

Report From Agency

**STATE OF WISCONSIN
PHYSICAL THERAPY EXAMINING BOARD**

IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : **REPORT TO THE LEGISLATURE**
PHYSICAL THERAPY : **CR 15-027**
EXAMINING BOARD :
:

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA document is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The Physical Therapy Examining Board (Board) reviewed its rules and determined that certain provisions needed clarifying. First, s. PT 1.04 was repealed. By requiring the completed application include all required documents including verified documentary evidence of graduation from a school of physical therapy by the application deadline date the Board is in fact requiring applicants to complete their postsecondary education as a condition of taking the exam. The deadline date was removed in keeping with 2013 Wisconsin Act 114 which required boards to refrain from requiring the completion of postsecondary education before an applicant is eligible to take a credentialing examination. Secondly, the Board decided to repeal the temporary reentry license found in s. PT 3.02 and the term candidate for reentry in s. PT 1.02 (2). These provisions were originally designed to allow persons who had not practiced as a physical therapist for a period of 3 years or more an opportunity to gain clinical experience while waiting for full licensure. However, s. PT 2.01 (h) already addresses applicants returning to the practice of physical therapy after a 3 year absence by requiring an oral examination. Lastly, the Board revised requirements for reinstatement of a license found in s. PT 8.05 by adding conditions applicants need to follow if their license has been surrendered, revoked, or has unmet disciplinary requirements.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Physical Therapy Examining Board held a public hearing on May 28, 2015. No one submitted written testimony or testified at the hearing.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

5. Clarity, grammar, punctuation, and use of plain language

a. The proposed changes in the rule-making order allow an individual to take an examination before they submit an application for licensure. However, several provisions of the current rule that are not amended by the rule-making order appear to be unworkable if an individual wishing to take an examination has not submitted an application for licensure. For example, under current practice, individuals notify the board of their desire to take the required examination by submitting a completed application under s. PT 1.04 and the board notifies applicants, under s. PT 2.01 (5), of the time and place scheduled for the examination. How will this notice be provided under the proposed changes? In addition, s. PT 2.01 requires a panel to review each application for licensure to determine whether an individual is required to take an oral examination. If an individual has not submitted an application for licensure, how will the panel make that determination?

Response: Several changes have been made to the proposed rule in response to this Clearinghouse comment including amending PT 1.03 so that it specifies the requirements for licensure rather than the application requirements. These changes allow applicants to take the required examinations after parts of the application have been submitted including the application form and other materials prior to the completion of the education requirements. This is consistent with 2013 WI Act 114. The panel in s. PT 2.01 will be able to make a determination whether an individual is required to take an oral examination prior to the submittal of all licensure requirements which is also consistent with 2013 WI Act 114.

All of the remaining recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

N/A