



**VIRTUAL/TELECONFERENCE
PHYSICAL THERAPY EXAMINING BOARD
4822 Madison Yards Way, Madison
Contact: Valerie Payne (608) 266-2112
August 11, 2021**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.

AGENDA

8:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of May 5, 2021 (5-7)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Berry, Shari – 7/1/2020
 - b. Carter, Barbara – 7/1/2025
 - c. Greany, John – 7/1/2023
 - d. McEldowney, Todd – 7/1/2025
 - e. Zalewski, Kathryn – 7/1/2025
- F. Administrative Rule Matters – Discussion and Consideration**
 - 1) PT 1 and 5, Relating to Supervision of Physical Therapist Assistants **(8-16)**
 - 2) Pending or Possible Rulemaking Projects
- G. Legislative and Policy Matters – Discussion and Consideration**
 - 1) Compact Status
- H. Foreign Education – Discussion and Consideration**
- I. Education and Examination Matters – Discussion and Consideration**
 - 1) PT/PTA Examination Review and PT Compact Impacts – Kristin Carlton, Licensing Examination Specialist-Senior
- J. Credentialing Matters – Discussion and Consideration**

1) Application Delays: Status Updates and Issuing Licenses

K. Speaking Engagements, Travel, or Public Relation Requests, and Reports

1) Attendance Report

a. Federation of State Boards of Physical Therapy (FSBPT) Virtual Leadership Issues Forum (LIF) on July 17-18, 2021 – Kathryn Zalewski

L. COVID-19 – Discussion and Consideration

M. Federation of State Boards of Physical Therapy (FSBPT) Matters – Discussion and Consideration

N. Discussion and Consideration of Items Added After Preparation of Agenda

1) Introductions, Announcements and Recognition

2) Administrative Matters

3) Election of Officers

4) Appointment of Liaisons and Alternates

5) Delegation of Authorities

6) Education and Examination Matters

7) Credentialing Matters

8) Practice Matters

9) Legislative and Policy Matters

10) Administrative Rule Matters

11) Liaison Reports

12) Board Liaison Training and Appointment of Mentors

13) Informational Items

14) Division of Legal Services and Compliance (DLSC) Matters

15) Presentations of Petitions for Summary Suspension

16) Petitions for Designation of Hearing Examiner

17) Presentation of Stipulations, Final Decisions and Orders

18) Presentation of Proposed Final Decisions and Orders

19) Presentation of Interim Orders

20) Petitions for Re-Hearing

21) Petitions for Assessments

22) Petitions to Vacate Orders

23) Requests for Disciplinary Proceeding Presentations

24) Motions

25) Petitions

26) Appearances from Requests Received or Renewed

27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

O. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

P. Deliberation on Division of Legal Services and Compliance Matters

1) **Administrative Warnings**

a. 21 PHT 005 – J.L.A. (17-18)

- 2) **Case Closings**
 - a. 20 PHT 014 – D.M.W. (19-21)

Q. Deliberation of Items Added After Preparation of the Agenda

- 1. Education and Examination Matters
- 2. Credentialing Matters
- 3. DLSC Matters
- 4. Monitoring Matters
- 5. Professional Assistance Procedure (PAP) Matters
- 6. Petitions for Summary Suspensions
- 7. Petitions for Designation of Hearing Examiner
- 8. Proposed Stipulations, Final Decisions and Orders
- 9. Proposed Interim Orders
- 10. Administrative Warnings
- 11. Review of Administrative Warnings
- 12. Proposed Final Decisions and Orders
- 13. Matters Relating to Costs/Orders Fixing Costs
- 14. Case Closings
- 15. Board Liaison Training
- 16. Petitions for Assessments and Evaluations
- 17. Petitions to Vacate Orders
- 18. Remedial Education Cases
- 19. Motions
- 20. Petitions for Re-Hearing
- 21. Appearances from Requests Received or Renewed

R. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

S. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

T. Open Session Items Noticed Above Not Completed in the Initial Open Session

U. Delegation and Ratification of Examinations, Licenses and Certificates

ADJOURNMENT

ORAL EXAMINATION OF CANDIDATES FOR LICENSURE

VIRTUAL/TELECONFERENCE

10:00 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING

CLOSED SESSION – Reviewing Applications and Conducting Oral Examination of **zero (0)** (at time of agenda publication) Candidates for Licensure – **John Greany** and **Shari Berry**

NEXT MEETING: DECEMBER 1, 2021

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to

confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreter services for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
PHYSICAL THERAPY EXAMINING BOARD
MEETING MINUTES
MAY 5, 2021**

PRESENT: Shari Berry, PT; Barbara Carter, PTA; John Greany, PT; Todd McEldowney; Kathryn Zalewski, PT

STAFF: Valerie Payne, Executive Director; Jon Derenne, Legal Counsel; Nilajah Hardin, Administrative Rule Coordinator; Kimberly Wood, Program Assistant Supervisor-Adv; and other Department Staff

CALL TO ORDER

John Greany, Chairperson, called the meeting to order at 8:30 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

Amendments to the Agenda

- Open Session: Under item “F. Administrative Rule Matters; 1) Adoption Orders”, make the following correction: “a. CR ~~2120~~-054: PT 1, Relating to Reciprocal Credentials for Service Members, Former Service Members and Their Spouses”
- Closed Session: **REMOVE** item “O. Education and Examination Matters; 1) PT/PTA Examination Review and PT Compact Impacts – Kristin Carlton, Licensing Examination Specialist-Senior”

MOTION: Shari Berry moved, seconded by Kathryn Zalewski, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 3, 2021

MOTION: Todd McEldowney moved, seconded by Shari Berry, to approve the Minutes of February 3, 2021 as published. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Adoption Orders

CR 20-054: PT 1, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses

MOTION: Barbara Carter moved, seconded by Kathryn Zalewski, to designate Shari Berry to work with DSPS staff to determine how to proceed with the rule draft and to authorize the Chairperson to either approve the Adoption Order for Clearinghouse Rule 20-054: PT 1, relating to reciprocal credentials for service members, former service members, and their spouses, as it is drafted or to submit a germane modification to the legislature. Motion carried unanimously.

CR 20-055: PT 1, 5 and 7, Relating to Supervision of Students

MOTION: Kathryn Zalewski moved, seconded by Todd McEldowney, to designate Shari Berry to work with DSPS staff to determine how to proceed with the rule draft and to authorize the Chairperson to either approve the Adoption Order for Clearinghouse Rule 20-055: PT 1, 5 and 7, relating to supervision of students, as it is drafted or to submit a germane modification to the legislature. Motion carried unanimously.

CR 20-056: PT 1 to 10, Relating to Implementation of the Physical Therapy Licensure Compact

MOTION: Kathryn Zalewski moved, seconded by Barbara Carter, to designate Shari Berry to work with DSPS staff to determine how to proceed with the rule draft and to authorize the Chairperson to either approve the Adoption Order for Clearinghouse Rule 20-056: PT 1, to 10, relating to implementation of the Physical Therapy licensure compact, pending research of the locum tenens requirement, as it is drafted or to submit a germane modification to the legislature. Motion carried unanimously.

PT 1 and 5, Relating to Supervision of Physical Therapist Assistants

MOTION: Todd McEldowney moved, seconded by Barbara Carter, to authorize Shari Berry to work with DSPS staff on clarification to the rule draft of PT 1 and 5, relating to supervision of Physical Therapist Assistants. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

PT/PTA Examination Review and PT Compact Impacts

MOTION: Shari Berry moved, seconded by Kathryn Zalewski, to authorize the Chairperson to designate an outside individual to serve as a Subject Matter Expert to work with Office of Education and Examination staff in development of new jurisprudence examination questions. Once drafted the Education and Examination Liaison(s) will review the questions and report back to the Board. Motion carried. Abstained: Todd McEldowney

COVID-19

MOTION: Todd McEldowney moved, seconded by Kathryn Zalewski, to express the support and encouragement of the Board for its licensees to receive a COVID-19 vaccine as soon as they are eligible to do so, and the vaccine is available to them. Motion carried unanimously.

**DELEGATION AND RATIFICATION OF EXAMINATIONS,
LICENSES AND CERTIFICATES**

MOTION: Shari Berry moved, seconded by Todd McEldowney, to delegate ratification of examination results to DSPS staff and to delegate and ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT


MOTION: Shari Berry moved, seconded by Todd McEldowney, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:34 a.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 07/29/21 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Physical Therapy Examining Board			
4) Meeting Date: 08/11/21	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. PT 1 and 5, Relating to Supervision of Physical Therapist Assistants 2. Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Work on draft of PT 1 and 5 related to supervision of PTAs Update on Board’s other projects (https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx) Attachments: <ul style="list-style-type: none"> • PT 1 and 5 (Both Emergency and Permanent Rule Drafts) 			
11) Authorization			
 Signature of person making this request		07/29/21 Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATE OF WISCONSIN
PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	PHYSICAL THERAPY EXAMINING
PHYSICAL THERAPY EXAMINING	:	BOARD
BOARD	:	ADOPTING EMERGENCY RULES

The statement of scope for this rule, SS 011-21, was approved by the Governor on February 4, 2021, published in Register 782A2 on February 8, 2021, and approved by the Physical Therapy Examining Board on March 17, 2021. This emergency rule was approved by the Governor on (mm,dd,yyyy).

ORDER

An order of the Physical Therapy Examining Board to amend PT 5.01 (2) (b) and (h), relating to supervision of physical therapist assistants

Analysis prepared by the Department of Safety and Professional Services.

FINDING OF EMERGENCY

The Physical Therapy Examining Board finds that an emergency exists and that this rule is necessary for the immediate preservation of the public peace, health, safety, or welfare. A statement of facts constituting the emergency is:

Administrative rules require a physical therapist providing general supervision of a physical therapist assistant to have direct face-to-face contact with the physical therapist assistant at least every 14 calendar days and provide on-site assessment and reevaluation of each patient's treatment a minimum of one time per calendar month or every tenth treatment day, whichever is sooner. The ongoing COVID-19 pandemic, and the resulting safety precautions, have severely limited the ability of physical therapists to adhere to these supervision requirements. An expeditious promulgation of the proposed rule is in the best interest of Wisconsin's economy and public welfare, as it will help ensure continuity of care for individuals in need of physical therapy services.

ANALYSIS

Statutes interpreted: Section 448.56, Stats.

Statutory authority: Sections 15.08 (5) (b), and 448.56 (6), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 448.56 (6), Stats., provides “[a] physical therapist assistant may assist a physical therapist in the practice of physical therapy if the physical therapist provides direct or general supervision of the physical therapist assistant. The examining board shall promulgate rules defining “direct or general supervision” for purposes of this subsection. Nothing in this subsection interferes with delegation authority under any other provision of this chapter.”

Related statute or rule: Chapters PT 1 and 5

Plain language analysis:

The Board’s primary objective is to promulgate an emergency rule that will temporarily suspend the requirements under s. PT 5.01 (2) (b) and (h) that a supervising physical therapist have direct face-to-face contact with the physical therapist assistant at least every 14 calendar days and provide on-site assessment and reevaluation of each patient’s treatment a minimum of one time per calendar month or every tenth treatment day, whichever is sooner.

The Board will also conduct a review of the supervision requirements under s. PT 5.01, which will include evaluating alternative methods for a supervising physical therapist to maintain contact with physical therapist assistants and patients. The Board may, as a result of this evaluation, revise the requirements for supervision of physical therapist assistants under s. PT 5.01. These revisions may be included in the emergency rule, promulgated in a permanent rule, or both.

Summary of, and comparison with, existing or proposed federal regulation: None

Comparison with rules in adjacent states:

Illinois:

The Illinois Statutes require physical therapist assistants to perform patient care activities under the general supervision of a licensed physical therapist. The physical therapist must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction to ensure the safety and welfare of the patient [225 ILCS 90/2].

Iowa:

The Iowa Administrative Code provides that a supervising physical therapist who delegates the performance of physical therapy services to a physical therapist assistant must provide supervision to the physical therapist assistant at all times when the physical therapist assistant is providing delegated physical therapy services. Supervision means that the physical therapist must be readily available on site or telephonically anytime the physical therapist assistant is providing physical therapy services so that the physical

therapist assistant may contact the physical therapist for advice, assistance, or instruction [645 IAC 200.6(1)].

Michigan:

Rules of the Michigan Board of Physical Therapy provide for delegation of acts, tasks, or functions to and supervision of unlicensed persons, including students enrolled in accredited physical therapist or physical therapist assistant educational programs approved by the board. A physical therapist is required to provide "direct supervision" of students, which means the physical therapist is physically present and immediately available for direction and supervision when patients or clients are present at the time the act, task, or function is performed, and the physical therapist has direct contact with the patient or client during each visit [Mich Admin Code, R 338.7139].

Minnesota:

The Minnesota Statutes require a physical therapist must provide on-site observation of treatment and documentation of a patient delegated to a physical therapist assistant, at least every six treatment sessions. The physical therapist does not have to be on-site, but must be easily accessible via telecommunications [Minnesota Statutes, section 148.706].

Summary of factual data and analytical methodologies:

The Board reviewed chs. PT 1 and 5 to clarify the requirements for supervision of physical therapist assistants. The Board also referenced Wisconsin Administrative Code s. Med 24.02 when creating determining appropriate methods of telecommunication and electronic communication when providing such supervision.

Fiscal Estimate:

The Fiscal Estimate is Attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. PT 5.01 (2) (b) and (h) are amended to read:

PT 5.01 (2) (b) Have direct face-to-face contact with the physical therapist assistant at least every 14 calendar days, ~~unless the board approves another type of contact.~~ Electronic communications may be used to fulfil this requirement. Audio-only telephone, email messages, text messages, facsimile transmission, mail or parcel service are not considered acceptable electronic communications.

PT 5.01 (2) (h) Provide on-site assessment and reevaluation of each patient's treatment at a minimum of one time per calendar month or every tenth treatment day, whichever is sooner, and adjust the treatment plan as appropriate. This requirement may be waived when another type of contact has been approved by the Board.

SECTION 2. EFFECTIVE DATE. This emergency rule shall take effect upon publication in the official state newspaper.

(END OF TEXT OF RULE)

Dated _____ Agency _____
Chairperson
Physical Therapy Examining Board

STATE OF WISCONSIN
PHYSICAL THERAPY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	PHYSICAL THERAPY
PHYSICAL THERAPY EXAMINING	:	EXAMINING BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Physical Therapy Examining Board to amend PT 5.01 (2) (b) and (h), relating to supervision of physical therapist assistants

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Section 448.56, Stats.

Statutory authority: Sections 15.08 (5) (b), and 448.56 (6), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 448.56 (6), Stats., provides “[a] physical therapist assistant may assist a physical therapist in the practice of physical therapy if the physical therapist provides direct or general supervision of the physical therapist assistant. The examining board shall promulgate rules defining “direct or general supervision” for purposes of this subsection. Nothing in this subsection interferes with delegation authority under any other provision of this chapter.”

Related statute or rule: Chapters PT 1 and 5

Plain language analysis:

The Board’s primary objective is to promulgate an emergency rule that will temporarily suspend the requirements under s. PT 5.01 (2) (b) and (h) that a supervising physical therapist have direct face-to-face contact with the physical therapist assistant at least every 14 calendar days and provide on-site assessment and reevaluation of each patient’s treatment a minimum of one time per calendar month or every tenth treatment day, whichever is sooner.

The Board will also conduct a review of the supervision requirements under s. PT 5.01, which will include evaluating alternative methods for a supervising physical therapist to

maintain contact with physical therapist assistants and patients. The Board may, as a result of this evaluation, revise the requirements for supervision of physical therapist assistants under s. PT 5.01. These revisions may be included in the emergency rule, promulgated in a permanent rule, or both.

Summary of, and comparison with, existing or proposed federal regulation: None

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule: N/A

Comparison with rules in adjacent states:

Illinois:

The Illinois Statutes require physical therapist assistants to perform patient care activities under the general supervision of a licensed physical therapist. The physical therapist must maintain continual contact with the physical therapist assistant including periodic personal supervision and instruction to ensure the safety and welfare of the patient [225 ILCS 90/2].

Iowa:

The Iowa Administrative Code provides that a supervising physical therapist who delegates the performance of physical therapy services to a physical therapist assistant must provide supervision to the physical therapist assistant at all times when the physical therapist assistant is providing delegated physical therapy services. Supervision means that the physical therapist must be readily available on site or telephonically anytime the physical therapist assistant is providing physical therapy services so that the physical therapist assistant may contact the physical therapist for advice, assistance, or instruction [645 IAC 200.6(1)].

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Rules of the Michigan Board of Physical Therapy provide for delegation of acts, tasks, or functions to and supervision of unlicensed persons, including students enrolled in accredited physical therapist or physical therapist assistant educational programs approved by the board. A physical therapist is required to provide "direct supervision" of students, which means the physical therapist is physically present and immediately available for direction and supervision when patients or clients are present at the time the act, task, or function is performed, and the physical therapist has direct contact with the patient or client during each visit [Mich Admin Code, R 338.7139].

Minnesota:

The Minnesota Statutes require a physical therapist must provide on-site observation of treatment and documentation of a patient delegated to a physical therapist assistant, at

least every six treatment sessions. The physical therapist does not have to be on-site, but must be easily accessible via telecommunications [Minnesota Statutes, section 148.706].

Summary of factual data and analytical methodologies:

The Board reviewed chs. PT 1 and 5 to clarify the requirements for supervision of physical therapist assistants. The Board also referenced Wisconsin Administrative Code s. Med 24.02 when creating determining appropriate methods of telecommunication and electronic communication when providing such supervision.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8306; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. PT 5.01 (2) (b) and (h) are amended to read:

PT 5.01 (2) (b) Have direct face-to-face contact with the physical therapist assistant at least every 14 calendar days, ~~unless the board approves another type of contact.~~ Electronic communications may be used to fulfil this requirement. Audio-only telephone, email messages, text messages, facsimile transmission, mail or parcel service are not considered acceptable electronic communications.

PT 5.01 (2) (h) Provide on-site assessment and reevaluation of each patient's treatment at a minimum of one time per calendar month or every tenth treatment day, whichever is sooner, and adjust the treatment plan as appropriate. This requirement may be waived when another type of contact has been approved by the Board.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

DRAFT