

1000 Legislative intent and Definitions (10 questions)

1100 Legislative intent:

- A. 486.015: Practice ensures that every physical therapist and physical therapist assistant practicing meet the minimum safety requirements.
- B. 456.003: The legislature shall regulate physical therapy to maintain safety and welfare of the public.
 - a. The Department of Health and the board CANNOT set unreasonable standards that would prevent qualified people from entering therapy.
 - i. CANNOT create regulations that unreasonably affect job creation/retention.

1200 Definition of physical therapy/practice of physical therapy:

- A. 486.021 (8) (11):
 - a. (7 and 8): “Physical therapy” and “physiotherapy” are interchangeable terms as each refer to the same profession.
 - b. (11) Practice of physical therapy:
 - i. A plan of care can be developed and implemented by a physical therapist, a practitioner of record (physician, chiropractor, osteopathic physician, dentist, podiatrist), or an advanced registered nurse practitioner.
 - ii. If the condition is outside the scope of physical therapy the patient is to be referred to the appropriate professional.
 - iii. Patients can be seen for 30 days through direct access for a condition that was not previously assessed by the practitioner of record. After 30 days, the practitioner of record must review and sign the plan of care.
 - 1. Does NOT apply if the patient has been diagnosed by an out of state physician as having a condition that requires physical therapy, AND the physical therapist is treating that condition.
 - 2. X-rays and radium for diagnostic or therapeutic purposes are outside the scope of physical therapy.
 - iv. A physical therapy practitioner is NOT allowed to perform specific chiropractic spinal manipulations. Must refer to a licensed chiropractor practitioner if manipulation is required.

1300 Definition of physical therapist; physical therapist assistant; support personnel

- A. 486.021 (5)(6)(7):
 - a. (5) Physical therapist: a person who is licensed and who practices physical therapy in accordance with the provisions established by Florida.

- b. (6) Physical therapist assistant: A person who is licensed under the provisions of Florida, and is able to perform patient-related activities under the direction of a physical therapist.
 - c. (7) Physical therapy practitioner: physical therapist or a physical therapist assistant.
- B. 64B17-6.001 (1) (i):
- a. Unlicensed personnel: Anyone working/volunteering in a physical therapy setting, and not holding a license as a physical therapist or assistant.

1400 Types of Licenses, Inactive status, etc.

- A. 486.021 (3):
- a. Florida Physical Therapy Board issues physical therapy licenses.
- B. 456.036: Licenses; active and inactive status; delinquency
- a. A licensee MUST have an ACTIVE license to practice.
 - b. A Licensee can choose active, inactive, or retired status when renewing.
 - c. The board sets the fees for both the active and inactive status renewal.
 - d. Licensee may change licensure status at any time.
 - e. An active status licensee choosing inactive status:
 - i. At the time of renewal: must pay the inactive status renewal fee, if applicable, delinquency fee, and the fee to change licensure status.
 - f. Fee to change to retired status shall NOT exceed \$50 at time of license renewal.
 - i. This fee plus change-of-status fee must be paid if changing to retired at any time other than the time of renewal.
 - g. Inactive may change to active at any time (must meet all requirements):
 - i. At the time of renewal: must pay the active status renewal fee.
 - ii. At any other time: will only pay the difference between inactive renewal fee and the active renewal fee PLUS any reactivation fees.
 - h. If a licensee fails to renew before expiration they become delinquent.
 - i. Failure of a delinquent licensee to become active or inactive before the next renewal cycle (two years) renders the license void.
 - 1. Must apply for NEW licensure to obtain active or inactive status.
 - ii. Additional delinquency fee, not to exceed renewal fee.
 - i. Active status applying for a change in status will incur an additional fee not to exceed the biennial renewal fee.
 - j. Inactive licensees that have been so for at least two consecutive biennial licensure cycles applying for active status may have to take a portion of the national exam or special purpose exam to ensure competency and safety.

- i. Same is true if retired for more than five years or transferring from another state and has not been actively practicing within the last 5 years. The entire national exam can be required.
 - k. ALL inactive licensees must meet continuing education requirements for all periods of inactivity before reactivation.
 - i. Same is true for retired status licensees.
 - l. Status of a licensee does NOT alter the right for the licensee to be disciplined for acts/omissions committed while holding a license.
 - m. A person who has been denied renewal of licensure or certification may regain licensure, certification, or registration if they meet the qualifications and complete the application process for initial licensure.
- C. 64B17-5.001: Requirements for reactivation of an inactive or retired license:
 - a. An inactive or retired licence will be reactivated once the following have been completed:
 - i. Payment of fees:
 - 1. Biennial (every 2 years) renewal fee.
 - 2. Unlicensed activity fee.
 - 3. Reactivation fee.
 - ii. Documentation of 10 hours of continuing education for each year the license was inactive with:
 - 1. Two hours on prevention of medical errors.
 - 2. Two hours of Florida Physical Therapy Laws and Rules.
 - 3. Maximum of six of the 10 hours can be home study.
 - iii. Documentation showing the applicant is in good standing and has practiced in another state for the four years (at least 400 hours a year) preceding reactivation if transferring from out of state.
 - iv. Proof of passage of the National Physical Therapy Examination.

1500 Definition of supervision and levels of supervision

- A. 486.021(9) & 64B17-6.001 (1)(e):
 - a. Direct supervision: Supervision that is characterized by the physical presence of a licensed physical therapist to be able to direct care.
- B. 64B17-6.001 (1)(f):
 - a. General supervision: Supervision in which the physical therapist is accessible at all times by two-way communication and available for consultation during treatment and in the same geographic location.

2000 Board Powers and Duties (2 questions)

2100 Continuing education

- A. 486.109 and 64B17-9.001: Continuing education requirements:

- a. 24 contact hours of continuing education required every two year renewal period for active licenses (2.4 continuing education units).
 - i. Exempt from hours if licensing occurs in the second half of the renewal period (except for prevention of medical errors and HIV/AIDS courses).
- b. One contact hour = 50 minutes.
One continuing education unit = 10 contact hours.
- c. Maximum continuing education hours per subject area:
 - i. Risk management: Five hours.
 - ii. HIV/AIDS education: Three hours.
 - iii. Prevention of medical errors: Three hours.
 - iv. Home study: 12 hours for active license.
 - 1. Only six hours allowed with an inactive license.
- d. Continuing education instructors will receive up to 6 hours of credit for teaching.
 - i. One contact hour for each hour presented.
 - ii. Instructors/professors teaching their normal course of instruction will not be given continuing education hours.
- e. Clinical instructors get one contact hour for 160 hours of clinical internship for a maximum of six contact hours.
 - i. Must be credentialed by the American Physical Therapy Association to receive credits.
- f. The board approves continuing education credit for:
 - i. Courses sponsored by physical therapy programs.
 - ii. Courses sponsored/approved by:
 - 1. American Physical Therapy Association.
 - 2. Florida Physical Therapy Association.
 - iii. Attendance at Florida Board meetings in which disciplinary cases are being heard if the licensee is not on the agenda.
 - iv. Former Board members serving on the Board's Probable Cause Panel.
 - 1. They shall receive five contact hours of risk management credit for the renewal period during service on a panel.
 - v. Passing Florida Laws and Rules Examination:
 - 1. Counts for two contact hours.
 - a. Unless taking the exam due to disciplinary actions.
- g. All or a portion of hours required can be waived due to hardships or emergencies. Acceptable hardships/emergencies include:

- i. Illness of self or close relative in which licensee has caregiving responsibilities.
 - ii. Required courses not reasonably available.
 - iii. Other economic, technological, or legal hardships related to the ability to complete continuing education requirements.
 - h. Licensees must keep an official record (receipts, certificates, etc.) of the continuing education completed for four years from the date of completion.
- B. 456.0361: Compliance with Continuing Education Requirements: