

OFFICE OF THE SECRETARY OF STATE
DENNIS RICHARDSON
SECRETARY OF STATE

LESLIE CUMMINGS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 848
PHYSICAL THERAPIST LICENSING BOARD

FILED
12/28/2018 11:08 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Rule modification to streamline exam qualification process.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/28/2019 12:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Michelle Sigmund-Gaines 800 NE OREGON STREET, SUITE 407 Filed By:
971-673-0203 PORTLAND, OR 97232 Michelle Sigmund-Gaines
optlb.exec@state.or.us Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 02/28/2019

TIME: 11:00 AM - 12:00 PM

OFFICER: Michelle Sigmund-Gaines

ADDRESS: Portland State Office

Building, Room 445

800 NE OREGON STREET, SUITE 407

PORTLAND, OR 97232

NEED FOR THE RULE(S):

Currently, all requisite materials, including official transcripts, must be received at the board office before applicants can be approved to sit for the exam. This change removes the requirement for all requisite materials to be received before exam qualification, allowing an applicant to be approved to sit for the exam while awaiting all materials to be received and reviewed. This change will eliminate the potential for an applicant to not be able to sit for the exam simply because materials have not yet been received, if otherwise qualified to do so.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

ORS, OAR, other materials available at the Board office.

FISCAL AND ECONOMIC IMPACT:

None.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost

of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

This change does not have an impact.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Given the scope of the change to the existing rule, and no direct impact to small business, no specific small businesses were involved. However, small businesses wishing to employ applicants may benefit by removing a potential delay in licensure for that individual.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

Given the minor modification to the existing rule and general benefit, a committee was not formed; however, a hearing, with longer comment, is being scheduled to allow for broad input to the rule.

AMEND: 848-010-0015

RULE SUMMARY: Modifying existing rule to allow for exam applicants to sit for exam prior to receipt of all required materials and fees.

CHANGES TO RULE:

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. For purposes of this rule the Board's approved examination shall be the Federation of State Boards of Physical Therapy's (FSBPT) National Physical Therapy Examination (NPTE).¶¶

(a) The overall passing score shall be based on a formula using the criterion-referenced scoring system.¶¶

(b) An applicant may sit for the NPTE a maximum of three times within any 12-month period.¶¶

(c) An applicant may sit for the NPTE a maximum of six times in a lifetime, per exam level.¶¶

(d) An applicant is no longer eligible to sit for the NPTE if they have two previous scores of 400 or less per exam level.¶¶

(e) All applications are valid for a period of six months from the date first received by the Board. ¶¶

(2) All completed applications for examination, non-refundable application fees and required documents must be received and approved by the Board ~~prior to releasing an applicant's eligibility to take the NPTE.~~¶¶

(3) Unless qualified for licensure by endorsement under OAR 848-010-0022, an applicant whose first professional degree in physical therapy was awarded from a foreign physical therapy program that is/was not CAPTE accredited must submit:¶¶

(a) A Credentials Evaluation Statement ("the Report") of professional education and training prepared by a Board-approved credentials evaluation agency. The Report must be sent directly from the credentialing agency to the Board. 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 files the application with the Oregon Board. ¶¶

(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 the following minimum scores for each category of the internet based TOEFL (ibTOEFL) examination: writing, 22; speaking, 24; reading, 22; listening, 21. All passing scores must be achieved on the same score report and the report date must be within two years of the NPTE examination application.¶¶

(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.¶¶

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

(5) A physical therapist student or physical therapist assistant student may take the National Physical Therapy Examination (NPTE) up to 90 days prior to graduation from a CAPTE accredited program.¶¶

(6) Any applicant who has graduated from an approved school of physical therapy and passed a Board-approved 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.

Statutory/Other Authority: ORS 688.160

Statutes/Other Implemented: ORS 688.020, 688.040, 688.050, 688.055, 688.070, 688.090