

APPROVED

BOARD OF PHYSICAL THERAPY LEGISLATIVE/REGULATORY COMMITTEE MINUTES OF GENERAL BOARD MEETING

**Tuesday, May 13, 2003
6603 West Broad Street
Richmond, Virginia 23230
Conference Room 2**

Department of Health Professions

CALL TO ORDER: A meeting of the Legislative/Regulatory Committee of the Virginia Board of Physical Therapy was called to order at 9:11 a.m.

PRESIDING: Lisa D. Shoaf, P.T., Chair

MEMBERS PRESENT: Helen Arnold, PT
Carol Dawson
Lorraine Quinn, PTA
W. Gayle Garnett, PT

MEMBERS ABSENT: Michael Styron, PT

STAFF PRESENT: Elizabeth Young, Executive Director
Elaine Yeatts, Sr. Policy Analyst
Pamela Horner, Administrative Assistant

OTHERS PRESENT: Christine Lawson, FSBPT

GUESTS: Richard Grossman, Lobbyist, VPTA
Terry Izzo, Legislative Chair, VPTA

QUORUM: With five members of the Committee present, a quorum was established.

PUBLIC COMMENT: There was no request to speak during the public comment period.

REGULATORY ISSUES: Elaine Yeatts, Sr. Policy Analyst discussed concerns regarding the amendments proposed at the April 25, 2003 meeting. Based on Ms. Yeatts suggestions and additional discussion, the Committee voted to recommend the following amendments to the regulations:

18 VAC 112-20-10. Definitions.

Words and terms used in this chapter shall have the definitions ascribed in 54.1-2373 of the Code of Virginia which is incorporated by reference in this chapter. In addition, the following words and terms, when used in this chapter, shall have

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the following meanings, unless the context clearly indicates otherwise:

“Approved program” means an educational program accredited by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association.

~~“Board” means the Virginia Board of Physical Therapy.~~

“CLEP” means the College Level Examination Program.

“Contact hour” means 60 minutes of time spent in continuing learning activity exclusive of breaks, meals or vendor exhibits.

~~“Direct supervision” means a physical therapist or physical therapist assistant is present and is fully professionally and legally responsible for the activities performed by the non-licensed physical therapy personnel.~~

~~“Evaluation” means the carrying out by a physical therapist of the sequential process of assessing a patient, planning the patient’s physical therapy treatment program, and recording appropriate documentation.~~

“Face-to-face” means learning activities or courses

obtained in a group setting or through interactive, real-time technology.

“FCCPT” means the Foreign Credentialing Commission on Physical Therapy.

“General supervision” means a physical therapist shall be available for consultation.

~~“Non-licensed Support personnel” means a person practicing under the direction of a physical therapist who performs designated and supervised components of physical therapy care. any individual not licensed or certified by a health regulatory board within the Department of Health Professions who is performing patient care functions at the direction of a physical therapist or physical therapist assistant within the~~

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~~scope of this chapter:~~

~~"Physical therapist" means a person qualified by education and training to administer a physical therapy program.~~

~~"Physical therapist assistant" means a person qualified by education and training to perform physical therapy functions under the supervision of and as directed by a physical therapist.~~

~~"National Exam" means the physical therapy or physical therapist assistant examinations developed and administered by the Federation of State Boards of Physical Therapy.~~

~~"TSE" means the Test of Spoken English as a Foreign Language.~~

~~"TOEFL" means the Test of English as a Foreign Language.~~

~~"Trainee" means a person undergoing a traineeship.~~

- ~~1. "Foreign educated trainee" means a physical therapist educated outside of the United States and or physical therapist assistant who graduated from a school not approved by the Commission on Accreditation of Physical Therapy Education of the American Physical Therapy Association or other an accrediting agency ~~recognized approved~~ by the board and who is seeking licensure to practice in Virginia.~~
- ~~2. "Inactive practice trainee" means a physical therapist or physical therapist assistant who has previously been licensed and has not practiced for at least 320 hours within the past four years and who is seeking licensure or re-licensure in Virginia.~~
- ~~3. "Unlicensed graduate trainee" means a graduate of an approved physical therapist or physical therapist assistant program who has not taken the state licensure examination approved by the Board or who has taken the examination but not yet received a license from the board.~~

~~"Traineeship" means a period of full time activity active clinical practice during which an unlicensed physical~~

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therapist or physical therapist assistant works under the direct supervision of a physical therapist approved by the board.

“Type 1” means face-to-face continuing learning activities offered by an approved organization as specified in 18 VAC 112-20-131.

“Type 2” means continuing learning activities which may or may not be offered by an approved organization but shall be activities considered by the learner to be beneficial to practice or to continuing learning. In Type 2 activities, licensees document their own participation on the Continued Competency Activity and Assessment Form and are considered self-learning activities.

~~18 VAC 112-20-20. Public participation:~~

~~Board regulations, 18 VAC 112-10-10 et seq., provide for involvement of the public in the development of all regulations of the Virginia Board of Physical Therapy.~~

18 VAC 112-20-40. Education requirements: graduates of approved programs

~~A. An applicant for licensure who is a graduate of an approved program shall submit with the required application and fee documented evidence of his graduation from such a program with the required application and fee.~~

~~B. If an applicant is a graduate of an approved program located outside of the United States or Canada, he shall provide proof of proficiency in the English language by passing with a grade of not less than 560 score approved by the Board on the TOEFL and TSE, or an equivalent examination approved by the board. TOEFL or TSE may be waived upon evidence of English proficiency.~~

18 VAC 112-20-50. Education requirements: graduates of schools not approved by an accrediting agency recognized approved by the board.

~~A. An applicant for initial licensure as a physical therapist who is a graduate of a school not approved by an accrediting agency approved recognized by the board shall submit the required application and fee and provide documentation of the physical therapist's certification and report by the FCCPT.~~

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B. An applicant for licensure as a physical therapist assistant who is a graduate of a school not approved by the board shall submit with the required application and fee and the additional:

1. Proof of proficiency in the English language by passing with a passing score approved by Board grade of not less than 560 on the TOEFL and TSE or an equivalent examination approved by the board. TOEFL or TSE may be waived upon evidence of English proficiency.

2. A photo-static copy of the original certificate or diploma which has been certified as a true copy of the original by a notary public verifying his graduation from a physical therapy curriculum which has been certified as a true copy of the original by a notary public:

If the certificate or diploma is not in the English language, submit either:

a. An English translation of such certificate or diploma by a qualified translator other than the applicant; or

b. An official certification in English from the school attesting to the applicant's attendance and graduation date.

3. Verification of the equivalency of the applicant's education from a scholastic credentials service approved by the board of the physical therapist assistant program approved by CAPTE. at least 65 semester hours to include:

~~_____ a. General education requirements. A minimum of 20 semester hours is required with credits in each of the following: humanities, social sciences, natural sciences, physical sciences, and electives.~~

~~_____ b. Professional educational requirements. A minimum of 45 semester hours is required with credits in each of the following: basic health sciences, clinical sciences, and clinical education.~~

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~~c. CLEP semester hours or credits shall be accepted for general education hours only.~~

- C. An applicant for initial licensure as a physical therapist or a physical therapist assistant shall ~~also~~ submit verification of having successfully completed a full-time 1,000-hour traineeship as a "foreign educated trainee" under the direct supervision of a licensed physical therapist. The traineeship shall be in a facility that provides clinical educational experiences for students enrolled in accredited programs ~~serves as an education facility for students enrolled in an accredited program educating physical therapists in Virginia, and is approved by the board.~~
1. It shall be the responsibility of the foreign educated trainee to make the necessary arrangements for his training with the director of physical therapy or the director's designee at the facility selected by the trainee.
 2. The physical therapist or physical therapist assistant supervising the foreign educated trainee shall submit a completed physical therapy or physical therapist assistant clinical performance instrument approved by progress report to the board, ~~at the end of the 1,000 hours. This report shall be submitted on forms supplied by the board.~~
 3. If the traineeship is not successfully completed at the end of 1,000 hours as determined by the supervising physical therapist, the president of the board or his designee shall determine if a new traineeship shall commence. ~~If it is determined by the president of the board determines~~ that a new traineeship shall not commence, ~~then~~ the application for licensure shall be denied.
 4. The second traineeship may be served under a different supervising physical therapist and may be served in a different organization than the initial traineeship. If the second traineeship is not successfully completed, as determined by the supervising physical therapist, then the application for licensure shall be denied.
 5. The traineeship requirements of this part may be

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waived if the applicant for a license can verify, in writing, the successful completion of one year of clinical physical therapy practice as a licensed physical therapist or physical therapist assistant in the United States, its territories, the District of Columbia, or Canada, equivalent to the requirements of this chapter.

PART III.
Licensure by Examination.

18 VAC 112-20-60. ~~Application requirements.~~ Eligibility to Take the National Examination

~~A.~~ Every applicant for initial board licensure by examination shall submit:

1. Documentation of having met the educational requirements specified in 18 VAC 112-20-40 or 18 VAC 112-20-50;
2. The required application and credentials to the board; and
3. ~~Requirement~~ Documentation of passage of the national examination ~~with a minimum passing score~~ as prescribed ~~-determined~~ by the board.

~~18 VAC 112-20-65.~~ **B. Requirements for the passage of examination.**

~~1.A.~~ The minimum passing score shall be a scale score of 600 or as established by the board.

~~2.B.~~ An applicant who fails the examination after ~~six~~ three attempts shall be denied licensure.

~~3.C.~~ A person not taking the licensure examination within four years after graduation shall successfully complete a full-time 480-hour traineeship.

4. An applicant for licensure who does not pass examination after the third attempt may retake the examination one additional time without reapplication. Before the Board may approve an applicant for subsequent testing beyond the three

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attempt, the applicant shall have demonstrated satisfactory evidence to the Board of having successfully completed additional clinical training or coursework as determined by the Board.

18 VAC 112-20-70. Traineeship for unlicensed graduate scheduled to sit for the board's licensure examination.

- A. Upon approval of the president of the board or his designee, an unlicensed graduate trainee in Virginia, may be employed under the direct supervision of a licensed physical therapist until the results of the licensure examination are received.
- B. The traineeship shall terminate two working days following receipt by the candidate of the licensure examination results.
- C. The unlicensed graduate may reapply for a new traineeship while waiting to take the next examination.

**PART IV
Licensure by Endorsement.**

18 VAC 112-20-80. Endorsement requirements.

- A. A physical therapist or physical therapist assistant who has been licensed in the United States, its territories, the District of Columbia, or Canada, by examination equivalent to the Virginia examination at the time of licensure and who has met all other requirements of the board may, upon recommendation of the board, be licensed in Virginia by endorsement.
- B. An applicant for licensure by endorsement shall submit information as prescribed by the Board in 18 VAC 112-20-65 and:

ADJOURNMENT

With all business concluded, the Committee adjourned at 12:17 p.m.

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Lisa D. Shoaf, P.T., Chair

Elizabeth Young, Executive Director

Date

Date