



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 848
OREGON BOARD OF PHYSICAL THERAPY

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Clarifying meaning of 90-day window for completion of NPTE prior to graduation.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/15/2023 4:00 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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT: Michelle Sigmund-Gaines
971-673-0203
OBPT.Exec@oregon.gov

800 NE Oregon Street, Suite 407
Portland, OR 97232

Filed By:
Michelle Sigmund-Gaines
Rules Coordinator

NEED FOR THE RULE(S)

The rule currently references the window during which a student may take the National Physical Therapy Examination (NPTE) prior to graduation. Consistent with NPTE requirements, the amendment makes clear the 90-day window references when the date which the student will complete the requirements for graduation, as certified by the educational institution. As many graduates may complete all requirements for graduation from their PT or PTA programs many months prior to when the educational institution may schedule a fixed commencement, this change will benefit those individuals who are currently impacted by the narrower language.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Meeting materials, minutes, public input; available at the Board's office.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The scope of the rule impacts individuals currently in PT or PTA educational programs who wish to sit for the exam and apply for licensure in Oregon, although they may be attending schools outside the state. For individuals who would otherwise have a longer gap of time between completion of their program requirements and their scheduled graduation date, this change would allow them to sit for the exam sooner, which could allow for a greater support system from their educational program. Creating greater flexibility for the completion of the exam, this change can reduce unnecessary barriers and timelines, benefiting all candidates.

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).*

None. The rule applies to students sitting for the exam and is only related to the timing of when they can sit for the exam.

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

Only to the extent that many of our licensees are small business owners themselves. Rulemaking notices are sent to all current licensees as well as interested parties.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 848-010-0015

RULE SUMMARY: Clarifying timing of 90-day window for completion of NPTE prior to graduation.

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.¶

(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 completion of the requirements for 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