
Call to Order – Elizabeth Locke, PT, PhD, Board President

- Welcome and Introductions
- Mission of the Board
- Emergency Egress Instructions

Approval of Minutes (p. 4-23)

- Board Meeting – August 13, 2024
- Public Hearing – August 13, 2024
- Formal Administrative Hearing – August 13, 2024
- Formal Administrative Hearing – September 27, 2024

Ordering and Approval of Agenda

Public Comment

The Board will receive public comment on agenda items at this time. The Board will not receive comment on any pending regulation process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

Agency Report - Arne W. Owens, Director, Department of Health Professions

Staff Reports

- Executive Director’s Report and Physical Therapy Compact Update – **Corie E. Tillman Wolf, JD, Executive Director**
- Discipline Report – **Annette Kelley, MS, CSAC, Deputy Executive Director**
- Licensing Report – **Sarah Georgen, Licensing and Operations Supervisor**

Board Counsel Report – Brent Saunders, Senior Assistant Attorney General

Committee and Board Member Reports

- Report from CLEAR Annual Educational Conference – **Mira Mariano, PT, PhD**
- Report from FSBPT Annual Education Meeting – **Mira Mariano, PT, PhD, and Susan Szasz Palmer, MLS**

Legislative and Regulatory Report – Erin Barrett, Director of Legislative and Regulatory Affairs, and Matt Novak, Policy and Economic Analyst

- Report on Status of Regulatory Actions (p. 25)

Board Action – Erin Barrett, Director of Legislative and Regulatory Affairs

- Adoption of Final Regulations for Regulatory Reduction – 18VAC112-20-10 et seq. (p. 27-39)
-

New Business/Board Discussion

- Electronic Meeting Participation and Increasing Public Access - **Melissa Fox, PT, DPT** (p. 41-45)
 - Use of Jurisprudence Assessment Module (JAM) for Initial Licensure and/or Renewals - **Melissa Fox, PT, DPT** (p. 46-60)
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Presentations

- Introduction and Communications Updates - **Kelly Smith, Director of Communications, Department of Health Professions**
 - Sanctioning Reference Points Video
-
-

Next Meeting - February 21, 2025

Business Meeting Adjournment

This information is in **DRAFT** form and is subject to change. The official agenda and packet will be approved by the public body at the meeting and will be available to the public pursuant to the Code of Virginia.

Approval of Minutes

August 13, 2024

The Virginia Board of Physical Therapy convened for a full Board meeting on Tuesday, August 13, 2024, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

BOARD MEMBERS PRESENT

Mira H. Mariano, PT, PhD, President
Susan Szasz Palmer, MLS, Vice-President
Megan Bureau, PT, DPT
Melissa Fox, PT, DPT
Elizabeth Locke, PT, PhD
Srilekha Palle, PT, DPT

BOARD MEMBERS NOT PRESENT:

Rebecca Duff, PTA, DHSc

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING

Sarah Georgen, Licensing and Operations Supervisor
James Jenkins, RN, Agency Chief Deputy Director
Annette Kelley, MS, CSAC, Deputy Executive Director
Laura Mueller, Senior Licensing Program Coordinator
Arne Owens, Agency Director
Matt Novak, Policy and Economic Analyst
James Rutkowski, Assistant Attorney General, Board Counsel
Corie Tillman Wolf, JD, Executive Director

**Participant indicates attendance to count toward continuing education requirements*

OTHER GUESTS PRESENT:

R. Dodson
H. Simpson
P. Roberts
Kenneth Hutcheson, Virginia Physical Therapy Association
Anthony Grillo, PT, Virginia Physical Therapy Association

CALL TO ORDER

Dr. Mariano called the meeting to order at 9:01 a.m. and asked the Board members and staff to introduce themselves.

With six Board members present at the meeting, a quorum was established.

Dr. Mariano read the mission of the Board, which is also the mission of the Department of Health Professions.

Dr. Mariano reminded the Board members and audience about microphones, computer agenda materials, breaks, sign-in sheets, and attendance for continuing education requirements.

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF MINUTES

Dr. Mariano opened the floor to any edits or corrections regarding the draft minutes for a Board meeting held on May 14, 2024, and a Telephone Conference Call held on July 18, 2024.

Ms. Tillman Wolf requested a correction to the Legislative and Regulatory Report of the May 14, 2024, Board meeting minutes related to Mr. Novak's name.

Upon a **MOTION** by Dr. Fox, and properly seconded by Dr. Palle, the Board voted to approve the minutes as amended. The motion carried unanimously (6-0).

ORDERING OF THE AGENDA

Dr. Mariano opened the floor to any additional items to add to the agenda.

Ms. Tillman Wolf noted that Mr. Novak would provide the Legislative and Regulatory Report instead of Ms. Barrett.

Upon a **MOTION** by Dr. Locke, and properly seconded by Ms. Szasz Palmer, the Board voted to accept the agenda as amended. The motion carried unanimously (6-0).

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARING

Dr. Mariano called the public hearing to order at 9:07 a.m. to receive public comments on the Board's Proposed Regulations for Regulatory Reduction, Regulations Governing the Practice of Physical Therapy (18VAC112-20-10 et seq.). There was no comment on the proposed regulations.

Dr. Mariano stated that the comment period for these proposed regulations would end on October 11, 2024.

The public hearing concluded at 9:08 a.m.

AGENCY REPORT

Mr. Owens welcomed Board Members and thanked them for their service and contribution to the profession.

Mr. Owens reported on the new protocols for enhanced security in the Perimeter Center known as “Expect the Check,” which is standard security precaution for many government agencies in the Commonwealth of Virginia.

Mr. Owens spoke about the successful 2024 General Assembly Session and legislative efforts and approval of the budget, which included the addition of full-time DHP positions due to the increase of licensees and investigative cases. He stated that legislative proposals for the upcoming 2025 General Assembly have been submitted for consideration.

Mr. Owens reported on staff retention efforts through the study of agency salaries.

With no questions, Mr. Owens concluded his report.

STAFF REPORTS

Executive Director’s Report – Corie E. Tillman Wolf, J.D., Executive Director

Welcome and Congratulations

Ms. Tillman Wolf announced Ms. Pagano’s retirement effective August 2024. She welcomed Annette Kelley as the new Deputy Executive Director of the Board. She further welcomed Coralyn Powell as a new member of the unit.

Board Updates

Ms. Tillman Wolf reported that CE Broker, the continuing education management system discussed and approved by the Board at its May meeting, will be launched on October 1, 2024.

Ms. Tillman Wolf reported on the completion of the Business Process Reengineering review of the licensure process and stated that updates had been made to the Board’s website. Board staff hopes to finalize journey maps for Physical Therapist (PT) and Physical Therapist Assistants (PTA) students in Virginia. Ms. Tillman Wolf stated the two main takeaways of the project were (1) to provide clear online information for applicants and licensees, and (2) to continue to identify and implement technology tools to improve the applicant and licensee experience.

Ms. Tillman Wolf stated that the Legislative/Regulatory Committee meeting will be scheduled for an upcoming date.

Ms. Tillman Wolf thanked Board members and staff for their efforts to bring the Board current with probable cause review.

FSBPT Updates

Ms. Tillman Wolf provided information on recent and upcoming meetings of The Federation of State Boards of Physical Therapy (FSBPT). The Regulatory Training for Board Members and Staff was held on May 16-18, 2024, in Alexandria, Virginia, and was attended by Dr. Bureau and Dr. Fox (in person), and Dr. Mariano and Ms. Georgen (virtually). The Leadership Issues Forum (LIF) meeting was held on July 13-14, 2024, in Arlington, Virginia, and was attended by Dr. Mariano and Ms. Tillman Wolf (in person). The upcoming Annual Meeting will be held October 31-November 2, 2024, in Cedar Rapids, Iowa, with the current Board President (Mariano) and Vice-President (Szasz Palmer) attending as Delegate and Alternate Delegate, respectively.

Ms. Tillman Wolf informed the Board of the launch of FBSPT's new STOPit anonymous reporting system for suspected cases of cheating on the National Physical Therapy Examination (NPTE).

Ms. Tillman Wolf reported on the Exam, Licensure, and Discipline Database (ELDD) "Consumer Protection Rating" report provided by the FSBPT. She announced that Virginia was compliant with the reporting of license information, FSBPT identification, and disciplinary actions. Further, she reported that she participated in a recent video created by the FSBPT on the benefits of the ELDD system.

Virginia and National Trends

Ms. Tillman Wolf provided information on where Virginia stands with regard to some of the national topics and trends discussed at the recent regulatory training and LIF meetings, including collection of workforce data, use of disciplinary guidelines, licensure by endorsement pathways for non-CAPTE graduates, participation in the Physical Therapy Compact, reporting to the ELDD system, and implementation of application programming interface (API) system to allow for automatic data transfer of information with the FSBPT.

PT Compact Updates

Ms. Tillman Wolf reported on the national status of the Physical Therapy Compact (PT Compact), including new states that have enacted legislation or have begun issuing privileges. She reported that thirty-eight jurisdictions have passed legislation to join the Compact and that thirty-one jurisdictions are currently issuing privileges as of August 2024.

Ms. Tillman Wolf stated that the Physical Therapy Compact Commission (PTCC) held a special meeting on June 17, 2024, to vote upon amendments to the rules and bylaws of the PT Compact. Further, she reported that the Executive Committee of the PT Compact recently reviewed the legislation of two jurisdictions for material deviations. She asked Board members to be on the lookout for upcoming Compact newsletters with more information.

Ms. Tillman Wolf reported that 1,420 practitioners have purchased 2,016 new or renewal Compact privileges in Virginia since January 2020.

Expenditure and Revenue Summary as of May 31, 2024

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of May 31, 2024.

Cash Balance as of June 30, 2023	\$1,974,162
YTD FY 2024 Revenue	\$ 159,454
Less: YTD FY 2024 Direct and Allocated Expenditures	\$ 717,420
Cash Balance as of May 31, 2024	\$1,416,196

2024 Board Meetings and Tentative 2025 Board Meeting Dates

Ms. Tillman Wolf announced the remaining 2024 Board meeting schedule and the proposed 2025 Board meeting schedule.

- November 8, 2024
- February 21, 2025
- May 8, 2025
- August 21, 2025
- November 7 or 14, 2025

With no questions, Ms. Tillman Wolf concluded her report.

Discipline Report – Annette Kelley, MS, CSAC, Deputy Executive Director

As of June 30, 2024, Ms. Kelley reported the following disciplinary statistics:

- 32 Open cases:
 - 19 Patient Care Cases:
 - 3 at Informal Conferences
 - 0 at Formal Hearings
 - 6 at Enforcement
 - 7 at Probable Cause
 - 3 at Administrative Proceedings Division
 - 13 Non-Patient Care Cases:
 - 4 at Informal Conferences
 - 0 at Formal Hearings
 - 3 at Enforcement
 - 5 at Probable Cause
 - 1 at Administrative Proceedings Division
- 7 cases were listed at Compliance

Ms. Kelley reported the following Total Cases Received and Closed:

- Q1 2022 – 11/12
- Q2 2022 – 9/8
- Q3 2022 – 15/18
- Q4 2022 – 3/10
- Q1 2023 – 15/21
- Q2 2023 – 13/18

- Q3 2023 – 10/8
- Q4 2023 – 4/5
- Q1 2024 – 10/14
- Q2 2024 – 27/4
- Q3 2024 – 10/15
- Q4 2024 – 9/29

With no questions, Ms. Kelley concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Supervisor

Licensure Statistics – All Licenses

Ms. Georgen presented licensure statistics that included the following information and trends in license count:

License	Q3 2024	Q4 2024	Change +/-
Physical Therapist	9,640	9,896	+256
Physical Therapist Assistant	3,835	3,904	+69
Total PT’s and PTA.’s	13,475	13,800	+325
Direct Access Certification	1,268	1,274	+6

Examination Statistics

Ms. Georgen presented the Physical Therapist and Physical Therapist Assistant examination statistics from July 2024 administrations and provided information on the examination trends.

CE Broker

Ms. Georgen provided an update on the implementation of CE Broker as a continuing education management system for licensure renewals.

Licensure Renewal Notifications

Ms. Georgen provided information on the upcoming renewal notifications for licenses expiring on December 31, 2024.

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT

Mr. Rutkowski provided an update on a court case involving the Board.

BOARD MEMBER AND COMMITTEE REPORTS

Report from Leadership Issues Forum – Mira Mariano

Dr. Mariano provided a brief update on the LIF meeting and topics discussed including the importance of collection of workforce data, recent updates regarding efforts to address the use of the initials “DPT” by individuals not practicing physical therapy, FSBPT taskforce updates related to informed consent, efforts to create a school educator module related to boundary violations, and recent updates to the NPTE examination structure to include scenario-based and video content questions. Dr. Mariano further reported that there were no plans to increase NPTE examination fees through 2028.

With no questions, Dr. Mariano concluded her report.

Report from FSBPT Regulatory Workshop – Megan Bureau, PT, DPT, Melissa Fox, PT, DPT, Mira Mariano, PT, PhD, OCS

Dr. Fox, Dr. Bureau, and Dr. Mariano provided brief reports on the FSBPT Regulatory Workshop, highlighting discussions related to FSBPT jurisprudence assessment modules, virtual meeting participation, and the facilitation of national and state information sharing.

With no questions, they concluded their reports.

LEGISLATIVE AND REGULATORY REPORT

Mr. Novak provided an update on the regulatory actions currently in process.

With no questions, Mr. Novak concluded his report.

ELECTIONS

Dr. Mariano stated that in accordance with the Bylaws, during the first meeting of the organizational year, the Board shall elect from its members a President and Vice-President.

Dr. Mariano provided remarks regarding the process for making additional floor nominations.

President

Dr. Mariano opened the floor for nominations for President of the Board of Physical Therapy.

Ms. Tillman Wolf announced that Ms. Szasz Palmer, Dr. Palle, and Dr. Locke had submitted written nomination forms for the position of President.

Dr. Mariano opened the floor for any additional nominations for President of the Board of Physical Therapy. There were no other nominations. The nominations were closed.

Dr. Mariano called for a voice vote regarding the nominations of Ms. Szasz Palmer, Dr. Palle, and Dr. Locke for the position of President. One vote was voiced for Dr. Palle (Palle), one vote was voiced for Ms. Szasz Palmer (Bureau), and four votes were voiced for Dr. Locke (Locke, Fox, Szasz Palmer, and Mariano).

Upon a majority vote of 4-1-1, Dr. Locke was elected for the position of President of the Board of Physical Therapy.

Vice-President

Dr. Mariano opened the floor for nominations for Vice-President of the Board of Physical Therapy.

Ms. Tillman Wolf announced that Ms. Szasz Palmer had submitted a written nomination form for the position of Vice-President.

Dr. Mariano opened the floor for any additional nominations for Vice-President of the Board of Physical Therapy. Dr. Mariano nominated herself for the position of Vice-President. The nominations were closed.

Dr. Mariano called for a voice vote on the nominations of Ms. Szasz Palmer and Dr. Mariano for the position of Vice-President. Six votes were voiced for Dr. Mariano (Palle, Locke, Fox, Bureau, Szasz Palmer, and Mariano) and no votes were voiced for Ms. Szasz Palmer.

Upon a unanimous vote of 6-0, Dr. Mariano was elected for the position of Vice-President of the Board of Physical Therapy.

NEXT MEETING

The next meeting date is November 8, 2024.

ADDITIONAL COMMENTS

Dr. Mariano stated that the Board would convene two formal hearings beginning at 10:00 a.m. She said that all Board Members were requested to participate, apart from Dr. Mariano from the first hearing only.

ADJOURNMENT

Dr. Mariano called for any objections to adjourn the meeting. Hearing no objections and with all business concluded, the meeting adjourned at 9:49 a.m.

Corie Tillman Wolf, J.D., Executive Director

Date

Unapproved
**VIRGINIA BOARD OF PHYSICAL THERAPY
FORMAL ADMINISTRATIVE HEARING
MINUTES**

Tuesday, August 13, 2024

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER:

The formal hearing of the Board was called to order at 10:07 a.m.

MEMBERS PRESENT:

Susan Szasz Palmer, MLS, Chair
Melissa Fox, PT, DPT
Elizabeth Locke, PT, PhD
Srilekha Palle, PT, DPT, MBA
Megan Bureau, PT, DPT

BOARD COUNSEL:

Jim Rutkowski, Assistant Attorney General

DHP STAFF PRESENT:

Corie Tillman Wolf, Executive Director
Annette Kelley, Deputy Executive Director
Florence Venable, Discipline and Operations Manager

COURT REPORTER:

Julissa Jackson, County Court Reporters

**PARTIES ON BEHALF OF
COMMONWEALTH:**

Christine Corey, Adjudication Specialist, Administrative Proceedings Division

**COMMONWEALTH'S
WITNESS:**

Marissa Snyder, Senior Investigator, DHP

MATTER:

**Sara Martin, PT, Reinstatement Applicant
License No.: 2305-211793
Case Numbers: 229462**

**ESTABLISHMENT OF A
QUORUM:**

With five (5) members present, a quorum was established.

DISCUSSION:

Ms. Martin appeared before the Board in accordance with the Board's notice dated July 8, 2024, and was not represented by an attorney.

The Board received evidence and sworn testimony from witnesses called by the parties and Ms. Martin regarding the allegations in the Notice.

The Board heard arguments on behalf of the parties.

CLOSED SESSION:

Upon a motion by Dr. Fox, and duly seconded by Dr. Bureau, the Board voted to convene a closed meeting, pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Sara Martin, PT, Reinstatement Applicant.

Additionally, Dr. Fox moved that Mr. Rutkowski, Ms. Tillman Wolf, and Ms. Kelley attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session.

DECISION:

Upon a motion by Dr. Fox, and duly seconded by Dr. Locke, the Board voted to issue an order to continue Ms. Martin's license on indefinite suspension, with said suspension stayed contingent upon Ms. Martin's entry into and compliance with the Health Practitioners' Monitoring Program.

The motion carried.

VOTE:

The vote was unanimous. (5-0)

ADJOURNMENT:

The Board adjourned the hearing at 11:40 a.m.



CALL TO ORDER: The formal hearing of the Board was called to order at 11:50 a.m.

MEMBERS PRESENT: Mira Mariano, PT, PhD, Chair
Susan Szasz Palmer, MLS
Melissa Fox, PT, DPT
Elizabeth Locke, PT, PhD
Srilekha Palle, PT, DPT, MBA
Megan Bureau, PT, DPT

BOARD COUNSEL: Jim Rutkowski, Assistant Attorney General

DHP STAFF PRESENT: Corie Tillman Wolf, Executive Director
Annette Kelley, Deputy Executive Director
Florence Venable, Discipline and Operations Manager

COURT REPORTER: Julissa Jackson, County Court Reporters

PARTIES ON BEHALF OF COMMONWEALTH: Christine Corey, Adjudication Specialist, Administrative Proceedings Division

COMMONWEALTH'S WITNESS: Robin Carroll, Senior Investigator, DHP

MATTER: **Steven Mark Wheeler, PTA**
License No.: 2306-001378
Case Numbers: 234870

ESTABLISHMENT OF A QUORUM: With six (6) members present, a quorum was established.

DISCUSSION: Steven Mark Wheeler, PTA, did not appear before the Board in accordance with the Notice of Formal Hearing dated July 18, 2024, nor was he represented by counsel at the Formal Hearing.

The Board received evidence and sworn testimony on behalf of the Commonwealth regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Ms. Szasz Palmer, and duly seconded by Dr. Palle, the Board voted to convene a closed meeting, pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Steven Wheeler PTA.

Additionally, Ms. Szasz Palmer moved that Mr. Rutkowski, Ms. Tillman Wolf, Ms. Kelley, and Ms. Venable attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session.

DECISION:

Upon a motion by Ms. Szasz Palmer, and duly seconded by Dr. Palle, the Board voted to issue an order to indefinitely suspend the license of Steven Wheeler, PTA, for a period of not less than twenty-four (24) months.

The motion carried.

VOTE:

The vote was unanimous. (6-0)

ADJOURNMENT:

The Board adjourned at 12:45 p.m.

For the Board:

Corie Tillman Wolf, JD, Executive Director

Date

Unapproved
VIRGINIA BOARD OF PHYSICAL THERAPY
SPECIAL SESSION - MINUTES

August 13, 2024

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER:

The Board of Physical Therapy convened on August 13, 2024, at 1:15 p.m. to consider whether the practitioners' ability to practice physical therapy constituted a substantial danger to the public health and safety pursuant to Va. Code §54.1-2408.1. With six (6) members of the Board present, a quorum was established, with Dr. Mira Mariano, PT, PhD, presiding as Chair.

MEMBERS PRESENT:

Mira Mariano, PT, PhD, Chair
Melissa Fox, PT, DPT
Susan Szasz Palmer, MLS, Citizen Member
Megan Bureau, PT, DPT
Elizabeth Locke, PT, PhD
Shrilekha Palle, PT, DPT, MBA

MEMBERS ABSENT:

Rebecca Duff, PTA, DHSc

DHP STAFF PRESENT:

Corie Tillman Wolf, Executive Director
Annette Kelley, Deputy Executive Director
Florence Venable, Discipline Operations Manager

**PARTIES ON BEHALF OF
THE COMMONWEALTH:**

Sean J. Murphy, Assistant Attorney General
David Robinson, Assistant Attorney General
Christine Corey, Adjudication Specialist

BOARD COUNSEL:

Jim Rutkowski, Assistant Attorney General

MATTER:

**Stephen Scott, PT
License #2305-006816
Case Number 236057**

DISCUSSION:

The Board received information from Assistant Attorney General Sean Murphy in order to determine whether Stephen Scott's ability to practice as a Physical Therapist constituted a substantial danger to public health and safety. Sean Murphy provided details of the case to the Board for its consideration.

CLOSED SESSION: Upon a motion by Ms. Szasz Palmer, duly seconded by Dr. Bureau, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Stephen Scott, PT. Additionally, she moved that Mr. Rutkowski, Ms. Tillman Wolf, Ms. Kelley, and Ms. Venable attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberation.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session.

DECISION: Upon a motion by Ms. Szasz Palmer and duly seconded by Dr. Palle, the Board determined that the continued practice of Stephen Scott constitutes a substantial danger to the public health and safety. The board voted to summarily suspend his license to practice as a Physical Therapist, simultaneous with the institution of proceedings for a formal administrative hearing pursuant to §54.1-2408.1 of the Code of Virginia.

VOTE: The vote was unanimous (6-0).

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MATTER: John Cody Bradshaw, PTA
License #2306-604339
Case Number 238018

DISCUSSION: The Board received information from Assistant Attorney General David Robinson in order to determine whether John Bradshaw's ability to practice as a Physical Therapist Assistant constituted a substantial danger to public health and safety. David Robinson provided details of the case to the Board for its consideration.

DECISION: Upon a motion by Ms. Szasz Palmer, duly seconded by Dr. Fox, the Board determined that the continued practice of John Bradshaw constitutes a substantial danger to the public health and safety. The board voted to summarily suspend his license to practice as a Physical Therapy Assistant, and to offer a consent order in lieu of a formal hearing, simultaneous with the institution of proceedings

for a formal administrative hearing pursuant to §54.1-2408.1 of the Code of Virginia.

VOTE: The vote was unanimous (6-0).

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MATTER: Kevin M. Hesse, PT
License #2305-210751
Case Number 218354

DISCUSSION: The Board received information from Assistant Attorney General David Robinson in order to determine whether Kevin Hesse's ability to practice as a Physical Therapist constituted a substantial danger to public health and safety. David Robinson provided details of the case to the Board for its consideration.

CLOSED SESSION: Upon a motion by Ms. Szasz Palmer, duly seconded by Dr. Fox, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Kevin Hesse, PT. Additionally, she moved that Mr. Rutkowski, Ms. Tillman Wolf, Ms. Kelley, and Ms. Venable attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberation.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session.

DECISION: Upon a motion by Ms. Szasz Palmer, duly seconded by Dr. Palle, the Board determined that the continued practice of Kevin Hesse constitutes a substantial danger to the public health and safety. The board voted to summarily suspend his license to practice as a Physical Therapist, simultaneous with the institution of proceedings for a formal administrative hearing pursuant to §54.1-2408.1 of the Code of Virginia.

VOTE: The vote was unanimous (6-0).

ADJOURNMENT: The Board adjourned at 2:06 p.m.

Corie Tillman Wolf, JD, Executive Director

Date



Unapproved
**VIRGINIA BOARD OF PHYSICAL THERAPY
FORMAL ADMINISTRATIVE HEARING
MINUTES**

Friday September 27, 2024

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER: The formal hearing of the Board was called to order at 11:01 a.m.

MEMBERS PRESENT: Elizabeth Locke, PT, PhD, Chair
Mira Mariano, PT, PhD
Rebecca Duff, PTA, DHSc
Melissa Fox, PT, DPT
Megan Bureau, PT, DPT

BOARD COUNSEL: Brent Saunders, Senior Assistant Attorney General

DHP STAFF PRESENT: Corie Tillman Wolf, J.D., Executive Director
Annette Kelley, Deputy Executive Director
Florence Venable, Discipline and Operations Manager

COURT REPORTER: Julissa Jackson, County Court Reporters

PARTIES ON BEHALF OF COMMONWEALTH: David Robinson, Assistant Attorney General

COMMONWEALTH'S WITNESS: Daniel Love, Senior Investigator, DHP

MATTER: **John Cody Bradshaw, PTA
License No.: 2306-604339
Case Numbers: 238018**

ESTABLISHMENT OF A QUORUM: With five (5) members present, a quorum was established.

DISCUSSION:

Mr. Bradshaw appeared before the Board in accordance with the Board's notice dated August 22, 2024, and was not represented by an attorney.

The Board received evidence and sworn testimony from witnesses called by the parties and Mr. Bradshaw regarding the allegations in the Notice.

The Board heard arguments on behalf of the parties.

CLOSED SESSION:

Upon a motion by Dr. Locke, and duly seconded by Dr. Bureau, the Board voted to convene a closed meeting, pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of John Bradshaw, PTA.

Additionally, Dr. Locke moved that Mr. Saunders, Ms. Tillman Wolf, Ms. Kelley, and Ms. Venable attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session.

DECISION:

Upon a motion by Dr. Locke and duly seconded by Dr. Fox, the Board voted to issue an order to continue Mr. Bradshaw's license on indefinite suspension with terms.

The motion carried.

VOTE:

The vote was unanimous. (5-0)

ADJOURNMENT:

The Board adjourned the hearing at 12:20 p.m.

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CALL TO ORDER:

The formal hearing of the Board was called to order at 1:00 p.m.

MEMBERS PRESENT: Elizabeth Locke, PT, PhD, Chair
Mira Mariano, PT, PhD
Rebecca Duff, PTA, DHSc
Melissa Fox, PT, DPT
Megan Bureau, PT, DPT

BOARD COUNSEL: Brent Saunders, Senior Assistant Attorney General

DHP STAFF PRESENT: Corie Tillman Wolf, J.D., Executive Director
Annette Kelley, Deputy Executive Director
Florence Venable, Discipline and Operations Manager

COURT REPORTER: Julissa Jackson, County Court Reporters

PARTIES ON BEHALF OF COMMONWEALTH: Emily Tatum, Senior Adjudication Specialist,
Administrative Proceedings Division

COMMONWEALTH'S WITNESS: Lori Nowlin, PT
Tennille Jessup, Investigator Patrick County Sheriff Office
Kris Keilman, Senior Investigator DHP (Affidavit)

MATTER: **Stephen Maynard Scott, PT**
License No.: 2305-006816
Case Numbers: 236057

ESTABLISHMENT OF A QUORUM: With five (5) members present, a quorum was established.

DISCUSSION: Stephen Maynard Scott, PT, did not appear before the Board in accordance with the Notice of Formal Hearing dated August 22, 2024, nor was he represented by counsel at the Formal Hearing.

The Board received evidence and sworn testimony on behalf of the Commonwealth regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Dr. Locke, and duly

seconded by Dr. Fox, the Board voted to convene a closed meeting, pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Stephen Maynard Scott, PT.

Additionally, Dr. Locke moved that Mr. Saunders, Ms. Tillman Wolf, Ms. Kelley, and Ms. Venable attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session.

DECISION: Upon a motion by Dr. Locke, and duly seconded by Dr. Bureau, the Board voted to issue an order to Revoke the license of Stephen Scott, PT.

The motion carried.

VOTE: The vote was unanimous. (5-0)

ADJOURNMENT: The Board adjourned at 2:05 p.m.

For the Board:

Corie Tillman Wolf, JD, Executive Director

Date

Legislative and Regulatory Report

Board of Physical Therapy
Current Regulatory Actions
As of October 22nd, 2024

In the Governor’s Office

None.

In the Secretary’s Office

VAC	Stage	Subject Matter	Submission from agency	Time in current location	Notes
18VAC110-20	Fast-Track	Changes to comply with Compact rules	5/6/2022	785 days	Changes to licensure for Canadian applicants to comply with Compact requirements

At DPB

None.

At OAG

None.

Recently effective or awaiting publication

VAC	Stage	Subject Matter	Publication Date	Effective Date	Notes
18VAC110-20	Proposed	Regulatory reduction	8/12/2024	9/12/2024	Public hearing for proposed stage held 8/13. Final regs to be voted on during meeting

Board Action

Agenda Item: Consideration of Adoption of Final Regulations for Regulatory Reduction

Included in your agenda package:

- ❖ Final changes to 18VAC112-20
- ❖ TownHall transmittal sheet showing no comments on proposed stage

Action needed:

- ❖ Motion to adopt final regulations for 18VAC112-20

Project 7423 - Proposed

Board of Physical Therapy

Regulatory reduction

Chapter 20

Regulations Governing the Practice of Physical Therapy

18VAC112-20-27. Fees.

A. Unless otherwise provided, fees listed in this section shall not be refundable.

B. Licensure by examination.

4. The application fee shall be \$140 for a physical therapist and \$100 for a physical therapist assistant.

~~2. The fees for taking all required examinations shall be paid directly to the examination services.~~

C. Licensure by endorsement. The fee for licensure by endorsement shall be \$140 for a physical therapist and \$100 for a physical therapist assistant.

D. Licensure renewal and reinstatement.

1. The fee for active license renewal for a physical therapist shall be \$135 and for a physical therapist assistant shall be \$70 and shall be due by December 31 in each even-numbered year. ~~For renewal in 2020, the active license renewal fee for a physical therapist shall be \$70 and for a physical therapist assistant shall be \$35.~~

2. The fee for an inactive license renewal for a physical therapist shall be \$70 and for a physical therapist assistant shall be \$35 and shall be due by December 31 in each even-

numbered year. ~~For renewal in 2020, the inactive license renewal fee for a physical therapist shall be \$35 and for a physical therapist assistant shall be \$18.~~

3. A fee of \$50 for a physical therapist and \$25 for a physical therapist assistant for processing a late renewal within one renewal cycle shall be paid in addition to the renewal fee.

4. The fee for reinstatement of a license that has expired for two or more years shall be \$180 for a physical therapist and \$120 for a physical therapist assistant and shall be submitted with an application for licensure reinstatement.

E. Other fees.

1. The fee for an application for reinstatement of a license that has been revoked shall be \$1,000; the fee for an application for reinstatement of a license that has been suspended shall be \$500.

2. The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.

3. The handling fee for a returned check or a dishonored credit card or debit card shall be \$50.

4. The fee for a letter of good standing or verification to another jurisdiction shall be \$10.

5. The application fee for direct access certification shall be \$75 for a physical therapist to obtain certification to provide services without a referral.

6. The state fee for obtaining or renewing a compact privilege to practice in Virginia shall be \$50.

18VAC112-20-65. Requirements for licensure by endorsement.

A. A physical therapist or physical therapist assistant who holds a current, unrestricted license in the United States, its territories, the District of Columbia, or Canada may be licensed in Virginia by endorsement.

B. An applicant for licensure by endorsement shall submit:

1. Documentation of having met the educational requirements prescribed in 18VAC112-20-40 or 18VAC112-20-50. In lieu of meeting such requirements, an applicant may provide evidence of clinical practice consisting of at least 2,500 hours of patient care during the five years immediately preceding application for licensure in Virginia with a current, unrestricted license issued by another United States jurisdiction or Canadian province;
2. The required application, fees, and credentials to the board, including a criminal history background check as required by § 54.1-3484 of the Code of Virginia;
3. A current report from the National Practitioner Data Bank (NPDB);
4. ~~Evidence of completion of 15 hours of continuing education for each year in which the applicant held a license in another United States jurisdiction or Canada, or 60 hours obtained within the past four years;~~
5. Documentation of passage of an examination equivalent to the Virginia examination at the time of initial licensure or documentation of passage of an examination required by another state or Canadian province at the time of initial licensure in that state or province; and
6. 5. Documentation of active practice in physical therapy in another United States jurisdiction or Canada for at least 320 hours within the four years immediately preceding his application for licensure. A physical therapist who does not meet the active practice

requirement shall successfully complete 320 hours in a traineeship in accordance with requirements in 18VAC112-20-140.

C. A physical therapist assistant seeking licensure by endorsement who has not actively practiced physical therapy for at least 320 hours within the four years immediately preceding his application for licensure shall successfully complete 320 hours in a traineeship in accordance with the requirements in 18VAC112-20-140.

18VAC112-20-81. Requirements for direct access certification.

A. An applicant for certification to provide services to patients without a referral as specified in § 54.1-3482.1 of the Code of Virginia shall hold an active, unrestricted license as a physical therapist in Virginia and shall submit evidence satisfactory to the board that he has one of the following qualifications:

1. Completion of a transitional program in physical therapy as recognized by the board; or
2. At least three years of postlicensure, active practice with evidence of 15 contact hours of continuing education in medical screening or differential diagnosis, including passage of a postcourse examination. The required continuing education shall be offered by a provider or sponsor listed as approved by the board as provided in 18VAC112-20-131 and may be face-to-face or online education courses.

B. In addition to the evidence of qualification for certification required in subsection A of this section, an applicant seeking direct access certification shall submit to the board:

1. A completed application as provided by the board;
2. Any additional documentation as may be required by the board to determine eligibility of the applicant; and
3. The application fee as specified in 18VAC112-20-27.

18VAC112-20-121. Practice of dry needling.

A. Dry needling is not an entry level skill but an advanced procedure that requires additional post-graduate training.

1. The training shall be specific to dry needling and shall include emergency preparedness and response, contraindications and precautions, secondary effects or complications, palpation and needle techniques, and physiological responses.
2. The training shall consist of didactic and hands-on laboratory education and shall include passage of a theoretical and practical examination. The hands-on laboratory education shall be face-to-face.
3. The training shall be in a course approved or provided by a sponsor ~~listed~~ approved by the board as provided in subsection B of 18VAC112-20-131.
4. The practitioner shall not perform dry needling beyond the scope of the highest level of the practitioner's training.

B. Prior to the performance of dry needling, the physical therapist shall obtain informed consent from the patient or the patient's representative. The informed consent shall include the risks and benefits of the technique. The informed consent form shall be maintained in the patient record.

C. Dry needling shall only be performed by a physical therapist trained pursuant to subsection A of this section and shall not be delegated to a physical therapist assistant or other support personnel.

18VAC112-20-131. Continued competency requirements for renewal of an active license.

A. In order to renew an active license biennially, a physical therapist or a physical therapist assistant shall complete at least 30 contact hours of continuing learning activities within the two

years immediately preceding renewal. In choosing continuing learning activities or courses, the licensee shall consider the following: (i) the need to promote ethical practice, (ii) an appropriate standard of care, (iii) patient safety, (iv) application of new medical technology, (v) appropriate communication with patients, and (vi) knowledge of the changing health care system.

B. To document the required hours, the licensee shall maintain the Continued Competency Activity and Assessment Form that is provided by the board and that shall indicate completion of the following:

1. A minimum of 20 of the contact hours required for physical therapists and 15 of the contact hours required for physical therapist assistants shall be in Type 1 courses. For the purpose of this section, "course" means an organized program of study, classroom experience, or similar educational experience that is directly related to the clinical practice of physical therapy and approved or provided by an organization approved by the board.
~~one of the following organizations or any of its components:~~

- ~~a. The Virginia Physical Therapy Association;~~
- ~~b. The American Physical Therapy Association;~~
- ~~c. Local, state, or federal government agencies;~~
- ~~d. Regionally accredited colleges and universities;~~
- ~~e. Health care organizations accredited by a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services to assure compliance with Medicare conditions of participation;~~
- ~~f. The American Medical Association — Category I Continuing Medical Education course;~~
- ~~g. The National Athletic Trainers' Association;~~

- ~~h. The Federation of State Boards of Physical Therapy;~~
- ~~i. The National Strength and Conditioning Association; or~~
- ~~j. Providers approved by other state licensing boards for physical therapy.~~

One credit hour of a college course shall be considered the equivalent of 15 contact hours of Type 1 continuing education.

2. No more than 10 of the contact hours required for physical therapists and 15 of the contact hours required for physical therapist assistants may be Type 2 activities or courses, which may or may not be offered by an approved organization but which shall be related to the clinical practice of physical therapy. For the purposes of this subdivision, Type 2 activities may include:

- a. Consultation with colleagues, independent study, and research or writing on subjects related to practice.
- b. Delivery of physical therapy services, without compensation, to low-income individuals receiving services through a local health department or a free clinic organized in whole or primarily for the delivery of health services for up to two of the Type 2 hours.
- c. Attendance at a meeting of the board or disciplinary proceeding conducted by the board for up to two of the Type 2 hours.
- d. Classroom instruction of workshops or courses.
- e. Clinical supervision of students and research and preparation for the clinical supervision experience.

Forty hours of clinical supervision or instruction shall be considered the equivalent of one contact hour of Type 2 activity.

3. Documentation of specialty certification by the American Physical Therapy Association may be provided as evidence of completion of continuing competency requirements for the biennium in which initial certification or recertification occurs.

4. Documentation of graduation from a transitional doctor of physical therapy program may be provided as evidence of completion of continuing competency requirements for the biennium in which the physical therapist was awarded the degree.

C. A licensee shall be exempt from the continuing competency requirements for the first biennial renewal following the date of initial licensure by examination in Virginia.

D. The licensee shall retain his records on the completed form with all supporting documentation for a period of four years following the renewal of an active license.

E. The licensees selected in a random audit conducted by the board shall provide the completed Continued Competency Activity and Assessment Form and all supporting documentation within 30 days of receiving notification of the audit.

F. Failure to comply with these requirements may subject the licensee to disciplinary action by the board.

G. The board may grant an extension of the deadline for continuing competency requirements for up to one year for good cause shown upon a written request from the licensee prior to the renewal date.

H. The board may grant an exemption for all or part of the requirements for circumstances beyond the control of the licensee, such as temporary disability, mandatory military service, or officially declared disasters, upon a written request from the licensee prior to the renewal date.

18VAC112-20-200. Advertising ethics.

A. Any statement specifying a fee, whether standard, discounted, or free, for professional services that does not include the cost of all related procedures, services, and products that, to a substantial likelihood, will be necessary for the completion of the advertised service as it would be understood by an ordinarily prudent person shall be deemed to be deceptive or misleading, or both. Where reasonable disclosure of all relevant variables and considerations is made, a statement of a range of prices for specifically described services shall not be deemed to be deceptive or misleading.

B. Advertising a discounted or free service, examination, or treatment and charging for any additional service, examination, or treatment that is performed as a result of and within 72 hours of the initial office visit in response to such advertisement is unprofessional conduct unless such professional services rendered are as a result of a bona fide emergency. This provision may not be waived by agreement of the patient and the practitioner.

C. A licensee or holder of a compact privilege of the board shall not advertise information that is false, misleading, or deceptive. Advertisements of discounts shall disclose the full fee that has been discounted. The practitioner shall maintain documented evidence to substantiate the discounted fees and shall make such information available to a consumer upon request.

D. A licensee or holder of a compact privilege shall not use the term "board certified" or any similar words or phrase calculated to convey the same meaning in any advertising for his practice unless he holds certification in a clinical specialty issued by the American Board of Physical Therapy Specialties.

~~E. A licensee or holder of a compact privilege of the board shall not advertise information that is false, misleading, or deceptive. For an advertisement for a single practitioner, it shall be presumed that the practitioner is responsible and accountable for the validity and truthfulness of~~

~~its content. For an advertisement for a practice in which there is more than one practitioner, the name of the practitioner responsible and accountable for the content of the advertisement shall be documented and maintained by the practice for at least two years.~~

~~F. Documentation, scientific and otherwise, supporting claims made in an advertisement shall be maintained and available for the board's review for at least two years.~~

DRAFT



Agency Department of Health Professions

Board Board of Physical Therapy

Chapter Regulations Governing the Practice of Physical Therapy [[18 VAC 112 - 20](#)]

Action: Regulatory reduction

Proposed Stage Action 6145 / Stage 10263

Documents		
Proposed Text	7/25/2024 11:09 am	
Agency Background Document	2/27/2024	
ORM Economic Review Form	3/22/2024	
Attorney General Certification	3/19/2024	
DPB Economic Impact Analysis	5/3/2024	
Agency Response to EIA	7/12/2024	
Governor's Review Memo	7/12/2024	

Status	
Attorney General Review	Submitted to OAG: 2/27/2024 Review Completed: 3/19/2024 Result: Certified
DPB Review	Submitted on 3/22/2024 Review Completed: 5/6/2024
Secretary Review	Secretary of Health and Human Resources Review Completed: 7/2/2024
Governor's Review	ORM Review Completed: 7/12/2024 Governor Review Completed: 7/12/2024 Result: Approved
Virginia Registrar	Submitted on 7/12/2024 The Virginia Register of Regulations Publication Date: 8/12/2024 Volume: 40 Issue: 26
Public Hearings	08/13/2024 9:05 AM
Comment Period	Ended 10/11/2024 0 comments

Contact Information	
Name / Title:	Corie Tillman Wolf / <i>Executive Director</i>

Address:	9960 Mayland Drive Suite 300 Henrico, VA 23233
Email Address:	ptboard@dhp.virginia.gov
Telephone:	(804)367-4674 FAX: (804)527-4413 TDD: (-)

This person is the primary contact for this board.

New Business/ Board Discussion

§ 2.2-3708.3. Meetings held through electronic communication means; situations other than declared states of emergency

A. Public bodies are encouraged to (i) provide public access, both in person and through electronic communication means, to public meetings and (ii) provide avenues for public comment at public meetings when public comment is customarily received, which may include public comments made in person or by electronic communication means or other methods.

B. Individual members of a public body may use remote participation instead of attending a public meeting in person if, in advance of the public meeting, the public body has adopted a policy as described in subsection D and the member notifies the public body chair that:

1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance. For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability as defined in § 51.5-40.1 and uses remote participation counts toward the quorum as if the individual was physically present;

2. A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance or the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held thereby preventing the member's physical attendance. For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a caregiver for a person with a disability and uses remote participation counts toward the quorum as if the individual was physically present;

3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or

4. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

If participation by a member through electronic communication means is approved pursuant to this subsection, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description. If participation is approved pursuant to subdivision 1 or 2, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 3, the public body shall also include in its minutes the fact that

the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location. If participation is approved pursuant to subdivision 4, the public body shall also include in its minutes the specific nature of the personal matter cited by the member.

If a member's participation from a remote location pursuant to this subsection is disapproved because such participation would violate the policy adopted pursuant to subsection D, such disapproval shall be recorded in the minutes with specificity.

C. With the exception of local governing bodies, local school boards, planning commissions, architectural review boards, zoning appeals boards, and boards with the authority to deny, revoke, or suspend a professional or occupational license, any public body may hold all-virtual public meetings, provided that the public body follows the other requirements in this chapter for meetings, the public body has adopted a policy as described in subsection D, and:

1. An indication of whether the meeting will be an in-person or all-virtual public meeting is included in the required meeting notice along with a statement notifying the public that the method by which a public body chooses to meet shall not be changed unless the public body provides a new meeting notice in accordance with the provisions of § 2.2-3707;
2. Public access to the all-virtual public meeting is provided via electronic communication means;
3. The electronic communication means used allows the public to hear all members of the public body participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the public body as well. When audio-visual technology is available, a member of a public body shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails;
4. A phone number or other live contact information is provided to alert the public body if the audio or video transmission of the meeting provided by the public body fails, the public body monitors such designated means of communication during the meeting, and the public body takes a recess until public access is restored if the transmission fails for the public;
5. A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting is made available to the public in electronic format at the same time that such materials are provided to members of the public body;
6. The public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received;
7. No more than two members of the public body are together in any one remote location unless that remote location is open to the public to physically access it;
8. If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public resumes before the public body votes to certify the closed meeting as required by subsection D of § 2.2-3712;
9. The public body does not convene an all-virtual public meeting (i) more than two times per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting; and

10. Minutes of all-virtual public meetings held by electronic communication means are taken as required by § 2.2-3707 and include the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held. If a member's participation from a remote location pursuant to this subsection is disapproved because such participation would violate the policy adopted pursuant to subsection D, such disapproval shall be recorded in the minutes with specificity.

D. Before a public body uses all-virtual public meetings as described in subsection C or allows members to use remote participation as described in subsection B, the public body shall at least once annually adopt a policy, by recorded vote at a public meeting, that shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. The policy shall:

1. Describe the circumstances under which an all-virtual public meeting and remote participation will be allowed and the process the public body will use for making requests to use remote participation, approving or denying such requests, and creating a record of such requests; and
2. Fix the number of times remote participation for personal matters or all-virtual public meetings can be used per calendar year, not to exceed the limitations set forth in subdivisions B 4 and C 9.

The policy shall not prohibit or restrict any individual member of a public body who is participating in an all-virtual meeting or who is using remote participation from voting on matters before the public body.

Any public body that creates a committee, subcommittee, or other entity however designated of the public body to perform delegated functions of the public body or to advise the public body may also adopt a policy on behalf of its committee, subcommittee, or other entity that shall apply to the committee, subcommittee, or other entity's use of individual remote participation and all-virtual public meetings.

2022, c. 597;2024, cc. 56, 129, 610, 617.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Virginia Department of Health Professions

Meetings Held with Electronic Participation

Purpose:

To establish a written policy for allowing electronic participation of board or committee members for meetings of the health regulatory boards of the Department of Health Professions or their committees.

Policy:

Electronic participation by members of the health regulatory boards of the Department of Health Professions or their committees shall be in accordance with the procedures outlined in this policy.

Authority:

This policy for conducting a meeting with electronic participation shall be in accordance with [Virginia Code § 2.2-3708.3](#).

Procedures:

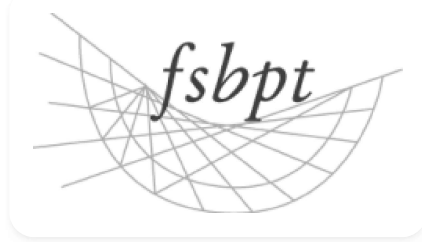
1. One or more members of the Board or a committee may participate electronically if, on or before the day of a meeting, the member notifies the chair and the executive director that he/she is unable to attend the meeting due to:
 - a. a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
 - b. a medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;
 - c. the member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
 - d. the member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.

No member, however, may use remote participation due to personal matters more than two meetings per calendar year or 25% of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

2. Participation by a member through electronic communication means must be approved by the board chair or president. The reason for the member's electronic participation shall

be stated in the minutes in accordance with Virginia Code § 2.2-3708.3(A)(4). If a member's participation from a remote location is disapproved because it would violate this policy, it must be recorded in the minutes with specificity.

3. The board or committee holding the meeting shall record in its minutes the remote location from which the member participated; the remote location, however, does not need to be open to the public and may be identified by a general description.



Exam Information

Licenses

Member Services

Educators

Volunteers

Consumer Information

Our Services

Candidate Services

Score Transfer Service (for Licensees)

Jurisprudence Assessment Module (JAM) Services

[Alabama](#)

[California](#)

[Georgia](#)

[Hawaii](#)

[Kansas](#)

[New Hampshire](#)

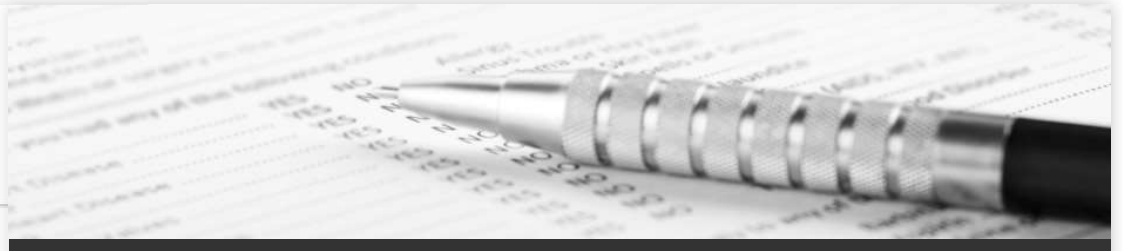
[New Jersey](#)

[Ohio](#)

[Oregon](#)

[Texas](#)

School Reports (for Educators)



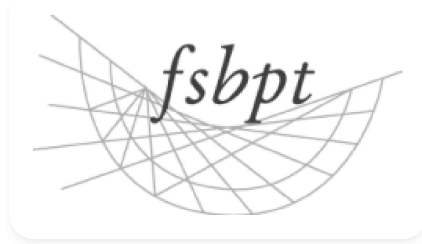
Jurisprudence Assessment Module (JAM®)

Quick and Easy Access

The FSBPT Jurisprudence Assessment Module (JAM) is a convenient, easy-to-use learning opportunity for applicants for physical therapy licensure, and for physical therapist and physical therapist assistants renewing their licenses, to meet certain jurisdiction-specific requirements.

Current Jurisprudence Assessment Modules:

- [Alabama Jurisprudence Assessment Module \(AL JAM\)](#)
- [California Jurisprudence Assessment Module \(CA JAM\)](#)
- [Georgia Jurisprudence Assessment Module \(GA JAM\)](#)
- [Hawaii Jurisprudence Assessment Module \(HI JAM\)](#)
- [Kansas Jurisprudence Assessment Module \(KS JAM\)](#)
- [New Hampshire Jurisprudence Assessment Module \(NH JAM\)](#)
- [New Jersey Jurisprudence Assessment Module \(NJ JAM\)](#)
- [Ohio Jurisprudence Assessment Module \(OH JAM\)](#)
- [Oregon Jurisprudence Assessment Module \(OR JAM\)](#)
- [Texas Jurisprudence Assessment Module \(TX JAM\)](#)



Exam Information

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Exam Candidates



National Exam (NPTE)

Applying for State License

Jurisprudence Exam

Jurisprudence Assessment Module (JAM)

NPTE Security Agreement

Testing Accommodations

Report an Exam Security Concern

Jurisprudence Exam

Required by Many States

In many states, you must pass the National Physical Therapy Examination (NPTE®) and you must pass a jurisprudence exam as a requirement for licensure.

Purpose of the Jurisprudence Exam

A jurisprudence exam is a test of your state's laws and rules. All licensed physical therapists (PTs) and physical therapist assistants (PTAs) should be familiar with the practice act and rules under which they are allowed to work.

Find out if Your State Requires the Jurisprudence Exam

Currently, more than 50 percent of states require a jurisprudence exam for initial licensure. Find out if Your State Requires the Jurisprudence Exam [Contact the licensing authority](#) in the jurisdiction in which you want to practice to get the most up-to-date information.

Currently, a jurisprudence exam is required in twenty-nine states for PT licensure and twenty-seven states for PTA licensure. For a list of these states as well as other requirements for licensure, you may view the [licensure reference guide](#). However, you should contact your licensing authority to ensure you have the most recent, up-to-date information.

FSBPT Develops, Maintains, and Administers Jurisprudence Exams for Four Jurisdictions

Arizona, the District of Columbia, Florida, and Nebraska. If your jurisdiction requires that you take the jurisprudence exam through the FSBPT, the policies and procedures for the

jurisprudence exam are the same as those for the NPTE. All jurisprudence exams will be administered on a continuous basis, with exams dates available most days of the year. Please note that once you register for a jurisprudence exam, the registration must be approved by your jurisdiction within six months. Unapproved registrations will be closed after six months, and the exam fee, minus a \$15 processing fee, will be refunded.

- [Arizona Law Content Outline](#)
- [District of Columbia Law Content Outline](#)
- [Florida Law Content Outline](#)
- [Nebraska Law Content Outline](#)

Are You Already Licensed and You Want to Take the Jurisprudence Exam?

To meet a portion of your licensure renewal or continuing competence/continuing education requirements, you may elect to take the jurisprudence exam if it is available in the jurisdiction in which you practice physical therapy. Currently, the following states offer jurisprudence exams for continuing competence credit:

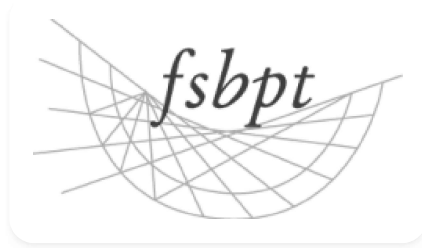
- **Florida**
- **Nebraska**

Nebraska does not pre-approve continuing education programs but may accept as continuing education for renewal of a license or certificate, or reinstatement of a license or certificate, the completion of the jurisprudence examination. Five (5) hours of continuing education will be awarded for passing the jurisprudence examination with a scaled score that is greater than or equal to 600.

The policies and procedures for the jurisprudence examinations are the same as those for the NPTE.

Login to Register

Apply for a state license



Exam Information

Licenses

Member Services

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Consumer Information

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Candidate Services

Score Transfer Service (for Licensees)

Jurisprudence Assessment Module (JAM) Services

Alabama

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New Hampshire

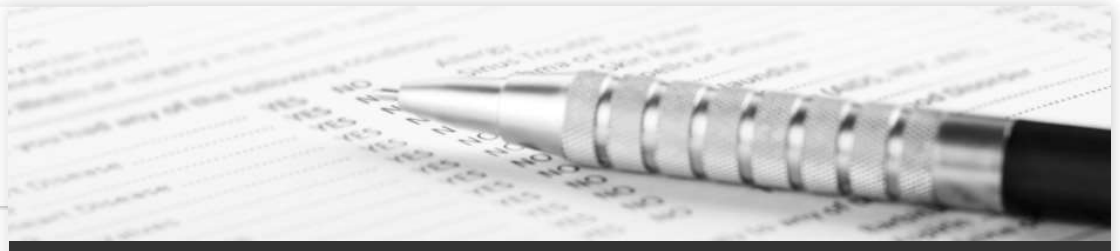
New Jersey

Ohio

Oregon

Texas

School Reports (for Educators)



Georgia Jurisprudence Assessment Module (GA JAM)

Easy Online Registration for the GA JAM

Before You Proceed

Please read all information below before registering for the GA JAM®. You'll need your FSBPT ID to register for the GA JAM. [Learn how to access your FSBPT ID.](#)

Who must take the GA JAM ?

All applicants for a new license in Georgia must take and pass the Georgia Jurisprudence Assessment Module prior to licensure.

Georgia licensees may fulfill all of the mandatory ethics and jurisprudence continuing education requirement (4 units) by completing the GA JAM. Credit may be claimed **once per competence cycle.**

For more information visit the website of the [Georgia State Board of Physical Therapy.](#)

Purpose of the GA JAM

The GA JAM is an online and on-demand learning and assessment tool developed in partnership with the

[View JAM Tutorial](#)

Fast Facts About the GA JAM
Where: online and on-demand

Questions: 50

Duration: 90 minutes

Price: \$65

Credits for re-licensure: 4

When to register: when you're ready to take! JAM must be completed within 96 hours of purchase.

Customer service available Monday-Friday; 9:00 a.m.-5:00 p.m. Eastern

Request assistance: JAM@fsbpt.org or 703.299.3100 option 3

[Find your FSBPT ID](#)

Need to Prepare?

Review the Georgia laws and regulations:

- [Official Code of Georgia Annotated, Title 43, Chapter 33 - Georgia Physical Therapy Act](#)

Georgia State Board of Physical Therapy to meet the Jurisprudence Assessment Module requirement for applicants for initial licensure and for licensees renewing a PT or PTA license in Georgia. The GA JAM provides all 4 credits that are required in jurisprudence and ethics for renewing licensees.

Takers are required to answer 80% of the questions correctly to pass the GA JAM. Takers are permitted four attempts to achieve a passing score. The Board will not accept scores from any additional attempts without proof of extensive further study on the laws and rules governing the practice of physical therapy in the State of Georgia.

Browser Compatibility

JAM is compatible with most browsers. We cannot ensure that JAM will work with all versions of browsers and all versions of operating systems. If you experience difficulty, consider trying to relaunch JAM in one of the following browsers: The latest version of Firefox and Chrome and Safari on Mac. We will update this list when additional browsers and operating systems become available.

Pricing

Jurisprudence Assessment Module:

Effective January 1, 2018 \$65.00

Please note that a 1.6% processing fee, rounded up to the nearest dollar, will apply. You may pay by Visa, MasterCard, or Discover at the time of registration.

Fees are for the JAM only. Georgia will charge additional application fees.

Score Reporting

GA JAM takers will immediately receive a detailed score report indicating PASSED or FAILED, the total number and percent of questions answered correctly, and the number and percent of questions answered correctly within each content area (Consumer Advocacy, Patient Care Management, etc.). The score report also includes links to the sections of the laws, rules and regulations under which questions were answered incorrectly for the taker to review. You should print or save a copy of

- [Official Code of Georgia Annotated, Title 43, Chapter 1 - Professions and Businesses, General Provisions](#)
- [Rules of Georgia State Board of Physical Therapy](#)
- [Georgia State Board of Physical Therapy Policy Statements](#)
- [Georgia JAM Content Outline](#)

your score report for your personal records. Your score report is available for two days after completion of the assessment in the JAM system. After that you can access your score through the [Customer Dashboard](#).

Scores are also reported by FSBPT directly to the Georgia State Board of Physical Therapy.

Login to Register

JAM must be completed within ninety-six hours of purchase. If you do not take the JAM within ninety-six hours you will need to re-register and pay again.

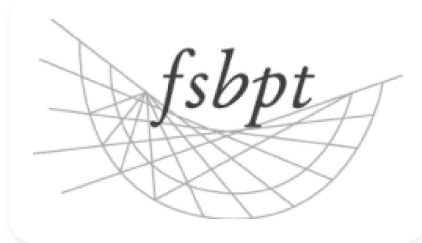
[Careers](#) [About FSBPT](#) [Contact Us](#) [Staff Home](#) [Site Map](#)

FSBPT®
Federation of State Boards of Physical Therapy
124 West Street South, Third Floor
Alexandria, VA 22314

PHONE: 703-299-3100

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Exam Information

Licensees

Member Services

Educators

Volunteers

Consumer Information

Our Services

Candidate Services

Score Transfer Service (for Licensees)

Jurisprudence Assessment Module (JAM) Services

Alabama

California

Georgia

Hawaii

Kansas

New Hampshire

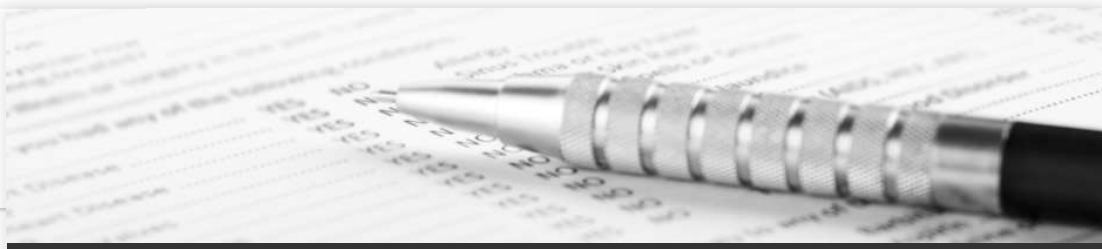
New Jersey

Ohio

Oregon

Texas

School Reports (for Educators)



Oregon Jurisprudence Assessment Module (OR JAM)

Easy Online Registration for the OR JAM

Before You Proceed

Please read all information below before registering for the OR JAM®. You'll need your FSBPT ID to register for the OR JAM. [Learn how to access your FSBPT ID.](#)

Purpose of the OR JAM

The OR JAM is an online and on-demand learning and assessment tool approved by the Oregon Physical Therapist Licensing Board to meet a requirement for applicants for initial licensure and for reinstatement of a license that has been lapsed for more than one year.

Takers are required to answer 80% of the questions correctly to pass the OR JAM. There is no limit on the number of attempts.

Who Must Take the OR JAM ?

All applicants for a new license in Oregon and all individuals applying to reinstate a license that has been lapsed for more than one year must take and pass the OR JAM prior to licensure. Oregon licensees may also earn 3 hours of continuing competence by completing

[View JAM Tutorial](#)

Fast Facts About the OR JAM
Where: online and on-demand

Questions: 50

Duration: 90 minutes

Price: \$48

When to register: when you're ready to take! JAM must be completed within 96 hours of purchase.

Customer service available Monday-Friday; 9:00 a.m.-5:00 p.m. Eastern

Request assistance: JAM@fsbpt.org or 703.299.3100 option 3

[Find your FSBPT ID](#)

Need to Prepare?

Review the Oregon laws and rules:

- [Oregon Physical Therapy Law](#)
- [Oregon Administrative Rules – Physical Therapist Licensing Board](#)

the OR JAM. Credit may be claimed **once per competence cycle.**

For more information visit the website of the [Oregon Board of Physical Therapy](#).

Browser Compatibility

JAM is compatible with most browsers. We cannot ensure that JAM will work with all versions of browsers and all versions of operating systems. If you experience difficulty, consider trying to relaunch JAM in one of the following browsers: The latest version of Firefox and Chrome and Safari on Mac. We will update this list when additional browsers and operating systems become available.

Pricing

Jurisprudence Assessment Module:

Effective January 1, 2018 \$48.00

Please note that a 1.6% processing fee, rounded up to the nearest dollar, will apply. You may pay by Visa, MasterCard, or Discover at the time of registration.

Fees are for the JAM only. Oregon will charge additional licensure application fees.

Score Reporting

OR JAM takers will immediately receive a detailed score report indicating PASSED or FAILED, the total number and percent of questions answered correctly, and the number and percent of questions answered correctly within each content area (Consumer Advocacy, Patient Care Management, etc.). The score report also includes links to the sections of the laws, rules and regulations under which questions were answered incorrectly for the taker to review. You should print or save a copy of your score report for your personal records. Your score report is available for two days after completion of the assessment in the JAM system. After that you can access your score through the [Customer Dashboard](#).

Scores are also reported by FSBPT directly to the Oregon Physical Therapist Licensing Board.

Login to Register

JAM must be completed within ninety-six hours of purchase. If you do not take the JAM within ninety-six hours you will need to re-register and pay again.

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PT Compact State Requirements

PT Compact State	State CP Fee	Commission CP Fee	Total CP Fee	Jurisprudence Exam Requirement	Jurisprudence Website (outside link)	Active Duty Military/Spouse/Veteran State Fee Waiver
Alabama	\$85	\$45	\$130	Must be passed before applying for CP (Initial Only)	The Alabama Jurisprudence Assessment Module (AL JAM) is available online here .	State fee waived for military spouses
Arizona	\$0	\$45	\$45	Must be passed before applying for CP (Initial & Renewal)	Register for the Arizona Jurisprudence Examination through the FSBPT here . You must subsequently also send an email including your name, home state address, and FSBPT ID to submissions@ptboard.az.gov requesting access to the Arizona jurisprudence exam for the purpose of obtaining a compact privilege. Official Arizona Policy on Jurisprudence Requirement to get compact privileges	N/A
Arkansas	\$3	\$45	\$48	Must be passed before applying for CP (Initial & Renewal)	The Arkansas jurisprudence exam is available online here . Make sure to select Online Jurisprudence Exam and then check that you do not yet have a license number.	No state fee waivers
Colorado	\$50	\$45	\$95	None	Colorado does not require a jurisprudence exam to obtain compact privileges.	No state fee waivers
Delaware	\$55	\$45	\$100	None	Delaware does not require a jurisprudence exam to obtain compact privileges.	No state fee waivers
District of Columbia	\$264	\$45	\$309	Must be passed within 30 days after CP issued (Initial Only)	Register for the DC Jurisprudence Examination through the FSBPT here . The District of Columbia requires all PT Compact Privilege Applicants to complete the compact application and pay for the jurisprudence exam prior to registering for the DC Jurisprudence exam. Please allow 48-72 hours after paying for the exam to receive your ATT letter. The DC	No state fee waivers

PT Compact State	State CP Fee	Commission CP Fee	Total CP Fee	Jurisprudence Exam Requirement	Jurisprudence Website (outside link)	Active Duty Military/Spouse/Veteran State Fee Waiver
					Jurisprudence exam must be completed within 30 days after the compact privilege is issued. Contact the Board via email at dcbopt@dc.gov if you have any questions.	
Georgia	\$65	\$45	\$110	Must be passed before applying for CP (Initial & Renewal)	The Georgia Jurisprudence Assessment Module (GA JAM) is available online here .	No state fee waivers
Indiana	\$104	\$45	\$149	None	Indiana does not require a jurisprudence exam to obtain compact privileges.	No state fee waivers
Iowa	\$60	\$45	\$105	None	Iowa does not require a jurisprudence exam to obtain compact privileges.	State fee waived for active duty military and military spouse
Kentucky	\$103	\$45	\$148	Must be passed before applying for CP (Initial & Renewal)	The Kentucky jurisprudence exam has a separate registration for compact privilege seekers that is available online here .	State fee waived for active duty military
Louisiana	\$95	\$45	\$140	Must be passed before applying for CP (Initial & Renewal)	Registering for an account is required to access and complete the Louisiana jurisprudence exam here . Make sure to select "Compact Privilege User" when completing the form and remember contact information must be updated through the Louisiana website and ptcompact.org within 30 days of such changes in accordance with Compact Rules.	State fee waived for active duty military and military spouse
Maryland	\$125	\$45	\$170	Must be passed before applying for CP (Initial Only)	Maryland requires all PT Compact Privilege Applicants to complete the Maryland PT Compact Registration Form prior to registering for the Maryland Jurisprudence Exam and purchasing a privilege. You will receive further emailed instructions	No state fee waivers unless qualified under the Veterans Auto and Education

PT Compact State	State CP Fee	Commission CP Fee	Total CP Fee	Jurisprudence Exam Requirement	Jurisprudence Website (outside link)	Active Duty Military/Spouse/Veteran State Fee Waiver
					from mdh.bpteadmin@maryland.gov . Contact the Board office via email or phone (410-764-4718) if you have any questions.	Improvement Act of 2022.
Mississippi	\$150	\$45	\$195	Must be passed before applying for CP (Initial Only)	The Mississippi jurisprudence exam is available online here . You will need to register for an account on their site to access the exam.	State fee waived for active duty military and military spouse
Missouri	\$20	\$45	\$65	Must be passed before applying for CP (Initial Only)	A PDF of the Missouri jurisprudence exam is available here . Completed forms should be emailed to licensure@pr.mo.gov or faxed to 573-751-3166 to be graded.	State fee waived for active duty military, military spouse, and veteran
Montana	\$50	\$45	\$95	Must be passed before applying for CP (Initial Only)	To register for and take the Montana Jurisprudence Exam, please follow the subsequent three steps in order. Step 1. Register for an online account – click here Step 2. Access the Montana Administrative Rules and Statutes that you will use during the test Step 3. Take the online jurisprudence exam – click here Note: You will be prompted to log in before you are directed to the exam.	No state fee waivers
Nebraska	\$35	\$45	\$80	None	Nebraska does not require a jurisprudence exam to obtain compact privileges.	State fee waived for active duty military, military spouse, and veteran

PT Compact State	State CP Fee	Commission CP Fee	Total CP Fee	Jurisprudence Exam Requirement	Jurisprudence Website (outside link)	Active Duty Military/Spouse/Veteran State Fee Waiver
New Hampshire	\$65	\$45	\$110	Must be passed before applying for CP (Initial & Renewal)	The New Hampshire Jurisprudence Assessment Module (NH JAM) is available online here .	No state fee waivers
New Jersey	\$40	\$45	\$95	Must be passed before applying for CP (Initial & Renewal)	The New Jersey Jurisprudence Assessment Module (NJ JAM) is available online here .	No state fee waivers
North Carolina	\$72	\$45	\$117	Must be passed within 30 days after CP issued (Initial & Renewal)	The North Carolina jurisprudence exam is available online here . You will need to register for an account on their site to access the exam.	State fee waived for active duty military, military spouse, and veteran
North Dakota	\$40	\$45	\$85	Must be passed before applying for CP (Initial Only)	The North Dakota jurisprudence exam is available online here .	No state fee waivers
Ohio	\$50	\$45	\$95	Must be passed before applying for CP (Initial & Renewal). You DO NOT need to pass the OH JAM for your FIRST renewal.	The Ohio Jurisprudence Assessment Module (OH JAM) is available online here .	No state fee waivers
Oklahoma	\$55	\$45	\$100	None	Oklahoma does not require a jurisprudence exam to obtain compact privileges.	State fee waived for active duty military, military spouse and Veteran

PT Compact State	State CP Fee	Commission CP Fee	Total CP Fee	Jurisprudence Exam Requirement	Jurisprudence Website (outside link)	Active Duty Military/Spouse/Veteran State Fee Waiver
Oregon	\$50	\$45	\$95	Must be passed within 6 months before applying for CP (Initial Only)	Please follow the steps in order: 1. Send an email with your contact information to physical.therapy@obpt.oregon.gov . This must include: your name, mailing address, email address, phone number and name and address for where you will be working in Oregon. 2. Register for the Oregon Jurisprudence Examination through the FSBPT here .	State fee waived for active duty military, military spouse and Veteran
South Carolina	\$0	\$45	\$45	None	South Carolina does not require a jurisprudence exam to obtain compact privileges.	N/A
South Dakota	\$62	\$45	\$107	None	South Dakota does not require a jurisprudence exam to obtain compact privileges.	No state fee waivers
Tennessee	PT: \$195 PTA: \$185	\$45	PT: \$240 PTA: \$230	Must be passed within 30 days after CP issued (Initial & Renewal)	The Tennessee jurisprudence requirement is a course that must be completed with 30 days after the compact privilege is issued. Details on registering for the course are sent by the TN PT Board approximately a week after the CP is issued.	No state fee waivers
Texas	\$50	\$45	\$95	Must be passed before applying for CP (Initial & Renewal)	The Texas Jurisprudence Assessment Module (TX JAM) is available online here .	State fee waived for active duty military, military spouse, and veteran
Utah	\$47	\$45	\$92	None	Utah does not require a jurisprudence exam to obtain compact privileges.	State fee waived for active duty military
Virginia	\$50	\$45	\$95	None	Virginia does not require a jurisprudence exam to obtain compact privileges.	No state fee waivers

PT Compact State	State CP Fee	Commission CP Fee	Total CP Fee	Jurisprudence Exam Requirement	Jurisprudence Website (outside link)	Active Duty Military/Spouse/Veteran State Fee Waiver
Washington	\$47 (\$45 + \$2 Processing)	\$45	\$90	Must be passed before applying for CP (Initial & Renewal)	The Washington jurisprudence exam is available online here . In the "License or pending license number" field, please enter PT0001.	No state fee waivers
West Virginia	\$50	\$45	\$95	None	West Virginia does not require a jurisprudence exam to obtain compact privileges.	State fee waived for active duty military, military spouse, and veteran
Wisconsin	\$56	\$45	\$101	Must be passed before applying for CP (Initial Only)	The Wisconsin jurisprudence exam is available online here for PTs and here for PTAs. You will need to complete the jurisprudence exam. You must complete the "Request to Take Jurisprudence Exam" form available on that page. Access to the exam will be emailed to you once your request is received and the exam registration fee has been processed. Completed forms should be emailed to DPSCredPhysicalTherapy@wisconsin.gov with the subject line of "PT/PTA COMPACT" or faxed to 608-251-3036	N/A