

## Virginia Board of Physical Therapy

### Procedures for Auditing Continued Competency Requirements

The Board of Physical Therapy may audit a random sample of licensees to investigate compliance with the Board's continuing competency requirements and active practice requirements. The Board may also audit active licensees, who by terms of a Confidential Consent Agreement ("CCA") or a Pre-Hearing Consent Order ("PHCO") are required to take continuing education ("CE") courses in addition to the continued competency requirements for renewal of a license.

1. Board staff reviews each audit report and either:
  - a. Sends an acknowledgement letter of fulfillment of the continuing competency requirements and active practice requirements; or
  - b. Opens a case for probable cause.
2. Once a case is opened for probable cause, Board staff may do one of the following:
  - a. Issue a CCA if the licensee was truthful in responding on the renewal attestation and the licensee has not previously been found in violation of CE or active practice requirements.
    1. For those licensees who fail to meet CE requirements, the CCA may require the licensee to submit proof of completion of the missing contact hours(s) within 90 days of the effective date of the CCA. Such contact hours cannot be used toward fulfillment of the next biennial CE requirement for renewal;
    2. For those licensees who fail to meet the active practice requirement, the CCA may require them to submit proof that they meet the active practice requirement within 90 days of entry of the CCA or that they have placed their license on inactive status.
  - b. Issue a PHCO if the licensee was not truthful in responding on the renewal attestation or the licensee has previously been found in violation of CE or active practice requirements. The sanctions listed below may apply to any such PHCO.
    - (i) Monetary Penalty of \$100 per missing contact hour, up to a maximum of \$1,000.
    - (ii) Monetary Penalty of \$300 for a fraudulent renewal attestation.
    - (iii) For those licensees who fail to meet the CE requirements, submission of proof of completion of the missing contact hour(s) within 90 days of Order entry.

These contact hours cannot be used toward the next biennial requirement for renewal.

(iv) For those licensees who fail to meet the active practice requirement, submission of proof that they meet the active practice requirement within 90 days of Order entry, or that they have placed their license on inactive status.

3. The case will be referred to an informal fact-finding conference if the licensee:
  - a. Fails to respond to the audit or does not wish to sign the CCA or PHCO that is offered; or
  - b. Has previously been disciplined pursuant to a Board Order for not meeting CE requirements.