to assist PTs in determining their ongoing competence.
- A scenario-based, multiple-choice assessment that emphasizes clinical application of content knowledge.
- A scored assessment where the score is released directly to the licensee. Scores will NOT be sent to state physical therapy licensing boards.
- A tool for guiding a PT in selecting future continuing competence or continuing education opportunities.

The Arizona Physical Therapy Board supports the development of continuing competence tools and has agreed to participate as a pilot state for the PRT.

What is the PRT pilot?

The pilot phase of the PRT will allow the FSBPT to assess the statistical validity of the items before the final forms of the tool are assembled for delivery. The pilot is a crucial step in the tool's development and we are looking for volunteers to take the pilot version of the PRT.

Volunteers will receive 10 hours of Category A continuing education credit from the Arizona Physical Therapy Board for the 2006 – 2008 licensure period. This will assist therapists in meeting the continuing competence requirements for licensure renewal for the 2006 – 2008 period.

Some Important Facts About the Pilot

- Participation is strictly voluntary.
- The pilot is FREE.
- The PRT pilot will be conducted through Pro-metric test centers.
- Registration is scheduled to open in February, pilot testing in March.
- Several dates will be available throughout March including Saturdays.
- Only 400 volunteers will be able to participate in the pilot.
- Participants will receive a certificate of completion and a score report.

How Do I Register for the Pilot?

- Send an email to [PracticeReview@fsbpt.org](mailto:PracticeReview@fsbpt.org).
- Check the FSBPT website, [www.PracticeReview.fsbpt.org/PilotA](http://www.PracticeReview.fsbpt.org/PilotA), to see if registration is open.

The Arizona Physical Therapy Board strongly encourages licensees to register for the Practice Review Tool pilot and participate in this important first step in developing competency assessment tools for the profession.

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## Supervision FAQs—continued

*Pursuant to A.A.C. R4-24-303(F)(3) the supervising physical therapist must go to the location at which and on the same day that the physical therapist assistant provides a selected treatment intervention if the physical therapist, after consultation with the physical therapist assistant, determines that going to the location is in the best interest of the patient. If you are on vacation you are presumably unable to comply with this requirement in the law.*

11. If the physical therapist is ill and cannot come to work can the department manager provide supervision for the PTA and PT tech who normally work for the ill physical therapist?

*Only if the department manager is a PT and can comply with A.R.S. §32-2043 and A.A.C. R4-24-303.*

12. If I do the initial evaluation of a patient and at the 2<sup>nd</sup> visit the patient is treated by a PTA and I am not working that day but another PT is covering my patients, am I considered the PT providing general supervision for the PTA at the 2<sup>nd</sup> visit since I performed the initial evaluation?

*No. Pursuant to A.R.S. §32-2043(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." Therefore, the PT providing supervision of the PTA during the patient's 2<sup>nd</sup> visit assumes this responsibility.*

# Board Happenings

## Staff Introductions...

Ms. Paula Brierley joined the staff in May of 2007 just in time to help the agency deal with the massive summer onslaught of applications from new PT and PTA graduates, and for the relocation of the Board office. Paula previously served as the Deputy Director of the Arizona Naturopathic Physicians Board of Medical Examiners and the Arizona Board of Massage Therapy (a dual Board agency) for four years, and she was the Licensing Administrator/Investigator for the Arizona Board of Veterinary Medical Examiners for two years. Prior to her service with the State of Arizona she spent a total of 13 years working in the Office of Admissions processing applications and transcripts at Washington State University.

The Board staff also welcomes Ms. Kellye Daldrup in a recently created new staff position – Office Manager. Kellye previously provided temporary staff support during the 2004 and 2006 licensure renewal periods as well as periodic clerical assistance for the staff on an as-needed basis. Kellye works 30 hours per week performing a variety of administrative duties including Board meeting preparations, data-base updates and maintenance, payroll and accounting support and correcting the Executive Director's filing mistakes. She is currently a junior studying for her bachelor's degree in Criminal Justice through Northern Arizona University's distance learning program.

Peg Hiller, P.T., Investigator for the Board recently completed nine years of employment with the Board and Heidi Herbst Paakkonen, Executive Director, has served the Board for six-and-a-half years. The members of the Board staff strive to work effectively and efficiently to address the needs of the members of the public – including Arizona licensed physical therapists and certified physical therapist assistants. Please call upon us if you have questions!



Arizona Board of PT: Standing Joni Kalis, PT, James Sieveke, PT, Lisa Akers, PT.  
Seated Mark Cornwall, PT, Randy Robbins, Public member.

## To Tell or Not to Tell

R4-24-104 provides that all of the following is considered confidential and is not released by Board staff as public information:

- Social Security number,
- Home address or telephone number *unless the address or telephone number is the only address or telephone number of record*
- Credential evaluation report, education transcript, grades or exam scores
- NPTE PT or PTA exam scores
- Diagnosis and treatment records
- Information or a document related to investigations by the Board until the information or document becomes a public record or as required by law.

## Applicant Information

The Board office advises all applicants for physical therapist licensure and physical therapist assistant certification that no information concerning any application file will be disclosed to any third party. Application information is confidential and this policy has been implemented to protect sensitive information.

In addition, Board staff will not release test scores to anyone, including the applicant, over the telephone or in an email for the same reason. Applicants can verify online at the FSBPT website whether they have passed or failed either of the required examinations. The actual exam scores are sent directly to the applicant via U.S. mail in an envelope marked confidential as soon as the application requirements have been completed.

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## \$\$\$ FEES \$\$\$

The Board of Physical Therapy routinely fulfills the following public records requests for a fee:

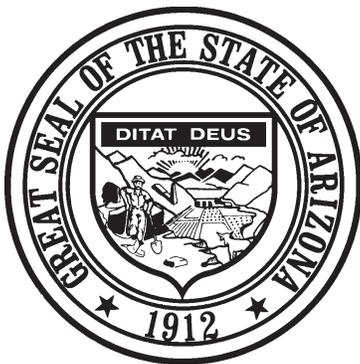
- Official Letter of Verification: \$15.00
- Duplicate Wall License/Certificate with a wallet card: \$10.00
- PT Directory alone \$250.00
- PT together with the PTA Directory \$250.00
- PTA Directory alone \$50.00
- Arizona Revised Statutes and Rules booklet \$5.00

Payment may be in the form of a personal check if the person requesting the public record is licensed or certified by this Board; otherwise we require a money order, cashier's check or company check made payable to the AZ Board of Physical Therapy. The board waives these fees for public organizations.

# PT Board Facts & Figures

The Arizona Board of Physical Therapy maintains application statistics for various fiscal projections and for reporting requirements. This chart reveals some application trends that may be of interest – notably a significant increase in physical therapist assistant applications filed since fiscal year 2005 and a recent very precipitous decrease in physical therapist by endorsement applications filed.

Application type	# of apps. received					
	2002	2003	2004	2005	2006	2007
PT by Endorsement	154	158	199	245	265	191
PT by Examination	106	101	97	114	111	136
Physical Therapist Assistant**	59	83	59			
PTA by Endorsement				48	60	69
PTA by Examination	0	0	0	21	36	51
Foreign-educated PT Licensure	19	22	20	42	58	37
TOTALS	338	364	375	470	530	484
% increase/decrease over prior year		8%	3%	25%	13%	-10%



\*\*Statutory change in 2004 changed how PTA application data was recorded.

## Arizona State Board of Physical Therapy 2008 Substantive Review and Meeting Dates

The Board of Physical Therapy meets in public session on the 4th Tuesday of every month. Individuals wishing to submit items for the Board to consider at the monthly meeting must provide these materials according to the schedule posted below. All applications must be complete by the submission deadline listed below. By law the Board must conduct all of its business in public session according to an agenda posted at least 24 hours prior to the meeting.

2008 Submission deadline 4:00 p.m. on:	2008 Regular Session Board Meeting 1400 W. Washington, Phoenix AZ 85007
January 11, 2008	January 22, 2008
February 15, 2008	February 26, 2008
March 14, 2008	March 25, 2008
April 11, 2008	April 22, 2008
May 16, 2008	May 27, 2008
June 13, 2008	June 24, 2008
July 11, 2008	July 22, 2008
August 15, 2008	August 26, 2008
September 12, 2008	September 23, 2008
October 17, 2008	October 28, 2008
November 2008 TBA	November 2008 TBA
December 2008 TBA	December 2008 TBA

The Board has the authority to make scheduling changes and to schedule special session meetings as needed. To confirm dates, contact the board office at (602) 274-0236 or visit the web site at [www.ptboard.state.az.us](http://www.ptboard.state.az.us) and click on the calendar link.

# Continuing Competence Audit....Are You Ready?

This summer physical therapists will receive information about renewing their licenses to practice physical therapy in the state of Arizona. Your current license expires 08/31/08. Practicing with an expired license is a violation of A.R.S. §32-2048.

With renewal you will be required to sign a statement affirming that you have completed the required contact hours of continuing competence activities (Article 4 in the board's administrative rules) during the compliance period of 09/01/06–08/31/08. Remember that when you sign this statement you are attesting to the fact that you have indeed completed the required contact hours.

There are 3 different categories (A, B, & C) in which continuing competence activities may be allocated. The Continuing Competence Self-Tracking Form, listed under the "Documents" heading at [www.ptboard.state.az.us/public/ptays/home.asp](http://www.ptboard.state.az.us/public/ptays/home.asp), can assist you in determining whether or not you have met the continuing competence requirements. You are encouraged to download and complete this form to help you track your own hours. You should review your continuing competence documents and make sure they include date, place, course title, course sponsor, schedule, presenter, number of contact hours received for the activity and proof of completion.

At least **10 contact hours** must meet the definitions of Category A. Contact hours in Category A have been approved by one of the following: 1) an accredited medical, PT or health care education program; 2) a national or state medical, PT or health care association, or a component of the association; or 3) a national medical, PT or health care specialty society. This includes PT clinical specialty certification coursework and post-graduate PT education from an accredited college or university. No more than half of the hours from Category A can be obtained from non-clinical coursework or activities. Please review your certificates carefully to ensure that the course has truly been accredited by one of the aforementioned groups. Do not confuse the business entity offering the course with an accrediting body.

Categories B & C consist of a variety of activities that **have not been approved** for contact hours by a Category A organization. No more than a total of 10 hours from B & C combined are accepted. There is a 5 hour contact maximum for each of the sub-groups within B & C, and no more than 5 hours can be from non-clinical work.

Category B1 is for Study Groups. A group is considered a "study group" if there is the structured study of a clinical PT topic having a minimum of 3 participants; each 2 hours of participation equals 1 contact hour. Category B2 is Self-Instruction. This means a structured course of self-study relating to one clinical PT topic. 60 minutes of Self-Instruction equals 1 contact hour. Self Instruction may be directed by a correspondence course, video, internet or satellite program. Category B3 is In-service. This means attendance at a presentation relating to the practice of PT or patient welfare/safety, including CPR; 60 minutes equals 1 contact hour.

Category C1 is Practice Management. This includes coursework concerning PT administration, ethics, law, professionalism etc. 60 minutes equals 1 contact hour. Category C2 is Teaching/Lecturing. This means the presentation of an original program relating to PT practice for health care professionals; 1 hour of instruction equals 2.5 contact hours. Category C3 is Publication. Writing for a professional publication, platform or poster presentation applicable to the practice of PT. There must be a minimum of 1,500 words and it must be published by a 3 party publisher.

**Excluded** from credit for continuing competence activities are staff meetings, presentations or publications directed at lay groups, routine teaching as part of a job requirement, and regularly scheduled institutional activities such as rounds or case conferences. The Board **does not approve** any activities for continuing competence credit. Board staff is available to assist licensees in understanding the requirements described in the rules.

Written by Yvonne Harrison, P.T.  
Continuing Competence Audit Committee

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## New Medical Records Statute Affecting Arizona Licensed Health Professionals

Effective September 21, 2006, A.R.S. 32-3211 Medical Records; Protocol; Unprofessional Conduct; Corrective action; Exemptions stipulates that all licensed health care professionals, including physical therapists, are subject to certain requirements concerning establishing written protocols for the secure storage, transfer and access of the medical records of the health professional's patients. Failure to comply with the requirements of the statute can result in a finding of unprofessional conduct and a disciplinary order issued by the Board. Arizona licensed physical therapists must indicate compliance with the requirements of the new statute on their application for renewal of license in 2008. You can find A.R.S. §32-3211 at: [www.azleg.gov](http://www.azleg.gov) and follow the links to Statutes (Arizona Revised Statutes) Title 32, Chapter 32, Article 1 (32-3211).

# BOARD DISCIPLINARY ACTION

## January 2007–January 2008

Minutes of the Regular Session meetings of the Board of PT are public record are posted on the Board's web site and are available upon request, as are Consent Agreements and Board Orders. Copies of Board minutes and disciplinary action documents may be obtained by submitting a Public Records Request form that is available on the Board's web site at [www.ptboard.state.az.us](http://www.ptboard.state.az.us).

Case #	Name	Lic. #	Violation(s)	Description	Action	Date of action
#06-04	Lawrence Hurst, PT	2232	§32-2044(1) §32-2044(9)	Violating statute Disciplinary action in another state	4 years probation	1/23/07
#06-06	Tonya Bunner, PT	5337	§32-2044(1) §32-2044(20)	Violating statute Inadequate records	1 year probation	2/27/07
#06-08	Julie Parish, PT	5214	§32-2044(1) R4-24-401 §32-2044(3) §32-2044(14)	Violating Board Order Failing to submit continuing competence evidence Obtaining a license by fraud Making deceptive representations	License revocation	7/25/07
#06-16	Dana Kernan, PT	6280	§32-2044(12) §32-2044(20)	Unethical conduct Inadequate records	6 months probation	6/26/07
#06-17	Roger Surette, PT	1091	§32-2044(20)	Inadequate records	1 year probation	7/25/07
#06-18	Patrick Domanico, PT	0495	§32-2044(1) R4-24-301(C) §32-2044(12) §32-2044(13)	Violating statute Failing to obtain informed consent Unethical conduct Fraudulent fees	1 year probation	8/30/07
#06-20	William Sifling, PT	3204	§32-2044(1) §32-2044(7) §32-2044(3) §32-2044(9) §32-2044(12)	Violating statute Conviction of a felony Obtaining a license by fraud Disciplinary action in another state Unethical conduct	Decree of Censure 5 years probation	11/29/07 12/01/07
#06-21	Melissa Hourihan, PT	4405	§32-2044(20) §32-2044(22)	Inadequate records Treatment beyond the point of benefit	12 months probation	9/25/07
#06-22	Kimberly Ramsey, PT	5707	§32-2044(1) §32-2044(3) §32-2044(9) §32-2044(12) §32-2044(23)	Violating statute Obtaining a license by fraud License denial in another state Unethical conduct Failing to report address change	6 months probation	8/30/07
#07-10	Margaret Gurnett, PT	7537	§32-2044(1) §32-2044(12) §32-2044(8) §32-2044(23)	Violating statute Unethical conduct Practicing when impaired Failing to report address change	License suspension 5 years probation	10/25/07

The following physical therapists failed to renew their licenses/certificates by expiration on 8/31/06 and continued to practice/work following lapse. They were found in violation of statute (A.R.S. §32-2044(1), failing to timely renew (A.R.S. §32-2027) and unlawful practice (A.R.S. §32-2048(A). Disciplinary action was imposed through consent dependent on the length of time of unlawful practice:

UPI#	Name	Lic. #	Action	Date of action
#06-16	Scott Peterson, PT	4362	(45 days with lapsed license) \$1,950 civil penalty, 20 hours community service, jurisprudence examination, notice to payers	Jan. 18, 2007
#06-17	Jillian Anderson, PT	6971	(41 days with lapsed license) \$1,000 civil penalty, 20 hours community service, jurisprudence examination, notice to payers	Apr. 27, 2007
#07-01	Melani Byrnes, PT	4117	(56 days with lapsed license) \$1,000 civil penalty, jurisprudence examination	Mar. 27, 2007

# BOARD DISCIPLINARY ACTION

Following renewal in 2006 the Board of Physical Therapy randomly selected for audit ten percent of the physical therapists who renewed their licenses on or before August 31, 2006. Additionally, all physical therapists who failed to renew their licenses by September 1, 2006 but who later reinstated and renewed the license were audited for compliance with the continuing competence requirements. Pursuant to A.A.C. R4-24-401(J) "A licensee found not in compliance with the continuing competence requirements shall have six months from the notice of non-compliance to satisfy the continuing competence requirements."

Physical therapists who failed to establish compliance within six months were disciplined by the Board through Consent Agreements or Hearings and were required to complete their continuing competence hours, to pay a civil penalty and, frequently, to take and pass the Arizona Jurisprudence examination. Of note, physical therapists who affirmed on renewal that they had obtained their required hours but who, upon audit, reported less than the required hours, or who failed to respond after the six month allowance, were found in violation of A.R.S. §32-2044(3) "Obtaining or attempting to obtain a license or certificate by fraud or misrepresentation." and A.R.S. §32-2044(14) "Making misleading, deceptive, untrue or fraudulent representations in violation of this chapter or in the practice of the profession."

The following physical therapists came before the Board for failing to fulfill the continuing competence requirements for renewal in 2006:

Case#	Name	Lic. #	Disposition	Action
CC-06-01	Amy Brill, PT	6833	Informal hearing	Dismissed
CC-06-02	Angell Eggleston, PT	6552	Voluntary surrender of license	
CC-06-03	Marjorie Huber, PT	0266	Consent Agreement	\$500 civil penalty, jurisprudence examination
CC-06-04	Margaret Batalden, PT	2662	Consent Agreement	\$250 civil penalty, jurisprudence examination
CC-06-05	Carene MacElwee, PT	6007	Consent Agreement	\$250 civil penalty, jurisprudence examination
CC-06-06	Timothy Pate, PT	5209	Consent Agreement	\$250 civil penalty, jurisprudence examination
CC-06-07	James Kostrewa, PT	4204	Consent Agreement	\$1,000 civil penalty, jurisprudence examination
CC-06-08	Stacy Foote, PT	2396	Consent Agreement	\$1,000 civil penalty, jurisprudence examination
CC-07-01	Michael Webster, PT	4404	Informal hearing	Decree of Censure
CC-07-02	Helena Flansburg, PT	5185	Informal hearing	Advisory Letter
CC-07-03	Charlynn Darrach, PT	5487	Consent Agreement	\$500 civil penalty
CC-07-04	Kimberly Ramsey, PT	5707	Consent Agreement	\$500 civil penalty
CC-07-05	Tara Kempers, PT	3698	Consent Agreement	\$500 civil penalty
CC-07-06	Judith Bates, PT	6521	Pending	
CC-07-07	Melody Pinkerton, PT	3765	Informal hearing	Decree of Censure

## License or Certificate Verification Request

To ensure a successful and timely verification of your PT license or PTA certificate, please make sure that all of the following is provided to Board staff:

- Request for verification in the form of either the license verification form found on our web site [www.ptboard.state.az.us](http://www.ptboard.state.az.us) or a letter from you that includes the name and address of the agency, company or individual to whom you want the verification to be sent;
- Personal check, money order or certified check for \$15.00;
- Your PT or PTA license number.

The document sent includes the license/certificate number, date of original issue, expiration date, current status and disciplinary action. It will take approximately 2 to 4 business days to process the verification request.

## UPDATE and VERIFICATION OF ADDRESS AND TELEPHONE

Pursuant to A.R.S. §32-2044(23) and A.A.C. R4-24-208 (E), each licensee and certificate holder is responsible for reporting to the Board a name change and changes in business and home addresses and telephone numbers no later than 30 days after the change. A name change must be accompanied by a legal document. Changes of address and telephone numbers (business or home) must be submitted to the Board office in writing either via mail, fax (602-274-1378) or e-mail (kellye.daldrup@ptboard.state.az.us). For your convenience the following Change of Address/Telephone form may be used to submit any changes to your contact information.

Name \_\_\_\_\_ Lic. / Cert. # \_\_\_\_\_ E-mail \_\_\_\_\_

Name Change\*\* \_\_\_\_\_ (\*\*Must include copy of legal documentation)

Home Address \_\_\_\_\_

Home Telephone \_\_\_\_\_

Business Name \_\_\_\_\_

Business Address \_\_\_\_\_

Business Telephone \_\_\_\_\_

**ARIZONA STATEMENT OF CITIZENSHIP  
AND ALIEN STATUS FOR STATE PUBLIC BENEFITS**  
Professional License and Commercial License  
**Arizona State Board of Physical Therapy**

Form 1: LONG FORM APPLICANT STATEMENT (revised) REQUIRING SUBMISSION OF  
DOCUMENTATION OF STATUS

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 1-501 requires, in general, that a person applying for a license must submit documentation to the licensing agency that satisfactorily demonstrates that the applicant is lawfully present in the United States.

**Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III. Submit this completed form and copy of one or more documents that evidence your citizenship or alien status with your application for license or renewal.**

**SECTION I - APPLICANT INFORMATION**

APPLICANT'S NAME (Print or type) \_\_\_\_\_ DATE \_\_\_\_\_

TYPE OF APPLICATION (check one): \_\_\_\_\_ INITIAL APPLICATION \_\_\_\_\_ RENEWAL \_\_\_\_\_

TYPE OF LICENSE \_\_\_\_\_

**SECTION II - CITIZENSHIP OR NATIONAL STATUS DECLARATION**

**Directions:** Attach a legible copy of the front and the back (if any) of a document from the attached List A or other document that demonstrates U.S. citizenship or nationality. Name of document provided: \_\_\_\_\_

A. Are you a citizen or national of the United States? (check one)     Yes     No

B. If the answer is "Yes," where were you born? List city, state (or equivalent), and country

City \_\_\_\_\_ State (or equivalent) \_\_\_\_\_ Country or Territory \_\_\_\_\_

If you are a citizen or national of the United States, go to Section IV. If you are not a citizen or national of the United States, please complete Sections III and IV.

**SECTION III - ALIEN STATUS DECLARATION**

**Directions:** To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of the front and back (if any) of a document from the attached List B or other document that evidences your status. A.R.S. § 1-501. Name of document provided: \_\_\_\_\_

**"Qualified Alien" Status** [8 U.S.C. § 1621 (a)(1), -1641(b) and (c)]

1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).

2. An alien who is granted asylum under Section 208 of the INA.

- 3. A refugee admitted to the United States under Section 207 of the INA.
- 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- 7. An alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).
- 8. An alien who is, or whose child or child's parent is, a "battered alien" or an alien subjected to extreme cruelty \_\_\_\_\_ in the United States.

**Non-immigrant Status** (8 U.S.C. § 1621(a)(2))

- 9. A non-immigrant under the Immigration and Nationality Act [§ U.S.C. 1101 *et seq.*] Non-immigrants are persons who have temporary status for a specific purpose. See 8 U.S.C. § 1101(a)(15).

**Alien Paroled into the United States For Less Than One Year** [8 U.S.C. § 1621(a)(3)]

- 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA.

**Other Persons** (8 U.S.C. § 1621(c)(2)(A) and (C))

- 11. A non-immigrant whose visa for entry is related to employment in the United States, or
- 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in the Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*];
- 13. A foreign national not physically present in the United States.

**Otherwise Lawfully Present** (A.R.S. § 1-501)

- 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States. **PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure.** See 8 U.S.C. § 1621(a).

<b>SECTION IV - DECLARATION</b>
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**All applicants must complete this section.** I declare under penalty of perjury under the laws of the state of Arizona that the answers I have given are true and correct to the best of my knowledge.

\_\_\_\_\_  
 APPLICANT'S SIGNATURE

\_\_\_\_\_  
 TODAY'S DATE

**Attachment: Lists A and B Evidence of U.S. Citizenship, U.S. National Status, or Alien Status**

## Attachment to Form 1 Applicant Statement

### EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

#### LIST A: U.S. CITIZEN OR U.S. NATIONAL

Note: In this List, the term “Service” refers to the U.S. Citizenship and Immigration Service, formerly, the U.S. Immigration and Naturalization Service (INS).

[Source: Proposed Rules, Verification of Eligibility for Public Benefits, 8 CFR § 104.23; 63 FR 41662-01 August 4, 1998); and Interim Guidance of Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (“Interim Guidance”), 62 FR 61344 (Nov. 17, 1997), Attachment 4]

#### **Evidence showing U.S. citizen or U.S. national status includes the following:**

##### **a. Primary Evidence:**

- (1) A birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction);
- (2) United States passport;
- (3) Report of birth abroad of a U.S. citizen (FS-240) (issued by the Department of State to U.S. citizens);
- (4) Certificate of Birth (FS-545) (issued by a foreign service post) or Certification of Report of Birth (DS-1350), copies of which are available from the Department of State;
- (5) Form N-561, Certificate of Citizenship;
- (6) Form I-197, United States Citizen Identification Card (issued by the Service until April 7, 1983 to U.S. citizens living near the Canadian or Mexican border who needed it for frequent border crossings) (formerly Form I-179, last issued in February 1974);
- (7) Form I-873 (or prior versions), Northern Marianas Card (issued by the Service to a collectively naturalized U.S. citizen who was born in the Northern Mariana Islands before November 3, 1986);
- (8) Statement provided by a U.S. consular official certifying that the individual is a U.S. citizen (given to an individual born outside the United States who derives citizenship through a parent but does not have an FS-240, FS-545, or DS-1350); or
- (9) Form I-872 (or prior version), American Indian Card with a classification code “KIC” and a statement on the back identifying the bearer as a U.S. citizen (issued by the Service to U.S. citizen members of the Texas Band of Kickapoos living near the U.S./ Mexican border).

[Source: Interim Guidance of Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (“Interim Guidance”), 62 FR 61344 (Nov. 17, 1997), Attachment 4]

##### **b. Secondary Evidence**

If the applicant cannot present one of the documents listed in (a) above, the following may be relied upon to establish U.S. citizenship or U.S. national status:

- (1) Religious record recorded in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction) within three 3 months after birth showing that the birth occurred in such jurisdiction and the date of birth or the individual’s age at the time the record was made;
- (2) Evidence of civil service employment by the U.S. government before June 1, 1976;
- (3) Early school records (preferably from the first school) showing the date of admission to the school, the applicant’s date and U.S. place of birth, and the name(s) and place(s) of birth of the applicant’s parents(s);
- (4) Census record showing name, U.S. nationality or a U.S. place of birth, and applicant’s date of birth or age;

- (5) Adoption finalization papers showing the applicant's name and place of birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction), or, when the adoption is not finalized and the state or other U.S. jurisdiction listed above will not release a birth certificate prior to final adoption, a statement from a State-or jurisdiction-approved adoption agency showing the applicant's name and place of birth in one of such jurisdictions, and stating that the source of the information is an original birth certificate;
- (6) Any other document that establishes a U.S. place of birth or otherwise indicates U.S. nationality (e.g., a contemporaneous hospital record of birth in that hospital in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)(unless the applicant was born to foreign diplomats residing in such a jurisdiction);

**c. Collective Naturalization**

If the applicant cannot present one of the documents listed in (a) or (b) above, the following will establish U.S. citizenship for collectively naturalized individuals:

**Puerto Rico:**

- Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicant's statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941; or
- Evidence that the applicant was a Puerto Rican citizen and the applicant's statement that he or she was residing in Puerto Rico on March 1, 1917 and that he or she did not take an oath of allegiance to Spain.

**U.S. Virgin Islands:**

- Evidence of birth in the U.S. Virgin Islands, and the applicant's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
- The applicant's statement indicating resident in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and that he or she did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and the applicant's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

**Northern Mariana Islands (NMI)(formerly part of the Trust Territory of the Pacific Islands (TTPI)):**

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);
- Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time).
- Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time). Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen.

**d. Derivative Citizenship**

If the applicant cannot present one of the documents listed in a or b above, the following may be used to make a determination of derivative U.S. citizenship:

**Applicant born abroad to two U.S. citizen parents:** Evidence of the U.S. citizenship of the parents and the relationship of the applicant to the parents, and evidence that at least one parent resided in the U.S. or an outlying possession prior to the applicant's birth.

**Applicant born abroad to a U.S. citizen parent and a U.S. non-citizen national parent:** Evidence that one parent is a U.S. citizen and that the other is a U.S. non-citizen, national, evidence of the relationship of the applicant to the U.S. citizen parent, and evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to the applicant's birth.

**Applicant born out of wedlock abroad to a U.S. citizen mother:** - Evidence of the U.S. citizenship of the mother, evidence of the relationship to the applicant and, for births on or before December 24, 1952, evidence that the mother resided in the U.S. prior to

the applicant's birth or, for births after December 24, 1952, evidence that the mother had resided, prior to the child's birth, in the U.S. or a U.S. possession for a period of one year.

**Applicant born in the Canal Zone or the Republic of Panama:**

- A birth certificate showing birth in the Canal Zone on or after February 26, 1904 and before October 1, 1979 and evidence that one parent was a U.S. citizen at the time of applicant's birth; or
- A birth certificate showing birth in the Republic of Panama on or after February 26, 1904 and before October 1, 1979 and evidence that at least one parent was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company or its successor in title.

In all other situations in which an applicant claims to have a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories, but is unable to present the listed documentation:

- If the applicant is in the U.S., the applicant should contact the local U.S. Citizenship and Immigration Service office for determination of U.S. citizenship;
- If the applicant is outside the U.S., the applicant should contact the State Department for a U.S. citizenship determination.

**e. Adoption of Foreign-Born Child by U.S. Citizen**

- If the birth certificate shows a foreign place of birth and the applicant cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of U.S. citizenship;
- Because foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, the applicant should contact the local U.S. Citizenship and Immigration Service office for a determination of U.S. citizenship, if the applicant provides no evidence of U.S. citizenship.

**f. U.S. Citizenship By Marriage**

A woman acquired U.S. citizenship through marriage to a U.S. citizen before September 22, 1922. Provide evidence of U.S. citizenship of the husband, and evidence showing the marriage occurred before September 22, 1922.

Note: If the husband was an alien at the time of the marriage, and became naturalized before September 22, 1922, the wife also acquired naturalized citizenship. If the marriage terminated, the wife maintained her U.S. citizenship if she was residing in the U.S. at that time and continued to reside in the U.S.

**LIST B: QUALIFIED ALIENS, NON IMMIGRANTS, AND ALIENS PAROLED INTO U.S. FOR LESS THAN ONE YEAR**

The documents listed below that are registration documents are indicated with an asterick ("\*").

**a. "Qualified Aliens"**

Evidence of "Qualified Alien" status includes the following:

***Alien Lawfully Admitted for Permanent Residence***

- \*Form I-551 (Alien Registration Receipt Card, commonly known as a "green card"); or
- Unexpired Temporary I-551 stamp in foreign passport or on \*I Form I-94.

***Asylee***

- \*Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA;
- \*Form I-688B (Employment Authorization Card) annotated "274a12(a)(5)";
- \*Form I-766 (Employment Authorization Document) annotated "A5";
- Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service; or
- Order of an immigration judge granting asylum.

***Refugee***

- \*Form I-94 annotated with stamp showing admission under § 207 of the INA;
- \*Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
- \*Form I-766 (Employment Authorization Document) annotated "A3"

***Alien Paroled Into the U.S. for at Least One Year***

-\*Form I-94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

***Alien Whose Deportation or Removal Was Withheld***

-\*Form I-688B (Employment Authorization Card) annotated “274a.12(a)(10)”;  
-\*Form I-766 (Employment Authorization Document) annotated “A10”; or  
-Order from an immigration judge showing deportation withheld under § 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under §241)b(3) of the INA.

***Alien Granted Conditional Entry***

-\*Form I-94 with stamp showing admission under §203(a)(7) of the INA;  
-\*Form I-688B (Employment Authorization Card) annotated “274a.12(a)(3)”;  
-\*Form I-766 (Employment Authorization Document) annotated “A3.”

***Cuban/Haitian Entrant***

-\*Form I-551 (Alien Registration Receipt Card, commonly known as a “green card” with the code CU6, CU7, or CH6;  
-Unexpired temporary I-551 stamp in foreign passport or on \*Form I-94 with the code CU6 or CU7; or  
-Form I-94 with stamp showing parole as “Cuba/Haitian Entrant” under Section 212(d)(5) of the INA.

***Alien Who Has Been Declared a Battered Alien or Alien Subjected to Extreme Cruelty***

-U.S. Citizenship and Immigration Service petition and supporting documentation

**b. Nonimmigrant**

Evidence of “Nonimmigrant” status includes the following:

-\*Form I-94 with stamp showing authorized admission as nonimmigrant

**c. Alien Paroled into U.S. for Less than One Year**

Evidence includes:

-\*Form I-94 with stamp showing admission for less than one year under section 212(d)(5) of the INA

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11/08/07