State of Nevada

Physical Therapy Board

PT COMPACT INFORMATIONAL PACKET SB 186

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PT COMPACT INFORMATIONAL PACKET

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The Nevada Physical Therapy Board is bringing forth legislation to become part of the PT Compact (SB 186, introduced by Senator Gansert). The Physical Therapy Compact is an agreement between member states to improve access to physical therapy services for the public by increasing the mobility of eligible physical therapy providers to work in multiple states. There are currently 21 states participating in the PT Compact, with numerous other states introducing legislation this legislative session.

In the current healthcare environment, portability of licensed individuals has been identified by many as a critical issue. The federal government has communicated concern about the current portability barriers and there have been several bills submitted to Congress in attempts to address this issue (military spouses, dual licensure system, etc.). With the changing healthcare system, evolution of physical therapy education, mobile communications between patient and client, mobility of patients accessing care, large healthcare corporations/insurance companies, and the advent of new ways in which to deliver care such as telemedicine, the ability of a clinician to practice across jurisdictional boundaries with minimal barriers is an issue coming to the forefront. State boundaries and differences in licensure and practice requirements have been identified as barriers to access to healthcare. The potential positive impacts on public protection with increasing licensure portability include:

- increased patient access to qualified providers
- continuity of care for patient as they relocate or vacation

- enhanced disciplinary data and improve notification
- improved information sharing between jurisdictions

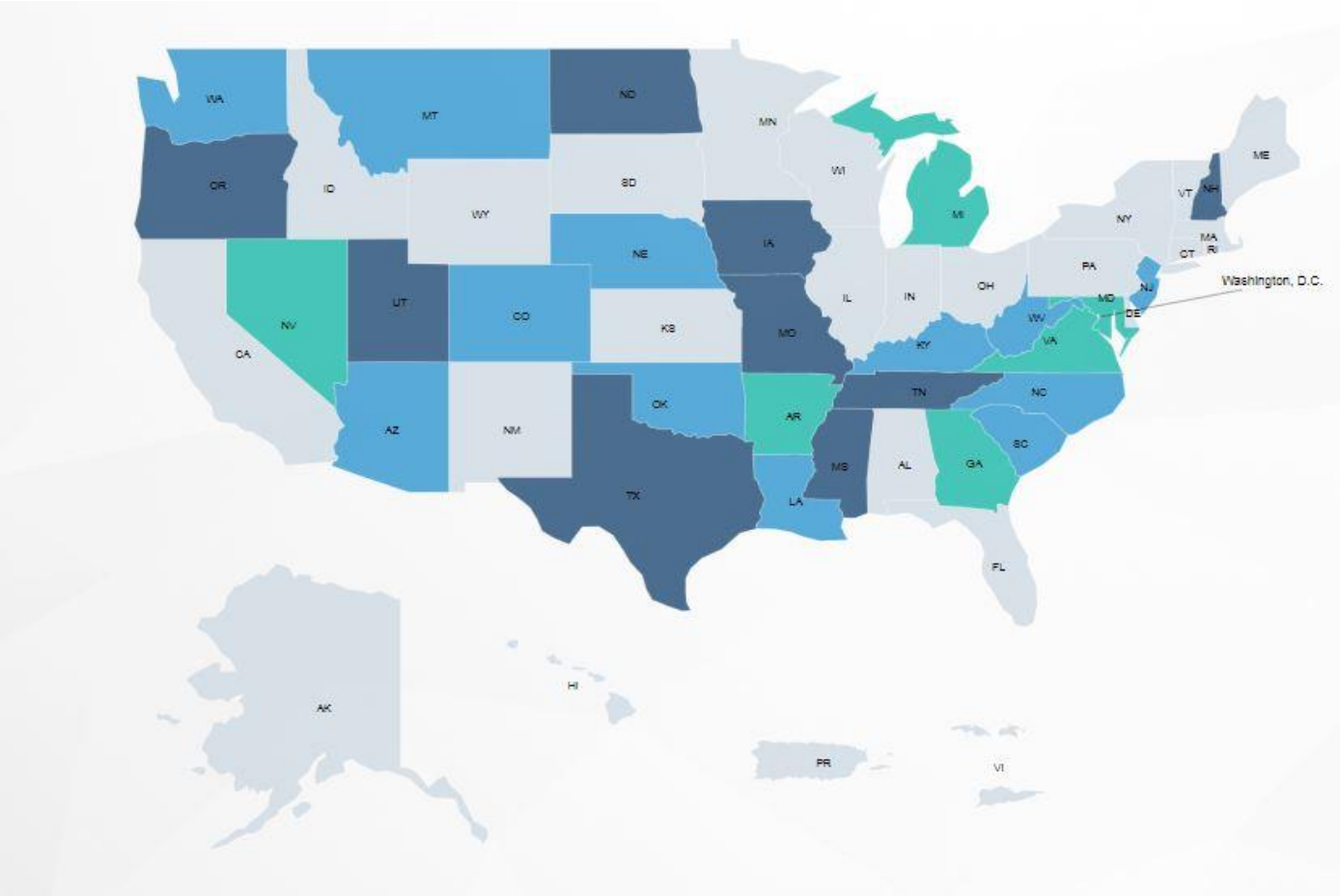
There are two ways to increase portability for licensure: 1) increase the efficiencies of the current system that requires licensure to practice in each state and 2) enhance the current system in a way that licensure is not required in each state but still maintains the critical public protection safeguards. In 2013, the FSBPT Delegate Assembly supported the exploration of a license compact to address the portability issues. The PT Compact came into being in April of 2017 when the 10th state (Washington) enacted legislation to join the compact. This number has increased from 10 in April of 2017 to 21 states participating at the end of 2018.

The Physical Therapy Compact Commission is the governing body of the compact and is comprised of the member states established to implement the provisions of the PT Compact. The PT Board in each member state selects a delegate to the PT Compact Commission. The delegate must be a current member of the PT Board and one of the following: physical therapist, physical therapist assistant, public member or board administrator.

The PT Compact Commission elects the seven-member Executive Board from the Compact Commission Delegates to represent the member states as a whole. In addition, representatives from the American Physical Therapy Association (APTA) and the

Federation of State Boards of Physical Therapy (FSBPT) serve as non-voting ex-officio members.

PT Compact Map of Participating States as of March 2019



dark blue= member states actively issuing and accepting compact privileges: **9**
light blue=states that have enacted legislation but are not yet issuing or accepting privileges: **12**
teal=PT Compact legislation introduced (Nevada is also teal now!): **7**
gray= Nonmember states with no compact and no current legislation

PT Compact Frequently Asked Questions (FAQ)

Questions about the PT Compact Commission

What is an interstate compact?

Interstate compacts are contracts between two or more states creating an agreement on a particular policy issue, adopting a certain standard or cooperating on regional or national matters.

Compacts are the most powerful, durable and adaptive tools for ensuring cooperative action among states. Unlike federally imposed mandates that often dictate unfunded and rigid requirements, interstate compacts provide a state-developed structure for collaborative action, while building consensus among states and federal partners.

How can a state/jurisdiction become a member of the PT Compact?

Each state's legislature must adopt the PT Compact language to join the PT Compact.

What is the purpose of the PT Compact Commission?

The PT Compact Commission is the national administrative body whose membership consists of all states that have joined the PT Compact. The Commission's purpose is to increase consumer access to physical therapy services by reducing regulatory barriers to interstate mobility and cross-state practice.

What states are members of the PT Compact?

The interactive state map lists the current PT Compact member states and other states that have introduced legislation to join the PT Compact.

What is the governance structure of the PT Compact Commission?

The PT Compact Commission is a governmental entity established through the PT Compact language. The Commission consists of Delegates from each member state, led by an Executive Board, and staffed by a Compact Administrator.

Who are the state Delegates to the PT Compact Commission?

Each member state appoints a Delegate to represent the state on the PT Compact Commission. A list of all Commission Delegates is available here.

Who are the Executive Board members of the PT Compact Commission?

The PT Compact Commission Executive Board consists of nine (9) members. Seven (7) members are elected by the full PT Compact Commission and two non-voting ex officio members are appointed by and represent the American Physical Therapy Association (APTA) and the Federation of State Boards of Physical Therapy (FSBPT). A list of Executive Board members is available here.

When does the PT Compact Commission meet?

Information about Commission meetings is available here.

Where can I find the Physical Therapy Compact Commission's governance documents?

The Commission Rules are available here and the Bylaws are available here.

Does the physical therapy professional association support the concept of a licensure compact for physical therapy?

The American Physical Therapy Association (APTA) 2014 House of Delegates passed a motion supporting the concept of a physical therapy licensure compact. APTA has an Ex Officio member on the PT Compact Commission Executive Board.

How can I contact the PT Compact Commission?

Contact the PT Compact Commission through the contact form, by calling 703-562-8500, or emailing info@ptcompact.org.

Questions about the Compact Privilege process and requirements

What is a Compact Privilege?

A Compact Privilege is the authorization to work in a Compact member state other than your home state. To be eligible for a Compact Privilege, you must hold an active PT or PTA license in your home state and meet other eligibility criteria, such as having no disciplinary action against your license for at least two years. When eligibility is verified and all fees are paid, you receive the Compact Privilege and may begin legally working in the other remote state.

How long is the process to obtain a Compact Privilege?

Eligible PTs and PTAs can obtain Compact Privileges through the Purchase Now link at ptcompact.org. In most cases, Compact Privileges will be issued within minutes of purchase. Note that states may require the successful completion of its jurisprudence exam prior to purchasing a compact privilege which may impact the time to need to complete the process.

Do I need a separate Compact Privilege for each state in which I want to provide physical therapy services?

Yes. You will need to have a Compact Privilege in each state in which you want to provide physical therapy services. You may have a Compact Privilege or a license to work legally in a member state. You need to hold a license to practice/work in non-member states.

Can both physical therapists and physical therapist assistants obtain Compact Privileges?

Yes, eligible PTs and PTAs can purchase Compact Privileges.

How long must a PT or PTA have a license and be practicing/working to be eligible to obtain Compact Privileges?

There is no requirement regarding the length of time a PT or PTA must hold a license or be practicing/working to be eligible to obtain Compact Privileges.

How is a licensee's home state defined?

As defined by Commission Rules, a licensee's home state means the person's true, fixed, and permanent home and is the place where the person intends to remain indefinitely, and to which the person expects to return if absent without intending to establish domicile elsewhere. Special exceptions this rule is provided for active duty military and their spouses.

People seeking a compact privileges will be required to provide their driver's license information as primary confirmation of home state residence. Additional proof of residency may also be requested by the Commission.

How do I determine my home state if I am active duty military or a military spouse?

In order to support military members and their families', alternatives to the home state definition are specified in the Commission Rules. For the purposes of the PT Compact only, active duty military and military spouses may define their home state as one of the following:

- "Home of record" means the military personnel's State of Legal Residence on record with the military.
- "Permanent Change of Station" or "PCS" means the state of the duty station noted in the active duty military personnel's PCS orders.
- "State of current residence" means the state in which the active duty military personnel or spouse is currently physically residing.

If active duty military or spouse is selected during the online process the individual will be required to submit proof of military service to the Commission at military@ptcompact.org.

How is a remote state defined?

A remote state is a PT Compact member state other than the licensee's home state, where the individual is using or seeking to use the Compact Privilege.

Who is eligible to purchase a Compact Privilege?

In order to purchase and maintain a Compact Privilege, you must meet each of these requirements:

1. Hold a current, valid PT or PTA license in your home state, as defined in Commission Rules.
2. Your home state must be a member of the PT Compact and actively issuing compact privileges.
3. You cannot have any active encumbrances against any PT or PTA license.
4. You cannot have any disciplinary action against any PT or PTA license for a period of two years.
5. The state where you are seeking a Compact Privilege must be a member of the PT Compact and actively issuing compact privileges.

Can I still apply for a license if I am not eligible to obtain a Compact Privilege?

Yes. Ineligibility for a Compact Privilege does not prohibit an individual from seeking a license. Licensing decisions are determined by the respective licensing board of each jurisdiction.

How much does a Compact Privilege cost?

The fee to purchase Compact Privilege varies from state to state. There is a $45 Commission fee and an optional state fee charged for each Compact Privilege. A list of state fees is available here.

What continuing competence requirements must be met?

Continuing competence requirements vary from state to state. You only need to meet the continuing competency requirements of your home state license. You do not need to meet the continuing competence requirements for the state(s) in which you hold a Compact Privilege.

What jurisprudence requirements must be met?

Each member state may require individuals seeking a Compact Privilege to pass an optional jurisprudence requirement. These requirements vary from state to state. It is recommended that you review the requirements of each member state prior to purchasing a Compact Privilege since failure to adhere to jurisprudence requirements may lead to loss of all Compact Privileges. A list of the jurisprudence requirements for compact states is available here.

Are fees waived for active duty military, military spouses, or veterans?

Some member states have chosen to waive their state fees for current or former members of the military and their spouses. Individuals who indicate they are active duty military, military spouses, or veterans and provide required proof will have the state fees waived in the states where it is applicable. There is no waiver of the Commission fee. A list of member states waiving fees is available here.

What information will I need to obtain a Compact Privilege?

The online system will require PTs and PTAs to login using their Federation of State Boards of Physical Therapy Identification (FSBPT ID) number and password. The system will verify eligibility and ask registrants to complete and/or update basic contact information, etc. Respective license information

provided by state boards of physical therapy will be automatically connected to the corresponding individual's account.

Is there a time limit that someone can practice on a Compact Privilege in a remote state?

All Compact Privileges expire on the same date as the home state license. The licensee must renew their home state license before they can renew the Compact Privilege if they want to continue practicing in that remote state.

Which state's scope of practice must be used when practicing under a Compact Privilege?

A Compact Privilege allows the privilege holder to practice physical therapy in a remote state under the scope of practice of the state where the patient/client is located. Links to resources to assist in learning the different laws, rules, and regulations for member states is available here.

Does a Compact Privilege allow the privilege holder to practice via telehealth in a remote state?

A Compact Privilege allows the privilege holder to practice physical therapy in a remote state under the scope of practice of the state where the patient/client is located, whether the practice is in-person or via telehealth. Compact privilege holders should consult the rules and laws for the state they wish to practice in to determine the specific telehealth requirements.

What is an adverse action?

An adverse action is a publicly available disciplinary action taken against a license or compact privilege by a Licensing Board. Adverse action does not include non-disciplinary remediation required by the Licensing Board.

What is an encumbrance?

An encumbrance is any action taken by the Licensing Board that limits the practice or work of the physical therapist or physical therapist assistant. An encumbrance may be disciplinary or non-disciplinary in nature.

How and when do I self-report an encumbrance or adverse action?

A Compact Privilege holder must report to the Commission any encumbrance or adverse action placed upon any physical therapist or physical therapist assistant license held by the compact privilege holder in a non-member state within two (2) business days of the effective date of the action by sending an email to discipline@ptcompact.org.

What happens to my Compact Privileges if one of my licenses is encumbered or receives an adverse action?

An individual immediately loses any and all Compact Privilege(s) upon the effective date of either of the following actions taken by a Licensing Board:

- Adverse action taken against a license or Compact Privilege; or
- Encumbrance placed upon the individual's license or Compact Privilege.

More details regarding the effect of encumbrances and adverse actions on compact privileges are provided in Rule 3.3.

Where can I get additional information on the PT Compact?

Additional information about the PT Compact is available on ptcompact.org. Individuals can also join the PT Compact Commission email distribution list. Additionally, emails can be sent to info@ptcompact.org or by using the contact form.

When will the Commission begin issuing compact privileges?

The first member states began issuing compact privileges on July 9, 2018. Please note, however, that not all states are ready to issue compact privileges. Your home state must be a member of the PT Compact and actively issuing compact privileges in order to be eligible to get compact privileges in other issuing states. Please consult the PT Compact map to determine which states are actively issuing compact privileges.

How can I get my Federation of State Boards of Physical Therapy (FSBPT) ID and Password?

Your FSBPT ID and Password can be retrieved here.

Will I receive a paper certificate and/or wallet card?

The Commission does not provide certificates or wallet cards associated with a compact privilege. Purchase confirmation information can be printed after purchase is completed and an email will be sent to the email on file. Public verification of compact privilege holders can be done at ptcompact.org\verification.

Who can I contact if I still have not found an answer to my question?

Contact the PT Compact Commission through the contact form, by calling 703-562-8500 (9 a.m. to 5 p.m. Eastern), or emailing info@ptcompact.org.

Illustrative Scenarios

SCENARIO 1 – COMPACT PRIVILEGE ELIGIBIITY

Mary is a PT licensed in Arizona. She lives in Arizona and wants to take a travel therapy assignment in Utah for 13 weeks. Would Mary be required to obtain a license in the state of Utah or would her current license allow her to obtain a Compact Privilege to practice in Utah?

In order for Mary to obtain a Compact Privilege, her home state (Arizona) must be a member of the PT Compact and issuing compact privileges. Mary will need a license in her home state, no encumbrances on any license or compact privilege, and have not had any adverse actions against any license or compact privilege within the previous 2 years. Since Arizona and Utah are both members of the Compact, Mary could purchase a Compact Privilege for Utah and legally practice physical therapy in Utah. If Utah was not a Compact member state, Mary would need to get a license in Utah to legally practice in Utah.

SCENARIO 2 – MOVING FROM A MEMBER STATE TO A NON-MEMBER STATE

Chris is PT licensed in Tennessee. He lives in Tennessee and works in Mississippi using a Compact Privilege. If Chris moves to Arkansas, what does Chris need to do in order to continue practicing in Mississippi?

Since Arkansas is not a Compact member state, Chris must apply for a Mississippi license. Chris was only eligible for a Compact Privilege in Mississippi because his previous home state (Tennessee) was a member of the Compact.

SCENARIO 3 –MOVING FROM A MEMBER STATE TO ANOTHER MEMBER STATE

Cameron is a PTA licensed in Tennessee. He lives in Tennessee and works in Mississippi using a Compact Privilege. If Cameron moves to North Carolina, what does Cameron need to do in order to keep working in Mississippi?

Because his new home state (North Carolina) is also a member of the Compact, Cameron must be licensed in the new home state to be eligible for Compact Privileges. Therefore, Cameron must apply for and receive a North Carolina license to maintain the current Compact Privilege for Mississippi. The license in the new home state must be obtained before notifying the PT Compact Commission of the new home state.

SCENARIO 4 – IMPACT ON COMPACT PRIVILEGES IF HOME STATE LICENSE IS DISCIPLINED

Pat is licensed in Texas and lives in Texas. She currently has Compact Privileges in Arizona, Utah, and Colorado. What happens if Pat's Texas license is disciplined for failure to complete the required continuing competence?

If Pat's Texas license is discipline, her Compact Privileges in Arizona, Utah, and Colorado would all be immediately revoked and she would be ineligible for any Compact Privileges for two years after the effective date of the last disciplinary action. Pat must obtain a license in Arizona, Utah, and/or Colorado to continue to legally practice in those states. Each state would follow its own process to determine eligibility for a license when determining if Pat could obtain a license in those 3 states.

SCENARIO 5 –MILITARY SPOUSE THAT RELOCATES FROM A MEMBER STATE TO A NON-MEMBER STATE

Ryan is a military spouse. Ryan's Permanent Change of Station (PCS) post is Texas and his home of record is Arizona. However, Ryan currently lives and is licensed in Ohio, which is not a Compact member state. What must Ryan do in order to practice in Texas and Mississippi?

Ryan has two options as a military spouse. (1) Since Arizona is a member of the Compact, Ryan can get a license in Arizona and then use Arizona as his home state, since it is his military spouse's home of record. This would allow him to obtain Compact Privileges in Mississippi and Texas. (2) Since Texas is a member of the Compact, Ryan can get a license in Texas and then use Texas as his home state, since it is his military spouse's PCS post. This would allow him to obtain a Compact Privilege in Mississippi.

SCENARIO 6 – IMPACT OF DISCPLINE BY A REMOTE STATE ON COMPACT PRIVILEGES AND HOME STATE LICENSE

Dylan is a PT whose home state license is in North Dakota. Dylan has Compact Privileges in Arizona, Missouri, and Utah. Utah takes disciplinary action against Dylan's Utah Compact Privilege for submitting false claims. Dylan's Compact Privileges in Arizona, Missouri, and Utah are immediately revoked. Upon notification of the Utah action, North Dakota decides to suspend Dylan's North Dakota license for 3 years. When can Dylan get a Compact Privilege again?

Although the Compact language states that licensees are ineligible for a Compact Privilege for two years after the effective date of the disciplinary action, Dylan must wait until the North Dakota license is no longer encumbered (3 years) before being eligible for Compact Privileges again. Dylan would still be able to apply for a license in Arizona, Missouri, and Utah in order to practice in each state. Each state would follow its own process to determine eligibility for a license when determining if Dylan could obtain a license in those 3 states.

SCENARIO 7 – NOT HAVING A LICENSE IN YOUR HOME STATE

Jamie has a PT license in Tennessee but lives in Arkansas. Is Jamie eligible to obtain Compact Privileges?

Jamie is not eligible for Compact Privileges because her home state (Arkansas) is not a member of the Compact, even though she is licensed in a Compact member state (Tennessee). Jamie must live in a PT Compact member state and hold a license in that state to be eligible to purchase a Compact Privilege.

SCENARIO 8 – COMPACT PRIVILEGES FOR DUAL LICENSE HOLDERS

Jessie has a PT and PTA license in Mississippi and lives in Mississippi. Does Jessie need to get separate Compact Privileges to practice as a PT and PTA in remote states?

Yes. Compact Privileges are associated with the specific license. Therefore, in order to practice as a physical therapist in a remote state, Jessie must obtain a compact privilege for the PT license. She must obtain a different Compact Privilege for the PTA license in order to work as a physical therapist assistant in a remote state.