



VIRTUAL/TELECONFERENCE
PHYSICAL THERAPY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
August 7, 2024

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 (1-3)**
- B. Approval of Minutes of May 8, 2024 (4-7)**
- 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. Brewer, Kate – 7/1/2028
 - b. Bulkow, Brad – 7/1/2027
 - c. Carter, Barbara – 7/1/2025
 - d. Johnson, Steven W. – 7/1/2025
 - e. McEldowney, Todd – 7/1/2025
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (8-20)**
 - 1) Drafting: PT 1 and 5, relating to telehealth and supervision of PTAs **(9-16)**
 - 2) Potential rule project: PT 2, relating to examination endorsement **(17-19)**
 - 3) Pending or Possible Rulemaking Projects **(20)**
 - a. Summary of Chiropractic Examining Board’s discussion at their last meeting about Physical Therapy Examining Board’s request to consider rule project related to physiotherapy
- H. Federation of State Boards of Physical Therapy (FSBPT) Matters – Discussion and Consideration **(21)**
 - 1) **APPEARANCE 8:30 A.M.:** Michele Thorman, FSBPT Vice Chair – FSBPT Overview and Presentation

- I. **Speaking Engagements, Travel, or Public Relation Requests, and Reports (22-25)**
 - 1) Travel Report: LIF Conference, July 13-14, 2024, Alexandria, VA – Steven Johnson

- J. 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) Public Health Emergencies
 - 14) Informational Items
 - 15) Division of Legal Services and Compliance (DLSC) Matters
 - 16) Presentations of Petitions for Summary Suspension
 - 17) Petitions for Designation of Hearing Examiner
 - 18) Presentation of Stipulations, Final Decisions and Orders
 - 19) Presentation of Proposed Final Decisions and Orders
 - 20) Presentation of Interim Orders
 - 21) Petitions for Re-Hearing
 - 22) Petitions for Assessments
 - 23) Petitions to Vacate Orders
 - 24) Requests for Disciplinary Proceeding Presentations
 - 25) Motions
 - 26) Petitions
 - 27) Appearances from Requests Received or Renewed
 - 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

K. 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.).

L. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) **Proposed Stipulations, Final Decisions and Orders**
 - a. 24 PHT 0007 – Ameera T. Fujah (26-32)

M. 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

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

Q. Delegation and Ratification of Examinations, Licenses and Certificates

ADJOURNMENT

NEXT MEETING: NOVEMBER 13, 2024

Board Member Training: November 15

 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 virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. 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 interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
PHYSICAL THERAPY EXAMINING BOARD
MEETING MINUTES
MAY 8, 2024**

PRESENT: Kate Brewer, PT; Brad Bulkow, PT; Barbara Carter, PTA; Steven Johnson, PT; Todd McEldowney

STAFF: Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Sofia Anderson, Administrative Rule Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department Staff

CALL TO ORDER

Steven Johnson, 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:

- Amended to add Oral Interview.

MOTION: Steven Johnson moved, seconded by Brad Bulkow, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 7, 2024

MOTION: Steven Johnson moved, seconded by Barbara Carter, to approve the Minutes of February 7, 2024, as published. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Drafting: PT 1 and 5, relating to telehealth and supervision of PTAs

MOTION: Steven Johnson moved, seconded by Barbara Carter, to designate Kate Brewer to serve as liaison to DSPS staff for drafting PT 1 and 5, relating to telehealth and supervision of PTAs. Motion carried unanimously.

BOARD CONSULTATION ON RULES RELATED TO PHYSIOTHERAPY

MOTION: Steven Johnson moved, seconded by Kate Brewer, to request that the Chiropractic Examining Board consider a rule project amending Chir 10 to require chiropractic technicians who are delegated adjunctive services that are within the scope of physical therapy practice to be licensed to practice physical therapy. Motion carried unanimously.

**SPEAKING ENGAGEMENTS, TRAVEL, OR
PUBLIC RELATION REQUESTS, AND REPORTS**

**Consideration of Attendance: FSBPT 2024 Annual Education Meeting, October 31-November 2,
2024 - Cedar Rapids, IA**

MOTION: Kate Brewer moved, seconded by Barbara Carter, to designate Steven Johnson and Brad Bulkow as an alternate to attend the FSBPT 2024 Annual Education Meeting, October 31-November 2, 2024, in Cedar Rapids, IA. Motion carried unanimously.

CLOSED SESSION

MOTION: Barbara Carter moved, seconded by Steven Johnson, to 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), Stats. 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.). Steven Johnson, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Kate Brewer-yes; Brad Bulkow-yes; Barbara Carter-yes; Steven Johnson-yes; and Todd McEldowney-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:32 a.m.

CREDENTIALING MATTERS

Review Of Applications

Matthew Linback – Legal Review

MOTION: Steven Johnson moved, seconded by Kate Brewer, to issue an Intent to Deny the Physical Therapist application of Matthew Linback, and to offer him a limited license with the following conditions: Compliance with the terms of the Minnesota order entered on or about 3/7/2024. If the Applicant ceases to be licensed in Minnesota for any reason, he shall continue to abide by the terms of the order until at least 3/7/2027, and shall enter into a comparable program to the Minnesota HPSP, approved by the Board or its designee, until discharged by the program or released from this obligation by the Board. **Reason for Denial:** WI Stat sec 448.57 (2) (f) and (h); WI Admin code sec PT 7.025 (4) and (23). Motion carried unanimously.

**DELIBERATION ON DIVISION OF LEGAL SERVICES
AND COMPLIANCE (DLSC) MATTERS**

Proposed Stipulations, Final Decisions and Orders

22 PHT 014 – John A. Zegar

MOTION: Todd McEldowney moved, seconded by Steven Johnson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against John A. Zegar, DLSC Case Number 22 PHT 014. Motion carried unanimously.

Case Closings

23 PHT 004 – K.G.H.- No Violation

MOTION: Steven Johnson moved, seconded by Brad Bulkow, to close DLSC Case Number 23 PHT 004, against K.G.H., for No Violation. Motion carried unanimously.

MONITORING MATTERS

Blake Deist – Requesting Order Modification

MOTION: Steven Johnson moved, seconded by Brad Bulkow, to grant the request of Blake Deist for Order Modification permitting Minnesota to be his primary monitor. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Steven Johnson moved, seconded by Todd McEldowney, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 9:53 a.m.

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

MOTION: Steven Johnson moved, seconded by Kate Brewer, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

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

MOTION: Steven Johnson moved, seconded by Barbara Carter, 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: Steven Johnson moved, seconded by Kate Brewer, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:55 a.m.

DRAFT

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

AGENDA REQUEST FORM

| | | | |
|---|---|--|--|
| 1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator | | 2) Date when request submitted: 07/26/2024 <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 Therapy Examining Board | | | |
| 4) Meeting Date: August 7, 2024 | 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. Drafting: PT 1 and 5, relating to telehealth and supervision of PTAs 2. Potential rule project: PT 2, relating to examination endorsement. 3. Pending or Possible Rulemaking Projects. a. Summary of Chiropractic Examining Board’s discussion at their last meeting about Physical Therapy Examining Board’s request to consider rule project related to physiotherapy | |
| 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: Attachments: <ul style="list-style-type: none"> • PT 1 & 5 chapter redlined. • Chapter PT 2. • Physical Therapy Rules Chart | | | |
| 11) Authorization | | | |
|  | | 07/29/2024 | |
| 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. | | | |

Chapter PT 1

LICENSE AND COMPACT PRIVILEGE TO PRACTICE PHYSICAL THERAPY

[PT 1.01](#) Authority and purpose.

[PT 1.02](#) Definitions.

[PT 1.03](#) Licensure requirements.

[PT 1.04](#) Compact privilege requirements.

PT 1.01 Authority and purpose.

(1) The rules in this chapter are adopted by the physical therapy examining board pursuant to the authority delegated by ss. [15.08 \(5\) \(b\)](#), [448.53 \(1\)](#), and [448.986 \(3\)](#), Stats.

(2) The rules in this chapter are adopted to govern the issuance of licenses to physical therapists and physical therapist assistants under ss. [448.53](#), [448.535](#), [448.54](#), and [448.55](#), Stats., and the granting of compact privileges under subch. [IX of ch. 448](#), Stats.

PT 1.02 Definitions. As used in chs. [PT 1](#) to [9](#):

(1) "Board" means the physical therapy examining board.

(3) "Client" means a person who has contracted for, who receives, and or who has previously received or contracted for, the professional services of a physical therapist, a physical therapist assistant, student or temporary licensee, whether the physical therapist, student or temporary licensee is paid or unpaid for the service, and regardless of where such services occur. If a client is a person under age 18, the client's parent or legal guardian are also clients.

(4) "Direct, immediate, on-premises supervision" means face-to-face contact between the supervisor and the person being supervised, as necessary, with the supervisor physically present in the same building when the service is performed by the person being supervised.

(5) "Direct, immediate, one-to-one supervision" means one-to-one supervision with face-to-face contact between the person being supervised and the supervisor. The supervisor may assist the person being supervised as necessary.

(6) "FSBPT" means the Federation of State Boards of Physical Therapy.

(7) "General supervision" means direct, on-premises contact between a supervisor, and a physical therapist, physical therapist assistant, student or temporary licensee being supervised, as necessary. Between direct contacts, a supervisor is required to maintain indirect, off-premises telecommunication contact such that the person being supervised can, within 24 hours, establish direct telecommunication with a supervisor.

(8) "Informed consent" means a client's voluntary, knowing and understood agreement to the service to be provided by the physical therapist, physical therapist assistant, temporary licensee, candidate for reentry, or student. Informed consent requires, at a minimum, that the licensee has

provided information about reasonable alternate modes of diagnosis and treatment, and the risks and benefits of each, that a reasonable person in the client's position would need before making an informed decision concerning the mode of treatment or diagnosis.

- (a)** Informed consent may ordinarily be documented by the written signature of the client, the client's guardian or the client's power of attorney for healthcare, or in the alternative by a notation in the patient's health care record as defined in s. [146.81 \(4\)](#), Stats. If circumstances prevent signed documentation by the client, the licensee may document verbal consent within the patient's health care record.
 - (b)** A client may withdraw informed consent verbally or in writing at any time before a service is completed.
 - (c)** Informed consent shall include an understanding that the client may, upon request, have a chaperone present while services are provided.
 - (d)** No service or part of a service may be provided without the client's informed consent or after informed consent has been withdrawn.
 - (e)** No service or part of a service may be provided without informing the client of the general nature of the costs associated with the service provided or contact information for the entity who can address billing concerns.
- (9)** "Intimate parts" has the meaning given in s. [939.22 \(19\)](#), Stats.
- (10)** "License" means any license, permit, certificate or registration issued by the board.
- (11)** "Licensee" means any person validly possessing any license granted and issued to that person by the board.
- (11e)** "Physical therapist" has the meaning given in s. [448.50 \(3\)](#), Stats.
- (11m)** "Physical therapist assistant" has the meaning given in s. [448.50 \(3m\)](#), Stats.
- (11n)** "Physical therapist assistant student" means a person enrolled in a physical therapist assistant educational program approved by the board who performs physical therapy procedures and related tasks consistent with the person's education, training, and experience under the direct, immediate, on-premises supervision of a physical therapist or under the supervision of a physical therapist assistant as authorized by s. [PT 5.03 \(2\)](#).
- (11r)** "Physical therapist student" means a person enrolled in a physical therapist educational program approved by the board who performs physical therapy procedures and related tasks consistent with the person's education, training, and experience under the direct, immediate, on-premises supervision of a physical therapist.
- (11s)** "Physical therapy" has the meaning given in s. [448.50 \(4\)](#), Stats.
- (11w)** "Student" means a physical therapist student or physical therapist assistant student.

(12) “Supervisor” means a person holding a regular license as a physical therapist issued under s. [448.53 \(1\)](#), Stats., or a physical therapist compact privilege granted by the board who is competent to coordinate, direct, and inspect the accomplishments of another physical therapist, physical therapist assistant, student, or temporary licensee. “Supervisor” does not include a person holding a license issued under ch. [PT 3](#) or [4](#).

(12m) “Telehealth” has the meaning given in s. [440.01 \(1\) \(hm\)](#), Stats.

(13) “Temporary licensee” means a graduate of a physical therapy school or program who has met the requirements for and who has been granted a temporary license to practice as a physical therapist or physical therapist assistant as provided in ch. [PT 3](#).

(14) “Unlicensed personnel” means a person other than a physical therapist, physical therapist assistant, or student who performs patient related tasks consistent with the person's education, training and experience under the direct, immediate, on-premises supervision of a physical therapist.

PT 1.03 Licensure requirements.

(1) Except as provided under subs. [\(3\)](#) and [\(4\)](#), every person applying for any class of license to provide physical therapy services shall submit to the board all of the following:

(a) A completed and verified application form provided by the board and the fees specified in s. [440.05 \(1\)](#), Stats.

Note: Application forms are available from the department of safety and professional services' website at www.dsps.wi.gov.

(c) For a physical therapist, verified documentary evidence of graduation from a school of physical therapy; for a physical therapist assistant, verified documentary evidence of satisfactory completion of a physical therapist assistant educational program approved by the board.

(d) In the case of a graduate of a foreign school of physical therapy or physical therapist assistant educational program, verification of educational equivalency to a board-approved school of physical therapy or physical therapist assistant educational program. The verification required under this paragraph shall be obtained from a board-approved foreign graduate evaluation service, based upon submission to the evaluation service of all of the following material:

1. A verified copy of transcripts from the schools from which secondary education was obtained.
2. A verified copy of the diploma from the school or educational program at which professional physical therapy or physical therapist assistant training was completed.
3. A record of the number of class hours spent in each subject, for both preprofessional and professional courses. For subjects which include laboratory and discussion sections, the hours must be described in hours per lecture, hours per

laboratory, and hours per discussion per week. Information must include whether subjects have been taken at basic entry or advanced levels.

4. A syllabus that describes the material covered in each subject completed.

(e) Evidence of successful completion of the examinations specified in ch. [PT 2](#).

(2) If an applicant is a graduate of a school of physical therapy or a physical therapist assistant educational program not approved by the board, the board shall determine whether the applicant's educational training is equivalent to that specified in sub. [\(1\) \(c\)](#). In lieu of its own evaluations, the board may use evaluations prepared by a board-approved evaluation service. The cost of an evaluation shall be paid by the applicant.

Note: The board periodically reviews and approves foreign graduate evaluation services. A list of board-approved evaluation services is available upon request by calling (608) 266-2112.

(3) The board may waive the requirement under sub. [\(1\) \(c\)](#) for an applicant who establishes, to the satisfaction of the board, all of the following:

(a) The applicant is a graduate of a physical therapy school or a physical therapist assistant educational program.

(b) The applicant is licensed as a physical therapist or physical therapist assistant by another licensing jurisdiction in the United States.

(c) The jurisdiction in which the applicant is licensed required the applicant to be a graduate of a school or educational program approved by the licensing jurisdiction or of a school or educational program that the licensing jurisdiction evaluated for educational equivalency.

(d) The applicant has actively practiced as a physical therapist or physical therapist assistant, under the license issued by the other licensing jurisdiction in the United States, for at least 3 years immediately preceding the date of application.

Note: The board approves those schools of physical therapy and physical therapist assistant educational programs that are at the time of the applicant's graduation recognized and approved by the Commission on Accreditation in Physical Therapy Education.

(4) A reciprocal license to provide physical therapy services shall be granted to a service member, a former service member, or the spouse of a service member or former service member who the board determines meets all of the requirements under s. [440.09 \(2\)](#), Stats. Subject to s. [440.09 \(2m\)](#), Stats., the board may request verification necessary to make a determination under this subsection.

PT 1.04 Compact privilege requirements. Every person applying for a compact privilege shall submit to the board all of the following:

(1) A completed application form provided by the board.

- (2) The fee specified in s. [448.985 \(3\) \(d\)](#), Stats.
- (3) Evidence of successful completion of the examination specified in s. [PT 2.01 \(6\) \(c\)](#).

Note: An application for a compact privilege may be obtained from the department of safety and professional services' website at www.dsps.wi.gov.

Chapter PT 5

PHYSICAL THERAPIST ASSISTANTS, UNLICENSED PERSONNEL, AND STUDENTS

[PT 5.001](#) Authority and purpose.

[PT 5.01](#) Practice and supervision of physical therapist assistants.

[PT 5.02](#) Supervision of unlicensed personnel.

[PT 5.03](#) Supervision of students.

PT 5.001 Authority and purpose. The rules in this chapter are adopted by the board pursuant to the authority delegated by ss. [15.08 \(5\) \(b\)](#), [227.11 \(2\)](#), [448.52 \(1m\) \(c\)](#), and [448.56 \(6\)](#), Stats., and govern the practice and supervision of physical therapist assistants and the supervision of unlicensed personnel, physical therapist students, and physical therapist assistant students.

PT 5.01 Practice and supervision of physical therapist assistants.

(1) A physical therapist assistant shall assist a physical therapist in the practice of physical therapy under the general supervision of a physical therapist.

(2) In providing general supervision, the physical therapist shall do all of the following:

(a) Have primary responsibility for physical therapy care rendered by the physical therapist assistant.

(b) Have direct face-to-face contact with the physical therapist assistant at least every 14 calendar days. Electronic face-to-face communications may be used to fulfill this requirement. Audio-only telephone, email messages, text messages, facsimile transmission, mail or parcel service are not considered acceptable electronic communications.

(c) Remain accessible to telecommunications in the interim between direct contacts while the physical therapist assistant is providing patient care.

(d) Establish a written policy and procedure for written and oral communication. This policy and procedure shall include a specific description of the supervisory activities undertaken for the physical therapist assistant as well as a description of the manner by

which the physical therapist shall manage all aspects of patient care. The amount of supervision shall be appropriate to the setting and the services provided.

(e) Provide initial patient examination, evaluation and interpretation of referrals and create the initial patient record for every patient the physical therapist treats.

(f) Develop and revise as appropriate a written patient treatment plan and program.

(g) Delegate appropriate portions of the treatment plan and program to the physical therapist assistant consistent with the physical therapist assistant's education, training and experience.

(h) Provide on-site or via telehealth, when telehealth practice is being provided, assessment and reevaluation of each patient at a minimum of one time per calendar month or every tenth treatment day, whichever is sooner, and adjust the treatment plan as appropriate.

OR

(h) Provide assessment and reevaluation of each patient 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 assessment may be done on-site or, if appropriate, via telehealth.

OR

(h) Provide assessment and reevaluation of each patient 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 assessment must be done on-site unless the supervising PT determines it is in the patient's best interest to assess and re-evaluate their treatment via telehealth.

(i) Coordinate discharge plan decisions and the final assessment with the physical therapist assistant.

(j) Limit the number of physical therapist assistants practicing under general supervision to a number appropriate to the setting in which physical therapy is administered, to ensure that all patients under the care of the physical therapist receive services that are consistent with accepted standards of care and consistent with all other requirements under this chapter. No physical therapist may at any time supervise more than 2 physical therapist assistants full-time equivalents practicing under general supervision.

PT 5.02 Supervision of unlicensed personnel.

(1) A physical therapist shall provide direct, immediate, on-premises supervision of unlicensed personnel at all times. The physical therapist may not direct unlicensed personnel to perform tasks that require the decision-making or problem-solving skills of a physical therapist, including patient examination, evaluation, diagnosis, or determination of therapeutic intervention.

(2) In providing direct, immediate, on-premises supervision, the physical therapist shall do all of the following:

- (a) Retain full professional responsibility for patient related tasks performed.
- (b) Be available at all times for direction and supervision with the person performing related tasks.
- (c) Evaluate the effectiveness of patient related tasks performed by those under direct supervision by assessing persons for whom tasks have been performed prior to and following performance of the tasks.
- (d) Routinely evaluate the effectiveness of patient related tasks performed by those under direct supervision by observing and monitoring persons receiving such tasks.
- (e) Determine the competence of personnel to perform assigned tasks based upon education, training, and experience.
- (f) Verify the competence of unlicensed personnel with written documentation of continued competence in the assigned tasks.
- (g) Perform initial patient examination, evaluation, diagnosis, and prognosis, interpret referrals, develop and revise as appropriate a written patient treatment plan and program for each patient, and create and maintain a patient record for every patient the physical therapist treats.
- (h) Provide interpretation of objective tests, measurements, and other data in developing and revising a physical therapy diagnosis, assessment, and treatment plan.
- (i) Direct unlicensed personnel to provide appropriate patient related tasks consistent with the education, training, and experience of the person supervised. Direction should list specific patient related tasks, including dosage, magnitude, repetitions, settings, length of time, and any other parameters necessary for the performance of the patient related tasks.
- (j) Limit the number of unlicensed personnel providing patient related tasks under direct supervision to a number appropriate to the setting in which physical therapy is administered, to ensure that all patients under the care of the physical therapist receive services that are consistent with accepted standards of care and consistent with all other requirements under this chapter.
- (k) The total number of physical therapist assistants providing physical therapy services and unlicensed personnel performing patient related tasks under supervision may not exceed a combined total of 4. This number shall be reduced by the number of physical therapists and physical therapist assistants holding temporary licenses who are being supervised under s. [PT 3.01 \(6\)](#).

PT 5.03 Supervision of students.

- (1) Except as provided under sub. (2), a physical therapist shall provide direct, immediate, on-premises supervision of a student at all times.
- (2)

(a) A physical therapist providing supervision of a physical therapist assistant student under sub. [\(1\)](#) may delegate that supervision to a physical therapist assistant. The delegating physical therapist shall, as required under s. [PT 5.01](#), provide general supervision of the physical therapist assistant supervising the physical therapist assistant student.

(b) A physical therapist assistant supervising a physical therapist assistant student under par. [\(a\)](#) shall provide face-to-face contact with the student, as necessary, and be physically present in the same building when a service is performed by the student.

(3) A physical therapist supervising a student under sub. [\(1\)](#) shall retain full professional responsibility for all physical therapy procedures and related tasks performed by the student, and shall delegate treatment plans and programs to the student in a manner consistent with the student's education, training, and experience.

(4) A physical therapist delegating supervision of a physical therapist assistant student to a physical therapist assistant under sub. [\(2\)](#) shall retain full professional responsibility for all physical therapy procedures and related tasks performed by the physical therapist assistant and by the physical therapist assistant student, and shall delegate treatment plans and programs to the physical therapist assistant student in a manner consistent with the student's education, training, and experience.

Chapter PT 2

EXAMINATIONS

[PT 2.001](#) Authority and purpose.

[PT 2.01](#) Panel review of applications; examinations required.

[PT 2.02](#) Conduct of examinations.

[PT 2.03](#) Failure and reexamination.

PT 2.001 Authority and purpose.

(1) The rules in this chapter are adopted by the board pursuant to the authority delegated by ss. [15.08 \(5\) \(b\)](#), [448.53 \(1\)](#) and [448.54](#), Stats.

(2) The rules in this chapter are adopted to govern examination of applicants for licensure of physical therapist and physical therapist assistants under ss. [448.53](#), [448.535](#), [448.54](#), and [448.55](#), Stats.

Note: The examination requirement for a physical therapist or physical therapist assistant compact privilege is under s. [PT 1.04](#).

PT 2.01 Panel review of applications; examinations required.

(1) All applicants shall complete written examinations. In addition, an applicant may be required to complete an oral examination if the applicant:

(a) Has a medical condition which in any way impairs or limits the applicant's ability to practice physical therapy with reasonable skill and safety.

(b) Uses chemical substances so as to impair in any way the applicant's ability to practice physical therapy with reasonable skill and safety.

(c) Has been diagnosed as suffering from pedophilia, exhibitionism or voyeurism.

(d) Has within the past 2 years engaged in the illegal use of controlled substances.

(e) Has been subject to adverse formal action during the course of physical therapy education, postgraduate training, hospital practice, or other physical therapy employment.

(f) Has been disciplined or had licensure denied by a licensing or regulatory authority in Wisconsin or another jurisdiction.

(g) Has been convicted of a crime the circumstances of which substantially relate to the practice of physical therapy.

(h) Has not practiced as a physical therapist or physical therapist assistant for a period of 3 years prior to application, unless the applicant has been graduated from a school of physical therapy or a physical therapist assistant educational program within that period.

(i) Has been graduated from a physical therapy school or a physical therapist assistant educational program not approved by the board.

(j) Has voluntarily limited the scope of his or her practice as a physical therapist or physical therapist assistant after being the subject of an investigation by a credentialing authority or employer.

(2) An application filed under s. [PT 1.03](#) for an applicant meeting any condition under sub. (1) (a) to (j) shall be reviewed by an application review panel consisting of at least 2 board members designated by the chairperson of the board. The panel shall determine whether the applicant is required to complete an oral examination.

(3) All examinations shall be conducted in the English language.

(4) Where both written and oral examinations are required, they shall be scored separately and the applicant shall achieve a passing grade on all examinations to qualify for a license.

(5) The board shall notify each applicant required to complete an oral examination of the time and place scheduled for that applicant's examination. Failure of an applicant to appear for examination as scheduled may void the applicant's application and require the applicant to reapply for licensure unless prior scheduling arrangements have been made with the board by the applicant.

(6)

(a) The score required to pass each written physical therapy or physical therapist assistant examination shall be based on the board's determination of the level of examination performance required for minimum acceptable competence in the profession and on the reliability of the examination. The passing grade shall be established prior to giving the examination.

(b) The passing scores for the national physical therapy examination and the national physical therapist assistant examination are those scores recommended by the Federation of State Boards of Physical Therapy.

(c) To pass the examination on statutes and rules, the applicant shall receive a score determined by the board to represent minimum competence to practice after consultation with subject matter experts who have received a representative sample of the examination questions and available candidate performance statistics.

(7) Members of the board shall conduct oral examinations of each candidate and are scored as pass or fail.

(8) Any applicant who is a graduate of a school for physical therapists or an educational program for physical therapist assistants in which English is not the primary language of communication shall take and pass each of the following in order to qualify for a license:

- (a) The test of English as a foreign language as administered by the Educational Testing Service.
- (b) The test of written English as administered by the Educational Testing Service.
- (c) The test of spoken English as administered by the Educational Testing Service.

PT 2.02 Conduct of examinations. At the start of the examinations, applicants shall be provided with the rules of conduct to be followed during the course of the examinations. Any violation of these rules of conduct by any applicant may be cause for the board to withhold the applicant's grade and to find after a hearing that the applicant has failed the examination.

PT 2.03 Failure and reexamination. An applicant who fails to achieve a passing grade on the examination on statutes and rules may retake the examination upon submission of a reexamination fee.

Note: A list of all current examination and reexamination fees may be obtained at no charge from the Office of Examinations, Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8366, Madison, WI 53708 or by email at dsps@wisconsin.gov.

**Physical Therapy Examining Board
Rule Projects (updated 07/26/2024)**

| Clearinghouse Rule Number | Scope # | Scope Expiration | Code Chapter Affected | Relating clause | Synopsis | Current Stage | Next Step |
|---------------------------|---------|------------------|-----------------------|---|--|----------------|---|
| | 005-24 | 07/16/2026 | PT 1 and 5 | Telehealth and supervision of Physical Therapist Assistants | The Board’s primary objective is to review the supervision requirements in chapter PT 5 in order to bring it up to current standards of practice in supervising physical therapist assistants according to new telehealth practice. The Board will also conduct a comprehensive review of chapter PT 1 and 5 to implement the changes of 2021 Wisconsin Act 121 and make revisions to ensure statutory compliance. | Drafting rule. | EIA Comment Period, Clearinghouse Review, and Public Hearing. |

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

AGENDA REQUEST FORM

| | | | |
|--|---|--|------|
| 1) Name and title of person submitting the request: Michele Thorman, FSBPT Vice Chair | | 2) Date when request submitted: 6/26/2024 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: 8/7/2024 | 5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6) How should the item be titled on the agenda page? Federation of State Boards of Physical Therapy (FSBPT) Overview and Presentation – Michele Thorman, Vice Chair, FSBPT | |
| 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 9) Name of Case Advisor(s), if applicable: N/A | |
| 10) Describe the issue and action that should be addressed: Michele Thorman, Vice Chair of the FSBPT, will deliver a presentation to the Board about the FSBPT. | | | |
| 11) Authorization | | | |
| Signature of person making this request | | | Date |
| Supervisor (Only required for post agenda deadline items) | | | Date |
| Executive Director signature (Indicates approval for post agenda deadline items) | | | Date |
| Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 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. | | | |

FSBPT LIF Conference 2024

Day 1 Nominating Committee – described qualification requirements for candidates to hold positions at FSBPT and introduced the slate of candidates who can be reviewed at the following link: https://s3.us-east-1.amazonaws.com/fonteva-customer-media/00D5f000007lwGREAO/wTOblVQv_2024_Candidate_Statements_pdf

Board Updates – Meetings are available for board members to benefit from and able to engage at many levels from virtual access to conferences to in person. Events like Regulatory Workshop (May 2024), LIF Conference (July 2024), and Annual Conference (October 2024). In addition virtual regulatory hours on a variety of topics available for exploration. FSBPT and APTA continue trademark infringement lawsuit against Lifetime Fitness use of DPT. FSBPT encourages local jurisdictions to get involved as appropriate. FSBPT five-year strategic plan includes a new set of core values and updated areas of focus <https://www.fsbpt.org/About-Us/Areas-of-Focus>. **Health Care Regulatory Research Institute (HRR)** <https://www.hrri.org/> public protection through regulatory research and sharing of evidence-based data and outcomes. Several core areas of research focus to help support regulatory policy through research evidence. **Continuing Competence Committee** – addressing issues one example is the healthy practice resource which allows practitioners to self-assess their readiness for clinical practice. **Ethics & Legislation** – regulatory resources updated for definitions of reasonable/prudent, standard of care, and imaging are some examples. Board Assessment Resource (BAR) a tool which can be used as an outcome measure for board effectiveness as well as resources for areas needing growth. **Informed Consent (IC) Task Force** – reviewing IC in all jurisdictions and developing strategies and resources to address. **Sexual Misconduct and Boundary Issues Committee** – webinar for students and educators Fall of 2024, resource materials for educators and students, plans to develop standards for jurisdictions. Consumer Protection Rating (CPR) report is a measure of how the jurisdictions are doing (see attached for WI CPR checkup). **Examination Licensing Disciplinary Database (ELDD)** – provides a protection to prevent licensees from crossing state lines to avoid violations elsewhere. Grant funding available through FSBPT for jurisdictions to complete the three pillars of ELDD or Compact Privilege implementation. **Cross Profession Minimum Data Set (CPMDS) Tool** – a data collection tool which helps support the knowledge of licensees workforce data. Resources and implementation guide as well as a PT specific CPMDS can be found at the HRR website <https://www.hrri.org/workforce>. **PT Compact Updates** - 31 states participating (including WI) , 7 states in process, and 5 states have introduced legislation. **Licensure Reference Guide** – provides a summary of requirements for each jurisdiction.

Day 2 Dry Needling Competency Task Force - 2015 and 2020 reports, in 2024 practice analysis task force assembled and updated competencies with plan to share and publish in 2025. **NPTE exam committee** – scenarios have been well received and video library continues to be developed. New technologies are being developed to use with NPTE. Examples include: Alpine's item iSFT, automated item generation, automated test assembly, natural language processing (NLP). All tools used to help test writers prepare exam. FifthTheory is a test prep review currently being piloted with unsuccessful candidates and may be rolled out to all candidates if results support it. FSBPT is working closely to control quality and content to address potential bias in the exam. YouTube video addressing efforts to make NPTE fair <https://www.youtube.com/watch?v=ZByjdFsmAjl> . Pre- 1995

licensing is a tricky process in many jurisdictions regarding licensees attempting to enter the jurisdiction (See board agenda and materials). **Foreign trained PTs** – Foreign Credentialed Commission on PT (FCCPT) roughly 600 -1000 foreign trained PTs credentialing annually. **Looking down the road: Medication Prescriptive Authority** – in UK public health system (PHS) physiotherapists can with additional certification/education become first contact practitioners for direct access and a prescribing authority through additional education. In Australia, physiotherapists in the PHS with additional training can have a limited prescriptive authority. 2023 House of Delegates created a task force to explore feasibility for prescriptive authority. **Fairness in Investigations** – Bias prevention **Artificial Intelligence** – continues to be an issue that is facing regulators. **Boards Demonstration of Value** – Consider collecting workforce data being able to help inform policy. CPMDS could help.



Exam, Licensure & Disciplinary Database (ELDD) Consumer Protection Rating (CPR)

We need you!

The ELDD is only as good as the disciplinary, licensure, and exam score information it contains. Each jurisdiction has an important role to play in creating the most accurate database available.

Want to know your jurisdiction’s impact on the ELDD’s ability to further the public protection mission of all FSBPT member boards? See below!

| | |
|------------------|--|
| Wisconsin | <i>Active Compact Member State - Yes</i> |
|------------------|--|

Consumer Protection Rating (CPR)

| FSBPT ID | Licensure Data | Disciplinary Data |
|----------|----------------|-------------------|
| | | |

Ratings Key:

| | |
|--|-------------------------------|
| | Actively Participating |
| | Working towards Participating |
| | Not Participating |

Contact ELDD@fsbpt.org to learn how your jurisdiction can improve its participation in the ELDD or to let us know of specific roadblocks your jurisdiction has to participating.

| FSBPT ID | |
|--------------------|---|
| Status on FSBPT ID | Stores FSBPT ID in their database and sends FSBPT ID in licensure files |
| Next Steps | None |

| Licensure Data | |
|-----------------------------|---|
| Frequency of Licensure Data | Automated file sent weekly via Sharefile on Wednesdays |
| Next Steps | Email ELDD@fsbpt.org to receive more information on FSBPT's API |

| Disciplinary Data | |
|-----------------------------|--|
| Status on Disciplinary Data | Jurisdiction enters via the Online Processing System |
| Next Steps | Start entering discipline within 14 days of the date the action was taken. |

| Additional Information | |
|---|---------------|
| Licensure File or API transfer last received on: | 6/26/2024 |
| Enters new licenses online or uses API? | No |
| Provided unique identifier with last data: | Yes, FSBPT ID |
| Provided DOBs with last data: | Yes |
| Active Number of PTs in the ELDD: | 7,465 |
| Active Number of PTAs in the ELDD: | 2,288 |
| Total Number of PTs in the ELDD: | 13,652 |
| Total Number of PTAs in the ELDD: | 3,500 |
| % of Licenses Active/Expired (Licenses with a status of active but an expiration date in the past): | 0% |
| Is FSBPT your NPDB reporting agent? | No |
| Last disciplinary action received on: | 5/31/2024 |
| Total # of Actions in the ELDD: | 120 |
| Average number of days from date action taken to date reported to FSBPT within the last 2 years: | 15 Days |

Note: (Data Current as of 6/30/2024)

ELDD Contact Information:
 Email ELDD@fsbpt.org or call
 Angela Johnson @ 703-299-3100 Ext 249