

LCB File No. R111-02

**PROPOSED REGULATION OF THE STATE BOARD OF
PHYSICAL THERAPY EXAMINERS**

PROPOSED NAC 640 CHANGES

Create NAC defining Direct Supervision. Direct Supervision means a licensed physical therapist is physically present and immediately available on the premises to assist or direct a licensed physical therapist's assistant.

Create NAC defining Phone Supervision for licensed physical therapist's assistants. Phone Supervision means a licensed physical therapist is available by phone when the licensed physical therapist's assistant performs any procedures or activities of physical therapy. The licensed physical therapist's assistant must have 2000 hours of experience as a licensed physical therapist's assistant working under the Direct Supervision of a licensed physical therapist to be eligible to have Phone Supervision.

NAC 640.020(3) Each applicant must request the ~~[Interstate Reporting Service or the Professional Reporting Service]~~ *Federation of State Boards of Physical Therapy* to mail directly to the board the scores which he received on the examination ~~[prepared by the Professional Examination Service of New York or ASI Assessment Systems, Inc.]~~

NAC 640.020(4) Each applicant licensed in another state or territory applying for a license in this state must *verify his license to practice* ~~[attach a copy of his current license]~~ from the other state or territory. *Verifications must be sent to the board directly from the other licensing board.*

NAC 640.020(5) If an applicant's name has changed since attending school and the change resulted from:

NO CHANGE

~~[A marriage, the applicant must attach a copy of the marriage license to his application.]~~

NAC 640.025(1)

~~[Administration of examination\$300]~~ *Examination processing fee.....\$25*

NAC 640.025(2)

(d) ~~[Administration of examination....\$300]~~ *Examination processing fee....\$25*

NAC 640.025(3)

Licensee list of business addresses on labels... \$100

NAC 640.040(2) Examinations will be held at such time and places as ~~[the board designates, taking into consideration the number of applicants and the locations of the applicants]~~ ***determined by the Federation of State Boards of Physical Therapy.***

NAC 640.040(4) The applicant must achieve a passing score on ~~[each part of]~~ the examination before he will be licensed.

NAC 640.050(1) To renew a license which has lapsed for ~~[more than 1 year but less than]~~ less than 2 years...

~~[Update the information on his original application by showing his employment since the date of his original application and bringing other information in the original application up to date;]~~ ***Update his employment and residential information on a current renewal form;***
~~[If he is licensed as a physical therapist's assistant, submit verification of his current employment and supervision by a licensed physical therapist on a form approved by the board;]~~

Submit proof of current continuing education requirements;

NAC 640.055(2) A physical therapist or physical therapist's assistant who has lost ***or otherwise is no longer in possession of*** his license may request in writing from the board a duplicate license. The board will issue a duplicate license upon payment of the appropriate fee.

NAC 640.061(1). Each licensee shall file, ***in writing***, his current residential address and professional address with the board.

NEW NAC 640.061(3) ***Professional address is considered to be the physical location on file with the board in which you perform physical therapy related duties which can include but is not limited to physical therapy treatment, administrative and educational duties . A post-office box address is not an acceptable professional address.***

NAC 640.070(1) An applicant for licensure who has graduated from a school in another country ***that is not accredited by the American Physical Therapy Association*** must:

Submit an evaluation from a service for the evaluation of credentials approved by the board which:

Uses A Course Work Evaluation Tool for Persons Who Received Their Physical Therapy Education Outside the United States, ~~[third edition, March 1999,]~~ published by the Federation of State Boards of Physical Therapy, to prepare such an evaluation; and;
The State Board of Physical Therapy hereby adopts by reference A Course Work Evaluation Tool for Persons Who Received Their Physical Therapy Education Outside the United States, in the form most recently published by the Foreign Credentialing

Commission on Physical Therapy, unless the board gives notice that the most recent revision is not suitable for this state pursuant to subsection 2. A copy of the publication may be obtained, without charge, from the Foreign Credentialing Commission on Physical Therapy at P.O. Box 25827, Alexandria, Virginia 22313-9998 or by telephone at (703) 684-8406.

The State Board of Physical Therapy shall review each revision of A Course Work Evaluation Tool for Persons Who Received Their Physical Therapy Education Outside the United States adopted by reference pursuant to subsection 1 to ensure its suitability for the state. If the board determines that the revision is not suitable for this state, it will hold a public hearing to review its determination and give notice of that hearing within 6 months after the date of the publication or revision. If, after the hearing, the board does not revise its determination, the board will give notice that the revision is not suitable for this state within 30 days after the hearing. If the board does not give such notice, the revision becomes part of the publication adopted by reference pursuant to subsection 1.

~~(2)~~ (4) States that the education.....

~~(2)~~ (4)(b) Submit proof satisfactory to the board of his licensure to practice as a physical therapist, without limitation, *at the time of his graduation*, in the country in which he was trained; and

NAC 640.070 2. DELETE
NAC 640.070 3 becomes 2
NAC 640.070 4 becomes 3

NAC 640.080 Qualifications for exemption from licensing during clinical training for student of physical therapy. (NRS 640.050)

For the purposes of qualifying for the exemption from licensing during clinical training provided pursuant to subsection 2 of NRS 640.120, the board will interpret “student of physical therapy” to ~~include:~~ *mean* a student enrolled in a curriculum of physical therapy approved by the board.

A student of physical therapy must be under the direct supervision of a licensed physical therapist.

DELETE: NAC 640.080(1)(b) thru (2)(b).

NEW NAC - Qualifications for exemption from licensing after graduation from an accredited program of physical therapy for graduate of physical therapy. (NRS 640.050)

For the purposes of qualifying for the exemption from licensing after graduation from an accredited program of physical therapy, the board will interpret “graduate of physical therapy” to include:

A person who has graduated from an accredited program of physical therapy approved by the board.

Except as otherwise provided in subsection 2, a person who:

Has applied for licensure as a physical therapist;

Meets the requirements of subsections 1 and 2 of NRS 640.080;

Has registered to take the national examination for licensure as a physical therapist within 60 days after his graduation; and

Has not previously failed an examination for licensure as a physical therapist.

The provisions of paragraph (b) of subsection 1 apply to a person;

From the date of his graduation from the course of study approved by the board until the date on which the examination for licensure as a physical therapist that he is scheduled to take is administered; and

If the person takes the examination, from the date of the examination to the date on which the person receives his license or is notified by the board that he failed to pass the examination.

NAC 640.090 Qualifications for exemption from licensing during clinical training for *a* student enrolled in program to become physical therapist's assistant. (NRS 640.050)

For the purposes of qualifying for the exemption from licensing during clinical training provided pursuant to subsection 3 of NRS 640.275, the board will interpret "student" to ~~include:~~ *mean* a student enrolled in a curriculum approved by the board for physical therapist's assistant.

A student must be under the direct supervision of a licensed physical therapist.

DELETE NAC 640.090(1)(b) thru (2)(b).

NEW NAC - Qualifications for exemption from licensing after graduation from an accredited program of physical therapist assistant for graduate of a physical therapist's assistant. (NRS 640.050)

1. For the purposes of qualifying for the exemption from licensing after graduation from an accredited program of physical therapy assistants, the board will interpret "graduate of physical therapist's assistants" to include:

A person who has graduated from an accredited physical therapist's assistant program approved by the board.

Except as otherwise provided in subsection 2, a person who:

Has applied for licensure as a physical therapist's assistant;

Meets the requirements of subsections 1 to 4, inclusive, of NRS 640.230 and the provision of NRS 640.240;

Has registered to take the national examination for licensure as a physical therapist's assistant within 60 days after his graduation; and

Has not previously failed an examination for licensure as a physical therapist's assistant.

2. The provisions of paragraph ~~(b)~~ of subsection 1 apply to a person;

From the date of his graduation from the course of study approved by the board until the date on which the examination for licensure as a physical therapist's assistant that he is scheduled to take is administered; and

If the person takes the examination, from the date of the examination to the date on which the person receives his license or is notified by the board that he failed to pass the examination.

NAC 640.170. Process of complaints NRS 640.161(4) provides the board shall review each complaint.

NEW TO NAC 640.170 *Complaints: Handling of.*

Upon receipt of a verified complaint, the complaint is forwarded to an Inspector for initial investigation including, if necessary, interviews of interested parties and gathering of medical records and materials relative to the complaint.

Upon completion of the investigation, the complaint, all materials gathered during the investigation and an Inspector's Report is forwarded to an Investigative Board Member. The Investigative Board Member reviews the materials and conducts further investigation if necessary.

The Investigative Board Member makes a recommendation to dismiss or proceed with the complaint based on the findings of the investigation.

A recommendation to dismiss will be placed on the next scheduled agenda.

A recommendation to proceed will be turned over to the Deputy Attorney General for the filing of a formal complaint.

NAC 640.400 Continuing Education General requirements. NEW

1. (a) A maximum of .8 units relative to legislative/administrative courses will be considered towards the continuing education requirements for each renewal period. The remaining .7 units must be clinical in nature.

NAC 640.560(1) A licensee shall prominently display, *during facility business hours*, the *current* license, *or a true and accurate copy*, issued to him by the board at both the licensee's place of employment *on record with the board* and additional places of practice ~~for practice~~.

NAC 640.580(2) Shall not practice.....(f) National origin; ~~or~~ (g) Mental or physical ~~handicap~~ *disability*; *or (h) Sexual preference*.

NAC 640.590(5) *A physical therapist's assistant may participate in the clinical instruction of a student of physical therapist's assistant provided both are under the direct supervision of a licensed physical therapist.*

NEW NAC Supervision of students of physical therapy and graduates of physical therapy.

NAC 640.??? For the sole purpose of regulating the supervision ratios of students of physical therapy and graduates of physical therapy in a physical therapist's practice, the board will consider these persons to be unlicensed and therefore subject to the supervision ratios set forth in NAC 640.594(2).

NAC 640.594 Supervision of unlicensed person; limitation on number of persons supervised.

A physical therapist supervising a person who is not licensed pursuant to the provisions of chapter 640 of NRS must be physically present and immediately available *on the premises* when any procedures or activities of physical therapy are performed by that person.

A physical therapist may not supervise more than:

Two physical therapist's assistants at the same time

Two physical therapist's technicians at the same time

Two students of physical therapy at the same time

Two graduates of physical therapy at the same time

If supervising ~~both~~ physical therapist's assistants~~, and~~ physical therapist's technicians, *students of physical therapy and graduates of physical therapy*, a combined total of three such persons at the same time.

NAC 640.610 (1) A licensee shall maintain in a secure and confidential manner any record of a patient which shows a medical problem of the patient or the scope of the treatment of the patient administered by the licensee. *(a) Following the treatment of a patient, the patient record must be updated to reflect the current treatment. (b) The update of the patient record must be performed within 72 hours of when treatment was provided.*

NAC 640.650 (1) *When employed as a physical therapist's assistant in Nevada, a* A physical therapist's assistant shall submit verification of his employment and supervision by a *Nevada* licensed physical therapist to the board within 30 days after a change in employment or supervision. The verification must be submitted on a form approved by the board.