



# PT • COMPACT

## Physical Therapy Compact Commission Notice of Proposed Rulemaking

The Physical Therapy Compact Commission is requesting public comment on the proposed amendments to its Rules. Pursuant to Section 9 of the Physical Therapy Compact, the Commission is required to post this Notice at least thirty (30) days in advance of the meeting at which the Rules will be considered and voted upon by the Commission.

### PUBLICATION DATE:

9/23/2020

### SUMMARY OF THE PROPOSED RULES OR AMENDMENT TO EXISTING RULES:

Rule	Summary of Changes
1.1	Clarifies the rules by adding new definition and reorders accordingly based on alphabetical order
3.10	Adds new rule 3.10 requiring reporting of new criminal convictions
6.4	Clarifies the reporting requirements to include non-disciplinary encumbrances, licensees and compact privilege holders, and changes the time-frame for saving reports
8.2	Makes language gender neutral

### TEXT OF THE PROPOSED AMENDMENTS:

A copy of the proposed amendments is attached to this Notice.

### MEETING DATE, TIME, AND LOCATION:

The Physical Therapy Compact Commission will consider and vote on the adoption of the attached amendments to its Rules at its public meeting on October 25, 2020. The meeting will take place virtually via WebEx at 3:00 p.m. EDT.

### DEADLINE AND PROCESS TO SUBMIT WRITTEN COMMENTS:

Written comments must be received by 5:00 PM, EDT, on October 23, 2020. All comments or intentions to attend the Commission meeting should be submitted electronically by the deadline to [info@ptcompact.org](mailto:info@ptcompact.org). All comments must be provided in a single file and must include the name of the submitter, any organization the submitter represents, and the rule number(s) the comments address. If electronic submission of comments is not feasible, please contact the PT Compact Commission using the contact information below for special instructions.

### REQUESTS FOR PUBLIC HEARING:

Pursuant to Section 9 of the Physical Therapy Compact, the PT Compact Commission shall hold a public hearing on the proposed rules changes if a hearing is requested by:

1. At least twenty-five (25) persons;
2. A state or federal governmental subdivision or agency; or
3. An association having at least twenty-five (25) members.

If one of the three standards above is met, the Commission will hold a hearing on the proposed rules at its public meeting on October 25, 2020. The meeting will take place at 3:00 PM, EDT, virtually via WebEx.

All requests for a public hearing must be submitted electronically to [info@ptcompact.org](mailto:info@ptcompact.org) by 5:00 PM, EDT, on October 23, 2020.

**FOR FURTHER INFORMATION CONTACT:**

T.J. Cantwell, Compact Administrator, by email at [administrator@ptcompact.org](mailto:administrator@ptcompact.org) or by telephone at 703-299-3100 ext. 261 or at 124 West Street South, Suite 300, Alexandria, VA 22314-2825.

## 2020 DRAFT Compact Rules Amendments for Executive Board for Public Comment

Please note that additions are indicated by red underlined text. Deletions are indicated by ~~red strikethrough~~ text. Black text is existing unchanged text.

### 1) Rule 1.1 – Definitions

**Reason: To improve clarity of the rules and Compact by adding a new definition for key words and reorder accordingly based on alphabetical order.**

Proposed Amendment:

Add new paragraph to Rule 1.1

(P) “Recognized National Exam” as referenced in Section 3.A.6 of the Compact means the National Physical Therapy Examination (NPTE).

(NOTE: Adoption of proposed amendment would reorder other definitions based on alphabetical order)

### 2) Chapter 3 - Compact Privilege Eligibility, Adverse Actions, and Encumbrances

**Reason: To add a new rule that would require compact privilege holders to self-report new criminal convictions to the licensing boards where they hold current compact privileges.**

Proposed Amendment:

Add new Rule 3.10 to Chapter 3

Rule 3.10 – Self-Reporting of a New Criminal Convictions

A compact privilege holder must report any new criminal conviction to the state licensing board(s) in each member state in which the individual has an active compact privilege in accordance with that jurisdiction’s reporting requirements.

### 3) Rule 6.4 – Frequency of Reporting Adverse Actions

**Reason: To provide clarification that the provisions of Rule 6.4 also discuss non-disciplinary encumbrances**

Proposed Amendment:

Change existing title of Rule 6.4

Rule 6.4 – Frequency of Reporting Adverse Actions and Non-Disciplinary Encumbrances

### 4) Rule 6.4 – Frequency of Reporting Adverse Actions

**Reason: To align more closely with NPDB requirements and provide more flexibility for compact states to report but still maintain timely reporting of new adverse actions.**

Proposed Amendment:

Change existing language in 6.4.B

(B) Within ~~ten~~ fourteen business days of the effective date of the adverse action against a licensee or compact privilege holder, the Licensing Board shall, through the interface described in rule 6.3, complete all required information and select the Save Status.

### 5) Rule 6.4 – Frequency of Reporting Adverse Actions

**Reason: To provide clarification that the rule applies to compact privileges and compact privileges holders as well as licensees.**

Proposed Amendment:

Change existing language in 6.4.D

(D) Within two (2) business days of the effective date to impose a non-disciplinary encumbrance on a license or licensee or on a compact privilege or compact privilege holder, the Licensing Board shall report such decision to the Commission through the interface described in rule 6.3.

**6) Rule 8.2 - Dispute Resolution Process – Informal, Mediation and Arbitration**

**Reason: To make language gender neutral**

Proposed Amendment:

Change existing language in 8.2.E.2

(2) If a member of the Executive Board is a party to the dispute, that individual must recuse ~~him~~ or herself themselves from participation in the matter.