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Federation of State Boards of Physical Therapy

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Licensure Compact update – HRSA grant application

FSBPT has applied for a grant from the Health Resources and Services Administration (HRSA) Licensure Portability Grant Program to implement the Physical Therapy Licensure Compact (PTLC). PTLC is an interstate licensing agreement which will meet the needs of licensees while preserving the regulatory and licensing authority of individual states.

HRSA is awarding up to two grants of up to \$250,000/year for three years to provide support for state professional licensing boards to carry out programs that will reduce statutory and regulatory licensure barriers and implement cross-border activities in the provision of telehealth services across many states. FSBPT believes the PTLC will maximize licensure portability and realize the full potential of innovations such as telehealth.

We were able to include letters of support from the following jurisdictions with the grant application: **Montana, New Hampshire, North Carolina, Ohio, Oregon** and **Virginia**.

Jurisdiction physical therapy board members and administrators have participated in various task forces to create the framework and final legislative language for the PTLC. The intent is to maintain a high level of public protection, improve access, and reduce licensure barriers.

We will keep you updated on the status of the grant. HRSA expects to announce the grant awardees by July 1, 2016.

First states file PTLC bills

January has been an exciting month as the first states have introduced bills adopting the Physical Therapy Licensure Compact (PTLC). The momentum began when, bolstered by strong committee support, **Oregon** pre-filed their PTLC bill. The Oregon legislative short session opens February 1 and the bill number is SB 1504. On January 21, 2016 **Missouri** and **Tennessee** also introduced PTLC legislation. In Missouri, Representative Charlie Davis introduced and read HB 2328 adopting the PTLC. Representative Ryan Williams introduced the PTLC bill in the Tennessee House.

These state boards and professional chapters have communicated, collaborated; working together to bring the bills forward. To track the progress of the PTLC, go to www.fsbpt.org/compact.

Legislative Briefing update

The Physical Therapy Licensure Compact (PTLC) Legislative Briefing that was scheduled for January 7th in Nashville was cancelled. We found it was too close to the end of the holidays and the beginning of the legislative session for people to be able to attend. We will most likely be having regional legislative briefings at the Council of State Governments regional meetings in the future. Stay tuned for more information.

More states considering reciprocal licensing

Michael Ollove on December 15, 2015, posted in Payers & Providers, “When it comes to licensing, the nursing profession works almost exactly the way it does with driving a car — at least in half the states. A nurse with a license from one of those 25 states can practice in any other state that has signed on to a reciprocal licensing compact.

“Contrast that with doctors. A doctor licensed in one state who wants to practice in another still needs a license from the other state. That’s a costly and time-consuming process, especially in an era when many health plans and their employees operate across state lines and the use of telemedicine, in which patients and their providers interact from a distance, is growing.

“But the state licensing situation for doctors and other healthcare professionals — psychologists, social workers, physical and occupational therapists, and mental health counselors — is starting to change.

“Doctors, for instance, are creating their own multistate compact. It won’t go as far as the nurses’ agreement, which grants reciprocity to practice in each state that signs on. But it will provide an expedited application process to get licenses in other states.

“Other health professions are moving in the same direction — a recognition that Americans are mobile and there’s a need to increase patients’ access to health care.

“ ‘There is just a greater recognition that this is the world we live in today and that the medical professions have to adapt to the way healthcare is delivered today,’ said Colmon Elridge, director of the National Center for Interstate Compacts of the Council of State Governments, a public policy organization that works with several of the medical professions on the design of their license portability plans.”

[View article.](#)

2016 PT & PTA Practice Analysis

Throughout 2016, FSBPT and several groups of volunteers will be working diligently to complete the practice analyses for PTs and PTAs. These studies examine what a PT or PTA must know and be able to do at entry level to be safe and effective in their roles. This information serves as the backbone for the NPTE Content Outlines, which will be revised in 2017 and implemented for tests administered in 2018.

The practice analysis reports are also extremely helpful to educators, who can look at the resulting task and knowledge lists to determine if there are any gaps in their curricula. FSBPT is working with the social science research firm HumRRO, who can help to ensure the process is conducted with integrity and is consistent with the highest professional standards.

The process is expected to be complete by early 2017, and the updated reports will be available on our website: <https://www.fsbpt.org/FreeResources/NPTEDevelopment/EnsuringValidity.aspx>.

Have you visited the INPTRA website yet?

Take a minute to view the newly-revised [International Network of Physiotherapy Regulatory Authorities \(INPTRA\) website](#), which now features easy-to-find regulatory information from around the globe.

The Federation is a member of INPTRA along with a number of other national physiotherapy regulatory authorities. Currently FSBPT serves in the Secretariat function for INPTRA.

Are you interested in running in 2016?

No, we’re not talking about the national elections, so keep reading!

This year, the FSBPT Nominating Committee will be slating individuals for President, Vice President and Director on the Board of Directors and a member of the Nominating Committee.

1. *Requirements for President and Vice President:* Current or past member of a Member Board or current or past administrator of a Member Board. The Nomination & Election Manual further

states, “Although it is not a bylaws requirement, experience has shown that candidates for the President position should have prior experience on the board of directors.”

2. *Requirement for Director:* If a current member of the board of directors is slated for President and Vice President, the bylaws now require that we develop a slate for those vacated positions if that person is elected. The delegate assembly would hold an additional election for that vacated position. Potentially, we may need to slate:
 - Current member of a Member Board at the time of the election.
 - Current administrator of a Member Board.
3. *Requirement for Nominating Committee:* There is no bylaws requirement for the Nominating Committee position, but candidates need to be familiar with the organization and have interacted with Federation members at various meetings.

If you are interested in running or would like to nominate someone, please send the name and contact information to the Nominating Committee through communications@fsbpt.org by Friday, February 5, 2016.

Fallout from the US Supreme Court ruling on NC Dental Board v. FTC

States have been looking at limits on licensing board’s power and licensing authorities have seen an increase in lawsuits since the Supreme Court ruled that the North Carolina Dental Board did not have state immunity when it sent cease and desist orders to teeth whitening kiosks.

- Uber sued the St. Louis Taxicab Commission over regulations that barred the company from acting as an alternate to regular taxicab services.
- LegalZoom’s threat of a lawsuit influenced the North Carolina State Bar to allow the company to operate in the state.
- A lawsuit in Tennessee is on hold while the Department of Health and hearing aid specialists discuss rule changes about who can sell and fit hearing aids.
- California and Oklahoma have revised the process for reviewing regulatory board decisions.
- A bill in Arizona would transfer healthcare board authority and assets from individual health profession regulatory boards to the department of health services.
- A bill in Nebraska would transfer the decision to order cease and desist orders from the regulatory board to the director of the Department of Health and Human Services with the recommendation of the appropriate board.

Interested in continuing competence? Apply to be a volunteer reviewer for ProCert!

FSBPT’s ProCert program evaluates continuing competence activities and awards certification to those that meet the FSBPT Standards for Continuing Competence. ProCert certified activities are accepted in 26 jurisdictions for purposes of meeting renewal requirements.

To fulfill the growing demand for this service, FSBPT is accepting applications to serve as ProCert reviewers. The next ProCert reviewer training will take place on April 16-17 at the FSBPT office in Alexandria, Virginia. FSBPT covers participants’ travel, hotel and meal expenses.

Please visit <https://www.fsbpt.org/Portals/0/documents/RecruitmentForProCertVolunteersFlyer.pdf> to learn more about registering for the April ProCert reviewer training.



Our volunteers hard at work

This month, FSBPT hosted the following groups:

Coursework Tool (CWT) Task Force

Eileen Bach

Peggy Block

Jody Gundrum

Mary Jane Harris

Martha Hinman

Annette Iglarsh

Danny Landry

Penny Lescher

Becky McKnight

Tom Mohr

Claire Peel

Laura Lee (Dolly) Swisher

Kay Tasso

Peter Zawicki

Maggie Donohue, Board Liaison

Nancy Kirsch, Board Liaison

Jurisprudence Assessment Module (JAM) Item Writing Workshop AKA

JAM DC Blizzard Veterans! Yes, they weathered the 24+ inches/Level 3 Storm!



Carol Brooks

Jeanne Cook

LaVonne Couch

Michael Duchaj

Robert Friberg

Nancy Kirsch

Debbie Kubota

Nicole Lavoie

Sara Maher

Ruth Maher

Joan Morse

Stefanie Palma

Mary Elizabeth Parker

Sherri Paru

Cindy Potter

Susan Roehrig

Carol Sawyer

William Staples

Kay Tasso

Shannon Turner

Spotlight on member resources: Coursework Tool (CWT) Guidelines revised



The CWT Guidelines provide guidance to reviewers using the Federation's Coursework Tool. They were recently revised to provide clearer guidance on accepting supervised clinical practice hours. This revision becomes effective

February 1, 2016.

Members can view the CWT Guidelines in the Members Area of the FSBPT website under Resource and Topic Papers.

CLEAR NCIT registration opens

The Council on Licensure, Enforcement and Regulation (CLEAR) has opened registration for its National Certified Investigator and Inspector Training program in Raleigh, North Carolina March 21-23, 2016.

Click on the links below for more information.

[NCIT Basic - Raleigh, NC](#)

[NCIT Specialized - Raleigh NC](#)

Cheating in the News: Kindred Healthcare to pay \$125 million to settle US allegations over therapy services

In a January 12, 2016 article in the Wall Street Journal, Christopher Weaver writes, "Kindred Healthcare Inc. agreed to pay \$125 million to settle federal allegations it provided unnecessary therapy services to nursing-home patients as part of a scheme to overbill the federal Medicare program, according to the agreement finalized on Tuesday.

"Several nursing homes that hired Kindred's therapy unit, RehabCare, to provide services to their residents separately agreed to pay the federal government about \$8 million for their role in the alleged scheme.

"The Wall Street Journal in August reported on how Kindred and other nursing-home operators and contractors increased the share of days they billed for giving patients' the highest therapy level Medicare will cover—so-called ultrahigh therapy. In 2013, Kindred's own nursing homes billed for ultrahigh therapy 58% of the time, compared with 7.6% of the time in 2002."

[View article.](#)

Board of Directors Report

Below are the motions from the January 2016 board of directors meeting.

To appoint the following individuals to the NPTE Practice Analysis Oversight Panel Task Force.

- *Linda Carlson (TX)*
- *Robert Friberg (TX)*
- *Janice Haas (PA)*
- *Susan Howard (MN)*
- *Kelly King (AZ)*
- *Rebecca Porter (IN)*
- *Mary Jane Rapport (CO)*
- *Christine (Nikki) Snyder (FL)*
- *David Relling, Board Liaison*

Rationale: This panel is necessary to complete the practice analysis.

Fiscal Impact: None; already in the budget.

To appoint the following individuals to the TOEFL Standard Setting Task Force.

- *Violet Acuna-Parker (FL)*
- *Dina Akhaven Nia (AZ)*
- *Sejal Bamrolia (MI)*
- *Ronald Barredo (TN)*
- *Morris Beato (FL)*
- *Jai Bhawsar (MI)*
- *LaVonne Couch (NJ)*
- *Carlo De Castro (NY)*
- *Alicia Fernandez-Fernandez (FL)*
- *Robert Frampton (OH)*
- *Jodan Garcia (GA)*
- *Min Hui Huang (MI)*
- *Jasmin Jimeno (CA)*
- *Irene Khair (CA)*
- *Kathleen Lieu (NY)*
- *Ruth Maher (VA)*
- *Ajay Middha (MI)*
- *Tom Mohr (ND)*
- *Sarvarkhan Pathan (NC)*
- *Roberto Sandoval (TX)*
- *Dakshesh Sanghavi (NY)*
- *Kanikkai Steni Balan Sackiriyas (VA)*
- *Liyongo Tolin (MI)*
- *Frances Wedge (IL)*
- *Nancy Kirsch, Board Liaison*

Rationale: The purpose of the workshop is to make a recommendation to the FSBPT Board of Directors regarding a minimum score on the TOEFL that a candidate must achieve to enable the candidate to sit for the National Physical Therapy Examination (NPTE). We will also convene a subgroup of the task force consisting of PTAs, PTA educators/clinical supervisors to discuss implication for the NPTE PTA.

Fiscal Impact: None; already in the budget.

To appoint **Mary Blackstone**, SC to an open position on the Continuing Competence Committee with a term ending 12/31/2017.

Rationale: A committee member resigned.

Fiscal Impact: None.

Board Liaisons to Jurisdictions

Find out which member of the board of directors is liaison to your jurisdiction.

|  Jurisdictions | Your Board Liaisons |
|---|---|
| Arizona, Colorado, Nevada, New Mexico, Oklahoma, Texas, Utah | Charles Brown  |
| Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Ohio, South Carolina | Tom Caldwell  |
| Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont | Maggie Donohue  |
| Illinois, Indiana, Kansas, Kentucky, Missouri, | Natalie Harms |

| | |
|---|---|
| Nebraska, Tennessee |  |
| Alaska, California, Hawaii, Oregon, Puerto Rico, Virgin Islands, Washington | <p data-bbox="1019 512 1138 537">Jim Heider</p>  |
| Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia | <p data-bbox="1008 823 1149 848">Nancy Kirsch</p>  |
| Idaho, Iowa, Michigan, Minnesota, Montana, North Dakota, South Dakota, Wisconsin, Wyoming | <p data-bbox="1013 1134 1154 1159">David Relling</p>  |

| | |
|--|--|
|  | <p data-bbox="862 1598 1149 1665">Staff Contact Information Who Should I Contact?</p> |
| <p data-bbox="548 1791 1073 1858">FSBPT: 703.299.3100 FCCPT: 703.684.8406 (Call FSBPT unless otherwise noted after name.)</p> | |

| Subject | Point of Contact |
|--|---|
| ADA accommodations | Shana Smith |
| Assessment/ examination development questions | Lorin Mueller, PhD Susan Layton |
| Continuing competence | Jeffrey M. Rosa Heidi Herbst Paakkonen Competence Staff |
| Credentials review | Jaime Nolan, FCCPT Kathleen Luedtke-Hoffmann, PT, PhD, FCCPT |
| Exam, Licensure and Disciplinary Database (ELDD) participation | eldd@fsbpt.org |
| Exam registration processing | Christine Sousa |
| Foreign educated issues | Mark Lane Kathleen Luedtke-Hoffmann, PT, PhD, FCCPT |
| Immigration | Kathleen Luedtke-Hoffmann, PT, PhD, FCCPT |
| Legislation or Model Practice Act | Mark Lane Leslie Adrian |
| Meeting arrangements | Paul Delaney |
| Member contact updates | Maribeth C. Decker |
| NPDB reports/questions | Angela Burnham |
| Practice Review Tool (PRT) | practicereview@fsbpt.org |
| PT and PTA Practice Exam & Assessment Tool (PEAT) | peat@fsbpt.org |
| Reimbursement of expenses; other financial matters | Tracy Leadmon Linda Michelsen |
| School reports | SchoolReports@fsbpt.org |
| Score transfer & reporting | Christine Sousa |
| Security issues | Susan Layton |
| Anything else, including news to share with members | William A. Hatherill Maribeth C. Decker |



Sign off:

That's all the news today from the snow covered banks of the Potomac, where the fish are faster, the fishing boats are longer, and the fishermen are still full of stories.

- William A. Hatherill, CEO