

Physical Therapy Licensure Board

Board/Commission Members:

- Angela L. Lippiello, MHE, PTA, Pocatello – Chair
- Dr. Brian White, DPT, Boise
- Glady Schroeder, Boise – Public Member
- M. Andrew Mix, MPT, GCS, Twin Falls
- Mike D. Bailey, MPT, Coeur d'Alene

Board/Commission Composition: The Board consists of five (5) members: three (3) licensed physical therapists; one (1) licensed physical therapist assistant or a licensed physical therapist; and one (1) public member. Board members serve a term of three (3) years.

[Idaho Code § 54-2205](#).

Operating costs per licensee: \$38.69. This number represents the dollar amount required annually to serve each applicant or licensee based on the average number of licensees and the average expenditures since Fiscal Year 2014. This includes all administrative, fiscal, legal and investigative services.

Total number of licensees in Idaho on May 19, 2018: **2,999**.

For the Physical Therapy Licensure Board, the **shortest time** from complete application to issuance of a license was the **same day**. The **longest time** from complete application to issuance of a license was **29 days**. The **average time** to licensure was **0.2 days. 98.3 percent** of all licenses were issued the **same day**. The Board issued **574 licenses** from May 19, 2017 to May 19, 2018.

[A license can be issued the same day that all application requirements are met and there has been no self-reported criminal history, license disciplinary history, or applicant is foreign trained. In these cases, the Board convenes to review histories, assess foreign trained educational curriculum, review English proficiency test scores, and ask the applicants questions.]

Note: All Board meetings are subject to Idaho's Open Meeting Law. The law requires a minimum of five (5) calendar days' notice for regular meetings, and a forty-eight (48) hour notice for the agenda. Special meetings require twenty-four (24) hour meeting and agenda notice. [Idaho Code § 74-204](#).

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A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

		Statute I.C. Title 54, Chapter 22	Rule IDAPA 24.13.01	*Policy	Application	Basis to Deny Issuance or Renewal	Fees
Physical Therapist	Issuance for Initial License	I.C. § 54-2210 I.C. § 54-2211 I.C. § 54-2212	24.13.01.150 24.13.01.175	*	Application Certificate of Professional Education Form	I.C. § 54-2210 I.C. § 54-2211 I.C. § 54-2212 I.C. § 54-2219	\$25 Application Fee \$25 License Fee
	Renewal Requirements	I.C. § 54-2215	24.13.01.250	*		I.C. § 54-2215 I.C. § 54-2219 I.C. § 67-2614	\$25 Renewal Fee
Physical Therapist Assistant	Issuance for Initial License	I.C. § 54-2210 I.C. § 54-2211 I.C. § 54-2212	24.13.01.150 24.13.01.175	*	Application Certificate of Professional Education Form	I.C. § 54-2210 I.C. § 54-2211 I.C. § 54-2212 I.C. § 54-2219	\$25 Application Fee \$20 License Fee
	Renewal Requirements	I.C. § 54-2215	24.13.01.250	*		I.C. § 54-2215 I.C. § 54-2219 I.C. § 67-2614	\$20 Renewal Fee

**All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

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B. Applications and Renewals Denied, May 19, 2017 – May 19, 2018

Refusal to Issue Initial License [Total Number: 0]

	Basis in Statute and/or Rule	Summary of Factual Basis
	None	

Refusal to Renew License [Total Number: 0]

	Basis in Statute and/or Rule	Summary of Factual Basis
	None	

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C. Disciplinary Actions in the Last Five (5) Years**

The Idaho Physical Therapy Licensure Board received **66 complaints** from Fiscal Year 2013 through May 19, 2018. During this time frame, **31 complaints were closed** by the Board with no disciplinary action; **27 resulted in disciplinary action**; **5 remained under investigation**; and **3 were pending legal review**.

***The detail provided below is only for disciplinary action closed between May 19, 2017 and May 19, 2018. Cases are not always closed within the same fiscal year they are opened, and sometimes multiple complaints are included in one disciplinary action. The Board's full [disciplinary action information](#) is available online.*

Case No.	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
PHT-2018-2	3/30/2018	Consent Order	Idaho Code §§ 54-2219 (1) and (12); IDAPA 24.13.01.300 , Appendix B, Standard 1	Failed to adhere to the recognized standards of ethics which requires respecting the rights and dignity of all individuals and providing compassionate care.
PHT-2017-2	3/30/2018	Consent Order	Idaho Code §§ 54-2219 (1), (6), (17), and (19); IDAPA 24.13.01.016.03	Respondent failed to maintain adequate patient records, inadequately supervised supportive personnel, and interfered with a Board investigation.
PHT-2017-1	12/14/2017	Consent Order	Idaho Code §§ 54-2215 , 54-2219 (1), and 54-2223 (1)	Respondent practiced with an expired license.

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D. Changes or Attempted Changes in the Last Five (5) Years to Eliminate Barriers to Entry

Law and Rule

Session	Legislation or Rule	Summary
2014	Docket No. 24-1301-1301	<p>This rule change allows a supervising physical therapist to reevaluate the patient care plan provided by a physical therapist assistant after every ten visits but no less than once every 60 days. Prior to implementation, reevaluation was required after every five visits.</p> <p>Impact: This approach is consistent with federal payer regulations (Medicare, Medicaid, TriCare, and Veterans Affairs). This is a significant benefit for those practicing in rural areas of Idaho.</p>
2014	Docket No. 24-1301-1302	<p>Section 200 is amended to decrease the initial license and annual renewal fee for physical therapists from \$40 to \$20; decrease the initial license and annual renewal fee for physical therapist assistants from \$35 to \$20; decrease the exam administration fee from \$40 to \$25; and decrease the application fee from \$50 to \$25. Section 200.05 regarding extraordinary expenses is deleted in its entirety.</p> <p>Impact: This results in a reduction in fees of approximately \$27,510 annually, leaving more money in the pockets of licensees.</p>
2015	House Bill 25	<p>This legislation allows individuals licensed in another jurisdiction to provide physical therapy to patients who are temporarily in Idaho to participate in an athletic event or performance arts.</p> <p>Impact: This legislation makes it possible for ballet or dance teams traveling through Idaho, or athletic teams competing in Idaho, to use their own physical therapist to provide services as needed.</p>

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Law and Rule (continued)

Session	Legislation or Rule	Summary
2016	House Bill 334	<p>Sets the reinstatement fee to \$35 and eliminates the requirement that, in addition to the reinstatement fee, the licensee has to include payment of the license fees for all of the years the license has been expired. It also clarifies the continuing education required to reinstate.</p> <p>Impact: Those whose licenses expired within the last five (5) years had to pay licensure fees for each year they were expired. Anyone whose license had been expired for more than five (5) years would have to apply as a new applicant. This law change reduces barriers to reentry in two ways. For those whose licenses have been expired for less than five (5) years, it eliminates the requirement to pay licensure fees for each year the license was expired. For those whose licenses have been expired for more than five (5) years, it allows the Board to consider education, supervised practice, examination or practice in another jurisdiction in determining the person’s competency when reviewing applications.</p>
2016	House Bill 341	<p>In 2015, the Board of Physical Therapy, State Board of Podiatry, State Board of Optometry, Board of Chiropractic Physicians, Idaho State Board of Psychologist Examiners, State Board of Medicine, State Board of Dentistry, Board of Nursing, and the Department of Administration worked together and reached out to interested parties on proposed legislation to revise IDACARE. The Boards’ proposed legislation was considered by the 2016 Legislature.</p> <p>Background: In an attempt to expand information accessible to the public regarding available options of health care providers in the State of Idaho, the Legislature passed the Patient Freedom of Information Act in 1998, also known as IDACARE. Through IDACARE, profiles of licensed health care professionals became readily accessible to the public through an online database. These health care professionals included physicians, osteopaths, physical therapists, dentists, podiatrists, chiropractors, optometrists, psychologists, physician assistants, and advanced practice professional nurses currently licensed in the State of Idaho.</p>

Law and Rule (continued)

Session	Legislation or Rule	Summary
2016	House Bill 341 (continued)	<p>The intent of IDACARE was to create public access; however, implementation relied upon health care providers to input their data on the IDACARE web page. This was in addition to renewal information they provided to the relevant licensure board. Licensees could be fined \$50 per day for incomplete or inaccurate data.</p> <p>The bill proposed by the Boards in 2016 eliminated the requirement for licensees to annually update their IDACARE profile. It did away with the fines, and it ensured the public still had access to relevant licensure information on each Board’s website. Furthermore, the Boards documented the number of website visits. The numbers showed:</p> <ul style="list-style-type: none"> • IDACARE page received about 750 visits per month. Most visits were providers updating their data. • The Board of Medicine page received about 7,500 visits per month. • The web pages for the Board of Physical Therapy, State Board of Podiatry, State Board of Optometry, Board of Chiropractic Physicians, Idaho State Board of Psychologist Examiners, and other Boards served by the Bureau of Occupational Licenses received over 14,000 visits per month. <p>Impact: From a fiscal point of view, eliminating the IDACARE website/database created a savings of \$1,700 annually, and a one-time upgrade cost of \$30,000 for the Department of Administration, all from the general fund. It also eliminated the duplication of effort for individual Boards to support both the IDACARE and Board websites, saving the Boards’ dedicated funds over \$12,000 annually.</p> <p>More importantly, it did away with a duplicative effort on the part of licensees since they no longer would have to update the IDACARE profile in addition to submitting their license renewal. The law change removed the practitioners’ burden to manually update information on the IDACARE web page annually and removed the ability for Boards to fine licensees \$50 per day if the data was not entered.</p>

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Law and Rule (continued)

Session	Legislation or Rule	Summary
2016	House Bill 341 (continued)	<p>In short, the bill to revise IDACARE relieved the burden upon healthcare providers to report information to two different state web pages, eliminated the Boards' ability to fine licensees \$50 per day, and relieved the burden on the State, both administratively and financially, to support two different websites for licensees. Since the Boards' charge is public protection, this change also ensured that the health care provider information would be verified and publically available on each Board's website. This bill passed the House (69-0) and Senate (35-0). It was signed into law by the Governor on March 17, 2016, and went into effect July 1, 2016. After the bill went into effect, the Boards notified all licensees and updated each of their websites.</p>
2018	Docket No. 24-1301-1701	<p>This proposed rule outlines the number of hours of continuing education required for reinstatement of a physical therapy license as follows:</p> <ul style="list-style-type: none"> • One year, or 16 hours, for licenses expired for one year or less. • Two years, or 32 hours, for licenses expired for more than a year and up to two years. • Three years, or 48 hours, for licenses expired for more than two years. <p>Impact: This reduces the burden to attain continuing education every year the license is expired, up to five years, while still ensuring public protection by requiring an appropriate amount of continuing education be completed prior to reentering practice.</p>

Additional Barriers Eliminated/Opportunities Provided

Date	Barriers/Opportunities	Summary
2017	Implemented Idaho Code for military service and added it to the Board's website	<p>I.C. § 67-2620 For military service members and veterans, the Board added to its website a link to a law that says the Board may accept military training and experience toward qualification for licensure. The law states that professional and occupational licensing boards may accept military education, training, and experience toward meeting the qualifications for a license, certification or registration. Boards may also expedite applications, including military spouse applications.</p> <p>I.C. § 67-2602A Additionally, if a licensee already holds an active Idaho license and is on active duty in the United States Armed Forces, that license will remain active without renewing it for six (6) months following discharge from active duty. The license shall remain in good standing without the necessity of renewal and during said period the same shall not be cancelled, suspended or revoked.</p>
2015	I.C. § 67-2614	<p>Sets the reinstatement fee to \$35 and eliminates the requirement that, in addition to the reinstatement fee, the licensee has to include payment of the license fees for all of the years the license has been expired. It also clarifies the continuing education required to reinstate.</p> <p>Impact: Those whose licenses expired within the last five (5) years had to pay licensure fees for each year they were expired. Anyone whose license had been expired for more than five (5) years would have to apply as a new applicant. This law change reduces barriers to reentry in two ways. For those whose licenses have been expired for less than five (5) years, it eliminates the requirement to pay licensure fees for each year the license was expired. For those whose licenses have been expired for more than five (5) years, it allows the Board to consider education, supervised practice, examination or practice in another jurisdiction in determining the person's competency when reviewing applications.</p>

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Additional Barriers Eliminated/Opportunities Provided (continued)

Date	Barriers/Opportunities	Summary
2013	Exam Delays	<p>The Board allows students to take the National Physical Therapy Examination (NPTE) if they will graduate within 90 days prior to taking the exam. Most states require proof of graduation from a Commission on Accreditation in Physical Therapy Education (CAPTE) accredited program prior to sitting for the NPTE. Testing only occurs four times a year which results in graduates sometimes waiting up to three months to test. Idaho's Board allows students to sit for the NPTE within 90 days of on-track graduation, which creates the opportunity for students to be licensed sooner.</p> <p>Impact: This eliminates the gap between graduation and examination, not only for Idahoans but for prospective licensees from other states. People are able to enter the workforce sooner. This not only benefits graduates wanting to practice in Idaho but allows graduates planning to practice in other states to get licensed in Idaho and quickly go through the licensure endorsement process to get a license in the state where they will practice.</p>
2006	House Bill 619	<p>This bill removes members of the Physical Therapy Licensure Board from the Public Employee Retirement System of Idaho (PERSI) by changing the payment they receive from compensation to an honorarium under I.C. § 59-509.</p>

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E. Assessment of Public Interest

The Physical Therapy Licensure Board exists to protect the public health, safety and welfare, and to provide for state administrative supervision, licensure and regulation for every person practicing or offering to practice physical therapy that meets and maintains prescribed standards of competence and conduct. The practice act defines the minimum qualifications so each Idahoan can have confidence of receiving safe and competent care from a physical therapist or physical therapist assistant. Employers rely on licensure as part of the process in hiring a physical therapist or physical therapist assistant to ensure protection of their patients; the public relies on the Board when there are concerns or complaints about a licensee.

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F. Recommendations for Improvement, Modification, or Elimination of Requirements

1. The Board will promulgate rules for the safe practice of dry needling by a physical therapist.
2. The Board will evaluate the current endorsement provisions to determine if there are additional substantially equivalent measures that can be used to get someone licensed and to work.

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Summary of Objectives

The Licensing Freedom Act asked that all of Idaho's professional licensing entities critically look at their processes, laws and rules. The goal is to document the elimination of barriers and make recommendations for future changes that improve, modify or eliminate laws and rules governing professional licensure. In response, the Physical Therapy Licensure Board respectfully submits the above report and summarizes with a checklist to ensure all of the objectives were met:

- ✓ Objectives of Executive Order
 - ✓ Protect the public. (*I.C. [§ 54-2202](#)*)
 - ✓ Portability of licensure. (*I.C. [§ 54-2213](#)*)
 - ✓ Eliminate barriers to entry to work. (*early examination; fee reduction*)
 - ✓ Do away with unnecessary regulation. (*reduction of continuing education requirements*)
 - ✓ Modernize licensure and regulatory requirements. (*supervision requirements*)

- ✓ Comprehensive Review - consider some of the issues raised in the background material, such as,
 - ✓ Telework – Idaho has recently passed laws related to telehealth but other occupations may be facing similar issues regarding telework. (*I.C. [Title 54, Chapter 57](#)*)
 - ✓ Distance/Online Learning/Testing – distance/online education and testing are increasingly available and may influence the resources that applicants or licensees can access to obtain education, continuing education or to test. (*online continuing education*)
 - ✓ Criminal History – What barriers or additional obstacles do applicants/licensees face who have a criminal conviction? Do our laws consider the relevance or proximity in time of a conviction to the individuals applying for licensure or for those currently in practice? (*I.C. [§ 54-2219](#)*)
 - ✓ Early Examination – What can be addressed in the timing of processes to eliminate unnecessary delays? (*option for early examination*)
 - ✓ CE Hardship – Is there an allowance for extenuating circumstances? (*IDAPA [24.13.03.250.05](#), excess hours; [24.13.03.250.07](#), hardship exemption*)
 - ✓ Temporary Permits – Are there opportunities to work while minimum requirements are being met? (*The Board allows the NPTE to be taken prior to graduation. Individuals can be licensed immediately upon proof of graduation, which eliminates the need for temporary licensure.*)