

**848-010-0015**

## **Examinations**

(1) Examinations for licensing of physical therapists and of physical therapist assistants shall be provided by an examination service approved by the Board. The overall passing score shall be based on a formula using the criterion-referenced scoring system. An applicant may sit for the examination a maximum of three times in any jurisdiction within a 12-month period, measured from the date of the first examination.

(2) All completed applications for examination, the non-refundable examination fee and other necessary forms must be approved by the Board prior to the scheduling of each examination in Oregon. For applicants taking the examination in another state or territory of the United States, or other Board approved location, and applying to Oregon for licensure by examination, all completed applications, the non-refundable fee and other necessary forms must be approved by the Board prior to licensure.

(3) Unless qualified for licensure by endorsement under OAR 848-010-0022, a foreign educated physical therapists must submit directly to the Board, prior to obtaining an application:

(a) A Credentials Evaluation Statement ("the Report") of professional education and training prepared by a Board-approved credentials evaluation agency. It is the applicant's responsibility to pay the expenses associated with the credentials evaluation.

(A) The Report must provide evidence and documentation that the applicant's education outside a state or territory of the United States is substantially equivalent to the education of a physical therapist who graduated from an accredited physical therapy education program approved by the Board pursuant to ORS 688.050(2).

(B) To determine substantial equivalency, the approved credentialing evaluation agency shall use the appropriate Course Work Tool ("CWT") adopted by the Federation of State Boards of Physical Therapy. The appropriate CWT means the CWT in place at the time the foreign educated physical therapist graduated from their physical therapy program.

(b) English Language Proficiency

(A) Verification that English is the native language of the country of origin, and the physical therapy program employs English as the language of training; or

(B) Verification that the applicant has achieved a score of not less than 560 on the paper Test of English as a Foreign Language (TOEFL) or a score of not less than 220 on the computer Test of English as a Foreign Language (TOEFL), a score of not less than 50 on the Test of Spoken English (TSE) and a score of not less than 4.5 on the Test of Written English (TWE); or

(C) Verification that the applicant has achieved the following minimum scores for each category of the new internet based TOEFL (ibTOEFL) examination: writing, 24; speaking, 26; reading, 21; listening, 18; with an overall score of not less than 89.

(c) If applicant has taken a Board-approved national licensing examination prior to application for licensure in Oregon, a report of applicant's examination scores must be submitted to the Board directly from the Board-approved examination service.

(d) If applicant holds or has held a license in the country in which the applicant received their physical therapy education, the applicant must provide primary source verification of the license.

(e) For purposes of section (3) of this rule, the requirements and criteria considered for credentialing will be "as of" the date the most recent credentialing report was received by the Board from the Board-approved credentialing agency.

(4) The Examination must be given in the English language.

(5) No person shall be allowed to take the physical therapist examination or physical therapist assistant examination for licensure in Oregon until all academic requirements are completed.

(6) The examination will be administered at a location approved by the Board.  
[Applicants taking the examination in Oregon must sit for the examination within 60 days from the date of the letter of authorization from the Board-approved examination service.]

(7) Any applicant who has graduated from an approved school of physical therapy and passed a Board-approved examination or a Board-approved equivalent examination more than five years prior to application for licensure in the State of Oregon and who has not been actively licensed in any other state or territory of the United States for a five year period must demonstrate competence to practice physical therapy. If the applicant fails to demonstrate competence, the Board may require the applicant to serve an internship under a restricted license or satisfactorily complete a refresher course approved by the Board, or both, at the discretion of the Board. The Board may also require the applicant to pass an examination approved by the Physical Therapist Licensing Board as provided in OAR 848-010-0015.

848-010-0020

### **Endorsement of Out-of-State Physical Therapists and Physical Therapist Assistants**

Physical therapists and physical therapist assistants not licensed in the State of Oregon may be licensed by endorsement if they comply with all of the following:

- (1) File a completed application form and pay a non-refundable endorsement application fee.
- (2) Are at least 18 years of age.
- (3) Are graduates of an approved school for physical therapists or physical therapist assistants as provided in OAR 848-010-0010 and 848-010-0015(3).
- (4) Are currently licensed in any other state or territory of the United States.
- (5) Have passed the physical therapist or physical therapist assistant examination provided by a Board-approved examination service. ~~[with the following minimum overall passing score:]~~
  - ~~[(a) For applicants examined February 1, 1996 and thereafter, the minimum overall passing score shall be based on a formula using the criterion-referenced scoring system verified by a Board-approved examination service;]~~
  - ~~[(b) For applicants examined from January 5, 1983 through January 31, 1996, the minimum overall passing score shall be based on a formula using the national average raw score minus two average standard errors of measurement as determined by the Board;]~~
  - ~~[(c) For applicants examined from January 1, 1976 through January 4, 1983, the minimum overall passing score shall be 1.5 standard deviation below the national average raw score verified by a Board-approved examination service;]~~
  - ~~[(d) For applicants examined from January 1, 1961 through December 31, 1975, the passing of a written examination which in the opinion of the Board is substantially equivalent to the examination given by a Board-approved examination service;]~~
  - [(e)] (6)** For applicants examined prior to January 1, 1961, the passing of an examination of the American Registry of Physical Therapists, or the passing of a written examination which in the opinion of the Board is substantially equivalent to the examination of the American Registry of Physical Therapists.

848-010-0026

### Temporary Permits

(1) The Board may issue a temporary permit to practice as a physical therapist or physical therapist assistant for ~~[a period of 60 calendar days]~~ **the period specified below** to an applicant who meets the requirements of this rule.

(a) A person who has completed a CAPTE accredited physical therapist or physical therapist assistant program in a state or territory of the United States and who is applying for the first time to take the licensing examination in Oregon **may be issued a temporary permit for a period of 90 calendar days. Such applicant** shall:

- (A) Submit a completed application for license by examination and pay the required fee;
- (B) Submit a completed application for a temporary permit and pay the required fee; and
- (C) Submit a Board Certificate of Professional Education providing primary source verification of completion of a CAPTE accredited physical therapist or physical therapist assistant program.

(b) A person who holds a valid current license to practice in another state or territory of the United States **may be issued a temporary permit for a period of 60 calendar days. Such applicant** shall:

- (A) Provide written primary source verification of current licensure in another state or territory;
- (B) Submit a completed application for license by endorsement and pay the required fee;
- (C) Submit a completed application for a temporary permit and pay the required fee;
- (D) Submit a Board Certificate of Professional Education providing primary source verification of completion of a CAPTE accredited physical therapist or physical therapist assistant program; and
- (E) Have passed the physical therapist or physical therapist assistant examination ~~[with the minimum overall passing score set out]~~ **as provided** in OAR 848-010-0020(5).

(c) A person who is a foreign educated physical therapist who has graduated from a CAPTE accredited physical therapist program **may be issued a temporary permit for a period of 60 calendar days. Such applicant** shall:

- (A) Submit a completed application for license by examination or endorsement and pay the required fee;

(B) Submit a completed application for a temporary permit and pay the required fee;

(C) Submit a Board Certificate of Professional Education providing primary source verification of completion of a CAPTE accredited physical therapist program; and

(D) Submit proof of passing scores on the TOEFL, TSE and TWE tests or ibTOEFL test. However, this requirement does not apply if the physical therapist program was taught in English and English is the national language of the country where the physical therapist program was taught.

(2) A person who holds a temporary permit must practice under supervision as provided in this rule.

(3) A person who holds a temporary permit issued under subsection (1)(a) or (1)(c) of this rule must practice under on-site supervision, which means that at all times a supervising therapist is in the same building and immediately available for consultation. Entries made in the patient record by a temporary permit holder must be authenticated by the permit holder and by a supervising therapist.

(4) A person who holds a temporary permit issued under subsection (1)(b) of this rule must practice under general supervision, which means that at all times a supervising therapist must be readily available for consultation, either in person or by telecommunication.

(5) As used in this rule, "supervising therapist" means [a] **an Oregon licensed** physical therapist if the permit holder is a physical therapist or a physical therapist assistant. "Supervising therapist" also means [a] **an Oregon licensed** physical therapist assistant if the permit holder is a physical therapist assistant. A physical therapist assistant may not supervise a physical therapist permit holder.

(6) If a physical therapist assistant is supervising a physical therapist assistant permit holder, a physical therapist must be readily available for consultation, either in person or by telecommunication, as provided in OAR 848-015-0020.

(7) Within five (5) working days of beginning practice the permit holder must submit to the Board a completed "Temporary Permit Letter from Employer" form. The permit holder must notify the Board of any change in employment during the ~~[60-day]~~ period **of the temporary permit** by submitting a new "Temporary Permit Letter from Employer" within five (5) working days.

(8) A temporary permit issued under this rule shall terminate automatically by operation of law if the permit holder fails the Board-approved national licensing examination or the person's score on the Board-approved national licensing examination taken for purposes of licensure in another state or territory does not meet Oregon Board requirements. A permit holder must return the permit certificate to the Board

immediately, by a method that provides delivery verification, upon notification that the permit has terminated.

(9) The Board may refuse to issue a temporary permit to an applicant or may revoke a permit after issuance on any of the grounds set out in OAR 848-010-0044 or 848-045-0020. A person whose permit is revoked must return the certificate to the Board immediately by a method that provides delivery verification.

(10) A permit holder whose permit has terminated or has been revoked is not eligible to apply for another permit.

(11) A person who has taken and failed the Board-approved national licensing examination is not eligible to apply for a temporary permit. A person who has failed and has not subsequently passed the national licensing examination in another state, or whose score on the examination taken for purposes of licensure in another state or territory does not meet Oregon Board requirements, is not eligible to apply for a temporary permit.

(12) In its discretion the Board may grant one 60 calendar day extension to a person who holds a temporary permit. ~~[issued under (1)(b) of this rule.]~~

(13) A person who holds a temporary permit issued under this rule is subject to all statutes and rules governing a licensee.

## **848-010-0035**

### **Renewal of Lapsed Licenses**

(1) Any license that is not renewed before April 1 of each year shall automatically lapse. No person whose license has lapsed shall practice until the license is renewed. Failure to receive a renewal notice shall not excuse any licensee from the requirements of renewal. The Board may renew any lapsed license upon payment of all past unpaid renewal **fees** and ~~[delinquent fees]~~ **payment of a single lapsed license renewal fee as provided in OAR 848-005-0020(1)(e)**, and documentation of completion of the continuing education requirements for the immediately prior certification period as provided in Division 35 of these rules. An applicant whose license has lapsed for non-completion of the continuing education requirements may reinstate the lapsed license upon completion of the requirements for the immediately prior certification period. Courses taken after March 31 of the even-numbered year to fulfill the requirements necessary to reinstate the lapsed license shall apply only to the prior certification period.

(2) In the event that an applicant's Oregon physical therapy license has lapsed for five or more consecutive years, the applicant must demonstrate competence to practice physical therapy. If the applicant fails to demonstrate competence, the Board may

require the applicant to serve an internship under a restricted license or satisfactorily complete a refresher course approved by the Board, or both, at the discretion of the Board. The Board may also require the applicant to pass an examination approved by the Physical Therapist Licensing Board as provided in OAR 848-010-0015.

(3) If the applicant holds a current physical therapist or physical therapist assistant license in another state or jurisdiction and the applicant's Oregon license has lapsed for five or more consecutive years, the applicant may apply for a license by endorsement as provided in OAR 848-010-0020.

### **848-035-0030**

#### **[Course] Continuing Education Requirements and Restrictions**

(1) ~~[Courses which a licensee may take to satisfy the continuing education requirement]~~  
**A licensee may satisfy the requirements of this Division 35 by taking continuing education which may include but [are] is not limited to:**

(a) Courses, seminars, **activities**, and workshops sponsored, **certified**, or approved by an established and recognized medical or dental health-related organization or professional association recognized by the Board;

(b) Courses **or activities** approved for continuing education by other states which require continuing education for physical therapists or physical therapist assistants;

(c) Courses **or activities** certified for continuing education units (CEU) by a recognized physical therapy professional association;

(d) Courses provided by an accredited institution of higher education other than courses taken as part of the curriculum requirements of a CAPTE accredited physical therapy program;

(e) Individual study courses requiring an examination and recognized by an accredited institution or recognized health-related organization or professional association recognized by the Board;

(f) Courses in cardiopulmonary resuscitation (CPR) however, continuing education credit will be limited to one hour, regardless of the length of the course;

(g) Courses or lectures which a licensee presents if the course or lecture presented awards continuing education units or hours to participants and the licensee requests continuing education credit from the Board;

(A) The licensee may receive continuing education units or hours equivalent to the actual credit hours awarded to participants for that portion of the program which the licensee presents;

(B) The maximum cumulative credit granted for presenting courses or lectures shall be no more than one half of the total continuing education requirement during any certification period (ie: 12 hours for physical therapists and 6 hours for physical therapist assistants) and;

(C) A licensee may receive credit for presenting a particular course or lecture only one time during any certification period, regardless of how many times the licensee presents that course or lecture; ~~and~~

**(h) Publishing an article in a peer review journal.**

**(A) The maximum credit granted for publishing an article shall be one half of the total continuing education requirement during any certification period (ie: 12 hours for physical therapists and 6 hours for physical therapist assistants).**

**(B) A licensee may receive credit for publishing an article only one time during any certification period;**

**(i) Serving as a certified clinical instructor as follows:**

**(A) A licensee who has completed a Board-approved clinical instructor certification program may receive continuing education credit equivalent to 1 credit hour for each 40 hours of direct clinical instruction to a physical therapist student or physical therapist assistant student enrolled in a physical therapy or physical therapy assistant program.**

**(B) The maximum cumulative credit granted for serving as a clinical instructor shall be no more than one-third of the total continuing education requirement during any certification period (ie. 8 hours for a physical therapist or 4 hours for a physical therapist assistant.)**

**(C) The licensee must obtain a letter or certificate from the student's academic institution verifying that the licensee has completed the course of clinical instruction; and**

~~{(h)}~~ **(i)** Courses or activities approved by the Board by special request.

(2) Activities which will not satisfy the continuing education requirement include:

(a) ~~[Orientation and]~~ In service programs **or required workplace orientation, training or competencies;**

(b) Professional association meetings for purposes of business or policy decisions making;

(c) Entertainment or recreational meetings; or

(d) Attending meetings, holding office, or representing a professional association as a lobbyist or delegate[;] .

~~[(e) Publishing or preparing presentations.]~~

848-035-0040

### Documentation of Continuing Education Credits

(1) In order to qualify for credit against the required hours, a continuing education course **or activity** must include a [course] completion certificate. The certificate must include the title of the course **or activity**, the name of [course provider] **the sponsor** or speaker, date of completion, number of hours and licensee's name.

(2) The licensee is responsible for obtaining a [course] completion certificate from the [course provider] **sponsor or speaker**. The licensee is further responsible for retaining the certificate in the event the Board requires the licensee to produce documentation of completion of the continuing education requirement. All completion certificates shall be retained for a minimum of four (4) years from the certificate date.

**(3) A licensee who is seeking to receive credit for serving as a clinical instructor is responsible for obtaining a letter or certificate of completion from the academic institution for which the licensee served as a clinical instructor.**

~~[(3)]~~ **(4)** The Board may require all or any percentage of physical therapists and physical therapist assistants who are renewing their licenses in the even numbered year to provide documentation of completion of the continuing education requirements of this Division 35.

848-040-0125

### Standards For Initiation Of Physical Therapy

(1) Prior to initiating the first physical therapy treatment, a physical therapist shall perform an initial evaluation of each patient and determine a plan of care as provided in OAR 848-040-0135.

**(2) For purposes of subsection (1) of this section, a physical therapist shall perform a separate initial evaluation under the following circumstances:**

**(a) The patient is returning to care after being discharged from therapy; or**

**(b) The patient is new to an inpatient or outpatient facility or home health agency.**

~~[(2)]~~ **(3)** In the course of performing an initial evaluation the physical therapist shall examine the patient, obtain a history, perform relevant system reviews, assess the patient's functional status, select and administer specific tests and measurements and formulate clinical judgments regarding the patient. A physical therapist may incorporate by reference medical history or system review information about the patient prepared by another licensed health care provider and available in the physical therapy treatment record, IEP, IFSP or other designated plan of care.

~~[(3)]~~ **(4)** Only a physical therapist may perform an initial evaluation. A physical therapist shall not delegate the performance of an initial evaluation to a physical therapist assistant or to an aide.

**848-045-0010**

**Authority and Sanctions**

(1) If a licensee practices in a manner detrimental to the public health and safety or engages in illegal, unethical or unprofessional conduct as defined by the statutes and OAR 848-045-0020(2), the Board, after notice and opportunity for hearing as provided in ORS 688.145, may:

(a) Suspend or revoke a license or temporary permit.

(b) Impose a civil penalty not to exceed \$5,000, **with the penalty for non-compliance with continuing education requirements to be as provided in the penalty schedule set out in Appendix A of these rules, and the penalty for practicing with a lapsed license to be as provided in the penalty schedule set out in Appendix B of these rules.**

(c) Impose probation with conditions.

(d) Impose conditions, restrictions or limitations on practice.

(e) Reprimand the licensee.

(f) Impose any other appropriate sanction, including assessment of the reasonable costs of a proceeding under ORS 688.145 as a civil penalty. Costs include, but are not limited to, the costs of investigation, attorney fees, hearing officer costs and the costs of discovery.

(2) A disciplinary sanction imposed against a licensee shall be generally consistent with sanctions imposed by the Board against other licensees in substantially similar cases.

~~[(3) In lieu of initiating a disciplinary action under section (1) of this rule against a licensee who has an addiction to or dependency on alcohol, legend drugs or controlled substances which impairs the licensee's ability or competency to practice physical therapy in a manner consistent with the public health and safety, the Board may enter into a confidential agreement with the licensee for diversion to a treatment program under Division 50 of these rules.]~~

[(4) **(3)** If a licensee has a mental, emotional or physical condition which impairs the licensee's ability or competency to practice physical therapy in a manner consistent with the public health and safety, the Board, after notice and opportunity for hearing as provided in ORS 688.145, may suspend or revoke the license or temporary permit, impose probation with conditions, or impose conditions, restrictions or limitations on practice.

[(5) **(4)** As used in this rule, "licensee" includes a temporary permit holder.

**Civil Penalty Schedule for Non-Compliance with  
Division 35 Continuing Education Rules  
Appendix A**

VIOLATION	STATUTE/RULE	CIVIL PENALTY
Fail to return, or late in returning, audit summary to the Board office by date due.	ORS 688.140(2)(a) OAR 848-045-0020(2)(u)(B)	\$100.00
Attest to completion of CE upon renewal but upon audit failed to provide satisfactory evidence that CE was completed.	ORS 688.140(2)(c)	\$250.00
Citation for missing CE based on number of credits needed to comply: Need 50% or less credits to comply Need more than 50% of credits to comply	ORS 688.140(2)(a) OAR 848-035-0020(10)	\$100.00 \$200.00
Misrepresenting or attempting to misrepresent information on the CE Audit Summary Form.	OAR 848-045-0020(2)(u)(E)	\$250.00 minimum, case by case

## **Civil Penalty Schedule for Practicing with a Lapsed License Appendix B**

<b>Physical Therapists</b>	
<b>1 day to 1 month</b>	<b>\$100.00</b>
<b>1 month to 3 months</b>	<b>\$250.00</b>
<b>3 months to 6 months</b>	<b>\$500.00</b>
<b>6 months to 12 months</b>	<b>\$1000.00</b>
<b>Greater than 12 months</b>	<b>Case by case basis</b>

<b>Physical Therapist Assistants</b>	
<b>1 day to 1 month</b>	<b>\$75.00</b>
<b>1 month to 3 months</b>	<b>\$187.50</b>
<b>3 months to 6 months</b>	<b>\$375.00</b>
<b>6 months to 12 months</b>	<b>\$562.50</b>
<b>Greater than 12 months</b>	<b>Case by case basis</b>