

Oregon Physical Therapist Licensing Board (OPTLB)  
Administrative Rules Advisory Committee Meeting Minutes  
October 10, 2011  
4:00 PM to 7:30 PM

Portland State Office Building  
800 NE Oregon Street Room 445  
Portland OR 98232

List of Attendees: Steve Alstot, Suzanne Baptista-Maresh, Deborah Bates, Kate Brady, Wanda Crook, Tim Esau, Andrew Fifield, Diana Godwin, David Haglund, John Hakkila, Jim Heider, Erin Horton, Ramona Horton, Karina Montgomery, Jeremiah Moore, Adam Paris, Sherri Paru, Sharla Smith, Derek Stokes, Ernie Sturzinger, Beth Anne Thorpe, Amanda Wallinger.

Introductions – Jim Heider

Roles of OPTLB, OPTA, FSBPT – Sherri Paru

Summary of Rule Making Process- Jim Heider

Purpose of Rules Advisory Rules Committee: To seek input, and solutions from therapists, interested parties and other stakeholders relevant to current issues facing the profession and the Oregon Board. Outcomes and Committee recommendations will be presented to the OPTLB for Nov 4, 2011 meeting – Jim Heider

Overview of Discussion Topics and Issues – Jim Heider

- Temporary permits
- Endorsement application qualifying NPTE scores
- Reinstatement of Lapsed License
- Coordination of renewal cycle to CEU certification period
- Open topics

**Temporary permits:** Premise, the current rule does not allow flexibility for the onset of fixed event testing for first time examination applicants.

**Problem/Issue:** With continuous date testing, the 60 day temporary permit allowed plenty of time for an applicant to apply for, register and sit for the NPTE while working with a 60 day temporary permit. With fixed date testing, depending on the timing of the exam dates, graduation dates and application date, an applicant may not be able to complete the entire process and sit for the examination within the 60 day permit timeframe

Board Chair Alstot shared with the Committee that the Board was divided on the issue of temporary permits. Some Board members would like to see temporary permits eliminated, others support the continued use of the permits.

The Committee discussion included pros and cons of temporary licensure; convenience verses public safety, consideration of stakeholders including schools, employers, recruiters and the public.

**Committee conclusion:** The Board has not received any complaints or dealt with issues of public safety or patient injury relative to an applicant working under supervised practice with a temporary permit. The majority of the Committee would recommend that the Board continue with the offering of a temporary permit and consider either the extension of the timeframe or the option for the Board to grant a 60 day permit if necessary to accommodate the fixed testing date.

**Examination Application Qualifying NPTE Scores:** Premise, the current rule restricts qualified endorsement applicants from licensure.

Problem/Issue: Prior to 1996, all States had their own passing score criteria for the National Physical Therapy Examination. So an examinee could take the exam and have a passing score in one state but that score may not be passing for another state making the individual ineligible for licensure in the second state.

Board Director Heider shared with the Committee that in the past year the Board has had four endorsement candidates that would be considered highly qualified therapists unable to complete the endorsement application process because their NPTE scores did not meet Oregon standards. Their only option would be to complete an examination application and take the NPTE again.

The Committee discussion focused on the Board's rationale for the various passing score criterion prior to 1996. The Director, through researching of the issue, was unable to determine the Board's rationale at the time. The Committee discussed the issue of, after 15-20 years, having to take the current NPTE to prove competency verses coming to the Board with 15-20 of clinical experience with no encumbrances on a license active in another State.

Committee conclusions: Based on the lack of rationale for the various examination scores prior to 1996, that a current licensee from another state had to take same national examination and pass it to be licensed in that State and that the endorsement applicant is probably coming to the State with work experience; the Board should consider language that would eliminate the old passing score requirement by recognizing that the endorsement applicant has a passing score recognized by another states PT Board and are competent for practice based on current years of practice.

**Reinstatement of Lapsed License:** Premise, the current fee structure is inequitable and should be reviewed for possible change or update.

Problem/Issue: In Oregon a licensee can let their license lapse for non-renewal for up to five years. Anytime during that five year period the former licensee may reinstate their OR license by completing a renewal form and paying the back renewal fees and a late charge for each year the license has lapsed up to five years. Individuals wanting to reinstate after three, four or up to five years pay a amount for reinstatement that that is inequable compared to a licensure applicant. The work to reinstate a license is minimal compared to that of processing a new license application.

Committee discussion focus around the need for reinstatement at all, why not just make everyone make application regardless of prior status. The bigger issue for the Committee was the reinstatement of licensure by renewal without verifying that during the lapsed period, if the individual was still working under another license in another state that the Board knows that the other license is in good standing.

Board Clinical Advisor/Investigator Paru shared with the Committee that the Statute may not allow for the changing of the method to reinstate, that maybe the Committee needs further clarification of Statute before an action step is considered.

Committee conclusions: The Board staff should engage the Board's legal counsel to see if the statute allows the Board to change the current fee schedule. Also the Committee felt pretty strongly about the public safety issue allowing an individual to reinstate a lapsed license without verifying current licenses held in other States, the Committee would recommend that regardless of the fee structure, the Board should consider changing the requirements for reinstatement to include verification from every State the former licensee held a license to practice.

**Coordination of Renewal Cycle to CEU Certification Period:** Premise, the CE Certification Period and the Renewal Cycle due dates should coordinate.

Problem/Issue: Currently in Oregon the renewal of licensure is due annually by March 31<sup>st</sup> of each year. The CE certification period runs for two years from April 1<sup>st</sup> of an even numbered year through March 31<sup>st</sup> of the subsequent

even numbered year. Many licensees have expressed concerns to the Board, saying the two different due dates create confusion, complications and angst amongst the licensees.

Committee discussions focused on the options. Either changing the renewal cycle to every two years to co-inside with the CE certification period or changing the CE certification period to every year completing  $\frac{1}{2}$  the current requirement. Pro and cons of both options were discussed.

Committee conclusions: The Committee felt strongly that this was a topic of interest that may need further input from their staffs and co-workers. The Committee decided to table the topic to the next meeting and in the interim to have discussion with co-workers and staff to get a broader picture or more insight, is the current system a big enough problem to warrant a change and if a change is considered what would be the best option to implement.

Meeting adjourned 7:30pm

**Next Meeting: Monday October 24, 2011 4:30pm**