

Telehealth in Physical Therapy: Policy Recommendations for Appropriate Regulation

Executive Summary

Introduction

The Federation of State Boards of Physical Therapy (FSBPT) is a membership organization of the fifty-three jurisdictional licensing boards in the United States whose mission is to protect the public by providing service and leadership that promote safe and competent physical therapy practice. The purpose of this document is to provide information and general guidance to physical therapy boards for regulating the use of telehealth technologies in the practice of physical therapy.

Providing physical therapy services via telehealth technology has been steadily growing since the 2010s. Advancements in telehealth are seemingly outpacing regulatory requirements and licensure policies. The onset of the COVID-19 pandemic, improved reimbursement, positive outcomes, and jurisdictions adding telehealth-enabling statutory language brought exponential expansion in telehealth utilization. Despite these changes, the current physical therapy licensure system, with inconsistent application requirements and limited licensure portability, creates potential barriers to providing physical therapy services remotely.

Guidelines for Appropriate Use of Telehealth in Physical Therapy Practice

Physical therapy delivered via telehealth is not a new treatment nor is it an expansion of the scope of practice. Rather, telehealth is a mode of delivering skilled physical therapy care to those in need. The PT retains responsibility for the care of the patient/client and for determining the best means to deliver that care. Standards of care and practice, laws, and regulations currently required to be followed for any in-person encounter must also be followed for any encounter via telehealth.

Responsibility for and Appropriate Use of Technology

A patient/client's appropriateness to be treated via telehealth should be determined on a case-by-case basis, based on the PT's judgment, patient/client preference, technology availability, risks and benefits, and professional standards of care.

Verification of Identity

Both the patient/client's and the physical therapy provider's identities should be verified at the onset of the telehealth visit.

Informed Consent

PTs/PTAs must follow state law requirements and best practices for acquiring informed consent for in-person encounters, and these same requirements should be followed for the delivery of physical



therapy services via telehealth communications/encounters. Regardless of the setting, the patient/client has the right to receive a clear explanation of care and the opportunity to give or deny consent.

Provider-Patient/Client Relationship

The therapeutic relationship forms the basis of a patient/client-centered approach to healthcare. The relationship is established regardless of whether the care delivered was pro bono or for a fee. The Model Practice Act defines both the PT and PTA patient/client relationship as the “formal or inferred relationship entered into by mutual consent between [the physical therapy provider] and a patient/client or their legally authorized representative.”¹ The provider-patient/client relationship may be established virtually between the PT and patient/client. Though it may sometimes be difficult to determine the precise moment the relationship is established, the definition in the MPA states the relationship is, “established once the [provider] assumes or undertakes the care or treatment of a patient/client.”²

Clinical Guidelines for Use of Telehealth in Physical Therapy Practice

FSBPT has proposed guidelines to support a consistent scope of practice and standard of care regardless of the delivery mode. The guidelines should not be construed to alter the scope of practice of the physical therapist or scope of work of physical therapist assistant.

Licensure

Physical therapy providers delivering care using technology must be legally authorized to provide physical therapy in the jurisdiction in which the patient/client is physically located during the provider/client interaction. However, the provider should not be required to be physically located in that same jurisdiction. Providers of telehealth services shall be aware of credentialing requirements at both the site where the PT is located and the site where the patient/client is located.

Standards of Care

A PT/PTA who uses telehealth technologies should ensure that the services provided are included in both the legal scope of practice as well as personal competency, including their education, training, experience, and ability to perform safely and effectively. Physical therapy providers shall be guided by professional ethics and existing clinical practice guidelines with telehealth visits. The same standards of care and professional conduct as a traditional in-person visit with a patient/client must be followed, including documentation, and making appropriate referrals.

Supervision

¹ Federation of State Boards of Physical Therapy, “The Model Practice Act for Physical Therapy a Tool for Public Protection and Legislative Change - Seventh Edition,” 2022,

<https://www.fsbpt.org/portals/0/documents/free-resources/Model-Practice-Act.pdf>.

² Federation of State Boards of Physical Therapy, “The Model Practice Act.”



The MPA states that a PT may provide supervision while either onsite or virtual. Physical therapy statutes and regulations should include the supervision of PTAs for telehealth visits conforming to the acceptable standards of care and compliance with privacy requirements.

Guidelines for Privacy and Security in Physical Therapy Practice Using Telehealth Technologies

Privacy and Security of Patient/Client Records and Exchange of Information

Physical therapy providers should meet or exceed applicable federal and state legal requirements of protected health information privacy. Physical therapy providers and their staff should be aware of the requirements for privacy and confidentiality associated with the provision of telehealth services at both the originating and remote sites. Specific guidelines shall be in place to address access to patient/client records to ensure that unauthorized users cannot access, alter, tamper with, destroy, or otherwise misuse patient/client information. The physical security of telehealth equipment and the electronic security of data storage, retrieval, and transmission should be maintained. The PT/PTA should confirm the originating site provides the patient/client with privacy during an appointment.

Telehealth does bring some unique issues regarding the security of patient/client information. Patients/clients should be aware of information/communications transmitted via telehealth technologies and the utilization of any passive tracking mechanisms in the collection of information. Additional considerations may include providing clients with a clear method to access, supplement, and amend client-provided personal health information, feedback mechanisms regarding the quality of information and services, and a means to register complaints to the therapist, employer, regulatory board, etc.

Administrative Guidelines

Written policies and procedures should be reviewed for currency and maintained at the same standard as traditional in-person encounters. Procedures should be written to ensure the safety and effectiveness of equipment through ongoing maintenance. Infection control policies and procedures should be followed, and it is imperative that quality-oversight systems are in place.

Technical Guidelines

Physical therapy providers need to demonstrate competence with technology to ensure safe, effective delivery of care. All providers should have an appropriate plan prior to delivering services ensuring that the equipment is sufficient to support the encounter, is available and functioning properly, and that all personnel using the telehealth equipment are trained in equipment operation and troubleshooting. Additionally, arrangements should be made to ensure access to appropriate technological support as needed.



Physical therapy providers should have strategies in place to address the environmental elements of care including the physical accessibility of the treatment space as well as usability of equipment. This is essential in physical therapy telehealth applications as considerations must be made for patients/clients who have a variety of impairments in areas such as fine/gross motor skills, cognition, speech, and language. Providers should also consider possible modifications to accommodate patients/clients with visual or hearing impairments.

Emergencies and Patient/Client Safety Procedures

When providing physical therapy via telehealth services, it is essential to have procedures in place to address technical, medical, or clinical emergencies. Emergency procedure plans, including notifying the patient/client's emergency contact or local first responders, should be accessible by the PT/PTA during telehealth services and the patient/client should be informed of these procedures. If during the physical therapy session, the clinician feels that the patient/client is experiencing a medical or clinical complication or an emergency, the treatment session should be immediately terminated, and a local emergency response initiated.

Conclusion

Advancements in technology, initiatives to increase access to care, concerns regarding health equity, and positive outcomes and feedback from patients/clients, as well as the COVID-19 public health emergency, have contributed to the development and acceptance of innovative treatment delivery options for healthcare providers, including PTs/PTAs. However, these innovations often pose challenges to regulators.

With the rapid growth in telehealth technology and applications, as well as emerging digital practice, the guidelines in this resource were purposefully written in a general manner to maintain future relevance and avoid the need for jurisdictions to continually revise statutes and/or regulations on this topic.

