

TITLE 32 CHAPTER 19

BOARD OF PHYSICAL THERAPY

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32-2001. Definitions

In this chapter, unless the context otherwise requires:

1. "Assistive personnel" includes physical therapist assistants and physical therapy aides and other assistive personnel who are trained or educated health care providers and who are not physical therapist assistants or physical therapy aides but who perform specific designated tasks related to physical therapy under the supervision of a physical therapist. At the discretion of the supervising physical therapist, and if properly credentialed and not prohibited by any other law, other assistive personnel may be identified by the title specific to their training or education. This paragraph does not apply to personnel assisting other health care professionals licensed pursuant to this title in the performance of delegable treatment responsibilities within their scope of practice.
2. "Board" means the board of physical therapy.
3. "Business entity" means a business organization that has an ownership that includes any persons who are not licensed or certified to provide physical therapy services in this state, that offers to the public professional services regulated by the Board and that is established pursuant to the laws of any state or foreign country.
4. "Dry needling" means a skilled intervention performed by a physical therapist that uses a thin filiform needle to penetrate the skin and stimulate underlying neural, muscular and connective tissues for the evaluation and management of neuromusculoskeletal conditions, pain and movement impairments.
5. "General Supervision" means that the supervising physical therapist is on call and is readily available via telecommunications when the physical therapist assistant is providing treatment interventions."
6. "Interim permit" means a permit issued by the board that allows a person to practice as a physical therapist in this state or to work as a physical therapist assistant for a specific period of time and under conditions prescribed by the board before that person is issued a license or certificate.
7. "Manual therapy techniques" means a broad group of passive interventions in which physical therapists use their hands to administer skilled movements designed to modulate pain, increase joint range of motion, reduce or eliminate soft tissue swelling, inflammation, or restriction, induce relaxation, improve contractile and noncontractile tissue extensibility, and improve pulmonary function. These interventions involve a variety of techniques, such as the application of graded forces.
8. "On-site supervision" means that the supervising physical therapist is on site and is present in the facility or on the campus where assistive personnel or a holder of an interim permit is performing services, is immediately available to assist the person being supervised in the services being performed and maintains continued involvement in appropriate aspects of each treatment session in which a component of treatment is delegated.
9. "Physical therapist" means a person who is licensed pursuant to this chapter.
10. "Physical therapist assistant" means a person who meets the requirements of this chapter for certification and who performs physical therapy procedures and related tasks that have been selected and delegated by the supervising physical therapist.
11. "Physical therapy" means the care and services provided by or under the direction and supervision of a physical therapist who is licensed pursuant to this chapter.
12. "Physical therapy aide" means a person who is trained under the direction of a physical therapist and who performs designated and supervised routine physical therapy tasks.
13. "Practice of physical therapy" means:

(a) Examining, evaluating and testing persons who have mechanical, physiological and developmental impairments, functional limitations and disabilities or other health and movement related conditions in order to determine a diagnosis, a prognosis and a plan of therapeutic intervention and to assess the ongoing effects of intervention.

(b) Alleviating impairments and functional limitations by managing, designing, implementing and modifying therapeutic interventions including:

(i) Therapeutic exercise.

(ii) Functional training in self-care and in home, community or work reintegration.

(iii) Manual therapy techniques.

(iv) Therapeutic massage.

(v) Assistive and adaptive orthotic, prosthetic, protective and supportive devices and equipment.

(vi) Pulmonary hygiene.

(vii) Debridement and wound care.

(viii) Physical agents or modalities.

(ix) Mechanical and electrotherapeutic modalities.

(x) Patient related instruction.

(c) Reducing the risk of injury, impairments, functional limitations and disability by means that include promoting and maintaining a person's fitness, health and quality of life.

(d) Engaging in administration, consultation, education and research.

14. "Restricted certificate" means a certificate on which the board has placed any restrictions as the result of a disciplinary action.

15. "Restricted license" means a license on which the board places restrictions or conditions, or both, as to the scope of practice, place of practice, supervision of practice, duration of licensed status or type or condition of a patient to whom the licensee may provide services.

16. "Restricted registration" means a registration the Board has placed an restrictions on as the result of disciplinary action.

32-2002. Board of physical therapy; appointment; qualifications

A. The board of physical therapy is established consisting of members appointed by the governor pursuant to section 38-211. Four members shall be physical therapists who are residents of this state, possess an unrestricted license to practice physical therapy in this state and have been practicing in this state for at least five years before their appointment. One member shall be a physical therapist assistant who is a resident of this state, possesses an unrestricted certificate issued pursuant to this chapter and has been performing selected interventions in this state for at least five years before the person's appointment. The governor shall also appoint two public members who are residents of this state and who are not affiliated with, and do not have a financial interest in, any health care profession but who have an interest in consumer rights.

B. Board members serve staggered four year terms. Board members shall not serve for more than two successive four year terms or for more than ten consecutive years. By approval of a majority of the board, a member's service may extend at the completion of a four year term until a new member is appointed or the current member is reappointed.

C. If requested by the board the governor may remove a board member for misconduct, incompetence or neglect of duty.

- D. Board members are eligible for reimbursement of expenses pursuant to title 38, chapter 4, article 2 to cover necessary expenses for attending each board meeting or for representing the board in an official board approved activity.
- E. A board member who acts within the scope of board duties, without malice and in the reasonable belief that the person's action is warranted by law is immune from civil liability.

32-2003. Board; powers and duties

A. The board shall:

1. Evaluate the qualifications of applicants for licensure and certification.
2. Provide for national examinations for physical therapists and physical therapist assistants and adopt passing scores for these examinations.
3. Issue licenses, permits and certificates to persons who meet the requirements of this chapter.
4. Regulate the practice of physical therapy by interpreting and enforcing this chapter.
5. Adopt and revise rules to enforce this chapter.
6. Meet at least once each quarter in compliance with the open meeting requirements of title 38, chapter 3, article 3.1 and keep an official record of these meetings.
7. Establish the mechanisms for assessing continuing professional competence of physical therapists to engage in the practice of physical therapy and the competence of physical therapist assistants to work in the field of physical therapy.
8. At its first regular meeting after the start of each calendar year, elect officers from among its members and as necessary to accomplish board business.
9. Provide for the timely orientation and training of new professional and public appointees to the board regarding board licensing and disciplinary procedures, this chapter, board rules and board procedures.
10. Maintain a current list of all persons regulated under this chapter. This list shall include the person's name, current business and residential addresses, telephone numbers and license or certificate number.
11. Employ necessary personnel to carry out the administrative work of the board. Board personnel are eligible to receive compensation pursuant to section 38-611.
12. Enter into contracts for services necessary for adequate enforcement of this chapter.
13. Report final disciplinary action taken against a licensee or a certificate holder to a national disciplinary database recognized by the board.
14. Publish, at least annually, final disciplinary actions taken against a licensee or a certificate holder.
15. Publish, at least annually, board rulings, opinions and interpretations of statutes or rules in order to guide persons regulated pursuant to this chapter.
16. Not later than December 31 of each year, submit a written report of its actions and proceedings to the governor.
17. Establish and collect fees.
18. Provide information to the public regarding the board, its processes and consumer rights.

B. The Board may establish a committee or committees to assist it in carrying out its duties for a time prescribed by the Board. The Board may require a committee appointed pursuant to this subsection to make regular reports to the Board.

32-2004. Board of physical therapy fund; appropriation; deposit of receipts by board

A. The board of physical therapy fund is established. The board shall administer the fund.

B. Except as provided in section 32-2048, pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent of all monies collected under this chapter in the state general fund and deposit the remaining ninety per cent in the board of physical therapy fund.

C. Monies deposited in the physical therapy fund are subject to section 35-143.01.

Article 2 Licensure and Examination

32-2021. Persons and activities not required to be licensed

A. This chapter does not restrict a person who is licensed under any other law of this state from engaging in the profession or practice for which that person is licensed if that person does not claim to be a physical therapist or a provider of physical therapy.

B. This chapter does not restrict the use of physical agents, modalities or devices by persons qualified under this title to personally render or delegate the use of this treatment.

C. The following persons are exempt from the licensure requirements of this chapter:

1. A person in a professional education program approved by the board who is satisfying supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education while under the on-site supervision of a physical therapist.

2. A physical therapist who is practicing or a physical therapist assistant who is working in the United States armed services, United States public health service or veterans administration pursuant to federal regulations for state licensure of health care providers.

3. A physical therapist who is licensed in another jurisdiction of the United States or a foreign educated physical therapist credentialed in another country if that person is performing physical therapy in connection with teaching or participating in an educational seminar for not more than sixty days in any twelve month period.

4. A physical therapist who is licensed in another jurisdiction of the United States or who is credentialed in another country if that person by contract or employment is providing physical therapy to persons who are affiliated with or employed by established athletic teams, athletic organizations or performing arts companies temporarily practicing, competing or performing in this state for not more than sixty days in a calendar year.

5. A physical therapist who is licensed in another jurisdiction of the United States and who enters this state to provide physical therapy to victims of a declared local, state or national disaster or emergency. This exemption applies for the duration of the declared emergency but not longer than sixty days. The physical therapist must also register with the board before practicing.

32-2022. Qualifications for licensure and certification

A. An applicant for a license as a physical therapist who has been educated in the United states shall:

1. Be of good moral character.

2. Complete the application process.

3. Be a graduate of a professional physical therapy education program accredited by a national accreditation agency approved by the board.
 4. Have successfully passed the national examination approved by the board.
 5. Have successfully passed a jurisprudence examination that tests the applicant's knowledge of board statutes and rules.
- B. An applicant for a license as a physical therapist who has been educated outside of the United States shall:
1. Be of good moral character.
 2. Complete the application process.
 3. Provide satisfactory evidence that the applicant's education is substantially equivalent to the requirements of physical therapists educated in accredited educational programs as determined by the board. If the board determines that a foreign educated applicant's education is not substantially equivalent it may require the person to complete additional coursework before it proceeds with the application process. It is not necessary that coursework completed by the applicant be identical in all respects to that required by an education program in the United States for an entry level physical therapy degree, but all required content areas must be evident as required by board rules. Deficiencies may occur only in coursework and not in essential areas of professional education and shall not be of a magnitude that would cause the education to be deemed below entry level preparation for practice in this state.
 4. Provide written proof of legal authorization to practice as a physical therapist without limitation in the country where the professional education occurred. The Board may waive this requirement on receipt of written proof that the applicant cannot demonstrate legal authorization based on the citizenship requirements of the country where the professional education occurred.
 5. Provide proof of legal authorization to reside and seek employment in the United States or its territories.
 6. Have passed the board approved English proficiency examinations if the applicant's native language is not English.
 7. Have participated in an interim supervised clinical practice period before licensure as approved by the board or shall have already met this requirement to the board's satisfaction by virtue of the applicant's clinical practice in another jurisdiction of the United States.
 8. Have successfully passed the national examination approved by the board.
 9. Have successfully passed a jurisprudence examination that tests the applicant's knowledge of board statutes and rules.
- C. Notwithstanding the requirements of subsection B, if the foreign educated physical therapist applicant is a graduate of an accredited educational program as determined by the board, the board may waive the requirements of subsection B, paragraphs 3 and 7.
- D. An applicant for certification as a physical therapist assistant shall meet the following requirements:
1. Be of good moral character.
 2. Complete the application process.
 3. Be a graduate of a physical therapist assistant education program accredited by an agency approved by the board.
 4. Have successfully passed the national examination approved by the board.
 5. Have successfully passed a jurisprudence examination that tests the applicant's knowledge of board statutes and rules.

E. For the purposes of subsection B, paragraph 3, "substantially equivalent" means that the applicant provides documentation satisfactory to the board that:

1. The applicant graduated from a physical therapist education program that prepares the applicant to engage without restriction in the practice of physical therapy.
2. The applicant's school of physical therapy education is recognized by its own ministry of education. The board may waive this requirement for good cause shown.
3. The applicant has undergone a credentials evaluation as directed by the board that determines that the applicant has met uniform criteria for educational requirements pursuant to board rules.
4. The applicant has completed any additional education required by the board.

32-2023. Application; denial; hearing

A. An applicant for licensure or certification shall file a completed application as required by the board. The applicant shall include the application fee prescribed in section 32-2029.

B. The Board may deny a license or certificate to an applicant, a licensee or a certificate holder for any of the following:

1. Knowingly making a false statement of fact required to be revealed in the initial application, renewal application or reinstatement application for a license or certificate.
2. Committing fraud in the procurement of a license or certificate
3. Committing a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude. In either case conviction by a court of competent jurisdiction is conclusive evidence of the commission.
4. Attempting to engage in conduct that subverts or undermines the integrity of the examination or the examination process, including using in any manner recalled or memorized examination questions from or with a person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with other examinees during the examination or copying or sharing examination questions or portions or questions.
5. Engaging in any conduct that would be considered a violation of section 32-2044.

C. If the board denies an application because of deficiencies in an application or for a reason prescribed in subsection B of this Section, the board must inform an applicant of those specific deficiencies. On receipt of a written request by an applicant who disagrees with the board's decision to deny an application, the board shall hold a hearing pursuant to title 41, chapter 6, article 10.

32-2024. Examinations

A. The board shall prescribe examinations for licensure and certification and determine the passing score.

B. An applicant may take the examinations for licensure if either of the following applies:

1. The applicant has met all of the requirements of section 32-2022, subsection A, paragraphs 1, 2 and 3 and has paid the fees prescribed by this chapter.
2. The applicant has:
 - (a) Met all of the requirements of section 32-2022, subsection A, paragraphs 1 and 2.
 - (b) Paid the fees prescribed by this chapter.

(c) Submitted with the application a letter on the official letterhead of the accredited educational institution where the applicant is completing an accredited educational program that includes the signature of the program director, the department chairperson or a similarly authorized person of the university or college and that states that:

- (i) The applicant is a candidate for a degree as a physical therapist at the next scheduled graduation date.
- (ii) The date the national examination for licensure is to be taken by the applicant is the one nearest to and before the applicant's expected graduation date and is not more than one hundred twenty days before the date of the applicant's expected graduation date.
- (iii) The applicant meets any other established requirements of the accredited educational program, if applicable.

C. An applicant may take the examinations for licensure if the applicant has met all of the requirements of section 32-2022, subsection B, paragraphs 1 through 6 and has paid the fees prescribed by this chapter.

D. An applicant may take the examinations for certification if either of the following applies:

- 1. The applicant has met all of the requirements of section 32-2022, subsection D, paragraphs 1, 2 and 3 and has paid the fees prescribed by this chapter.
- 2. The applicant has:
 - (a) Met all of the requirements of section 32-2022, subsection D, paragraphs 1 and 2.
 - (b) Paid the fees prescribed by this chapter.
 - (c) Submitted with the application a letter on the official letterhead of the accredited educational institution where the applicant is completing an accredited educational program that includes the signature of the program director, the department chairperson or a similarly authorized person of the university, school or college and that states that:
 - (i) The applicant is a candidate for a certificate or degree as a physical therapist assistant at the next scheduled graduation date.
 - (ii) The date the national examination for certification is to be taken by the applicant is the one nearest to and before the applicant's expected graduation date and is not more than one hundred twenty days before the date of the applicant's expected graduation date.
 - (iii) The applicant meets any other established requirements of the accredited educational program, if applicable.

E. An applicant for licensure or certification who does not pass the national examination after the first attempt may retake the examination one additional time within six months after the first failure without reapplication for licensure or certification. An applicant may retake the examinations as prescribed by the organization that administers the examinations.

F. The board shall not issue a license or certificate to a person who passes an examination through fraud.

G. The national examination for licensure as a physical therapist shall test entry level competence related to physical therapy theory, examination and evaluation, diagnosis, prognosis, treatment intervention, prevention and consultation. The national examination for certification as a physical therapist assistant shall test for requisite knowledge and skills in the technical application of physical therapy services.

32-2025. Interim permits

- A. If a foreign educated applicant satisfies the requirements of section 32-2022, subsection B, before the board issues a license it shall issue an interim permit to the applicant for the purpose of participating in a supervised clinical practice period. An applicant who fails the national examination is not eligible for an interim permit until the applicant passes the examination.
- B. If an applicant who has been educated in the United States satisfies the requirements of section 32-2022, subsection A or D, but the board determines that there is evidence that the applicant lacks the competence to practice as a physical therapist or work as a

physical therapist assistant, the board shall issue an interim permit to the applicant to allow that person to participate in a supervised clinical practice.

- C. The board may issue an interim permit for at least ninety days but not more than six months.
- D. An interim permit holder shall complete, to the satisfaction of the board, a period of clinical practice in a facility approved by the board and under the continuous and on-site supervision of a physical therapist who holds an unrestricted license issued pursuant to this chapter.
- E. At any time during an interim supervised clinical practice period, the board may revoke an interim permit because of the permit holder's incompetence or for a violation of this chapter. Pursuant to title 41, chapter 6, article 10, the board shall hold a hearing on request of a permit holder whose permit is revoked.

32-2026. Licensure or certification by endorsement

- A. The board shall issue a license to a physical therapist who has a valid unrestricted license from another jurisdiction of the United States if that person, when granted the license, met all of the requirements prescribed in section 32-2022, subsection A or B and any applicable board rules.
- B. The board shall issue a certificate to a physical therapist assistant who has a valid unrestricted license or certificate from another jurisdiction of the United States if that person, when granted the license or certificate, meets all of the requirements prescribed in section 32-2022, subsection D and any applicable board rules.

32-2027. License or certificate renewal

- A. A licensee or certificate holder shall renew the license or certificate pursuant to board rules. Except as provided in section 32-4301, a licensee or certificate holder who fails to renew the license or certificate on or before its expiration date shall not practice as a physical therapist or work as a physical therapist assistant in this state.
- B. The Board shall administratively suspend a license or certificate if the licensee or certificate holder does not submit a complete application for renewal and pay the renewal fee pursuant to Board rules.

32-2028. Reinstatement of license or certificate

- A. The board may reinstate a license or certificate that it suspended pursuant to section 32-2027, subsection B on payment of a renewal fee and reinstatement fee and completion of the application process as prescribed by the board.
- B. If a person's license or certificate has been suspended pursuant to section 32-2027, subsection B for more than three consecutive years, the license or certificate expires and that person shall reapply for a license or certificate pursuant to section 32-2022 or 32-2026 and pay all applicable fees. The person must also demonstrate to the board's satisfaction competency by satisfying one or more of the following as prescribed by the board:
 - 1. Practicing for a specified time under an interim permit.
 - 2. Completing remedial courses.
 - 3. Completing continuing competence requirements for the period of the lapsed license.
 - 4. Passing an examination.

32-2029. Fees

The board shall establish and collect fees of not more than:

- 1. Three hundred dollars for an application for an original license or certificate. This fee is nonrefundable.

2. Three hundred dollars for a certificate of renewal of a license or certificate.
3. Three hundred dollars for an application for reinstatement of licensure.
4. Fifty dollars for each duplicate license or certificate.

32-2030. Business entities; patient records; protocol; exemptions; violation; rules

- A. Beginning September 1, 2011, a business entity shall not offer physical therapy services pursuant to this chapter unless:
1. The business entity is registered with the Board pursuant to this section.
 2. The physical therapy services are conducted by a licensee or certificate holder pursuant to this chapter
- B. The business entity must file a registration application of a form prescribed by the Board. The application shall include:
1. A description of the services offered to the public.
 2. The name of the manager who is authorized and who is responsible for managing the physical therapy services offered at each office
 3. The names and addresses of the officers and directors of the business entity
 4. A registration prescribed by the Board by rule.
- C. A business entity must file a separate registration application and pay a fee for each branch office in this state.
- D. A registration expires on August 31 of odd numbered years in accordance with the physical therapist professional licensing schedule. A business entity that wishes to renew a registration must submit an application for renewal as prescribed by the Board on a biennial basis on a form prescribed by the Board before the expiration date. An entity that fails to renew the registration before the expiration date is subject to a late fee as prescribed by the Board by rule.
- E. The business entity must notify the Board in writing within thirty days after any change:
1. In the business entity's name, address or telephone number.
 2. In the officers or directors of the business entity
 3. The name of the manager who is authorized and who is responsible for managing the physical therapy services in any facility
- F. The business entity must establish and implement a written protocol for the secure storage, transfer and access of the physical therapy records of the business entity's patients. This protocol must include, at a minimum, procedures for:
1. Notifying patients of the future locations of their records if the business entity terminates or sells the practice.
 2. Disposing of unclaimed physical therapy records.
 3. The timely response to requests by patients for copies of their records.
- G. The business entity must notify the Board within thirty days after the dissolution of any registered business entity or the closing or relocation of any facility and must disclose to the Board the entity's procedure by which its patients may obtain their records.

H. This Section does not apply to:

1. A sole proprietorship or partnership that consists exclusively of persons who are licensed by a health profession regulatory board as defined in section 32-32010.
2. A facility regulated by the federal government or a state, district or territory of the United States.
3. An administrator or executor of the estate of a deceased physical therapist or a person who is legally authorized to act for a physical therapist who has been adjudicated to be mentally incompetent for not more than one year from the date the Board receives notice of the physical therapist's death or incapacitation.
4. A health care institution that is licensed pursuant to title 36.

I. A facility that offers physical therapy services to the public by persons licensed under this chapter must be registered by the Board unless the facility is any of the following:

1. Owned by a licensee.
2. Regulated by the federal government or a state, district or territory of the United States

J. Except for issues relating to insurance coding and billing that require the name, signature and license number of the physical therapist providing treatment, this section does not:

1. Authorize a licensee in the course of providing physical therapy services for an entity registered pursuant to this section to disregard or interfere with a policy or practice established by the entity for the operation and management of the business.
2. Authorize a business entity registered pursuant to this section to establish or enforce a business policy that may interfere with the professional judgment of the licensee in providing physical therapy services for the business entity or may compromise a licensee's ability to comply with this chapter.

K. The Board shall adopt rules that provide a method for the Board to receive the assistance and advice of business entities registered pursuant to this section in all matters relating to the regulation of business entities.

L. The Board shall adopt rules necessary to enforce this chapter in the practice settings of its licensees, certificate holders and registrants if the practice settings are not regulated by the Department of Health Services.

32-2031. Retired status; reinstatement to active status

- A. The board shall place a licensee or certificate holder on retired status and waive the renewal fee and continuing competence requirements if a licensee or certificate holder presents a written affidavit to the board that the licensee or certificate holder has retired from the practice of physical therapy or from work as a physical therapist assistant, is in good standing with the board and has paid all fees required by this chapter before the waiver.
- B. During the period of waiver pursuant to subsection A, the retired licensee or certificate holder may not engage in the practice of physical therapy or work as a physical therapist assistant.
- C. A retired licensee or certificate holder must renew the retired license or certificate every two years by verifying the person's contact information and using the same schedule for renewal of an active license or certificate. The board may not charge a fee for renewal of a retired license or certificate.
- D. If a licensee or certificate holder fails to renew the retired status of the license or certificate on or before its expiration date, the retired license or certificate expires. If the person seeks to reinstate the person's retired status after the retired license or certificate has expired, the person must make a request for retired status pursuant to subsection A.
- E. The board may reinstate a retired licensee or certificate holder to active practice or work on payment of the renewal fee and presentation of evidence satisfactory to the board that the retired licensee or certificate holder is professionally able to engage in the practice of physical therapy or work as a physical therapist assistant and still possesses the professional knowledge required.

If the retired licensee or certificate holder has held a retired license or certificate for more than three consecutive years, the person must also demonstrate competency to the board's satisfaction by satisfying one or more of the following as prescribed by the board:

1. Practicing or working for a specified time under an interim permit.
2. Completing remedial courses.
3. Completing continuing competence requirements for the period of the retired license or certificate.
4. Passing an examination as prescribed by the board.

32-2032. Inactive status; reinstatement to active status

- A. The board shall place a licensee or certificate holder on inactive status and waive the continuing competence requirements if a licensee or certificate holder presents a written affidavit to the board that the licensee or certificate holder is not currently engaged in the practice of physical therapy or working as a physical therapist assistant in this state, is in good standing with the board and has paid all fees required by this chapter.
- B. During the period of inactive status pursuant to subsection A, the inactive licensee or certificate holder may not engage in the practice of physical therapy or work as a physical therapist assistant in this state.
- C. A licensee or certificate holder on inactive status must renew the inactive license or certificate every two years using the same schedule for renewal of an active license or certificate. The board by rule shall prescribe the fee for the renewal of an inactive license or certificate.
- D. An inactive licensee or certificate holder who applies to the board for reinstatement to active licensure or certification within three years after the date the board issues a notice of inactive status must submit the full annual license renewal fee and prove to the board's satisfaction that the licensee or certificate holder has met continuing competence requirements as prescribed by the board by rule.
- E. An inactive licensee or certificate holder who applies to the board for reinstatement to active licensure or certification and who has not been actively engaged in the practice of physical therapy or working as a physical therapist assistant in this state for more than three consecutive years after the date the board issues a notice of inactive status must submit the full annual license renewal fee and demonstrate competency to the board's satisfaction by satisfying one or more of the following as prescribed by the board:
 1. Practicing or working for a specified time under an interim permit.
 2. Completing remedial courses.
 3. Completing continuing competence requirements for the period of the inactive license or certificate.
 4. Passing an examination.

Article 3 Regulation of Physical Therapy

32-2041. Lawful practice

- A. A physical therapist shall refer a client to appropriate health care practitioners if the physical therapist has reasonable cause to believe symptoms or conditions are present that require services beyond the scope of practice or if physical therapy is contraindicated.
- B. A physical therapist shall adhere to the recognized standards of ethics of the physical therapy profession and as further established by rule.
- C. A physical therapist licensed under this chapter shall practice physical therapy as prescribed by this chapter.

32-2042. Use of titles; restrictions; violation; classification

- A. A physical therapist shall use the letters "PT" in connection with the physical therapist's name or place of business to denote licensure under this chapter.
- B. A physical therapist assistant shall use the letters "PTA" in connection with that person's name to denote certification pursuant to this chapter.
- C. A person or business entity or its employees, agents or representatives shall not use in connection with that person's name or the name or activity of the business the words "physical therapy", "physical therapist", "physiotherapy", "physiotherapist" or "registered physical therapist", the letters "PT", "LPT", "RPT", "MPT", "DScPT" or "DPT" or any other words, abbreviations or insignia indicating or implying directly or indirectly that physical therapy is provided or supplied, including the billing of services labeled as physical therapy, unless these services are provided by or under the direction of a physical therapist who is licensed pursuant to this chapter. A person or entity that violates this subsection is guilty of a class 1 misdemeanor.
- D. A person or business entity shall not advertise, bill or otherwise promote a person who is not licensed pursuant to this chapter as being a physical therapist or offering physical therapy services.
- E. A person shall not use the title "physical therapist assistant" or use the letters "PTA" in connection with that person's name or any other words, abbreviations or insignia indicating or implying directly or indirectly that the person is a physical therapist assistant unless that person is certified as a physical therapist assistant pursuant to this chapter. A person who violates this subsection is guilty of a class 1 misdemeanor.

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 and documentation for a patient.
 - 2. Periodic reevaluation and documentation of 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.

32-2044. Grounds for disciplinary action

The following are grounds for disciplinary action:

1. Violating this chapter, board rules or a written board order.
2. Practicing or offering to practice beyond the scope of the practice of physical therapy.
3. Obtaining or attempting to obtain a license or certificate by fraud or misrepresentation.
4. Engaging in the performance of substandard care by a physical therapist due to a deliberate or negligent act or failure to act regardless of whether actual injury to the patient is established.
5. Engaging in the performance of substandard care by a physical therapist assistant, including exceeding the authority to perform tasks selected and delegated by the supervising licensee regardless of whether actual injury to the patient is established.
6. Failing to supervise assistive personnel, physical therapy students or interim permit holders in accordance with this chapter and rules adopted pursuant to this chapter.
7. Conviction of a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude. In either case conviction by a court of competent jurisdiction is conclusive evidence of the commission and the Board may take disciplinary action when the time for appeal has lapsed, when judgement of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order. For the purposes of this paragraph, "conviction" means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
8. Practicing as a physical therapist or working as a physical therapist assistant when physical or mental abilities are impaired by disease or trauma, by the use of controlled substances or other habit-forming drugs, chemicals or alcohol or by other causes.
9. Having had a license or certificate revoked or suspended or other disciplinary action taken or an application for licensure or certification refused, revoked or suspended by the proper authorities of another state, territory or country.
10. Engaging in sexual misconduct. For the purposes of this paragraph, "sexual misconduct" includes:
 - (a) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual, while a provider-patient relationship exists.
 - (b) Making sexual advances, requesting sexual favors or engaging in other verbal conduct or physical contact of a sexual nature with patients.
 - (c) Intentionally viewing a completely or partially disrobed patient in the course of treatment if the viewing is not related to patient diagnosis or treatment under current practice standards.
11. Directly or indirectly requesting, receiving or participating in the dividing, transferring, assigning, rebating or refunding of an unearned fee or profiting by means of any credit or other valuable consideration such as an unearned commission, discount or gratuity in connection with the furnishing of physical therapy services. This paragraph does not prohibit the members of any regularly and properly organized business entity recognized by law and comprised of physical therapists from dividing fees received for professional services among themselves as they determine necessary to defray their joint operating expense.
12. Failing to adhere to the recognized standards of ethics of the physical therapy profession.

13. Charging unreasonable or fraudulent fees for services performed or not performed.
14. Making misleading, deceptive, untrue or fraudulent representations in violation of this chapter or in the practice of the profession.
15. Having been adjudged mentally incompetent by a court of competent jurisdiction.
16. Aiding or abetting a person who is not licensed or certified in this state and who directly or indirectly performs activities requiring a license or certificate.
17. Failing to report to the board any direct knowledge of an unprofessional, incompetent or illegal act that appears to be in violation of this chapter or board rules.
18. Interfering with an investigation or disciplinary proceeding by failing to cooperate, by wilful misrepresentation of facts or by the use of threats or harassment against any patient or witness to prevent the patient or witness from providing evidence in a disciplinary proceeding or any legal action.
19. Failing to maintain patient confidentiality without prior written consent of the patient or unless otherwise required by law.
20. Failing to maintain adequate patient records. For the purposes of this paragraph, "adequate patient records" means legible records that comply with board rules and that contain at a minimum an evaluation of objective findings, a diagnosis, the plan of care, the treatment record, a discharge summary and sufficient information to identify the patient.
21. Promoting an unnecessary device, treatment intervention or service for the financial gain of the practitioner or of a third party.
22. Providing treatment intervention unwarranted by the condition of the patient or treatment beyond the point of reasonable benefit.
23. Failing to report to the board a name change or a change in business or home address within thirty days after that change.
24. Failing to complete continuing competence requirements as established by the Board by rule.
25. Failing to demonstrate professional standards of care and training and education qualifications, as established by the board by rule, in the performance of dry needling when provided as a therapeutic modality. (Effective July 1, 2015)

32-2045. Investigative powers; emergency action

A. To enforce this chapter the board may:

1. Receive complaints filed against licensees or certificate holders and conduct a timely investigation.
2. Conduct an investigation at any time and on its own initiative without receipt of a written complaint if the board has reason to believe that there may be a violation of this chapter.
3. Issue subpoenas to compel the attendance of any witness or the production of any documentation relative to a case.
4. Take emergency action ordering the summary suspension of a license or certificate or the restriction of the licensee's practice or certificate holder's employment pending proceedings by the board.
5. Require a licensee or certificate holder to be examined in order to determine the licensee's or certificate holder's mental, physical or professional competence to practice or work in the field of physical therapy.

B. If the board finds that the information received in a complaint or an investigation is not of sufficient seriousness to merit direct action against the licensee or certificate holder it may take either of the following actions:

1. Dismiss the complaint if the board believes the information or complaint is without merit.

2. Issue an advisory letter. The issuance of an advisory letter is a nondisciplinary action to notify a licensee or certificate holder that, while there is not sufficient evidence to merit disciplinary action, the board believes that the licensee or certificate holder should be educated about the requirements of this chapter and board rules. An advisory letter is a public document and may be used in future disciplinary actions against a licensee or certificate holder.

3. Issue a nondisciplinary order requiring the licensee or certificate holder to complete a prescribed number of hours of continuing education in an area or areas prescribed by the board to provide the licensee or certificate holder with the necessary understanding of current standards, skills, procedures or treatment.

C. The board shall notify a licensee or certificate holder of a complaint and the nature of the complaint within ninety days after receiving the complaint.

D. Any person may submit a complaint regarding any licensee, certificate holder or other person potentially in violation of this chapter. Confidentiality shall be maintained subject to law.

E. The board shall keep confidential all information relating to the receipt and investigation of complaints filed against licensees and certificate holders until the information becomes public record or as required by law.

32-2046. Informal and formal hearings

A. The board may request an informal hearing with a licensee, a certificate holder or any unlicensed person in order to further its investigation or to resolve a complaint.

B. If at an informal hearing the board finds a violation of this chapter has occurred that constitutes grounds for disciplinary action, it may take any disciplinary actions prescribed in section 32-2047, paragraph 1, 2 or 6, except that a civil penalty may not exceed five hundred dollars.

C. If the results of an informal hearing indicate that suspension, revocation or a civil penalty might be in order, the board shall notify the subject of the investigation of the time and place for a hearing pursuant to title 41, chapter 6, article 10.

D. In lieu of or in addition to an informal hearing as provided in subsection A of this section, the board may serve on a licensee or a certificate holder a summons and complaint setting forth the grounds for disciplinary action and notice of a hearing to be held before the board at least thirty days after the date of the notice. The notice shall state the time and place of the hearing.

E. A motion for rehearing or review of the board's decision in a disciplinary action shall be filed pursuant to title 41, chapter 6, article 10.

F. The service of a summons and complaint and the service of a subpoena shall be as provided for service in civil cases.

G. If a person disobeys a subpoena the board may petition the superior court for an order requiring appearance or the production of documents.

32-2047. Disciplinary actions; penalties

On proof that any grounds prescribed in section 32-2044 have been violated or that any requirements in section 32-2030 have been violated, the board may take the following disciplinary actions singly or in combination:

1. Issue a decree of censure.

2. Restrict a license, certificate or registration. The board may require a licensee, certificate holder or registrant to report regularly to the board on matters related to the grounds for the restricted license or certificate.

3. Suspend a license, certificate or registration for a period prescribed by the board.

4. Revoke a license, certificate or registration.

5. Refuse to issue or renew a license, certificate or registration.
6. Impose a civil penalty of at least two hundred fifty dollars but not more than ten thousand dollars for each violation of this chapter. In addition the board may assess and collect the reasonable costs incurred in a disciplinary hearing when action is taken against a person's license or certificate.
7. Accept a voluntary surrendering of a license, certificate or registration, pursuant to an order of consent by the board.

32-2048. Unlawful practice; classification; injunctive relief; deposit of civil penalties

- A. It is unlawful for any person to practice or in any manner to claim to practice physical therapy or for a person to claim the designation of a physical therapist unless that person is licensed pursuant to this chapter. A person who engages in an activity requiring a license pursuant to this chapter or who uses any word, title or representation in violation of section 32-2042 that implies that the person is licensed to engage in the practice of physical therapy is guilty of a class 1 misdemeanor.
- B. The board may investigate any person to the extent necessary to determine if the person is engaged in the unlawful practice of physical therapy. If an investigation indicates that a person may be practicing physical therapy unlawfully, the board shall inform the person of the alleged violation. The board may refer the matter for prosecution regardless of whether the person ceases the unlawful practice of physical therapy.
- C. The board, through the appropriate county attorney or the office of the attorney general, may apply for injunctive relief in any court of competent jurisdiction to enjoin any person from committing any act in violation of this chapter. Injunction proceedings are in addition to, and not in lieu of, all penalties and other remedies prescribed in this chapter.
- D. The board shall deposit, pursuant to sections 35-146 and 35-147, all monies it collects from civil penalties pursuant to this chapter in the state general fund.

32-2049. Disclosure prohibition

The board shall not disclose the identity of a person who provides information unless this information is essential to proceedings conducted pursuant to sections 32-2045 and 32-2046 or unless required by a court.

32-2050. Substance abuse recovery program

In lieu of a disciplinary proceeding prescribed by this article the board may permit a licensee or certificate holder to actively participate in a board approved substance abuse recovery program if:

1. The board has evidence that the licensee or certificate holder is an impaired professional.
2. The licensee or certificate holder has not been convicted of a felony relating to a controlled substance in a court of law of the United States or any other territory or country.
3. The licensee or certificate holder enters into a written agreement with the board for a restricted license and complies with all of the terms of the agreement, including making satisfactory progress in the program and adhering to any limitations on the licensee's practice imposed by the board to protect the public. Failure to enter into such an agreement shall activate an immediate investigation and disciplinary proceedings by the board.
4. As part of the agreement established between the licensee or certificate holder and the board, the licensee or certificate holder signs a waiver allowing the substance abuse program to release information to the board if the licensee or certificate holder does not comply with the requirements of this section or is unable to practice with reasonable skill or safety.

32-2051. Rights of consumers

- A. The public has access to the following information:

1. A list of licensees and interim permit holders that includes the licensee's and interim permit holder's place of practice, license or interim permit number, date of license or interim permit expiration and status of license or interim permit.
 2. A list of physical therapist assistants certified in this state, including place of employment, certificate number, date of certificate expiration and status of certificate.
 3. Public records.
- B. The home addresses and telephone numbers of physical therapists and physical therapist assistants are not public records and shall be kept confidential by the board unless they are the only addresses and telephone numbers of record.
 - C. If a referring practitioner is deriving direct or indirect compensation from the referral to physical therapy the physical therapist shall disclose this information in writing to the patient.
 - D. A physical therapist shall disclose in writing to a patient any financial interest in products the physical therapist endorses and recommends to the patient and shall document this disclosure in the patient's record.
 - E. A physical therapist shall ensure that each patient understands that the patient has freedom of choice in services and products.
 - F. Information relating to the physical therapist-patient relationship is confidential and shall not be communicated to a third party who is not involved in that patient's care without the prior written consent of the patient. The physical therapist shall divulge to the board information it requires in connection with any investigation, public hearing or other proceeding. The physical therapist-patient privilege does not extend to cases in which the physical therapist has a duty to report information as required by law. The confidentiality requirements and privileges of this subsection also apply to physical therapist assistants.
 - G. Each licensee and certificate holder shall display a copy of the license or certificate and current renewal verification in a location accessible to public view at the licensee's place of practice. If the licensee or certificate holder is unable to display the license, certificate or current renewal verification, the licensee or certificate holder must produce that documentation on request.
 - H. The board shall keep all information relating to the receipt and investigation of complaints filed against a licensee or certificate holder confidential unless the information is disclosed in the course of the investigation or any subsequent proceeding or if that information is required to be disclosed by law.
 - I. The following are confidential and are not available to the public:
 1. Patient records, including clinical records, files, any report or oral statement relating to a diagnostic finding or treatment of a patient.
 2. Any information from which a patient or a patient's family might be identified.
 3. Information received and records or reports kept by the board as a result of an investigation made pursuant to this chapter.

32-2052. Judicial review

Except as provided in section 41-1092.08, subsection H, final board decisions are subject to judicial review pursuant to title 12, chapter 7, article 6.

**Published by the Arizona State Board of Physical Therapy
4205 N. 7th Avenue, Ste. 208
Phoenix, Arizona 85013**

In the event of any discrepancy between this publication and the Arizona Revised Statutes,
the Arizona Revised Statutes shall prevail.

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 24. BOARD OF PHYSICAL THERAPY

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ARTICLE 1. GENERAL PROVISIONS**R4-24-101. Definitions**

In addition to the definitions in A.R.S. § 32-2001, in this Chapter:

1. "Accredited" means accredited by a nationally recognized accreditation organization.
2. "Accredited educational program" means a physical therapist or physical therapist assistant educational program that is accredited by:
 - a. The Commission on Accreditation of Physical Therapy Education, or
 - b. An agency recognized as qualified to accredit physical therapist or physical therapist assistant programs by either the U.S. Department of Education or the Council on Higher Education Accreditation at the time of the applicant's graduation.
3. "Administratively suspend," as used in A.R.S. § 32-2027, means the Board places a license or certificate issued under A.R.S. Title 32, Chapter 19 and this Chapter on suspended status because the license or certificate was not renewed timely.
4. "Applicant" means an individual or business entity seeking an initial or renewal license, initial or renewal certificate, initial or renewal registration, interim permit, or reinstatement from the Board.
5. "Applicant packet" means the forms and additional information the Board requires to be submitted by an applicant or on the applicant's behalf.
6. "Campus" means a facility and immediately adjacent buildings.
7. "College Board" means an association composed of schools, colleges, universities, and other educational organizations across the United States that is responsible for the development of assessment tests that are used to provide college credit or for college placement.
8. "College level examination program" means services offered by the College Board for an individual to demonstrate college-level achievement by taking an examination approved by the College Board.
9. "Compliance period" means a two-year license renewal cycle that ends August 31 of even-numbered years.
10. "Continuing competence" means maintaining the professional skill, knowledge, and ability of a physical therapist by successfully completing scholarly and professional activities related to physical therapy.
11. "Course" means an organized subject matter in which instruction is offered within a specified period of time.
12. "Course evaluation tool" means the Coursework Evaluation Tool for Foreign Educated Physical Therapists who Graduated after June 30, 2009, Fifth Edition, 2004 (effective July 1, 2009), published by the Federation of State Boards of Physical Therapy, 124 West Street, South Alexandria, VA, 22314, incorporated by reference and on file with the Board. This incorporation by reference contains no future editions or amendments.
13. "Credential evaluation" means a written assessment of a foreign-educated applicant's general and professional educational course work.
14. "Credential evaluation agency" means an organization that evaluates a foreign-educated applicant's education and provides recommendations to the Board about whether the applicant's education is substantially equivalent to physical therapy education provided in an accredited educational program.
15. "Days" means calendar days.
16. "Endorsement" means a procedure for granting an Arizona license to an applicant already licensed as a physical therapist in another jurisdiction of the United States.
17. "ETS" means Educational Testing Service, an organization that provides educational learning and assessment services, including the Test of English as a Foreign Language Program.
18. "Facility" means a building where:
 - a. A physical therapist is engaged in the practice of physical therapy;
 - b. An applicant, licensee, or certificate-holder is engaged in a supervised clinical practice; or
 - c. A physical therapist assistant performs physical therapy-related tasks delegated by an onsite supervisor.
19. "Foreign-educated applicant" means an individual who graduated from a physical therapist educational program outside the United States, Puerto Rico, District of Columbia, or a U.S. territory.
20. "Functional limitation" means restriction of the ability to perform a physical action, activity, or task in an efficient, typically expected or competent manner.
21. "Good moral character" means the applicant has not taken any action that is grounds for disciplinary action against a licensee or certificate-holder under A.R.S. § 32-2044.
22. "Hour" means 60 minutes.
23. "iBT" means internet-based TOEFL.
24. "National disciplinary database" means the disciplinary database of the U.S. Department of Health and Human Services' Health Integrity and Protection Data Base, which contains previous or current disciplinary actions taken against a licensed physical therapist or certified physical therapist assistant by state licensing agencies.
25. "National examination" means an examination produced by the Federation of State Boards of Physical Therapy or an examination produced by the American Physical Therapy Association.
26. "On call," as used in the definition of "general supervision" prescribed under A.R.S. § 32-2001, means a supervising physical therapist is able to go to the location at which and on the same day that a 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.
27. "Onsite supervisor" means a physical therapist who provides onsite supervision as defined in A.R.S. § 32-2001.
28. "Physical Therapist Assistant Clinical Performance Instrument" means the document used to assess an individual's knowledge, skills, and attitudes to determine the individual's readiness to work as a physical therapist assistant that is published by the American Physical Therapy Association, Division of Education, March 1998, 1111 North Fairfax Street, Alexandria, VA 22314-1488 and incorporated by reference and on file with the Board. This incorporation by reference contains no future editions or amendments.
29. "Physical Therapist Clinical Performance Instrument" means the document used to assess an individual's knowledge, skills, and attitudes to determine the individual's readiness to practice physical therapy that is published by the American Physical Therapy Association, Division

of Education, December 1997, 1111 North Fairfax Street, Alexandria, VA 22314-1488 and incorporated by reference and on file with the Board. This incorporation by reference contains no future editions or amendments.

30. "Physical therapy services" means any of the actions stated in the definition of practice of physical therapy in A.R.S. § 32-2001.
31. "Qualified translator" means an individual, other than an applicant, who is:
 - a. An officer or employee of an official translation bureau or government agency,
 - b. A professor or instructor who teaches a translated language in an accredited college or university in the United States,
 - c. An American consul in the country where the translated document is issued or another individual designated by the American consul in the country where the translated document is issued, or
 - d. A consul general or diplomatic representative of the United States or individual designated by the consul general or diplomatic representative.
32. "Readily available," as used in the definition of "general supervision" prescribed under A.R.S. § 32-2001, means a supervising physical therapist is able to respond within 15 minutes to a communication from a physical therapist assistant providing a selected treatment intervention under general supervision.
33. "Recognized standards of ethics" means the Code of Ethics (amended June 2000) and the accompanying Guide for Professional Conduct (amended January 2004) of the American Physical Therapy Association, 1111 North Fairfax Street, Alexandria, VA 22314-1488, which is incorporated by reference and on file with the Board. This incorporation includes no later editions or amendments.
34. "Supervised clinical practice" means the period of time a physical therapist is engaged in the practice of physical therapy or a physical therapist assistant is engaged in work as a physical therapist assistant after being issued an interim permit by the Board.
35. "Supervising physical therapist" means an individual licensed under this Chapter who provides onsite or general supervision to assistive personnel.
36. "Suspend" means the Board places a license, certificate, permit, or registration in a status that restricts the holder of the license, certificate, permit, or registration from practicing as a physical therapist, working as a physical therapist assistant, or offering physical therapy services.
37. "TOEFL" means test of English as a foreign language.
38. "Week" means the period beginning on Sunday at 12:00 a.m. and ending the following Saturday at 11:59 p.m.

R4-24-102. Expired

R4-24-103. Board Officers

The Board shall elect a president, vice-president, and secretary at its first regular Board meeting each year.

1. The president shall preside at all Board meetings.
2. When the president is unable to preside at a Board meeting, the vice-president shall preside.

R4-24-104. Confidential Information and Records

The following information or a record containing this information is confidential and is not provided to the public by the Board:

1. An applicant's, licensee's, or certificate-holder's:
 - a. Social Security number;
 - b. Home address or home telephone number unless the address or telephone number is the only address or telephone number of record;
 - c. Credential evaluation report, education transcript, grades, or examination scores;
 - d. National physical therapist or physical therapist assistant examination score;
 - e. Diagnosis and treatment records; and
2. According to A.R.S. § 32-2045, information or a document related to investigations by the Board until the information or document becomes a public record or as required by law.

R4-24-105. Expired

R4-24-106. Repealed

R4-24-107. Fees

A. Under the authority provided by A.R.S. §§ 32-2029 and 32-2030, the Board establishes and shall collect the following fees, which are not refundable unless A.R.S. § 41-1077 applies:

1. For a physical therapist:
 - a. Application for an original license if the applicant applies on or after September 1 in an even-numbered year and no later than August 31 in an odd-numbered year, \$260;
 - b. Application for an original license if the applicant applies on or after September 1 in an odd-numbered year and no later than August 31 in an even-numbered year, \$190;
 - c. Renewal of an active license, \$160;
 - d. Renewal of an inactive license, \$80;
 - e. Reinstatement of an administratively suspended license, \$100 plus the renewal fee; and
 - f. Duplicate license, \$10.
2. For a physical therapist assistant:
 - a. Application for an original certificate if the applicant applies on or after September 1 in an even-numbered year and no later than August 31 in an odd-numbered year, \$160;
 - b. Application for an original certificate if the applicant applies on or after September 1 in an odd-numbered year and no later than August 31 in an even-numbered year, \$120;
 - c. Renewal of an active certificate, \$55;
 - d. Renewal of an inactive certificate, \$27.50;
 - e. Reinstatement of an administratively suspended certificate, \$50 plus the renewal fee; and
 - f. Duplicate certificate, \$10.
3. For a business entity:
 - a. Application for an original registration, \$50;

- b. Renewal, \$50;
- c. Late fee, \$25; and
- d. Duplicate registration, \$10.

B. The Board shall accept fees paid by check or money order payable to the Arizona State Board of Physical Therapy.

R4-24-108. Repealed

R4-24-109. Renumbered

ARTICLE 2. LICENSING PROVISIONS

R4-24-201. Application for a Physical Therapist License

- A. An applicant for a physical therapist license shall submit to the Board an application packet that includes:
1. An application form provided by the Board that is signed and dated by the applicant and notarized and contains:
 - a. The applicant's name, business and residential addresses, telephone number, birth date, and Social Security number;
 - b. The name and address of each university or college attended by the applicant, the dates of attendance, and the date of graduation and degree received, if applicable;
 - c. The name and address of the university or college where the applicant completed an accredited educational program and dates of attendance;
 - d. A statement of whether the applicant has ever been licensed as a physical therapist in any other jurisdiction of the United States or foreign country;
 - e. Professional employment history for the past five years, including the name, address, and telephone number for each place of employment, job title, description of the work completed, and explanation of any breaks in employment, if applicable;
 - f. A statement of whether the applicant has ever been convicted of, pled guilty or no contest to, or entered into diversion in lieu of prosecution for any criminal offense in any jurisdiction of the United States or foreign country and if so, an explanation;
 - g. A statement of whether the applicant has ever had an application for a professional or occupational license, certificate, or registration, other than a driver's license, denied, rejected, suspended, or revoked by any jurisdiction of the United States or foreign country and if so, an explanation;
 - h. A statement of whether the applicant is currently or ever has been under investigation, suspension, or restriction by a professional licensing board in any jurisdiction of the United States or foreign country for any act that occurred in that jurisdiction that would be the subject of discipline under this Chapter and if so, an explanation;
 - i. A statement of whether the applicant has ever been the subject of disciplinary action by a professional association or postsecondary educational institution.
 - j. A statement of whether the applicant has committed any of the actions referenced in the definition of good moral character in R4-24-101;
 - k. A statement of whether the applicant has ever had a malpractice judgment, has a lawsuit currently pending for malpractice, or entered into a settlement from a malpractice suit and if so, an explanation;
 - l. A statement of whether the applicant is currently more than 30 days in arrears for payment required by a judgment and order for child support in Arizona or any other jurisdiction;
 - m. A statement of whether the applicant has any impairment to the applicant's cognitive, communicative, or physical ability to engage in the practice of physical therapy with skill and safety and if so, an explanation;
 - n. A statement of whether the applicant has, within the past 10 years, used alcohol, any illegal chemical substance, or prescription medications, that in any way has impaired or limited the applicant's ability to practice physical therapy with skill and safety and if so, an explanation;
 - o. A statement of whether the applicant has, within the past 10 years, been diagnosed as having or is being treated for bipolar disorder, schizophrenia, paranoia, or other psychotic disorder that in any way has impaired or limited the applicant's ability to practice physical therapy with skill and safety and if so, an explanation;
 - p. A statement of whether the applicant has ever violated A.R.S. § 32-2044(10);
 - q. A statement by the applicant attesting to the truthfulness of the information provided by the applicant.
 2. A passport photograph of the applicant no larger than 1 1/2 x 2 inches that was taken not more than six months before the date of the application;
 3. Evidence of the applicant's U.S. citizenship, alien status, legal residency, or lawful presence in the U.S.; and
 4. The fee required in R4-24-107.
- B. In addition to the requirements in subsection (A), an applicant shall arrange to have submitted directly to the Board:
1. An official transcript or letter showing that the applicant completed all requirements of an accredited educational program that includes the official seal of the university or college where the applicant completed the accredited educational program and signature of the registrar of the university or college,
 2. Verification of passing a national examination in physical therapy as evidenced by an original notice of examination results, and
 3. Verification of passing a jurisprudence examination as evidenced by an original notice of examination results.
- C. In addition to the requirements in subsections (A)(1) through (A)(3) and subsection (B), an applicant for a physical therapist license by endorsement shall submit to the Board:
1. The name of the licensing or certifying agency of any jurisdiction in which the applicant is currently or has been previously licensed;
 2. A verification of each license, signed and dated by an official of the agency licensing or certifying the applicant, that includes the official seal of the licensing or certifying agency and all of the following:
 - a. The name of the applicant;
 - b. The license number and date of issuance;
 - c. The current status of the license;
 - d. The expiration date of the license;

- e. A statement of whether the applicant was ever denied a license by the agency and if so, an explanation; and
 - f. A statement of whether any disciplinary action is pending or has ever been taken against the applicant and if so, an explanation.
- D. The Board shall deny a license to an applicant who fails to meet the requirements of this Section or A.R.S. Title 32, Chapter 19. An applicant denied a license may request a hearing under A.R.S. Title 41, Chapter 6, Article 10.

R4-24-202. Reinstatement of License or Certificate

- A. An applicant whose Arizona license or certificate is administratively suspended for three consecutive years or less after the date of renewal of the license or certificate may apply for reinstatement of the license or certificate by submitting the application in R4-24-208 and the reinstatement fee and renewal fee required in R4-24-107.
- B. An applicant whose Arizona license or certificate is administratively suspended for more than three consecutive years after the date of renewal of the license or certificate may apply for reinstatement of the license or certificate by submitting the reinstatement fee and renewal fee in R4-24-107, and:
- 1. For an applicant educated in the United States requesting reinstatement of a license, the application in R4-24-201(A) and (B);
 - 2. For a foreign-educated applicant requesting reinstatement of a license, the application in R4-24-203; or
 - 3. For an applicant requesting reinstatement of a certificate, the application in R4-24-207(A) and (B).
- C. If an applicant submits an application according to subsection (B), the Board shall require the applicant to demonstrate competency by doing one or more of the following:
- 1. Practice physical therapy or work as a physical therapist assistant under an interim permit that allows the applicant to participate in a supervised clinical practice,
 - 2. Complete one or more courses relevant to the practice of physical therapy or the work of a physical therapist assistant,
 - 3. Complete continuing competence requirements for the period of time of the lapsed license, or
 - 4. Take and pass a jurisprudence examination or national examination.

R4-24-203. Foreign-educated Applicant Requirements

- A. A foreign-educated applicant shall meet the requirements in A.R.S. § 32-2022(B) and the following:
- 1. The applicant shall comply with the requirements in R4-24-201.
 - 2. The applicant shall ensure that a document required by R4-24-201 or this subsection is:
 - a. Submitted to the Board in English; or
 - b. Accompanied by an original English translation by a qualified translator if the document is submitted to the Board in a language other than English and includes an affidavit of accuracy by the qualified translator affirming:
 - i. The qualified translator has translated the entire document,
 - ii. The qualified translator has not omitted anything from or added to the translation, and
 - iii. The translation is true and accurate.
 - 3. To meet the requirements in A.R.S. § 32-2022(B)(4), the applicant shall state on the application form whether the applicant's practice as a physical therapist was limited in the country where the professional education occurred. If the applicant's practice was limited in the country where the professional education occurred, the applicant shall submit to the Board documentation of the limitation, or arrange to have documentation of limitation sent directly to the Board, that includes:
 - a. The name, address, and telephone number of the entity that limited the applicant's practice of physical therapy;
 - b. A description of the action or lack of action that led to the limitation on the applicant's practice as a physical therapist;
 - c. A description of the limitation on the applicant's practice of physical therapy; and
 - d. If the limitation is based on citizenship requirements of the country in which the professional education was obtained, the applicant shall provide the Board with the legal reference for the restriction in the laws of the country in which the professional education was obtained, a copy of the referenced laws, and an English translation of the laws that meets the standards in subsection (A)(2)(b).
 - 4. If English is not the native language of the foreign-educated applicant, to meet the requirements in A.R.S. § 32-2022(B)(6), the applicant shall take and pass either of the following tests no more than 18 months before the date on which the application submitted under R4-24-201 is administratively complete and ensure that the test scores are sent directly to the Board by the testing entity:
 - a. The TOEFL. An applicant who takes the TOEFL passes with the following:
 - i. A score of 560 or more if a paper-based test or a score of 220 or more if a computer-based test;
 - ii. Test of Spoken English with a score of 50 or more; and
 - iii. Test of Written English with a score of 4.5 or more; or
 - b. The iBT. An applicant who takes the iBT passes with an overall test score of a minimum of 100 and a:
 - i. Writing section with a minimum score of 25,
 - ii. Speaking section with a minimum score of 25,
 - iii. Reading section with a minimum score of 25, and
 - iv. Listening section with a minimum score of 25.
 - 5. To demonstrate that the applicant meets uniform criteria for educational requirements according to A.R.S. § 32-2022(E)(3), the applicant shall undergo a credential evaluation to determine that the applicant meets the requirements in the course evaluation tool and arrange to have a credential evaluation report, prepared within 18 months from the date of the application, sent directly to the Board by the credential evaluation agency.
 - 6. To meet the requirements in A.R.S. § 32-2022(B)(5), the applicant shall obtain a work visa to reside and seek employment in the United States issued by the Bureau of Citizenship and Immigration Services and submit a copy of the work visa to the Board.
- B. After receiving a credential evaluation report from a credential evaluation agency, the Board:
- 1. If the credential evaluation report does not establish that the education obtained by the foreign-educated applicant is substantially equivalent to the education required of a physical therapist in an accredited education program, may require the applicant to:
 - a. Complete one or more university or college courses and obtain a grade of C or better in each course;
 - b. Complete a college level examination program; or
 - c. If an applicant for a license, complete one or more continuing competence courses; and
 - 2. Shall issue, within the time-frames stated in Table 1, an interim permit to complete a supervised clinical practice to the applicant if:

- a. The applicant was required to meet one or more of the requirements in subsection (B)(1) and completes the requirements; or
- b. The credential evaluation report establishes that the education obtained by the foreign-educated applicant is substantially equivalent to the education required of a physical therapist in an accredited education program; and
- c. The applicant has passed the national examination and jurisprudence examination; and
- d. The applicant meets the requirements in A.R.S. Title 32, Chapter 19 and R4-24-201.

R4-24-204. Supervised Clinical Practice

- A. An interim permit holder shall complete a supervised clinical practice under onsite supervision. The supervised clinical practice shall consist of at least 500 hours.
- B. Before an individual is issued an interim permit, the individual shall submit to the Board:
 - 1. A written request for Board approval of the facility where supervised clinical practice will take place that includes:
 - a. The name, address, and telephone number of the facility; and
 - b. A description of the physical therapy services provided at the facility; and
 - 2. The name of the individual who holds an unrestricted license to practice physical therapy in this state and agrees to provide onsite supervision of the individual.
- C. The Board shall approve or deny a request made under subsection (B)(1):
 - 1. After assessing whether the facility provides the opportunity for an interim permit holder to attain the knowledge, skills, and attitudes to be evaluated according to the Physical Therapist Assistant Clinical Performance Instrument or Physical Therapist Clinical Performance Instrument; and
 - 2. According to the time-frames in Table 1.
- D. An onsite supervisor shall:
 - 1. Observe the interim permit holder during the supervised clinical practice and:
 - a. Rate the interim permit holder's performance, at both the mid-point and completion of the clinical practice, on each of the clinical performance criteria in the Physical Therapist Clinical Performance Instrument or Physical Therapist Assistant Clinical Performance Instrument, including the dates and hours the onsite supervisor provided onsite supervision;
 - b. Recommend following the mid-point rating whether the interim permit holder be allowed to continue the clinical practice and changes needed, if any, to ensure successful completion of the clinical practice; and
 - c. Recommend following the completion rating whether the interim permit holder be licensed or required to complete further supervised clinical practice; and
 - 2. Submit the ratings on the Physical Therapist Clinical Performance Instrument or Physical Therapist Assistant Clinical Performance Instrument to the Board as follows:
 - a. No later than the 55th day of the clinical practice for the mid-point rating, and
 - b. No later than 30 days after the end of the supervised clinical practice for the completion rating.
- E. After the Board receives the mid-point rating on the Physical Therapist Clinical Performance Instrument or Physical Therapist Assistant Clinical Performance Instrument, the Board shall review the rating and recommendation of the onsite supervisor and decide whether to allow the interim permit holder to continue the clinical practice or recommend changes in the clinical practice to the onsite supervisor.
- F. After the Board receives the completion rating on the Physical Therapist Clinical Performance Instrument or Physical Therapist Assistant Clinical Performance Instrument, the Board:
 - 1. May require the interim permit holder to complete additional onsite supervision under the interim permit if the additional onsite supervision does not cause the interim permit holder to exceed six months from the date the interim permit was issued and:
 - a. The onsite supervisor does not approve one or more of the skills listed on the Physical Therapist Clinical Performance Instrument or Physical Therapist Assistant Clinical Performance Instrument;
 - b. The onsite supervisor recommends that the interim permit holder complete further supervised clinical practice; or
 - c. The Board determines that the interim permit holder has not met the requirements in A.R.S. Title 32, Chapter 19 and this Chapter.
 - 2. If the interim permit holder meets all of the requirements in A.R.S. Title 32, Chapter 19 and this Chapter, shall issue:
 - a. A license to an applicant for a license, or
 - b. A certificate to an applicant for a certificate.
 - 3. If the applicant, licensee, or certificate-holder does not meet all of the requirements in A.R.S. Title 32, Chapter 19 and this Chapter, shall deny:
 - a. A license to an applicant for a license, or
 - b. A certificate to an applicant for a certificate.
- G. An applicant who has been denied a license or certificate may request a hearing under A.R.S. Title 41, Chapter 6, Article 10.

R4-24-205. Examination Scores

- A. To be licensed as a physical therapist, an applicant shall obtain:
 - 1. A scaled score of 600 or more, based on a scale ranging from 200 to 800 on a national examination for physical therapists taken on or after March 14, 1996; or
 - 2. A raw score that is no lower than 1.50 standard deviation below the national average for a national examination for physical therapists taken before March 14, 1996.
- B. To be certified as a physical therapist assistant, an applicant for certification shall obtain:
 - 1. A scaled score of 600 or more based on a scale ranging from 200 to 800 on a national examination for physical therapist assistants taken on or after March 14, 1996; or
 - 2. A raw score that is no lower than 1.50 standard deviation below the national average for a national examination for physical therapist assistants taken before March 14, 1996.
- C. In addition to the requirements in subsections (A) and (B), to be licensed as a physical therapist or certified as a physical therapist assistant, an applicant shall obtain a scaled score of 600 or more based on a scale ranging from 200 to 800 on a jurisprudence examination.

R4-24-206. Renumbered

R4-24-207. Application for a Physical Therapist Assistant Certificate

- A. An applicant for an original physical therapist assistant certificate shall submit to the Board an application packet that includes:
1. An application form provided by the Board, signed, dated, and verified by the applicant that contains:
 - a. The applicant's name, business and residential addresses, telephone number, birth date, and Social Security number;
 - b. The name and address of the college or university where the applicant completed an accredited educational program for physical therapist assistants, dates of attendance, and date of completion;
 - c. A statement of whether the applicant has ever been licensed or certified as a physical therapist assistant in any other jurisdiction of the United States or foreign country;
 - d. Professional employment history for the five years before the date of application including the name, address, and telephone number for each place of employment, job title, description of the work completed, and explanation of any breaks in employment, if applicable;
 - e. A statement of whether the applicant has ever been convicted of, pled guilty or no contest to, or entered into diversion in lieu of prosecution for any criminal offense in any jurisdiction of the United States or foreign country and if so, an explanation;
 - f. A statement of whether the applicant has ever had an application for a professional or occupational license, certificate, or registration, other than a driver's license, denied, rejected, suspended, or revoked by any jurisdiction of the United States or foreign country and if so, an explanation;
 - g. A statement of whether the applicant is currently or ever has been under investigation, suspension, or restriction by a professional licensing board in any jurisdiction of the United States or foreign country for any act that occurred in that jurisdiction that would be the subject of discipline under this Chapter and if so, an explanation;
 - h. A statement of whether the applicant has ever been the subject of disciplinary action by a professional association or postsecondary educational institution;
 - i. A statement of whether the applicant has committed any of the actions referenced in the definition of good moral character in R4-24-101;
 - j. A statement of whether the applicant has ever had a malpractice judgment or has a lawsuit currently pending for malpractice and if so, an explanation;
 - k. A statement of whether the applicant is currently more than 30 days in arrears for payment required by a judgment and order for child support in Arizona or any other jurisdiction;
 - l. A statement of whether the applicant has any impairment to the applicant's cognitive, communicative, or physical ability to participate in therapeutic interventions with skill and safety and if so, an explanation;
 - m. A statement of whether the applicant has, within the past 10 years, used alcohol, any illegal chemical substance, or prescription medications, that in any way has impaired or limited the applicant's ability to participate in therapeutic interventions with skill and safety and if so, an explanation;
 - n. A statement of whether the applicant has, within the past 10 years, been diagnosed as having or is being treated for bipolar disorder, schizophrenia, paranoia, or other psychotic disorder that in any way has impaired or limited the applicant's ability to participate in therapeutic interventions with skill and safety and if so, an explanation;
 - o. A statement of whether the applicant has ever violated A.R.S. § 32-2044(10); and
 - p. A sworn statement by the applicant verifying the truthfulness of the information provided by the applicant;
 2. A passport photograph of the applicant no larger than 1 1/2 x 2 inches that was taken not more than six months before the date of the application;
 3. Evidence of the applicant's U.S. citizenship, alien status, legal residency, or lawful presence in the U.S.; and
 4. The fee required in R4-24-107.
- B. In addition to the requirements in subsection (A), an applicant shall arrange to have directly submitted to the Board:
1. An official transcript or letter showing that the applicant completed all requirements of an accredited educational program that includes the official seal of the school or college where the applicant completed the accredited educational program and signature of the registrar of the school or college;
 2. Verification of passing a national examination for physical therapist assistants as evidenced by an original notice of examination results; and
 3. Verification of passing a jurisprudence examination as evidenced by an original notice of examination results.
- C. In addition to the requirements in subsections (A) and (B), an applicant for a physical therapist assistant certificate by endorsement shall submit to the Board:
1. The name of the licensing or certifying agency of any jurisdiction in which the applicant is currently or has been previously licensed or certified; and
 2. A verification of license or certificate, signed and dated by an official of the agency licensing or certifying the applicant, that includes the official seal of the licensing or certifying agency and all of the following:
 - a. The name of the applicant;
 - b. The license or certificate number and date of issuance;
 - c. The current status of the license or certificate;
 - d. The expiration date of the license or certificate;
 - e. A statement of whether the applicant was ever denied a license or certificate by the agency and if so, an explanation; and
 - f. A statement of whether any disciplinary action is pending or has ever been taken against the applicant and if so, an explanation.
- D. The Board shall deny a certificate to an applicant who fails to meet the requirements of this Section or A.R.S. Title 32, Chapter 19. A person denied a certificate may request a hearing under A.R.S. Title 41, Chapter 6, Article 10.

R4-24-208. License or Certificate Renewal; Address Change

- A. A licensee or certificate holder shall submit a renewal application packet to the Board on or before August 31 of an even-numbered year that includes:
1. The following information for the license or certificate period immediately preceding the renewal application:
 - a. The licensee's or certificate holder's:
 - i. Name;

- ii. Home, business, and e-mail addresses; and
 - iii. Home and business telephone numbers;
 - b. A statement of whether the licensee or certificate holder has been convicted of, pled guilty or no contest to, or entered into diversion in lieu of prosecution for any criminal offense in any jurisdiction of the United States or foreign country and if so, an explanation;
 - c. A statement of whether the licensee or certificate-holder has had an application for a professional or occupational license, certificate, or registration, other than a driver's license, denied, rejected, suspended, or revoked by any jurisdiction of the United States or foreign country and if so, an explanation;
 - d. A statement of whether the licensee or certificate holder is currently or ever has been under investigation, suspension, or restriction by a professional licensing board in any jurisdiction of the United States or foreign country for any act that occurred in that jurisdiction that would be the subject of discipline under this Chapter and if so, an explanation;
 - e. A statement of whether the licensee or certificate-holder has been the subject of disciplinary action by a professional association or postsecondary educational institution;
 - f. A statement of whether the licensee or certificate holder has had a malpractice judgment against the licensee or certificate-holder or has a lawsuit currently pending for malpractice and if so, an explanation;
 - g. A statement of whether the licensee or certificate holder is currently more than 30 days in arrears for payment required by a judgment and order for child support in Arizona or any other jurisdiction;
 - h. A statement of whether the licensee or certificate holder has adhered to the recognized standards of ethics;
 - i. A statement of whether the licensee or certificate holder has or has not committed any of the actions referenced in the definition of good moral character in R4-24-101;
 - j. A statement of whether the licensee or certificate holder has been the subject of any criminal investigation by a federal, state, or local agency or had criminal charges filed against the licensee or certificate-holder;
 - k. If a licensee, a statement of whether the licensee has:
 - i. Any impairment to the licensee's cognitive, communicative, or physical ability to engage in the practice of physical therapy with skill and safety and if so, an explanation;
 - ii. Used alcohol, any illegal chemical substance, or prescription medicine, that in any way has impaired or limited the licensee's ability to practice physical therapy with skill and safety and if so, an explanation;
 - iii. Been diagnosed as having or is being treated for bipolar disorder, schizophrenia, paranoia, or other psychotic disorder that in any way has impaired or limited the licensee's ability to practice physical therapy with skill and safety and if so, an explanation;
 - l. If a certificate holder, a statement of whether the certificate holder has:
 - i. Any impairment to the certificate holder's cognitive, communicative, or physical ability to work as a physical therapist assistant with skill and safety and if so, an explanation;
 - ii. Used alcohol, any illegal chemical substance or prescription medicine, that in any way has impaired or limited the certificate holder's ability to work as a physical therapist assistant with skill and safety and if so, an explanation;
 - iii. Been diagnosed as having or is being treated for bipolar disorder, schizophrenia, paranoia, or other psychotic disorder that in any way has impaired or limited certificate holder's ability to work as a physical therapist assistant with skill and safety and if so, an explanation;
 - m. A statement of whether the licensee or certificate holder has ever violated A.R.S. § 32-2044(10);
 - n. If a licensee, a statement of whether the licensee has completed the 20 contact hours of continuing competence for the previous compliance period as required in R4-24-401(A) and (E); and
 - o. If a licensee, a statement of whether the licensee has complied with the medical records protocol as required in A.R.S. § 32-3211.
2. The signature of the applicant attesting to the truthfulness of the information provided by the licensee or certificate holder;
 3. Evidence of the applicant's U.S. citizenship, alien status, legal residency, or lawful presence in the U.S.; and
 4. The fee required by the Board in R4-24-107.
- B. Failure of the Board to inform a licensee or certificate holder of license or certificate expiration does not excuse the licensee's or certificate holder's non-renewal or untimely renewal.
- C. The Board shall:
1. Approve or deny the application within the time-frames in R4-24-209 and Table 1, and
 2. Deny the application of an applicant who does not meet the requirements in A.R.S. § 32-2001 et seq. or this Chapter.
- D. A licensee or certificate holder denied renewal of a license or certificate may request a hearing under A.R.S. Title 41, Chapter 6, Article 10.
- E. A licensee or certificate holder shall send to the Board written notification of a change in any of the information provided under subsection (A)(1)(a) no later than 30 days after the date of the change of address or telephone number.

R4-24-209. Time-frames for Board Approvals

- A. The overall time-frame described in A.R.S. § 41-1072(2) for each type of approval granted by the Board is listed in Table 1. The applicant and the Executive Director of the Board may agree in writing to extend the substantive review time-frame and overall time-frame. The overall time-frame and the substantive review time-frame may not be extended by more than 25% of the overall time-frame.
- B. The administrative completeness review time-frame described in A.R.S. § 41-1072(1) for each type of approval granted by the Board is listed in Table 1.
1. The administrative completeness review time-frame begins:
 - a. When the Board receives an application packet for an initial or renewal license or certificate or
 - b. When the Board receives a request for approval of a facility.
 2. If the application packet is incomplete, the Board shall send to the applicant a written notice specifying the missing document or incomplete information.
 - a. The administrative completeness review time-frame and the overall time-frame are suspended from the postmark date of the notice until the date the Board receives a complete application packet from the applicant.
 - b. An applicant who disagrees with the Board's statement of deficiencies may request a hearing as provided in A.R.S. § 32-2023.
 3. If an application packet is complete, the Board shall send a written notice of administrative completeness to the applicant.

4. If the Board grants a license, certificate, or approval during the time provided to assess administrative completeness, the Board shall not issue a separate written notice of administrative completeness.
- C. The substantive review time-frame described in A.R.S. § 41-1072(3) is listed in Table 1 and begins on the postmark date of the notice of administrative completeness.
1. During the substantive review time-frame, the Board may make one comprehensive written request for additional information or documentation. The time-frame for the Board to complete the substantive review is suspended from the postmark date of the comprehensive written request for additional information or documentation until the Board receives the additional information or documentation.
 2. The Board shall send a written notice of approval of a license or certificate to an applicant who meets the qualifications in A.R.S. §§ 32-2001 through 32-2027 and this Chapter.
 3. The Board shall send a written notice of denial to an applicant who fails to meet the qualifications in A.R.S. §§ 32-2001 through 32-2027 and these rules.
- D. The Board shall consider an application withdrawn if within 360 days from the application submission date the applicant fails to:
1. Supply the missing information requested under subsection (B)(2) or (C)(1); or
 2. Take the national physical therapist examination or national physical therapist assistant examination.
- E. An applicant who does not wish an application withdrawn may request a denial in writing within 360 days from the application submission date.
- F. If a time-frame's last day falls on a Saturday, Sunday, or an official state holiday, the Board shall consider the next business day the time-frame's last day.

Table 1. Time-frames (in days)

Type of Applicant	Type of Approval	Statutory Authority	Overall Time-frame	Administrative Completeness Time-frame	Substantive Review Time-frame
Original License (R4-24-201)	License	A.R.S. §§ 32-2022; 32-2023	75	30	45
License by Endorsement (R4-24-201)	License by Endorsement	A.R.S. § 32-2026	75	30	45
Physical Therapist Assistant Certificate (R4-24-207)	Certificate	A.R.S. §§ 32-2022; 32-2023	75	30	45
Foreign-educated (R4-24-203)	License	A.R.S. §§ 32-2022; 32-2025	75	45	30
Renewal of license or certificate (R4-24-208)	License or certificate	A.R.S. § 32-2027	30	15	15
Foreign-educated and Supervised Clinical Practice (R4-24-203, R4-24-204)	Interim Permit and Approval of Facility	A.R.S. § 32-2025	60	30	30
Reinstatement (R4-24-202)	Reinstatement of License or Certificate	A.R.S. § 32-2028	30	15	15
Initial Registration of a Business Entity	Registration	A.R.S. § 32-2030	30	15	15
Renewal of Registration of a Business Entity	Registration	A.R.S. § 32-2030(D)	15	7	8

R4-24-210. Business Entity Registration; Display of Registration Certificate

- A. A business entity that offers physical therapy services to the public and is not exempt from registration under A.R.S. § 32-2030(H) shall separately register with the Board each location from which physical therapy services are offered in Arizona.
- B. A business entity shall not offer physical therapy services at a location in Arizona until that location is registered with the Board.
- C. To register with the Board an Arizona location at which physical therapy services are offered, a business entity shall submit to the Board an application packet that includes the following:
 1. An application form, which is available from the Board and requires the following information:
 - a. Name and primary address of the business entity;
 - b. Name, title, address, and telephone number of the manager of the location being registered;

- c. Name and business address of each officer or director of the business entity;
 - d. Name and license number of each physical therapist who provides physical therapy services at the location being registered;
 - e. Name and certificate number of each physical therapy assistant who works at the location being registered;
 - f. Description of the physical therapy services offered at the location being registered;
 - g. For the business entity, a statement of whether any state, territory, district, or country has ever:
 - i. Refused to issue or renew a registration, permit, license, or other authorization;
 - ii. Accepted surrender of a registration, permit, license, or other authorization in lieu of other disciplinary action; or
 - iii. Suspended, revoked, cancelled, or taken other disciplinary action against a registration, permit, license, or other authorization; and
 - h. Dated and notarized signature of an officer or director attesting that:
 - i. The business entity has a written protocol that meets the standards in A.R.S. § 32-2030(F) for the secure storage, transfer, and access of the physical therapy records of the business entity's patients; and
 - ii. The information provided is true and correct; and
2. The application fee required under R4-24-107(A)(3).
- D. For each location registered, a business entity shall display, in a location accessible to public view, the:
- 1. Registration certificate and current renewal verification of the business entity,
 - 2. License and current renewal verification of every physical therapist who provides physical therapy services at the location, and
 - 3. Certificate and current renewal verification of every physical therapy assistant who works at the location.

R4-24-211. Renewal of Business Entity Registration

- A. The registration of a business entity expires for each location registered on August 31 of every odd-numbered year.
- B. A business entity shall separately renew the registration of each location from which the business entity offers physical therapy services in Arizona.
- C. To renew the registration of an Arizona location from which physical therapy services are offered, a business entity shall submit to the Board an application form, which is available from the Board and requires the following information:
 - 1. Name and primary address of the business entity;
 - 2. Name, title, address, and telephone number of the manager of the location being registered;
 - 3. Name and business address of each officer or director of the business entity;
 - 4. Name and license number of each physical therapist who provides physical therapy services at the location being registered;
 - 5. Name and certificate number of each physical therapy assistant who works at the location being registered;
 - 6. Description of the physical therapy services offered at the location being registered;
 - 7. For the business entity, a statement of whether any state, territory, district, or country has ever:
 - a. Refused to issue or renew a registration, permit, license, or other authorization;
 - b. Accepted surrender of a registration, permit, license, or other authorization in lieu of other disciplinary action; or
 - c. Suspended, revoked, cancelled, or taken other disciplinary action against a registration, permit, license, or other authorization;
 - 8. Statement of whether the business entity complies with A.R.S. § 32-2030(F); and
 - 9. Dated and notarized signature of an officer or director attesting that the information provided is true and correct.
- D. A business entity that timely complies with subsection (C) may continue to offer physical therapy services from the location for which application is made until the Board grants or denies the renewed registration.
- E. A business entity that fails to comply timely with subsection (C) shall immediately stop offering physical therapy services from the location for which application is not made. To be authorized to offer physical therapy services again from that location, the business entity shall comply with R4-24-210 and pay both the application and late fee specified in R4-24-207(A)(3).

R4-24-212. Regulation of a Business Entity

- A. A business entity may submit a complaint under A.R.S. § 32-2030 or 32-2045(D) by complying with R4-24-305.
- B. The Board shall investigate and act on a complaint, whether submitted by or against a business entity, in a manner consistent with R4-24-305, R4-24-306, R4-24-307, R4-24-308, and R4-24-309.
- C. As provided under A.R.S. § 32-2047, a business entity that violates a requirement of A.R.S. § 32-2030 is subject to disciplinary action by the Board.

R4-24-213. Business Entity Participation

- A registered business entity may provide assistance and advice to the Board relating to the regulation of business entities by:
- 1. Participating in the rulemaking process in a manner described under A.R.S. Title 41, Chapter 6, Article 3;
 - 2. Submitting a petition under A.R.S. § 41-1033 and R4-24-502;
 - 3. Submitting an appeal under A.R.S. § 41-1056.01 and R4-24-502;
 - 4. Submitting a written criticism under R4-24-506; and
 - 5. Attending a Board meeting.

EXHIBIT 1. Repealed

ARTICLE 3. PRACTICE OF PHYSICAL THERAPY

R4-24-301. Lawful Practice

- A. A physical therapist shall provide the referring practitioner, if any, with information from the patient assessment, diagnosis, and plan of care. Within one week after a patient is initially evaluated, the physical therapist shall provide this information:
 - 1. In writing and place a copy of the written notice in the patient's record, or
 - 2. Orally and place a contemporaneously made note of the verbal communication in the patient's record.
- B. A physical therapist shall maintain the confidentiality of patient records as required by federal and state law.
- C. On written request by a patient or the patient's health care decision maker, a physical therapist shall provide access to or a copy of the patient's medical or payment record in accordance with A.R.S. § 12-2293.
- D. A physical therapist shall obtain a patient's consent before examination and treatment and document the consent in the patient's record.

- E. A physical therapist shall respect a patient's right to make decisions regarding examination and the recommended plan of care including the patient's decision regarding consent, modification of the plan of care, or refusal of examination or treatment. To assist the patient in making these decisions, the physical therapist shall:
1. Communicate to the patient:
 - a. Examination findings,
 - b. Evaluation of the findings, and
 - c. Diagnosis and prognosis,
 2. Collaborate with the patient to establish the goals of treatment and the plan of care, and
 3. Inform the patient that the patient is free to select another physical therapy provider.

R4-24-302. Use of Titles

- A. As required under A.R.S. § 32-2042, a licensed physical therapist shall use the designation "P.T." immediately following the licensee's name or signature to denote licensure. A licensed physical therapist shall not use the designations "R.P.T." or "L.P.T." in connection with the physical therapist's name or place of business.
- B. In addition to and immediately following the "P.T." designation, a physical therapist may list academic degrees earned and professional specialty certifications held.
- C. As required under A.R.S. § 32-2042, a physical therapist assistant shall use the designation "P.T.A." immediately following the physical therapist assistant's name to denote certification.
- D. As required under A.R.S. § 32-2042, a physical therapist or physical therapist assistant who is on retired status shall use "(retired)" or "(ret.)" immediately after the designation required under subsection (A) or (C), as applicable.

R4-24-303. Patient Care Management

- 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.
- B. On each date of service, a physical therapist shall:
1. Perform and document each therapeutic intervention that requires the expertise of a physical therapist; and
 2. Determine, based on a patient's acuity and treatment plan, whether it is appropriate to use assistive personnel to perform a selected treatment intervention or physical therapy task for the patient.
- C. A physical therapist shall not supervise more than three assistive personnel at any time. If a physical therapist supervises three assistive personnel, the physical therapist shall ensure that:
1. At least one of the assistive personnel is a physical therapist assistant,
 2. No more than two of the assistive personnel are physical therapist assistants performing selected treatment interventions under general supervision, and
 3. Assistive personnel other than a physical therapist assistant perform a physical therapy task only under the onsite supervision of a physical therapist.
- D. Before delegating performance of a selected treatment intervention to a physical therapist assistant working under general supervision, the supervising physical therapist shall ensure that the physical therapist assistant:
1. Is certified under this Chapter, and
 2. Has completed at least 2,000 hours of experience as a physical therapist assistant working with patients under onsite supervision.
- E. Before delegating performance of a selected physical therapy intervention or physical therapy task to assistive personnel working under general or onsite supervision, the supervising physical therapist shall ensure that the assistive personnel is qualified by education or training to perform the selected physical therapy intervention or physical therapy task in a safe, effective, and efficient manner.
- F. A physical therapist who provides general supervision for a physical therapist assistant shall:
1. Be licensed under this Chapter;
 2. Respond to a communication from the physical therapist assistant within 15 minutes;
 3. 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; and
 4. Perform a reevaluation and provide each therapeutic intervention for the patient that is done on the day of the reevaluation every fourth treatment visit or every 30 days, whichever occurs first.
- G. A physical therapist assistant who provides a selected treatment intervention under general supervision shall document in the patient record:
1. The name and license number of the supervising physical therapist;
 2. The name of the patient to whom the selected treatment intervention is provided;
 3. The date on which the selected treatment intervention is provided;
 4. The selected treatment intervention provided; and
 5. Whether the physical therapist assistant consulted with the supervising physical therapist during the course of the selected treatment intervention and if so, the subject of the consultation and any decision made.

R4-24-304. Adequate Patient Records

A. A physical therapist shall ensure that a patient record meets the following minimum standards:

1. Each entry in the patient record is:
 - a. Legible,
 - b. Accurately dated, and
 - c. Signed with the name and legal designation of the individual making the entry;
2. If an electronic signature is used to sign an entry, the electronic signature is secure;
3. The patient record contains sufficient information to:
 - a. Identify the patient on each page of the patient record,
 - b. Justify the therapeutic intervention,
 - c. Document results of the therapeutic intervention,
 - d. Indicate advice or cautionary warnings provided to the patient,
 - e. Enable another physical therapist to assume the patient's care at any point in the course of therapeutic intervention, and
 - f. Describe the patient's medical history.
4. If an individual other than a physical therapist or physical therapist assistant makes an entry into the patient record, the supervising physical therapist co-signs the entry;
5. If it is determined that erroneous information is entered into the patient record:
 - a. The error is corrected in a manner that allows the erroneous information to remain legible, and
 - b. The individual making the correction dates and initials the correct information; and
6. For each date of service there is an accurate record of the physical therapy services provided and billed.

B. Initial evaluation. As required by A.R.S. § 32-2043(F)(1), a physical therapist shall perform the initial evaluation of a patient. The physical therapist who performs an initial evaluation shall make an entry that meets the standards in subsection (A) in the patient record and document:

1. The patient's reason for seeking physical therapy services;
2. The patient's relevant medical diagnoses or conditions;
3. The patient's signs and symptoms;
4. Objective data from tests or measurements;
5. The physical therapist's interpretation of the results of the examination;
6. Clinical rationale for therapeutic intervention;
7. A plan of care that includes the proposed therapeutic intervention, measurable goals, and frequency and duration of therapeutic intervention; and
8. The patient's prognosis.

C. Therapeutic-intervention notes. For each date that a therapeutic intervention is provided to a patient, the individual who provides the therapeutic intervention shall make an entry that meets the standards in subsection (A) in the patient record and document:

1. The patient's subjective report of current status or response to therapeutic intervention;
2. The therapeutic intervention provided or appropriately supervised;
3. Objective data from tests or measures, if collected;
4. Instructions provided to the patient, if any; and
5. Any change in the plan of care required under subsection (B)(7).

D. Re-evaluation. As required by A.R.S. § 32-2043(F)(2), a physical therapist shall perform a re-evaluation when a patient fails to progress as expected, progresses sufficiently to warrant a change in the plan of care, or in accordance with R4-24-303(F)(4). A physical therapist who performs a re-evaluation shall make an entry that meets the standards in subsection (A) in the patient record and document:

1. The patient's subjective report of current status or response to therapeutic intervention;
2. Assessment of the patient's progress;
3. The patient's current functional status;
4. Objective data from tests or measures, if collected;
5. Rationale for continuing therapeutic intervention; and
6. Any change in the plan of care required under subsection (B)(7).

E. Discharge summary. As required by A.R.S. § 32-2043(F)(3), a physical therapist shall document the conclusion of care in a patient's record regardless of the reason that care is concluded.

1. If care is provided in an acute-care hospital, the entry made under subsection (C) on the last date that a therapeutic intervention is provided constitutes documentation of the conclusion of care if the entry is made by a physical therapist.
2. If care is not provided in an acute-care hospital or if a physical therapist does not make the entry under subsection (C) on the last date that a therapeutic intervention is provided, a physical therapist shall make an entry that meets the standards in subsection (A) in the patient record and document:
 - a. The date on which therapeutic intervention terminated;
 - b. The reason that therapeutic intervention terminated;
 - c. Inclusive dates for the episode of care being terminated;
 - d. The total number of days on which therapeutic intervention was provided during the episode of care;
 - e. The patient's current functional status;
 - f. The patient's progress toward achieving the goals in the plan of care required under subsection (B)(7); and
 - g. The recommended discharge plan.

R4-24-305. Complaints and Investigations

- A. A complainant shall ensure that a complaint filed with the Board is about:
1. An individual licensed or certified under this Chapter; or
 2. An individual believed to be engaged in unlawful practice as described in A.R.S. § 32-2048.
- B. If the Board determines under A.R.S. § 32-2045(A)(2) that there is reason to believe that an individual may have violated A.R.S. Title 32, Chapter 19, or this Chapter, the Board shall prepare a complaint and serve the complaint as described in subsection (D)(2).
- C. Complaint requirements. A complainant shall:
1. Submit the complaint to the Board in writing; and
 2. Provide the following information:
 - a. Name of licensee, certificate holder, or other individual who is the subject of complaint;
 - b. Name and address of complainant;
 - c. Nature of the complaint;
 - d. Details of the complaint with pertinent dates and activities;
 - e. Whether the complainant has contacted any other organization regarding the complaint; and
 - f. Whether complainant has contacted the licensee, certificate holder, or other individual concerning the complaint, and if so, the response, if any.
- D. Within 90 days after receiving a complaint, the Board shall ensure that the complaint is reviewed to determine whether the complaint is within the Board's jurisdiction, and:
1. If the complaint is not within the Board's jurisdiction, dismiss the complaint and provide written notice of the dismissal to the complainant; or
 2. If the complaint is within the Board's jurisdiction, serve a copy of the complaint on the individual complained against and provide the individual complained against with 30 days to respond and admit, deny, or further explain each allegation in the complaint.
- E. If a complaint is within the Board's jurisdiction, the Board shall ensure that an investigation regarding the matters alleged in the complaint is conducted.
- F. After expiration of the 30 days provided under subsection (D)(2), the Board shall review the complaint, response, and investigation results and take action as prescribed under A.R.S. §§ 32-2045(B) or 32-2046.

R4-24-306. Hearings

- A. To facilitate investigation of a complaint, the Board may conduct an informal hearing. The Board shall send written notice of an informal hearing to the individual who is the subject of the complaint, by personal service or certified mail, return receipt requested, at least 30 days before the informal hearing.
- B. The Board shall ensure that the written notice of informal hearing contains the following information:
1. The time, date, and place of the informal hearing;
 2. An explanation of the informal nature of the proceedings;
 3. The individual's right to appear with or without legal counsel;
 4. A statement of the allegations and issues involved with a citation to relevant statutes and rules;
 5. The individual's right to a formal hearing under A.R.S. Title 41, Chapter 6, Article 10 instead of the informal hearing;
 6. The licensee's or certificate holder's right to request under A.R.S. § 32-3206(A) a copy of information the Board will use in making its determination; and
 7. Notice that the Board may take disciplinary action as a result of the informal hearing if it finds the individual violated A.R.S. Title 32, Chapter 19, or this Chapter;
- C. The Board shall ensure that an informal hearing proceeds as follows:
1. Introduction of the respondent and, if applicable, legal counsel for the respondent;
 2. Introduction of the Board members, staff, and Assistant Attorney General present;
 3. Swearing in of the respondent and witnesses;
 4. Brief summary of the allegations and purpose of the informal hearing;
 5. Optional opening comment by the respondent;
 6. Questioning of the respondent by the Board and questioning of witnesses by the Board and the respondent;
 7. Optional additional comments by the respondent; and
 8. Deliberation and deciding the case by the Board.

R4-24-307. Subpoenas

- A. A party desiring issuance of a subpoena to compel the appearance of a witness or the production of documents or other evidence at a hearing shall file a written request with the Board that includes the following information:
1. The caption and docket number of the matter;
 2. A list or description of any documents or other evidence sought;
 3. The name and business address of the custodian of the documents or other evidence sought;
 4. The name and business or residential address of all persons to be subpoenaed;
 5. A brief statement of the reason the evidence is relevant to the matter;
 6. The date, time, and place to appear or produce documents or other evidence; and
 7. The name, address, and telephone number of the party, or the party's attorney, requesting the subpoena.
- B. The party requesting a subpoena be issued shall ensure that the subpoena is served in the manner prescribed by the Arizona Rules of Civil Procedure and pay all costs involved in serving the subpoena.
- C. A party or the person served with a subpoena who objects to the subpoena, in whole or in part, may file a written objection with the Board within five days after service of the subpoena or at the beginning of the hearing if the subpoena is served fewer than five days before the hearing.
- D. The Board shall quash or modify a subpoena if:
1. It is unreasonable or oppressive,
 2. It requests information that is confidential or privileged, or
 3. The desired testimony or evidence can be obtained by an alternative method.

R4-24-308. Rehearing or Review of Board Decisions

- A. The Board shall provide for a rehearing and review of its decisions under A.R.S. Title 41, Chapter 6, Article 10.
- B. Except as provided in subsection (I), a party is required to file a motion for rehearing or review of a decision of the Board to exhaust the party's administrative remedies.
- C. A party may amend a motion for rehearing or review at any time before the Board rules on the motion.
- D. The Board may grant a rehearing or review for any of the following reasons materially affecting a party's rights:
 - 1. Irregularity in the proceedings of the Board or any order or abuse of discretion that deprived the moving party of a fair hearing;
 - 2. Misconduct of the Board, its staff, or an administrative law judge;
 - 3. Accident or surprise that could not have been prevented by ordinary prudence;
 - 4. Newly discovered material evidence that could not, with reasonable diligence, have been discovered and produced at the hearing;
 - 5. Excessive or insufficient penalty;
 - 6. Error in the admission or rejection of evidence or other errors of law occurring at the hearing or during the progress of the proceedings; and
 - 7. The findings of fact or decision is not justified by the evidence or is contrary to law.
- E. The Board may affirm or modify a decision or grant a rehearing or review to any or all of the parties on all or part of the issues for any of the reasons listed in subsection (D). An order modifying a decision or granting a rehearing or review shall specify with particularity the grounds for the order. If a rehearing or review is granted, the rehearing or review shall cover only the matters specified in the order.
- F. No later than 30 days after making a decision and after giving the parties notice and an opportunity to be heard, the Board may order a rehearing or review on its own initiative for any of the reasons listed in subsection (D). The Board may grant a motion for rehearing or review, timely served, for a reason not stated in the motion. An order granting a rehearing or review shall specify with particularity the grounds on which the rehearing or review is granted.
- G. When a motion for rehearing or review is based upon affidavits, the affidavits shall be served with the motion. An opposing party may, within 15 days after service, serve opposing affidavits. This period may be extended for not more than 20 days by the Board for good cause as described in subsection (I) or by written stipulation of the parties. The Board may permit reply affidavits.
- H. If a rehearing is granted, the Board shall hold the rehearing within 60 days after the issue date on the order granting the rehearing.
- I. If the Board makes a specific finding that immediate effectiveness of a particular decision is necessary for preservation of the public health, safety, or welfare and that rehearing or review is impracticable, unnecessary, or contrary to public interest, the decision may be issued as a final decision without an opportunity for rehearing or review. If an application for judicial review of the decision is made, it shall be made under A.R.S. § 12-901 et seq.

R4-24-309. Disciplinary Actions

- A. As required by A.R.S. § 39-121.01, a record of Board disciplinary actions, including a decree of censure, is a public record open to public inspection.
- B. If the Board decides to restrict a license or certificate, the Board shall ensure that the restriction and any required corrective action address the conduct that led to the restriction and protect the public. If the Board decides to require that an individual with a restricted license or certificate be supervised during the period of restriction, the Board shall appoint an unrestricted licensee to provide the supervision.
- C. A physical therapist or physical therapist assistant whose license or certificate is suspended, revoked, or voluntarily surrendered shall return the license or certificate to the Board within 10 days after receipt of the Board's final order.
- D. At the end of a period of license or certificate restriction, the Board shall terminate the restriction only if the licensee or certificate holder submits to the Board evidence of having completed all required corrective actions and complied with all terms of the restriction. If the Board believes it will help the Board determine whether to terminate a restriction, the licensee or certificate holder shall appear before the Board.
- E. An applicant who had a previous license or certificate revoked by the Board shall appear before the Board before the Board acts on the application.

R4-24-310. Substance Abuse Recovery Program

- A. Under A.R.S. § 32-2044(8), practicing as a physical therapist or working as a physical therapist assistant while mentally or physically impaired is grounds for disciplinary action.
- B. The Board shall allow an impaired licensee or certificate holder to enter into a substance abuse recovery program rather than conduct a disciplinary proceeding if:
 - 1. The impaired licensee or certificate holder is qualified under A.R.S. § 32-2050(2),
 - 2. The Board believes the proposed program will assist the impaired licensee or certificate holder to recover, and
 - 3. The impaired licensee or certificate holder enters into the written agreement required under A.R.S. § 32-2050(3) and (4).

R4-24-311. Display of License; Disclosure

- A. A licensee or certificate holder shall display a copy or provide documentation of the license or certificate and current renewal verification as specified in A.R.S. § 32-2051(G).
- B. Upon request, a licensee or certificate holder shall inform a member of the public how to file a complaint by providing the address and telephone number of the Board office and a statement that a complaint against a licensee or certificate holder should be directed to the Board.
- C. Before conducting an evaluation or initiating physical therapy, a licensee shall disclose to a patient when a referring practitioner is deriving direct or indirect compensation from the referral. The licensee shall ensure that the disclosure is in writing and states "Under A.R.S. § 32-2051(C), I am required by law to inform you in writing that your referring physician [or specify if different from a physician] derives either direct or indirect compensation related to your physical therapy."

R4-24-312. Mandatory Reporting Requirement

- A. As required by A.R.S. § 32-3208, an applicant, licensee, or certificate holder who is charged with a misdemeanor involving conduct that may affect patient safety or a felony shall provide written notice of the charge to the Board within 10 working days after the charge is filed.
- B. An applicant, licensee, or certificate holder may request a list of reportable misdemeanors from the Board.

R4-24-313. Professional Standards of Care and Training and Education Qualifications for Delivery of Dry Needling Skilled Intervention

- A. Effective July 1, 2015 and in accordance with A.R.S. § 32-2044(25), a physical therapist shall meet the qualifications established in subsection (C) before providing the skilled intervention “dry needling”, as defined in A.R.S. § 32-2001(4).
- B. A physical therapist offering to provide or providing “dry needling” intervention shall provide documented proof of compliance with the qualifications listed in subsection (C) to the board within 30 days of completion of the course content in subsection (C) or within 30 days of initial licensure as a physical therapist in Arizona.
- C. Course content that meets the training and education qualifications for “dry needling” shall contain all of the following:
 - 1. The course content shall be approved by one or more of the following entities prior to the course(s) being completed by the physical therapist.
 - a. Commission On Accreditation In Physical Therapy Education,
 - b. American Physical Therapy Association,
 - c. State Chapters Of The American Physical Therapy Association,
 - d. Specialty Groups Of The American Physical Therapy Association, or
 - e. The Federation of State Boards Of Physical Therapy.
 - 2. The course content shall include the following components of education and training:
 - a. Sterile needle procedures to include one of the following standards:
 - i. The U.S. Centers For Disease Control And Prevention, or
 - ii. The U.S. Occupational Safety And Health Administration
 - b. Anatomical Review,
 - c. Blood Borne Pathogens
 - d. Contraindications and indications for “dry needling”,
 - 3. The course content required in subsection (C) of this Section shall include, but is not limited to, passing of both a written examination and practical examination before completion of the course content. Practice application course content and examinations shall be done in person to meet the qualifications of subsection (C).
 - 4. The course content required in subsection (C) of this subsection shall total a minimum of 24 contact hours of education.
- D. The standard of care for the intervention “dry needling” includes, but is not limited to the following:
 - 1. “Dry needling” cannot be delegated to any assistive personnel.
 - 2. Consent for treatment for the intervention “dry needling” is the same as required under R4-24-301.
 - 3. Documentation of the intervention “dry needling” shall be done in accordance with R4-24-304.

Appendix A. Repealed

Appendix B. Repealed

ARTICLE 4. CONTINUING COMPETENCE

R4-24-401. Continuing Competence Requirements for Renewal

- A. Except as provided in subsection (F), beginning September 1, 2000, a licensed physical therapist shall earn 20 contact hours of continuing competence activities for each compliance period to be eligible for renewal of license.
 - 1. The licensee shall earn at least 10 contact hours from Category A continuing competence activities. No more than five of the required contact hours from Category A shall be obtained from nonclinical course work.
 - 2. No more than 10 contact hours may be earned by the licensee during any compliance period from Categories B and C continuing competence activities. No more than five contact hours from categories B and C may be obtained from nonclinical course work.
 - 3. If the licensee's initial license is for one year or less, the licensee shall earn 10 contact hours during the initial compliance period.
- B. A licensee shall not receive contact hour credit for repetitions of the same activity.
- C. The continuing competence compliance period for a licensee begins on September 1 following the issuance of an initial license or a license renewal and ends on August 31 of even-numbered years.
- D. A licensee shall not carry over contact hours from one compliance period to another.
- E. An applicant for license renewal shall submit a signed statement to the Board with the renewal application stating whether continuing competence requirements have been fulfilled for the current compliance period.
- F. The Board may, at its discretion, waive continuing competence requirements on an individual basis for reasons of extreme hardship such as illness, disability, active service in the military, or other extraordinary circumstance as determined by the Board. A licensee who seeks a waiver of the continuing competence requirements shall provide to the Board, in writing, the specific reasons for requesting the waiver and additional information that the Board may request in support of the waiver.
- G. A licensee is subject to Board auditing for continuing competence compliance.
 - 1. Selection for audit shall be random and notice of audit sent within 60 calendar days following the license renewal deadline.
 - 2. Within 30 days of receipt of a notice of audit, a licensee shall submit evidence to the Board that shows compliance with the requirements of continuing competence. Documentation of a continuing competence activity shall include:
 - a. The date, place, course title, sponsor, schedule, and presenter;
 - b. The number of contact hours received for the activity; and
 - c. Proof of completion, such as an abstract, certificate of attendance, sign-in log, or other certification of completion.
- H. A licensee shall retain evidence of participation in a continuing competence activity for the two preceding compliance periods.

- I. The Board shall notify a licensee who has been audited whether the licensee is in compliance with continuing competence requirements. A licensee shall be notified by the Board, by certified mail, within 30 working days following the determination by the Board
- J. A licensee found not in compliance with continuing competence requirements shall have six months from the notice of noncompliance to satisfy the continuing competence requirements. A licensee may request a hearing to contest the Board's decision under A.R.S. Title 41, Chapter 6, Article 10.
- K. Penalties for failure to comply with continuing competence requirements may be imposed by the Board under A.R.S § 32-2047 following a hearing conducted under A.R.S. Title 41, Chapter 6, Article 10.

R4-24-402. Continuing Competence Activities

- A. Category A continuing competence activities shall be approved by:
 - 1. An accredited medical, health care, or physical therapy program;
 - 2. A state or national medical, health care, or physical therapy association, or a component of the association; or
 - 3. A national medical, health care, or physical therapy specialty society.
- B. Category A continuing competence activities include:
 - 1. A physical therapy continuing education course designed to provide necessary understanding of current research, clinical skills, administration, or education related to the practice of physical therapy. Calculation of contact hours shall be determined by dividing the total minutes of instruction by 60. Breaks shall not be included as part of instructional time;
 - 2. Coursework towards granting or renewal of a physical therapy clinical specialty certification approved by the Board. Each 60 minutes of instruction equals one contact hour;
 - 3. Coursework in a physical therapy clinical residency program. Each 60 minutes of instruction equals one contact hour; and
 - 4. Coursework in a postgraduate physical therapy education from an accredited college or university. Each 60 minutes of instruction equals one contact hour.
- C. Category B continuing competence activities include:
 - 1. Study Group, maximum five contact hours.
 - a. A study group is a structured meeting designed for the study of a clinical physical therapy topic dealing with current research, clinical skills, procedures or treatment related to the practice of physical therapy.
 - b. A study group shall have a minimum of three participants and two hours of participation to equal one contact hour.
 - 2. Self-Instruction, maximum five contact hours.
 - a. Self-instruction is a structured course of study relating to one clinical physical therapy topic dealing with current research, clinical skills, procedures, or treatment related to the practice of physical therapy. Self-instruction may be directed by a correspondence course, video, internet, or satellite program.
 - b. Each 60 minutes of self-instruction equals one contact hour.
 - 3. Inservice Education, maximum five contact hours.
 - a. Inservice education is attendance at a presentation pertaining to current research, clinical skills, procedures, or treatment related to the practice of physical therapy or relating to patient welfare or safety, including CPR certification.
 - b. Each 60 minutes of inservice education equals one contact hour.
- D. Category C modes of continuing competence include:
 - 1. Physical therapy practice management coursework, maximum of five contact hours.
 - a. Physical therapy practice management course work is course work concerning physical therapy administration, professional responsibility, ethical obligations, or legal requirements applicable to physical therapy practice settings.
 - b. If the course is graded, a licensee shall receive a "pass" in a pass/fail course or a minimum of a C in a graded course to receive credit.
 - c. 60 minutes of practice management coursework equals one contact hour.
 - 2. Teaching or lecturing, maximum five contact hours.
 - a. Teaching or lecturing is the presentation of an original educational program dealing with current research, clinical skills, procedures, treatment, or practice management related to the practice of physical therapy principally for health care professionals. Credit may be earned for teaching when the presentation is accompanied by written materials prepared, augmented, or updated by the presenter including course objectives and program content.
 - b. One 60 minute instructional period equals 2.5 contact hours.
 - c. Credit shall be given only once for a presentation within a compliance period.
 - 3. Publication, maximum five contact hours.
 - a. Publication includes writing for professional publication, platform, or poster presentation abstracts that have direct application to the practice of physical therapy. Credit may be earned for publication of material that is a minimum of 1500 words in length and published by a recognized third-party publisher of physical therapy material.
 - b. Each article published in a refereed journal, book chapter or book equals 10 contact hours. Articles published in non-refereed journals, magazines, newsletters, or periodicals equal five contact hours.

R4-24-403. Activities Not Eligible for Continuing Competence Credit

A licensee shall not receive continuing competence credit for the following activities:

- 1. A regularly scheduled educational opportunity provided within an institution, such as rounds or case conferences;
- 2. A staff meeting;
- 3. A publication or presentation by a licensee to a lay or nonprofessional group; and
- 4. Routine teaching of personnel, students, or staff as part of a job requirement.

ARTICLE 5. PUBLIC PARTICIPATION PROCEDURES

R4-24-501. Expired

R4-24-502. Petition for Rulemaking; Review of Agency Practice or Substantive Policy Statement; Objection to a Section Based Upon Economic, Small Business, or Consumer Impact

A petition to adopt, amend, or repeal a Section or to review an existing agency practice or substantive policy statement that the petitioner alleges to constitute a Section under A.R.S. § 41-1033 or to object to a rule in accordance with A.R.S. § 41-1056.01 shall be filed with the Board as prescribed in this Section. Each petition shall contain:

1. The name and current address of the petitioner;
2. For adoption of a new Section, specific language of the proposed new Section;
3. For amendment of a current Section, citation for the applicable Arizona Administrative Code Section number and heading of the current Section and the specific language of the current Section with language to be deleted stricken and new language underlined;
4. For the repeal of a current Section, citation for the applicable A.A.C. Section number and heading of the Section proposed for repeal;
5. The reasons a Section should be adopted, amended, or repealed, and if in reference to an existing Section, why the Section is inadequate, unreasonable, unduly burdensome, or otherwise not acceptable. The petitioner may provide additional supporting information, including:
 - a. Statistical data or other justification, with clear reference to an attached exhibit;
 - b. Identification of what person or segment of the public would be affected and how the person or segment would be affected; and
 - c. If the petitioner is a public agency, a summary of a relevant issue raised in any public hearing, or as a written comment offered by the public;
6. For a review of an existing Board practice or substantive policy statement alleged to constitute a rule, the reason the existing Board practice or substantive policy statement constitutes a rule and the proposed action requested of the Board;
7. For an objection to a Section based upon the economic, small business, or consumer impact, evidence that:
 - a. The actual economic, small business, or consumer impact significantly exceeded the impact estimated in the economic, small business, and consumer impact statement submitted during the making of the Section; or
 - b. The actual economic, small business, or consumer impact was not estimated in the economic, small business, and consumer impact statement submitted during the making of the Section and that actual impact imposes a significant burden on A person subject to the Section.
 - c. The agency did not select the alternative that imposes the least burden and costs to persons regulated by the Section, including paperwork and other compliance costs, necessary to achieve the underlying regulatory objective; and
8. The signature of the person submitting the petition.

R4-24-503. Expired

R4-24-504. Expired

R4-24-505. Expired

R4-24-506. Written Criticism of Rule

- A. Any person may file a written criticism of an existing rule with the Board.
- B. The criticism shall clearly identify the rule and specify why the existing rule is inadequate, unduly burdensome, unreasonable, or otherwise improper.
- C. The Board shall acknowledge receipt of a criticism within 15 days and shall place the criticism in the official record for review by the Board under A.R.S. § 41-1056.

Purpose

This *Guide for Professional Conduct* (Guide) is intended to serve physical therapists in interpreting the *Code of Ethics* (Code) of the American Physical Therapy Association (Association), in matters of professional

conduct. The Guide provides guidelines by which physical therapists may determine the propriety of their conduct. It is also intended to guide the professional development of physical therapist students. The Code and

the Guide apply to all physical therapists. These guidelines are subject to change as the dynamics of the profession change and as new patterns of health care delivery are developed and accepted by the professional community and the public. This Guide is subject to monitoring and timely revision by the Ethics and Judicial Committee of the Association.

Interpreting Ethical Principles

The interpretations expressed in this Guide reflect the opinions, decisions, and the advice of the Ethics and Judicial Committee. These interpretations are intended to assist a physical therapist in applying general ethical principles to specific situations. They should not be considered inclusive of all situations that could evolve.

PRINCIPLE 1

A physical therapist shall respect the rights and dignity of all individuals and shall provide compassionate care.

1.1 Attitudes of a Physical Therapist

- A. A physical therapist shall recognize, respect, and respond to individual and cultural differences with compassion and sensitivity.
- B. A physical therapist shall be guided at all times by concern for the physical, psychological, and socioeconomic welfare of patients/clients.
- C. A physical therapist shall not harass, abuse, or discriminate against others.

PRINCIPLE 2

A physical therapist shall act in a trustworthy manner toward patients/clients, and in all other aspects of physical therapy practice.

2.1 Patient/Physical Therapist Relationship

- A. A physical therapist shall place the patient's/client's interest(s) above those of the physical therapist. Working in the patient/client's best interest requires knowledge of the patient's/client's needs from the patient's/client's perspective. Patients/Clients often come to the physical therapist in a vulnerable state and normally will rely on the physical therapist's advice, which they perceive to be based on superior

Code of Ethics

Preamble

The *Code of Ethics* of the American Physical Therapy Association sets forth principles for the ethical practices of physical therapy. All physical therapists are responsible for maintaining and promoting ethical practice. To this end, the physical therapist shall act in the best interest of the patient/client. This Code of Ethics shall be binding on all physical therapists.

Principle 1

A physical therapist shall respect the rights and dignity of all individuals and shall provide compassionate care.

Principle 2

A physical therapist shall act in a trustworthy manner toward patients/clients and in all other aspects of physical therapy practice.

Principle 3

A physical therapist shall comply with laws and regulations governing physical therapy and shall strive to effect changes that benefit patients/clients.

Principle 4

A physical therapist shall exercise sound professional judgment.

Principle 5

A physical therapist shall achieve and maintain professional competence.

Principle 6

A physical therapist shall maintain and promote high standards for physical therapy practice, education, and research.

Principle 7

A physical therapist shall seek only such remuneration as is deserved and reasonable for physical therapy services.

Principle 8

A physical therapist shall provide and make available accurate and relevant information to patients/clients about their care and to the public about physical therapy services.

Principle 9

A physical therapist shall protect the public and the profession from unethical, incompetent, and illegal acts.

Principle 10

A physical therapist shall endeavor to address the health needs of society.

Principle 11

A physical therapist shall respect the rights, knowledge, and skills of colleagues and other health care professionals.

*Adopted by the House of Delegates
June 1981
Last amended June 2000*

knowledge, skill, and experience. The trustworthy physical therapist acts to ameliorate the patient's/client's vulnerability, not to exploit it.

- B. A physical therapist shall not exploit any aspect of the physical therapist/patient relationship.
- C. A physical therapist shall not engage in any sexual relationship or activity, whether consensual or nonconsensual, with any patient while a physical therapist/patient relationship exists. Termination of the physical therapist/patient relationship does not eliminate the possibility that a sexual or intimate relationship may exploit the vulnerability of the former patient/client.
- D. A physical therapist shall encourage an open and collaborative dialogue with the patient/client.
- E. In the event the physical therapist or patient terminates the physical therapist/patient relationship while the patient continues to need physical therapy services, the physical therapist should take steps to transfer the care of the patient to another provider.

2.2 Truthfulness

A physical therapist has an obligation to provide accurate and truthful information. A physical therapist shall not make statements that he/she knows or should know are false, deceptive, fraudulent, or misleading. See Section 8.2.C and D.

2.3 Confidential Information

- A. Information relating to the physical therapist/patient relationship is confidential and may not be communicated to a third party not involved in that patient's care without the prior consent of the patient, subject to applicable law.
- B. Information derived from peer review shall be held confidential by the reviewer unless the physical therapist who was reviewed consents to the release of the information.
- C. A physical therapist may disclose information to appropriate authorities when it is necessary to protect the welfare of an individual or the community or when required by law. Such disclosure shall be in accordance with applicable law.

2.4 Patient Autonomy and Consent

- A. A physical therapist shall respect the patient's/client's right to

make decisions regarding the recommended plan of care, including consent, modification, or refusal.

- B. A physical therapist shall communicate to the patient/client the findings of his/her examination, evaluation, diagnosis, and prognosis.
- C. A physical therapist shall collaborate with the patient/client to establish the goals of treatment and the plan of care.
- D. A physical therapist shall use sound professional judgment in informing the patient/client of any substantial risks of the recommended examination and intervention.
- E. A physical therapist shall not restrict patients' freedom to select their provider of physical therapy.

PRINCIPLE 3

A physical therapist shall comply with laws and regulations governing physical therapy and shall strive to effect changes that benefit patients/clients.

3.1 Professional Practice

A physical therapist shall comply with laws governing the qualifications, functions, and duties of a physical therapist.

3.2 Just Laws and Regulations

A Physical therapist shall advocate the adoption of laws, regulations, and policies by providers, employers, third-party payers, legislatures, and regulatory agencies to provide and improve access to necessary health care services for all individuals.

3.3 Unjust Laws and Regulations

A physical therapist shall endeavor to change unjust laws, regulations, and policies that govern the practice of physical therapy. See Section 10.2.

PRINCIPLE 4

A physical therapist shall exercise sound professional judgment.

4.1 Professional Responsibility

- A. A physical therapist shall make professional judgments that are in the patient's/client's best interests.
- B. Regardless of practice setting, a physical therapist has primary responsibility for the physical therapy care of a patient and shall make independent judgments regarding that care consistent with accepted professional standards. See Sections 2.4 and 6.1.
- C. A physical therapist shall not provide physical therapy to a patient/client

while his/her ability to do so safely is impaired.

- D. A physical therapist shall exercise sound professional judgment based upon his/her knowledge, skill, education, training, and experience.
- E. Upon accepting a patient/client for physical therapy services, a physical therapist shall be responsible for: the examination, evaluation, and diagnosis of that individual; the prognosis and intervention; re-examination and modification of the plan of care; and the maintenance of adequate records, including progress reports. A physical therapist shall establish the plan of care and shall provide and/or supervise and direct the appropriate interventions. See Section 2.4.
- F. If the diagnosis process reveals findings that are outside the scope of the physical therapist's knowledge, experience, or expertise, the physical therapist shall so inform the patient/client and refer to an appropriate practitioner.
- G. When the patient has been referred from another practitioner, the physical therapist shall communicate pertinent findings and/or information to the referring practitioner.
- H. A physical therapist shall determine when a patient/client will no longer benefit from physical therapy services. See Section 7.1.D.

4.2 Direction and Supervision

- A. The supervising physical therapist has primary responsibility for the physical therapy care rendered to a patient/client.
- B. A physical therapist shall not delegate to a less qualified person any activity that requires the professional skill, knowledge, and judgment of the physical therapist.

4.3 Practice Arrangements

- A. Participation in a business, partnership, corporation, or other entity does not exempt physical therapists, whether employers, partners, or stockholders, either individually or collectively, from the obligation to promote, maintain, and comply with the ethical principles of the Association.
- B. A physical therapist shall advise his/her employer(s) of any employer practice that causes a physical

therapist to be in conflict with the ethical principles of the Association. A physical therapist shall seek to eliminate aspects of his/her employment that are in conflict with the ethical principles of the Association.

4.4 Gifts and Other Consideration(s)

- A. A physical therapist shall not invite, accept, or offer gifts, monetary incentives, or other considerations that affect or give an appearance of affecting his/her professional judgment.
- B. A physical therapist shall not offer or accept kickbacks in exchange for patient referrals. See Sections 7.1.F and G and 9.1.D.

PRINCIPLE 5

A physical therapist shall achieve and maintain professional competence.

5.1 Scope of Competence

A physical therapist shall practice within the scope of his/her competence and commensurate with his/her level of education, training, and experience.

5.2 Self-Assessment

A physical therapist has a lifelong professional responsibility for maintaining competence through on-going self-assessment, education, and enhancement of knowledge and skills.

5.3 Professional Development

A physical therapist shall participate in educational activities that enhance his/her basic knowledge and skills. See Section 6.1.

PRINCIPLE 6

A physical therapist shall maintain and promote high standards for physical therapy practice, education, and research.

6.1 Professional Standards

A physical therapist's practice shall be consistent with accepted professional standards. A physical therapist shall continuously engage in assessment activities to determine compliance with these standards.

6.2 Practice

- A. A physical therapist shall achieve and maintain professional competence. See Section 5.
- B. A physical therapist shall demonstrate his/her commitment to quality improvement by engaging in peer and utilization review and other self-assessment activities.

6.3 Professional Education

- A. A physical therapist shall support high-quality education in academic and clinical settings.
- B. A physical therapist participating in the educational process is responsible to the students, the academic institutions, and the clinical settings for promoting ethical conduct. A physical therapist shall model ethical behavior and provide the student with information about the *Code of Ethics*, opportunities to discuss ethical conflicts, and procedures for reporting unresolved ethical conflicts. See Section 9.

6.4 Continuing Education

- A. A physical therapist providing continuing education must be competent in the content area.
- B. When a physical therapist provides continuing education, he/she shall ensure that course content, objectives, faculty credentials, and responsibilities of the instructional staff are accurately stated in the promotional and instructional course materials.
- C. A physical therapist shall evaluate the efficacy and effectiveness of information and techniques presented in continuing education programs before integrating them into his/her practice.

6.5 Research

- A. A physical therapist participating in research shall abide by ethical standards governing protection of human subjects and dissemination of results.
- B. A physical therapist shall support research activities that contribute knowledge for improved patient care.
- C. A physical therapist shall report to appropriate authorities any acts in the conduct or presentation of research that appear unethical or illegal. See Section 9.

PRINCIPLE 7

A physical therapist shall seek only such remuneration as is deserved and reasonable for physical therapy services.

7.1 Business and Employment Practices

- A. A physical therapist's business/employment practices shall be consistent with the ethical principles of the Association.

- B. A physical therapist shall never place her/his own financial interest above the welfare of individuals under his/her care.
- C. A physical therapist shall recognize that third-party payer contracts may limit, in one form or another, the provision of physical therapy services. Third-party limitations do not absolve the physical therapist from making sound professional judgments that are in the patient's best interest. A physical therapist shall avoid underutilization of physical therapy services.
- D. When a physical therapist's judgment is that a patient will receive negligible benefit from physical therapy services, the physical therapist shall not provide or continue to provide such services if the primary reason for doing so is to further financial self-interest of the physical therapist or his/her employer. A physical therapist shall avoid overutilization of physical therapy services. See Section 4.1.H.
- E. Fees for physical therapy services should be reasonable for the services performed, considering the setting in which it is provided, practice costs in the geographic area, judgment of other organizations, and other relevant factors.
- F. A physical therapist shall not directly or indirectly request, receive, or participate in the dividing, transferring, assigning, or rebating of an unearned fee. See Sections 4.4.A and B.
- G. A physical therapist shall not profit by means of a credit or other valuable consideration, such as an unearned commission, discount, or gratuity, in connection with the furnishing of physical therapy services. See Sections 4.4.A and B.
- H. Unless laws impose restrictions to the contrary, physical therapists who provide physical therapy services within a business entity may pool fees and monies received. Physical therapists may divide or apportion these fees and monies in accordance with the business agreement.
- I. A physical therapist may enter into agreements with organizations to provide physical therapy services if such agreements do not violate the ethical principles of the Association or applicable laws.

7.2 Endorsement of Products or Services

- A. A physical therapist shall not exert influence on individuals under his/her care or their families to use products or services based on the direct or indirect financial interest of the physical therapist in such products or services. Realizing that these individuals will normally rely on the physical therapist's advice, their best interest must always be maintained, as must their right of free choice relating to the use of any product or service. Although it cannot be considered unethical for physical therapists to own or have a financial interest in the production, sale, or distribution of products or services, they must act in accordance with law and make full disclosure of their interest whenever individuals under their care use such products or services.
- B. A physical therapist may receive remuneration for endorsement or advertisement of products or services to the public, physical therapists, or other health professionals provided he/she discloses any financial interest in the production, sale, or distribution of said products or services.
- C. When endorsing or advertising products or services, a physical therapist shall use sound professional judgment and shall not give the appearance of Association endorsement unless the Association has formally endorsed the products or services.

7.3 Disclosure

A physical therapist shall disclose to the patient if the referring practitioner derives compensation from the provision of physical therapy.

PRINCIPLE 8

A physical therapist shall provide and make available accurate and relevant information to patients/clients about their care and to the public about physical therapy services.

8.1 Accurate and Relevant Information to the Patient

- A. A physical therapist shall provide the patient/client accurate and relevant information about his/her condition and plan of care. See Section 2.4.
- B. Upon the request of the patient, the physical therapist shall provide, or make available, the medical record to the patient or a patient-designated third party.
- C. A physical therapist shall inform patients of any known financial limitations that may affect their care.
- D. A physical therapist shall inform the patient when, in his/her judgment, the patient will receive negligible benefit from further care. See Section 7.1.C.

8.2 Accurate and Relevant Information to the Public

- A. A physical therapist shall inform the public about the societal benefits of the profession and who is qualified to provide physical therapy services.
- B. Information given to the public shall emphasize that individual problems cannot be treated without individualized examination and plans/programs of care.
- C. A physical therapist may advertise his/her services to the public. See Section 2.2.
- D. A physical therapist shall not use, or participate in the use of, any form of communication containing a false, plagiarized, fraudulent, deceptive, unfair, or sensational statement or claim. See Section 2.2.
- E. A physical therapist who places a paid advertisement shall identify it as such unless it is apparent from the context that it is a paid advertisement.

PRINCIPLE 9

A physical therapist shall protect the public and the profession from unethical, incompetent, and illegal acts.

9.1 Consumer Protection

- A. A physical therapist shall provide care that is within the scope of practice as defined by the state practice act.
- B. A physical therapist shall not engage in any conduct that is unethical, incompetent, or illegal.

- C. A physical therapist shall report any conduct that appears to be unethical, incompetent, or illegal.
- D. A physical therapist may not participate in any arrangements in which patients are exploited due to the referring sources' enhancing their personal incomes as a result of referring for, prescribing, or recommending physical therapy. See Sections 2.1.B, 4, and 7.

PRINCIPLE 10

A physical therapist shall endeavor to address the health needs of society.

10.1 Pro Bono Service

A physical therapist shall render pro bono publico (reduced or no fee) services to patients lacking the ability to pay for services, as each physical therapist's practice permits.

10.2 Individual and Community Health

- A. A physical therapist shall be aware of the patient's health-related needs and act in a manner that facilitates meeting those needs.
- B. A physical therapist shall endeavor to support activities that benefit the health status of the community. See Section 3.

PRINCIPLE 11

A physical therapist shall respect the rights, knowledge, and skills of colleagues and other health care professionals.

11.1 Consultation

A physical therapist shall seek consultation whenever the welfare of the patient will be safeguarded or advanced by consulting those who have special skills, knowledge, and experience.

11.2 Patient/Provider Relationships

A physical therapist shall not undermine the relationship(s) between his/her patient and other health care professionals.

11.3 Disparagement

Physical therapists shall not disparage colleagues and other health care professionals. See Section 9 and Section 2.4.A.

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

Directory of Adopted 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.

2008-01 Continuing Competence Requirements

The purpose of this substantive policy statement is to clarify the continuing competence requirements for physical therapist licensure renewal.

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USE OF PROFESSIONAL TITLES OR DESIGNATIONS BY ARIZONA LICENSED PHYSICAL THERAPISTS

Pursuant to A.R.S. §32-2042, Use of titles; restrictions; violation; classification, a person licensed by the Arizona Board of Physical Therapy shall use the professional written designation “P.T.” immediately following his or her name.

Following the “P.T.” designation, licensees may list academic degrees (e.g. B.S., M.P.T., D.P.T., Ph.D.), and professional specialty certifications including but not limited to: Cardiovascular and Pulmonary Certified Specialist (CCS), Electrophysiologic Certified Specialist (ECS), Geriatric Certified Specialist (GCS), Neurologic Certified Specialist (NCS), Orthopaedic Certified Specialist (OCS), Pediatric Certified Specialist (PCS), Sports Certified Specialist (SCS), Certified Strength and Conditioning Specialist (CSCS) and Certified Hand Therapist (CHT). These degrees and designations may not be listed in lieu of the designation of “P.T.”

The designations “R.P.T.” (Registered Physical Therapist) and “L.P.T.” (Licensed Physical Therapist) are not recognized by the Arizona Revised Statutes, nor by the Arizona Board of Physical Therapy.

All other requirements of A.R.S. §32-2042 apply with respect to use of titles.

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

GRADUATES OF PHYSICAL THERAPIST EDUCATION PROGRAMS, NOT YET LICENSED, WORKING IN THE FIELD OF PHYSICAL THERAPY

Pursuant to A.R.S. §32-2043, Supervision; patient care management, graduates of physical therapist education programs who are not yet licensed or certified may engage in the practice of physical therapy on a limited basis.

Graduates of physical therapist education programs fall within the definition of “assistive personnel” at A.R.S. §32-2001(1), “includes physical therapist assistants and physical therapy aides *and other assistive personnel who are trained or educated health care providers and who are not physical therapist assistants or physical therapy aides but who perform specific designated tasks related to physical therapy under the supervision of a physical therapist*” (emphasis added). A.R.S. §32-2043 states that 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. The acts, tasks and procedures that can be delegated to a graduate must be commensurate with the education and training that the graduate received in the graduate’s physical therapist education program, with exceptions. The supervising physical therapist determines what acts, tasks and procedures will be delegated to assistive personnel, including graduates, in accordance with A.R.S. §32-2043(A).

A.R.S. §32-2043(F) states “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 and documentation for a patient; 2) periodic reevaluation and documentation of a patient; 3) the documented discharge of a patient . . .”. A physical therapist is defined at A.R.S. §32-2001(6) as “a person who is licensed pursuant to this chapter”. A graduate is therefore precluded from performing any of the tasks identified in A.R.S. §32-2043(F).

The statutes do not allow a graduate of a physical therapist education program who is not yet licensed as a physical therapist to supervise physical therapy assistive personnel. A.R.S. §32-2043(A) states that a only a physical therapist may delegate selected acts, tasks or procedures to assistive personnel.

The statutes do not recognize the designation “SPT” which is commonly used by physical therapist students during the students’ clinical internships. Pursuant to A.R.S. §32-2042, Use of titles, graduates may not use the designation of “PT”, “MPT”, nor “DPT”. Graduates must designate the graduate’s employment status as assistive personnel in any documentation. Any notes recorded by a graduate must be co-signed by the supervising physical therapist.

According to A.R.S. §32-2043(G), prior to delegating any tasks a physical therapist must verify the qualifications of physical therapist assistants and other assistive personnel under the physical therapist’s direction and supervision. Additionally, A.R.S. §32-2043(H) requires the physical therapist to also determine on each date of service whether treatment for that date requires the expertise of the licensed physical therapist and whether it is appropriate to delegate those activities to the assistive personnel, as well as the basis for the determination of delegation of a particular act, task or procedure as appropriate for that assistive personnel to undertake with a particular patient on a particular date of service.

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SUBSTANTIVE POLICY STATEMENT - ARIZONA BOARD OF PHYSICAL THERAPY

Requests for Accommodations under the Americans with Disabilities Act (ADA) to the National Physical Therapist Examination (NPTE) and to the Arizona Jurisprudence (Laws) Examination

The purpose of this substantive policy statement is to clarify the requirements for filing a request for accommodations to the 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). It is the policy of the Arizona Board of Physical Therapy ("Board") to approve accommodation requests when the examination candidate demonstrates he or she has a qualifying disability. The cost of the accommodation to the NPTE is borne by the examination administering organization – the Federation of State Boards of Physical Therapy.

The ADA provides that qualified individuals have a "level playing field" when taking an examination. This means the examination accurately reflects an individual's aptitude or achievement level with respect to what the examination intend to assess or measure. ADA accommodations are provided in order to bring the candidate's ability to take the examination up to the ability of an average person in the general population.

The ADA defines a qualified individual with a disability as "one who with a disability, satisfies the requisite skill, experience, education and other requirements of the service, program, or activity, and with or without reasonable accommodation, can perform the essential functions of the service, program, or activity".

If a candidate is requesting any accommodation for standard testing conditions because of a disability, the disability must be one that is covered by the ADA. This means that the candidate must have a documented physical or mental impairment that substantially limits one or more major life activities.

- **a physical impairment** is defined by the ADA as:
Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
- **a mental impairment** is defined by the ADA as:
Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Given the wide variety of possible disabilities, neither the law itself nor the regulations list all specific diseases or conditions that might constitute "physical or mental impairments. An impairment is a "disability" under the ADA only if it **substantially limits** one or more **major life activities**. An individual must be unable to perform, or be significantly limited in the ability to perform, an activity when compared to an average person in the general population. The determination as to whether an individual is substantially limited is based on the effect of an impairment on that individual's life activities. Some impairments, such as blindness or deafness, are by their nature substantially limiting, but many other impairments may be disabling for some individuals but not for others, depending on the impact on their activities. Major life activities are activities that an average person

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can perform with little or no difficulty, for example, walking, seeing, hearing, speaking, breathing, learning, performing manual tasks, caring for oneself, working, sitting, standing, lifting, or reading.

The purpose of an accommodation is to reduce or eliminate a disadvantage due to a limitation that an individual who is disabled may have compared to the general population. The disability must be a substantial limitation to one or more major life activities. An accommodation should not give the individual an unfair advantage over others taking the examination. An accommodation also cannot change the purpose of the examination. An accommodation is also outcome neutral such that granting an accommodation does not guarantee that the individual will pass the examination.

The candidate must first satisfy the requirements that all exam applicants meet in regard to skill, experience, education and other job related requirements of the occupation and be able to perform the essential functions of the occupation.

Upon receipt of a request for examination modifications, the Board will request that the applicant submit substantiation of the need for the accommodation based on the following criteria:

- **Documentation and Substantiation of a Learning Disability:** Documentation of the candidate's need for accommodations due to a disability that substantially limits one or more major life activities for the previous six (6) years (from the date of application to the Board). The documentation must also address how the disability leads to functional limitations and illustrate how the limitation or limitations inhibit the individual from performing one or more major life activities. Additionally the documentation must include a history of the disability and any past accommodations granted. An Individualized Education Plan (IEP) is not sufficient documentation alone, but may be considered as part of the documentation. The documentation should include identification of the specific standardized and professionally recognized test/assessments given (e.g., Woodcock-Johnson, Weschler Adult Intelligence Scale) and the resulting diagnostic report should include a diagnostic interview, assessment of aptitude, academic achievement, information processing and a diagnosis. The diagnostic report must include specific recommendations for accommodations, and the recommendations must be supported with specific test results or clinical observations. The candidate and the evaluator must demonstrate that the requested accommodation is appropriate for the disability and must demonstrate the impact that the disability has on his or her ability to test an examination.
- **Qualifications of Evaluator:** The credentials of the professional providing the evaluation must validate the professional's qualifications to diagnose and treat the disability specified. Documentation must be on professional letterhead, typed, signed and dated. The signature must include the evaluator's name, title and professional credentials. The Board will accept evaluations from the following professionals:
 - Licensed physicians including, but not limited to, the following certifications: neurology, family practice, orthopedics, physical medical medicine and rehabilitation, and psychiatry;
 - Licensed psychologists who practice in the field of performing evaluations for assessing individuals for mental disorders that might impact those persons' academic or testing performance.
- **Board Review:** The request and complete file will be forwarded to the Board and will be placed on the next regular session meeting for discussion and action. The Board shall review only those requests that are

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consistent with this policy. Consultation with the Board's Assistant Attorney General and with the Arizona Office for Americans with Disabilities may be obtained in advance of the Board review, and a summary of any recommendations or advice from those consultations will be prepared for the Board's consideration.

- **Expert Review:** If the Board is unable to interpret test results provided as documentation for a disability and therefore determine whether a candidate has a disability that qualifies the candidate for accommodations, the Board may elect to refer the request to an expert.
- **Board Determination:** Once the individual is determined to be covered under the ADA, then the requested accommodation should be considered in terms of whether:
 - The accommodation requested will fundamentally alter the examination,
 - The accommodation requested is appropriate to the identified need,
 - The accommodation is reasonable,
 - The request is within the parameters of the ADA's requirements.
- **Confidentiality:** The Board and staff shall maintain confidentiality of all medical and diagnostic information and records.

Temporary conditions like a broken leg, a physical condition that is not the result of a physiological disorder (e.g., pregnancy), personality traits, and economic or cultural disadvantages are not disabilities under the ADA. "Stress" and "depression" may or may not be considered impairments, depending on whether they result from a documented physiological or mental disorder. Nonspecific diagnoses such as "academic problems," "learning style differences," "slow reader," or "test difficulty or test anxiety" do not by themselves constitute a learning disability.

An applicant who disagrees with the Board action relative to the request for accommodation may file an appeal; the Board shall hold a hearing pursuant to A.R.S. title 41, chapter 6, article 10.

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What accommodations are you requesting during the examination?

- Additional Time – Time and a half Reader
- Additional Time – Double Time Scribe
- Zoom Text Separate Room
- Screen Magnifier Other _____

What accommodations have you received in the past for the following exams?

- National Physical Therapy Exam _____
- PT/PTA School Exams _____
- Undergraduate College Exams _____
- Standardized Exams (e.g., SAT, GRE, etc.) _____

Section III - Documentation Requirements

A comprehensive and current report (no more than three years old) from a professional qualified for evaluating your disability must accompany this request form. The report must include the following:

- Name, title, credentials and area of specialization of the professional making the diagnosis and accommodation recommendation.
- A diagnosis of the disability pursuant to the International Statistical Classification of Diseases and Related Health Problems (ICD), the Diagnostic and Statistical Manual of Mental Disorders (DSM IV: revised) or other applicable and recognized professional standard with copies of all evaluations and reported scores from professionally recognized diagnostic tests, where applicable.
- Recommendation for specific accommodations.
- Rationale for requesting specific accommodations.

Section IV – Candidate Affirmation

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My signature on this form affirms that the information I have provided on this request is true and accurate. I have truthfully represented my disability and the impact it has on my daily life and computerized examinations.

Applicant Signature

Date

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Professional Documentation of Disability Form

Section I – Applicant Information

Name: _____
 Last First Middle

Date of Birth: ____/____/____ SSN: _____
 Month Day Year

Exam Type (circle one): Physical Therapist (PT) Exam Physical Therapist Assistant (PTA) Exam

Section II – About the Exam

The examination for which this candidate is requesting special accommodations consists of objective multiple choice questions which are administered by computer at a testing center. Minimal computer skills are required.

Standard testing conditions:

Exam	Number of Questions	Time Allowed	Scheduled Break	Unscheduled Breaks
PT	250 (delivered in 5 sections of 50 questions each)	5 hours	15 minute break after section 2	Breaks can be taken after sections 1, 3, and 4; however, the exam timer will continue to elapse
PTA	200 (delivered in 4 sections of 50 questions each)	4 hours	15 minute break after section 2	Breaks can be taken after sections 1 and 3; however, the exam timer will continue to elapse

Section III – Professional Contact and Background Information

Name: _____ Title: _____

License Number: _____ Expiration Date: _____

Address: _____

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Phone: _____ Fax: _____

Email: _____

Please describe your credentials and experience which qualify you to make this diagnosis and recommendations for testing. You may also attach your CV to show this information.

Disability and Requested Accommodations

1. Describe the diagnosed disability and date of diagnosis. Attach all written evaluations supporting the diagnosis, including the scores and interpretive data for all administered diagnostic tests.

2. Date of your last consultation with the candidate _____

3. Please describe: (1) the nature, history, and extent of the disability; (2) how it limits one or more of the candidate's major life activities; (3) if the disability will change in any way over time. In case of a learning disability, include specifics as to the type of disability (e.g., visual or auditory reception or perception, processing, memory, comprehension, verbal or written expression, etc.)

4. What effect does the disability have on the candidate's ability to perform on the test as described above?

5. What are your specific recommendations for accommodations for this candidate? **Please include an explanation of why these accommodations are required.**

____ Additional Time – Time and a half ____ Reader

____ Additional Time – Double Time ____ Scribe

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Zoom Text

Separate Room

Screen Magnifier

Other _____

I certify that I have the necessary specialized training to make the above diagnosis, that I personally examined the candidate named above, and that the diagnosis and assessment of accommodations requested are based on my professional judgment. I understand that the candidate has authorized me to provide the information on this form, and to provide further information if necessary.

Signature

Date

Name (Printed)

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School ADA Accommodation History Form

Section I – Applicant Information

Name: _____
Last First Middle

Address: _____

Date of Birth: ____/____/____ SSN: _____
Month Day Year

Phone: _____

The following sections are to be completed by the person responsible for disability services

Section II – School Contact Information

Name: _____ Title: _____

School Name and Address: _____

Phone: _____ Fax: _____ Email: _____

Section III – Disability and Accommodations History

1. Specify the type of disability for which the candidate received accommodations (e.g., visual, learning/cognitive, psychological, ect.)

2. What accommodations were provided to this candidate while he or she was a student at your institution (check all that apply)?

____ Additional Time – Time and a half ____ Reader

____ Additional Time – Double Time ____ Scribe

____ Zoom Text ____ Separate Room

____ Screen Magnifier ____ Other _____

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I certify that the information provided by me on this form is true and correct to the best of my knowledge. I understand that the candidate has authorized me to provide the information on this form, and to provide further information if necessary.

Signature

Date

Name (Printed)

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SUPERVISION OF ASSISTIVE PERSONNEL, PATIENT CARE MANAGEMENT AND DOCUMENTATION REQUIREMENTS

Pursuant to A.R.S. §32-2043, Supervision; patient care management, Arizona licensed physical therapists are responsible for all care provided to their patients, whether the care is provided by the therapist or by assistive personnel under that therapist's supervision.

Selected acts, tasks, or procedures may be delegated to assistive personnel (physical therapist assistants, physical therapy aides or other assistive personnel) by the supervising physical therapist pursuant to A.R.S. §32-2043(A). The supervising physical therapist is responsible for:

- Verifying the qualifications of the physical therapist assistants, aides and other assistive personnel [A.R.S. §32-2043(G)];
- Knowing the education, training and skill level of the physical therapist assistants, aides and other assistive personnel [A.R.S. §32-2043(A) and (G)];
- For each patient on each date of service, determining when selected acts, tasks, or procedures may be delegated to assistive personnel to ensure that the care provided is safe, effective and efficient [A.R.S. §32-2043(A) and (H)];
- Ensuring that delegated tasks do not exceed the education and training of the assistive personnel [A.R.S. §32-2043(A) and (G)];
- Documenting the clinical rationale for utilizing assistive personnel and delegating selected acts, tasks, or procedures to assistive personnel [A.R.S. §32-2043(H)].

A.A.C. R4-24-303(c) limits the number of assistive personnel a licensed physical therapist can supervise. Physical therapist students and physical therapist assistant students satisfying supervised clinical education requirements in entry-level professional education programs approved by the board are assistive personnel and are included in the limitations detailed in A.A.C. R4-24-303(c). In addition, interim permit holders participating in a supervised clinical practice period approved by the board are included in the limitations detailed in A.A.C. R4-24-303(c).

For all treatment interventions that require the expertise of a physical therapist, the therapist must provide and document those interventions in accordance with A.R.S. §32-2043(H).

Care provided to patients by a physical therapist assistant must be documented by the physical therapist assistant. The supervising physical therapist's co-signature is not required provided the therapist has complied with A.R.S. §32-2043 by verifying the education, training and skills of the physical therapist assistant and determining whether the care provided by that physical therapist assistant will be safe, effective and efficient for that patient on that date of service. The supervising physical therapist's responsibilities for patient care management include accurate documentation and billing of the services provided even if those services were provided by assistive personnel [A.R.S. §32-2043(J)].

A physical therapist must provide on-site supervision of the following:

- Interim permit holders [A.R.S. §32-2043(D)]
- Physical therapist students [A.R.S. §32-2043(E)]
- Physical therapist assistant students [A.R.S. §32-2043(E)]

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- Physical therapy aides (sometimes described as “technicians” or “techs”) A.R.S. §32-2043(C)]

Beginning September 21, 2006 a physical therapist may provide on-site or general supervision to a physical therapist assistant pursuant to A.R.S. §32-2043(B). If general supervision is provided, the supervising physical therapist must comply with all other requirements of A.R.S. §32-2043.

A physical therapist is exclusively responsible for performing and documenting:

- The initial evaluation for each patient [A.R.S. §32-2043(F)(1)];
- Periodic reevaluation of each patient [A.R.S. §32-2043(F)(2)];
- All of the therapeutic intervention that requires the physical therapist’s expertise [A.R.S. §32-2043(H)];
- Accurate documentation and billing of the services provided [A.R.S. §32-2043(J)].
- The discharge of each patient, including the response to treatment at the time of discharge [A.R.S. §32-2043(F)(3)].

Physical therapist students participating in professional education programs approved by the board and interim permit holders participating in a supervised clinical practice period approved by the board may participate in the initial evaluation and documentation for a patient, the periodic reevaluation and documentation of a patient, and the documented discharge of a patient, including the response to therapeutic intervention at the time of discharge.

Arizona Administrative Code R4-24-303. Patient Care Management prescribes additional requirements.

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INTERIM PERMIT AND SUPERVISED CLINICAL PRACTICE PERIOD (SCPP) REQUIREMENTS

A.R.S. §32-2001(4) defines “interim permit” as a permit issued by the Arizona Board of Physical Therapy that allows a person to practice as a physical therapist or to work as a physical therapist assistant for a specific period of time and under conditions prescribed by the Board before that person is issued a license or certificate.

Pursuant to A.R.S. §32-2025, Interim permits the Arizona Board of Physical Therapy shall issue an interim permit to a foreign educated physical therapist applicant who has otherwise met all other requirements for licensure. Pursuant to A.R.S. §32-2022(B)(7) the Board may determine that the foreign educated physical therapist applicant has already met this requirement if the applicant submits evidence of having completed clinical practice in another jurisdiction of the United States. The Board typically waives the requirement of the SCPP for foreign educated physical therapist applicants who are graduates of programs approved by the Commission on Accreditation on Physical Therapy Education (CAPTE).

Pursuant to A.R.S. §32-2028 the Board may determine it is necessary to issue an Interim permit to an applicant for physical therapist licensure or physical therapist assistant certification if the applicant has not held a license to practice physical therapy, or a certificate to work as a physical therapist assistant, for more than three consecutive years for purposes of determining the applicant’s competence.

An applicant issued an interim permit is thereafter known as an interim permit holder. An interim permit is not a temporary license to practice physical therapy, nor an unrestricted certificate to work as a physical therapist assistant. An interim permit is not an unrestricted license to practice physical therapy, nor an unrestricted certificate to work as a physical therapist assistant. An interim permit holder is issued a card indicating the interim permit number.

The Board shall approve the issuance of an interim permit in accordance with the time frames established in Board rule (Table 1). Interim permit issue dates shall coincide with the start date of the SCPP in order to allow the interim permit holder the maximum possible time (six months) with which to complete the supervised clinical practice as stipulated in A.R.S. §32-2025(C). Issuance of an interim permit may be delayed until such time the interim permit holder relocates to Arizona from another U.S. jurisdiction or a foreign country, or until such time a SCPP proposal has been approved by the Board.

The required evaluative tool for the Board approved supervisor is the Clinical Performance Instrument (CPI). The CPI consists of both a mid-term evaluation and a final evaluation component.

The interim permit holder shall submit a completed Agreement for Supervision of Interim Permit Holder During Supervised Clinical Practice Period and the required attachments to satisfy the requirement of a proposal for an SCPP to be considered by the Board. The Board shall approve or deny the proposed facility based on its assessment of whether it provides the opportunity for the interim permit holder to acquire the knowledge, skills and ability to be evaluated according to the CPI. An interim permit holder may submit a proposal that incorporates supervised practice at more than one facility and more than one supervisor to better

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ensure successful completion of the SCPP. Each supervisor is required to complete the CPI. An incomplete CPI will not be considered by the Board.

The approved SCPP supervisor shall:

- Provide continuous and on-site supervision of the Interim permit holder;
- Observe the interim permit holder during the SCPP;
- Rate the interim permit holder's performance in each of the clinical performance criteria in the Physical Therapist Clinical Performance Instrument (CPI) or Physical Therapist Assistant Clinical Performance Instrument (CPI), at both the mid-point and the end of the SCPP;
- Submit documentation verifying the dates and hours the on-site supervisor provided on-site supervision, the start date, the mid-point and the ending date of the SCPP;
- Recommend that the interim permit holder be licensed, complete further supervised clinical practice;
- Submit the completed mid-term evaluation within 10 days after the mid-point of the SCPP and submit the final CPI no later than 30 days after completion date of the SCPP.

At any time during the SCPP, the Board may revoke an interim permit because of the interim permit holder's incompetence or for a violation of the Board's statutes or rules. Following a revocation an interim permit holder is entitled to a hearing pursuant to title 41, chapter 6, article 10.

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ARIZONA PHYSICAL THERAPIST CONTINUING COMPETENCE REQUIREMENTS

The administrative rules that prescribe continuing competence requirements for renewal of physical therapist licensure are found at R4-24-401 through R4-24-403. The rule R4-24-401 requires:

- A physical therapist must complete 20 contact hours of continuing competences during each two (2) year licensure period.
- A licensure period begins on September 1 of even-numbered years and ends on August 31 of the following even-numbered year.
- Due to the variety of conversions used to determine continuing education units (“CEU’s”) by different organizations, the rules require “contact hours” rather than CEUs as the measurement of continuing competence activities.
- At least 10 of the required 20 contact hours must be from Category A. No more than five (5) of the required ten (10) contact hours may be obtained from non-clinical coursework.
- No more than 10 hours may be utilized from a combination of activities from Categories B and C. No more than five (5) hours from Category B and C may be obtained from non-clinical coursework.
- If a physical therapist’s initial license was granted for less than one (1) year, the licensee shall have a ten (10) contact hour continuing competence requirement for that period, all of which must be category A.
- If a physical therapist’s initial license was granted for less than two (2) years but more than one (1) year, the licensee shall have a twenty (20) contact hour requirement for that period, ten (10) of which must come from Category A.

The Arizona Board of Physical Therapy does not pre-approve any activities for continuing competence credit. A licensee can determine the acceptability of a course or activity based on the descriptions contained in the administrative rules R4-24-401 through R4-24-403. The Board adopted a motion that determined completion of the Practice Review Tool (PRT) of the Federation of State Boards of Physical Therapy is a Category A activity worth ten (10) contact hours. Licensees are strongly encouraged to contact the course or activity provider, sponsor or approval entity to obtain the written information necessary to ascertain in what category a course or activity may be placed.

Category A Activities

Category A activities are distinguished from Category B and C activities in that they are approved for contact hours by one of the following, regardless of whether the course is classroom-based, on-line or home study:

- 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 that association; or
- 3) A national medical, PT or health care specialty society.

Courses or activities that have been approved by only a licensing board are not Category A courses. Category A organization approval must be reflected on the course certificate, brochure or informational materials to ensure the course qualifies as Category A.

Category A includes continuing education courses, PT clinical specialty certification coursework, PT clinical residency coursework and post-graduate PT education from an accredited college or university. Each 60 minutes of instruction equals one (1) contact hour.

Category B Activities

Category B activities include a variety of activities that have not been approved for contact hours by any of the Category A approval organizations. Category B includes:

- 1) Study groups with a minimum of three (3) people;
- 2) Self-instruction which may be directed by a correspondence course, video, internet or satellite program; and

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- 3) Attendance at in-service education program pertaining to physical therapy or relating to patient welfare and safety, including CPR certification. The number of hours claimed for CPR certification must match the number of contact hours spent on that activity.

Category B activities must relate to the practice of physical therapy, and there is a five (5) contact hour maximum for any of the sub-categories listed above within Category B. The description of each of these sub-categories in the rules contains the conversion for determining contact hour value and further defines and describes their requirements and restrictions (see R4-24-402(C) for specifics).

Category C Activities

Category C activities include a variety of activities that have not been approved for contact hours by any of the Category A approval organizations. Category C activities include:

- 1) Teaching or lecturing principally for health care professionals;
- 2) Practice management (e.g. ethics, administration, law, reimbursement, etc), and
- 3) Publication.

There is a 5 contact hour maximum for any of the sub-categories within Category C. Detailed descriptions of each of these sub-categories in the rules also contain the conversion for determining contact hour value and further defines and describes their requirements and restrictions [see R4-24-402(D)].

Activities Excluded from Continuing Competence Credit

Excluded from credit for continuing competence activities:

- 1) Staff meetings, presentations or publications directed at lay groups;
- 2) Routine teaching as part of a job requirement;
- 3) Regularly scheduled institutional activities such as rounds or case conferences;
- 4) Breaks in instructional time;
- 5) Contact hour credit for repetitions of the same activity; and
- 6) Contact hours carried over from one compliance period to another.

Affirmation of Compliance with Continuing Competence Requirements

All physical therapist licensees filing a renewal or reinstatement application shall affirm on the application that they have obtained the required continuing competence hours for renewal or reinstatement. Licensees are not to send in their continuing competence documentation with their renewal or reinstatement application. Licensees who fail to sign the affirmation statement or who have not obtained their required continuing competence are ineligible for renewal or reinstatement.

Documentation Requirements

Documentation of a continuing competence activity shall include:

- 1) The date, place, course title, sponsor, schedule, and presenter;
- 2) The number of contact hours received for the activity; and
- 3) Proof of completion, such as an abstract, certificate of attendance, sign-in log, or other certification of completion.

Continuing Competence Audits

Only those licensees who are randomly selected for audit, and those who reinstate a physical therapist license, shall submit evidence of completion of the required continuing competence activities. Notices of audit are sent via certified U.S. mail on or before October 31 following the August 31 licensure renewal deadline. Within 30 days of receipt of a

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notice of audit, a licensee shall submit evidence to the Board that shows compliance with the continuing competence requirements.

The Board may conduct continuing competence audits either through the use of a volunteer committee comprised of licensed physical therapists trained in the audit process, or by Board staff.

The Board shall notify a licensee who has been audited whether the licensee is in compliance with continuing competence requirements by certified mail within 30 working days following the determination by the Board. Licensees are required to retain evidence of continuing competence activities for the preceding two (2) compliance periods.

Waiver of Continuing Competence Requirements

The Board may waive continuing competence requirements on an individual basis for reasons of extreme hardship such as illness, disability, active service in the military, or other extraordinary circumstance as determined by the Board. A licensee who seeks a waiver of the continuing competence requirements shall provide to the Board, in writing, the specific reasons for requesting the waiver and additional information that the Board may request in support of the waiver.

Non-compliance and Disciplinary Action

A licensee found not in compliance with continuing competence requirements shall have six months from the notice of noncompliance to satisfy the continuing competence requirements. A licensee may request a hearing to contest the Board's decision under A.R.S. Title 41, Chapter 6, Article 10. At the conclusion of the six month extension for compliance, the Board may impose penalties for failure to comply with continuing competence requirements under A.R.S § 32-2047 following a hearing conducted under A.R.S. Title 41, Chapter 6, Article 10. The Board may also take disciplinary action pursuant to A.R.S. §32-2044. Grounds for Disciplinary Action when a licensee affirms compliance with the continuing competence requirements but is found by the Board to be out of compliance.

Additional Information and Guidance

The Board has addressed the continuing competence requirements for physical therapists on several occasions in its annual newsletter. Copies of past newsletters can be found on the Board's web-site www.ptboard.az.gov.

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