



**TELECONFERENCE/VIRTUAL MEETING
PHYSICAL THERAPY EXAMINING BOARD
Room N208, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
August 22, 2018**

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 record of the actions of the Board.

AGENDA

8:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of May 23, 2018 (4-5)

C. Administrative Updates

1. Department and Staff Updates
2. Board Member Status
 - a. Shari Berry – 7/1/2020 (*Reappointed, not yet confirmed*)
 - b. John Greany – 7/1/2019
 - c. Sarah Olson – 7/1/2021 (*Reappointed, not yet confirmed*)
 - d. Bailey Steffes – 7/1/2021 (*Appointed, not yet confirmed*)
 - e. Kathryn Zalewski – 7/1/2021 (*Appointed, not yet confirmed*)

D. Conflicts of Interest

E. Legislative and Administrative Rule Matters – Discussion and Consideration (6-7)

1. Administrative Rules Reporting Requirement Under 2017 Wisconsin Act 108
2. Update on Other Legislation and Pending or Possible Rulemaking Projects

F. Federation of State Boards of Physical Therapy (FSBPT) Matters

1. **2018 FSBPT Annual Meeting and Delegate Assembly on October 25-27, 2018 in Reston, VA (8)**
2. Update on Compact Status
3. **8:30 A.M. APPEARANCE: Renee Parton, DLSC Attorney - Alternate Approval Pathway (9-14)**

G. Supervision of Students – Board Discussion

H. Speaking Engagement(s), Travel, or Public Relation Request(s) and Reports – Discussion and Consideration

I. Credentialing Matters

J. Education and Examination Matters

K. Informational Items

L. Items Added After Preparation of Agenda:

1. Introductions, Announcements and Recognition
2. Appointments, Reappointments, and Confirmations
3. Administrative Updates
4. Liaison, Panel, and Committee Reports
5. Education and Examination Matters
6. Credentialing Matters
7. Practice Matters
8. Legislation/Administrative Rule Matters
9. Liaison Report(s)
10. Board Liaison Training and Appointment of Mentors
11. Informational Item(s)
12. Disciplinary Matters
13. Presentations of Petition(s) for Summary Suspension
14. Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
15. Presentation of Proposed Decisions
16. Presentation of Interim Order(s)
17. Petitions for Re-Hearing
18. Petitions for Assessments
19. Petitions to Vacate Order(s)
20. Petitions for Designation of Hearing Examiner
21. Requests for Disciplinary Proceeding Presentations
22. Motions
23. Petitions
24. Appearances from Requests Received or Renewed
25. Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

M. Public Comments

N. Future Agenda Items

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

O. Credentialing Matters

P. Open Cases

Q. Deliberation of Items Added After Preparation of the Agenda

1. Board Liaison Training
2. Education and Examination Matters
3. Credentialing Matters
4. Disciplinary Matters
5. Monitoring Matters
6. Professional Assistance Procedure (PAP) Matters
7. Petition(s) for Summary Suspensions

8. Proposed Stipulations, Final Decisions and Orders
9. Administrative Warnings
10. Proposed Final Decision(s)
11. Matters Relating to Costs
12. Case Closings
13. Case Status Report
14. Petition(s) for Extension of Time
15. Proposed Interim Orders
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. Open Session Items Noticed Above Not Completed in the Initial Open Session

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

U. Delegation and Ratification of Examinations, Licenses and Certificates

ADJOURNMENT

NEXT SCHEDULED MEETING: NOVEMBER 28, 2018

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. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**PHYSICAL THERAPY EXAMINING BOARD
MEETING MINUTES
May 23, 2018**

PRESENT: Shari Berry, PT; John Greany, PT; Sarah Olson, PTA; Kathryn Zalewski, PT

EXCUSED: Bailey Steffes

STAFF: Tom Ryan, Executive Director; Kate Stolarzyk, Bureau Assistant; and other Department Staff

CALL TO ORDER

Shari Berry, Chair, called the meeting to order at 8:38 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: John Greany moved, seconded by Sarah Olson, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Kathryn Zalewski moved, seconded by Sarah Olson, to approve the minutes of February 7, 2018 as published. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Adoption Order for Clearinghouse Rule 17-091 – PT 2 and 9, Relating to Examinations and Continuing Education

MOTION: Sarah Olson moved, seconded by John Greany, to approve the Adoption Order for Clearinghouse Rule 17-091, relating to examination and continuing education. Motion carried unanimously.

PHYSICAL THERAPY BOARD 2017 ANNUAL REPORT – BOARD REVIEW FOR APPROVAL

MOTION: John Greany moved, seconded by Sarah Olson, to approve the 2017 Annual Report. Motion carried unanimously.

CLOSED SESSION

MOTION: Shari Berry moved, seconded by Kathryn Zalewski, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Shari Berry – yes; John

Greany – yes; Sarah Olson – yes; Kathryn Zalewski – yes. Motion carried unanimously.

The Board convened into Closed Session at 9:15 a.m.

RECONVENE TO OPEN SESSION

MOTION: John Greany moved, seconded by Sarah Olson, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 9:20 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: John Greany moved, seconded by Kathryn Zalewski, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

17 PHT 018 – Karen Targo, P.T.

MOTION: Sarah Olson moved, seconded by Kathryn Zalewski, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Karen Targo, P.T., DLSC case number 17 PHT 018. Motion carried unanimously.

Case Closings(s)

17 PHT 032 (C.J.)

MOTION: Sarah Olson moved, seconded by Kathryn Zalewski, to close the DLSC case number 17 PHT 032, against C.J. for Prosecutorial Discretion (P2). Motion carried unanimously.

RATIFICATION OF EXAMINATIONS, LICENSES AND CERTIFICATES

MOTION: Kathryn Zalewski moved, seconded by Sarah Olson, 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: John Greany moved, seconded by Kathryn Zalewski, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:38 a.m.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator		2) Date When Request Submitted: 8/10/18 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Physical Therapy Examining Board			
4) Meeting Date: 8/22/18	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Administrative Rule Matters – Discussion and Consideration 1. Administrative Rules Reporting Requirement Under 2017 Wisconsin Act 108 2. Update on Other Legislation and Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: 1. The Board is required to, by March 31, 2019, submit a report to the Joint Committee for Review of Administrative Rules listing its rules that fall under the categories specified in s. 227.29, Stats. To facilitate creating the report, the Board is asked to consider the following motion: MOTION: [Board member name] moved, seconded by [Board member name], to designate [Board member name] to serve as liaison to DSPS staff for drafting the Act 108 report, relating to administrative rules, and to authorize the Chair, or highest-ranking officer, or longest serving member of the board, in order of succession, to approve the report for submission to the Joint Committee for Review of Administrative Rules. Motion carried unanimously.			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 45%;"><i>Dale Kleven</i></div> <div style="width: 45%;"><i>August 10, 2018</i></div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 40%;">Date</div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 40%;">Date</div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 70%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 30%;">Date</div> </div>			
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.			

on which the petition and proposed rule were submitted to the committee.

3. Following receipt of the petition and proposed rule submitted by the legislative council staff under subd. 2., the joint committee for review of administrative rules shall review the petition and proposed rule and may do any of the following:

a. Approve the agency's petition if the committee determines that the proposed rule would repeal an unauthorized rule.

b. Deny the agency's petition.

c. Request that the agency make changes to the proposed rule and resubmit the petition and proposed rule under subd. 1.

4. The committee shall inform the agency in writing of its decision as to the petition.

(c) If the joint committee for review of administrative rules approves a petition to repeal an unauthorized rule as provided in par. (b) 3. a., the agency shall promulgate the proposed rule by filing a certified copy of the rule with the legislative reference bureau under s. 227.20, together with a copy of the committee's decision.

SECTION 7. 227.29 of the statutes is created to read:

227.29 Agency review of rules and enactments. (1)

By March 31 of each odd-numbered year, each agency with any rules published in the code shall submit a report to the joint committee for review of administrative rules listing all of the following rules promulgated or otherwise administered by that agency:

(a) Unauthorized rules, as defined in s. 227.26 (4) (a), together with a description of the legislation that eliminated the agency's authority to promulgate any such rule.

(b) Rules for which the authority to promulgate has been restricted, together with a description of the legislation that restricted that authority.

(c) Rules that are obsolete or that have been rendered unnecessary, together with a description of why those rules are obsolete or have been rendered unnecessary.

(d) Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction, together with a citation to or the text of any such statute, regulation, or ruling.

(e) Rules that the agency determines are economically burdensome.

(2) The report under sub. (1) shall also include all of the following:

(a) A description of the agency's actions, if any, to address each rule listed in the report. If the agency has not taken any action to address a rule listed in the report, the agency shall include an explanation for not taking action.

(b) A description of the status of each rule listed in the previous year's report not otherwise listed.

(c) If the agency determines that there is no rule as described under sub. (1) (a), (b), (c), (d), or (e), a statement of that determination.

(3) If an agency identifies an unauthorized rule under sub. (1) (a) and is not otherwise in the process of promulgating a rule that repeals the unauthorized rule, the agency shall, within 30 days after the agency submits the report, submit a petition to the legislative council staff under s. 227.26 (4) (b) 1. to repeal the unauthorized rule if the agency has not previously done so.

(4) (a) In this subsection, "enactment" means an act or a portion of an act that is required to be published under s. 35.095 (3) (a).

(b) Each agency shall review enactments to determine whether any part of an enactment does any of the following:

1. Eliminates or restricts the agency's authority to promulgate any rules promulgated or otherwise administered by that agency.

2. Renders any rules promulgated or otherwise administered by that agency obsolete or unnecessary.

3. Renders, for any reason, any rules promulgated or otherwise administered by that agency not in conformity with or superseded by a state statute, including due to statutory numbering or terminology changes in the enactment.

4. Requires or otherwise necessitates rule making by the agency.

(c) If an agency determines that any consequence specified in par. (b) 1. to 4. results from an enactment or part of an enactment, within 6 months after the applicable effective date for the enactment or part of the enactment, the agency shall do one or more of the following, as applicable, to address the consequence identified by the agency and notify the joint committee for review of administrative rules of its action:

1. Submit a statement of the scope of a proposed rule under s. 227.135 (2), unless the enactment requires otherwise or unless the agency submits a notice to the committee explaining why it is unable to submit the statement of scope within that time period and an estimate of when the agency plans to submit the statement of scope.

2. In the case of an affected rule that the agency determines is an unauthorized rule, as defined in s. 227.26 (4) (a), submit a petition to the legislative council staff under s. 227.26 (4) (b) 1.

3. In the case of a consequence specified under par. (b) 3. that can be addressed by the legislative reference bureau using its authority under s. 13.92 (4) (b), submit a request to the legislative reference bureau to use that authority.

SECTION 8. Initial applicability.


(1) The treatment of section 227.29 (4) of the statutes first applies to enactments published by the legislative

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Pete Anderson on behalf of Tom Ryan		2) Date When Request Submitted: 5/29/18 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Physical Therapists			
4) Meeting Date: 8/29/18	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Consider Attendance at the 2018 FSBPT Annual Meeting & Delegate Assembly on October 25-27, 2018 in Reston, VA	
7) Place Item in: <input type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: Consider whether the Board will designate someone to attend the conference. MOTION LANGUAGE: To designate NAME (as the Board's delegate) to attend the 2018 FSBPT Annual Meeting & Delegate Assembly on Conference Dates 10/25 – 10/27, 2018 in Reston, VA and to authorize travel.			
11) Authorization			
Signature of person making this request		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
Department of Safety and Professional Services

AGENDA REQUEST FORM

Name and Title of Person Submitting the Request: Terri Rees, Paralegal, on behalf of Attorney Renee Parton Division of Legal Services and Compliance		Date When Request Submitted: August 13, 2018 <div style="border: 1px solid black; padding: 2px; font-size: small;">Items will be considered late if submitted after 4:30 p.m. and less than:<ul style="list-style-type: none">▪ 8 work days before the meeting for Medical Board▪ 8 work days before the meeting for all other boards</div>	
Name of Board, Committee, Council: Physical Therapy Examining Board			
Board Meeting Date: August 22, 2018	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	How should the item be titled on the agenda page? Alternate Approval Pathway Addendum	
Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	Is an appearance before the Board being scheduled? If yes, by whom? <input checked="" type="checkbox"/> Yes by Renee Parton <input type="checkbox"/> No		Name of Case Advisor(s), if required:
Describe the issue and action the Board should address: Review below and Addendum attached: The Board should discuss delegating authority to the Federation of State Boards of Physical Therapy (FSBPT) to determine who is eligible to sit for the National Physical Therapy Examination (NPTE) after confirming if the candidate meets FSBPT's current eligibility requirements and if the candidate has successfully completed a physical therapy program that is accredited. <ul style="list-style-type: none">• This would also delegate authority to FSBPT to approve any candidate's request for testing accommodations under ADA for taking NPTE.• For candidates graduating from a non-Commission on Accreditation in Physical Therapy Education (CAPTE) program, the Board must provide written notice to FSBPT that the Board deems the Candidate's education to be "substantially equivalent" to that of a CAPTE program. (this would include candidates from foreign institutions)• The Board should discuss whether they want to adopt the optional provision:<ul style="list-style-type: none">○ A lifetime limit for taking the NPTE of less than six (6) times; and○ A prohibition not permitting a Candidate educated as a physical therapist to take the NPTE for physical therapist assistants.			
Authorization:			
		8-13-18	
Signature of person making this request		Date	
		Date	
Supervisor signature (if required)		Date	
		Date	
Executive Director signature (indicates approval to add late items 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 Board's Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

ALTERNATE APPROVAL PATHWAY ADDENDUM
(NPTE)

This Alternate Approval Pathway Addendum - NPTE (this "Addendum") is made, and entered into, by and between the FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (the "FSBPT") and the _____ (the "Licensing Authority") and is attached to, and made a part of, the National Physical Therapy Examination Agreement, having a term commencing _____, 20____, by and between the FSBPT and the Licensing Authority (the "NPTE Agreement").

WHEREAS, pursuant to the NPTE Agreement and the Examination Policies (as such term is defined in the NPTE Agreement), candidates (the "Candidates") seeking licensure by the Licensing Authority as a physical therapist, or licensure, certification or registration by the Licensing Authority as a physical therapist assistant, must, among other requirements, meet certain eligibility requirements, and be approved by the Licensing Authority, to sit for the National Physical Therapy Examination (the "NPTE"); and

WHEREAS, pursuant to the NPTE Agreement and the Examination Policies, the Licensing Authority is to investigate and approve a Candidate's request for testing accommodations under the Americans With Disabilities Act of 1990, as amended (Public Law 101-336) (the "ADA") with respect to taking the NPTE; and

WHEREAS, the Licensing Authority desires to have the FSBPT approve, on behalf of the Licensing Authority, Candidates to sit for the NPTE and approve, on behalf of the Licensing Authority, requests for testing accommodations under the ADA with respect to taking the NPTE, and the FSBPT is willing to provide such services, subject to the terms and provisions of this Addendum.

NOW, THEREFORE, in consideration of the above premises (which are incorporated herein by reference) and the mutual promises hereinafter set forth, the sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Notwithstanding anything to the contrary contained in the NPTE Agreement or the Examination Policies, the provisions of this Addendum shall govern the process of approving Candidates to sit for the NPTE, and the process of approving a Candidate's request for testing accommodations under the ADA with respect to taking the NPTE.

2.(a) The Licensing Authority hereby designates the FSBPT as its authorized designee to approve Candidates to sit for the NPTE.

(b) To be approved to sit for the NPTE, the Licensing Authority understands and agrees that a Candidate must:

- (i) meet the requirements set forth in Section 1 (Requirements for Candidates Registering to Sit for the NPTE) of the portion of the

then currently effective Examination Policies under the heading NPTE Administration Policies.

Notwithstanding the foregoing, the following requirements shall also apply if adopted by the Licensing Authority and if the Licensing Authority gives the FSBPT written notice of such requirements:

- (A) A lifetime limit for taking the NPTE of less than six (6) times; and
 - (B) A prohibition not permitting a Candidate educated as a physical therapist to take the NPTE for physical therapist assistants; and
- (ii) meet the requirements set forth in Section 2 (Approval for Candidates to Sit for the NPTE) of the portion of the then currently effective Examination Policies under the heading NPTE Administration Policies, provided, however, that the following requirements shall also apply:

If the Candidate is a graduate of, or graduating from, a physical therapist, or physical therapist assistant, program that does not meet the accreditation standards of the Commission on Accreditation in Physical Therapy Education ("CAPTE"), the Licensing Authority must provide written notice to the FSBPT that the Licensing Authority deems the Candidate's education to be "substantially equivalent" to that of a CAPTE accredited program. The written notice shall specifically inform the FSBPT that:

- (A) the Candidate has met the Licensing Authority's standards for education equivalence; and
- (B) the Candidate has met the Licensing Authority's standards for the Test of English as a Foreign Language, if applicable.

(c) Prior to the effective date of any change to the Examination Policies, the FSBPT shall provide to the Licensing Authority, or post on the website of the FSBPT, the revised Examination Policies to be effective on and after such date.

(d) In regard to the approval by the FSBPT of Candidates to sit for the NPTE, except as set forth in subsection 2(b)(i) (A) and (B) above, the FSBPT shall have no obligation whatsoever to determine if the Candidate has met any other requirement of the Licensing Authority to sit for the NPTE or for licensure including, but not limited to, any requirements as to criminal background checks, exam remediation or otherwise.

3.(a) Promptly after receipt of a request by a Candidate for testing accommodations under the ADA with respect to taking the NPTE, the FSBPT shall investigate the reasons for the request and:

- (i) shall be solely responsible for approving such "standard" accommodations relating thereto as shall comply with the provisions of the ADA; and
- (ii) after requesting, and receiving, input from the Licensing Authority, shall be responsible for approving such "non-standard" accommodations relating thereto as shall comply with the provisions of the ADA.

(b) The FSBPT shall pay all compliance costs associated with all testing accommodations approved by it pursuant hereto.

(c) For purposes of this Addendum, "standard" accommodations shall mean:

Up to double time
Reader
Recorder
Separate testing room
Zoom Text (software that enlarges the print on the computer screen)
Screen magnifier

For purpose of this Addendum, any accommodation other than a "standard" accommodation shall be a "non-standard" accommodation.

4. Each of the parties agrees to provide all information, and take all other actions, as may be reasonably requested by the other relating to this Addendum. Each of the parties shall be entitled to rely upon the accuracy and completeness of any information provided to it by the other without any duty of investigation or verification.

5. Each of the parties shall have the right to terminate this Addendum upon thirty (30) days' prior written notice to the other.

[SIGNATURE PAGE TO FOLLOW]

The parties have duly executed, or caused the due execution of, this Addendum as of the dates set forth below, and each of the signatories for the parties is authorized by their respective governing bodies to enter into this Addendum on behalf of such party.

Licensing Authority

FSBPT

Federation of State Boards of Physical
Therapy

(Signature)

(Signature)

(Printed Name)

William A. Hatherill

(Title)

Chief Executive Officer

(Date)

(Date)

BANK_FIN:559968-1 012183-023124