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DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF PHYSICAL THERAPY EXAMINERS
CHAPTER 101
Statutory Authority: 1976 Code Sections 40-1-70 and 40-45-60

- 101-01. Definitions.
- 101-04. General Licensing Provisions for Physical Therapists.
- 101-05. General Licensing Provisions for Physical Therapist Assistants.
- 101-07. Continuing Education.

- 101-16. Physical Therapy Compact Rules and Amendments.

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Synopsis:

The South Carolina Board of Physical Therapy Examiners proposes to amend its regulations to conform to requirements established by 2018 Act No. 226, the Physical Therapy Licensure Compact. The Board proposes to amend R.101-04 and 101-05 to add the requirement for criminal background checks, amend R.101-07 to expand continuing education opportunities to demonstrate continuing professional development and competency outside of the traditional classroom setting, and R.101-16 to adopt the PT Compact Commission Rules.

A Notice of Drafting was published in the *State Register* on August 24, 2018.

Instructions:

Replace regulation as shown below. All other items and sections remain unchanged.

Text:

ARTICLE 1 DEFINITIONS

101-01. Definitions.

Definitions found in Section 40-45-20 apply to this chapter.

(1) "Continuing education" means an organized educational program designed to expand a licensee's knowledge base beyond the basic entry level educational requirements for PTs and PTAs. Course content must relate to patient care in physical therapy whether the subject is research, treatment, documentation, education, or management.

(2) "CEU" or "continuing education unit" means ten (10) contact hours of participation in Certified Activities and/or participation in Approved Activities as set forth herein.

(3) "Contact hour" means a minimum of fifty (50) minutes of instruction or participation in Certified Activities or Approved Activities.

(4) "Continuing competency" is the ongoing ability of a PT or PTA to learn, integrate, and apply the knowledge, skill and judgment to practice as a PT and/or PTA according to generally accepted standards and professional ethical standards as defined by the Board.

(5) "Certified Activities" are Board-approved activities for which a licensee may receive CEU credit. Certified Activities are measured in contact hours, with one (1) contact hour equaling one-tenth (.1) of an hour of CEU credit. A certified activity must be subject to an evaluative process to determine if the activity meets a minimal threshold of required criteria and how well that activity meets that criteria.

(6) "Approved Activities" are Board-approved activities for which a licensee may received CEU credit, but which are not subject to a formal evaluative process. Approved Activities are assigned a set CEU value measured in contact hours based on the criteria established herein, with one (1) contact hour equaling one-tenth (.1) of an hours of CEU credit.

ARTICLE 3 LICENSING PROVISIONS

101-04. General Licensing Provisions for Physical Therapists.

An applicant for licensure as a physical therapist must:

(1) be a graduate of a physical therapy educational program approved by the Board; or, if foreign educated, must have a credentials evaluation by a Board approved credentialing evaluation agency that determines the applicant's education is substantially equivalent to the education of physical therapists educated in an accredited entry level program as determined by the Board. To determine substantial equivalency, the approved credentialing evaluation agency shall use the appropriate Course Work Tool ("CWT") adopted by the Federation of State Boards of Physical Therapy (FSBPT). The appropriate CWT means the CWT in place at the time the foreign educated physical therapist graduated from their physical therapy program;

- (2) submit an application on a form approved by the Board, along with the required fee; and
- (3) speak the English language as a native language or demonstrate an effective proficiency of the English language in the manner prescribed by and to the satisfaction of the board; and
- (4) pass an examination approved by the Board; and
- (5) submit proof of not less than one thousand (1000) clinical practice hours under the on-site supervision of a licensed physical therapist on a form approved by the Board if the applicant is not a graduate of an approved school.
- (6) undergo a state criminal record check, supported by fingerprints, by the State Law Enforcement Division (SLED) and a national criminal record check, supported by fingerprints, by the Federal Bureau of Investigation (FBI).

101-05. General Licensing Provisions for Physical Therapist Assistants.

An applicant for initial licensure as a physical therapist assistant must:

- (1) be a graduate of a physical therapist assistant program approved by the Board; and
- (2) submit an application on a form approved by the Board, along with the required fee; and
- (3) pass an examination approved by the Board; and
- (4) speak the English language as a native language or demonstrate an effective proficiency of the English language in the manner prescribed by and to the satisfaction of the board.
- (5) undergo a state criminal record check, supported by fingerprints, by the State Law Enforcement Division (SLED); and a national criminal record check, supported by fingerprints, by the Federal Bureau of Investigation (FBI).

101-07. Continuing Education and Competency.

An individual licensed as a PT or PTA is responsible for optimum service to the public and is accountable for maintaining evidence of high levels of skill and knowledge. Evaluation and assessment of current competence is critical for PTs and PTAs. The results of an evaluation or assessment should be used by the licensee to then select appropriate developmental activities.

(1) A licensed PT or PTA shall earn three (3.0) CEUs per biennium period and at least fifteen (15) contact hours of the three (3.0) CEUs total must be obtained through the completion of Certified Activities. PTs and PTAs licensed in South Carolina are not subject to this requirement for the first biennium renewal period in which they are initially licensed.

(2) A PT or PTA must complete three (3) contact hours of study in ethics, professionalism, and/or South Carolina jurisprudence per biennium as part of his/her CEU requirements. This requirement shall be obtained by participation in a Certified Activity and will count towards the licensee's required Certified Activity hours.

(3) At least fifteen (15) of the required thirty (30) contact hours shall be from Certified Activities. Certified Activities include:

(a) attendance at conferences and completion of continuing competency activities that meet the Standards of Continuing Competence (SCC) as set forth by the FSBPT. Credit for this item is applied as awarded by the provider, and a certificate of completion is required as evidence of compliance.

(b) attendance at conferences and completion of continuing competency activities provided by the American Physical Therapy Association (APTA), South Carolina Chapter of the American Physical Therapy Association (SCAPTA), other chapters and sections of the APTA, as well as other state boards of physical therapy. Credit for this item is applied as awarded by the provider, and a certificate of completion is required as evidence of compliance.

(c) completion of educational programs where CE credit is given and approved by accredited universities. Credit for this item is applied as awarded by the provider, and a certificate of completion is required as evidence of compliance.

(d) attendance at educational programs where CE credit is given and approved by SCAPTA. Credit for this item is applied as awarded by the provider, and a certificate of completion is required as evidence of compliance.

(e) completion of an APTA credentialed fellowship or residency. Licensees who are enrolled in a fellowship or residency will be considered as meeting the educational and competency requirements for the entire licensure biennium in which the certification or renewal is received. A letter from the director of the residency or fellowship program is required as evidence of compliance.

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(f) certification or recertification of clinical specialization by the American Board of Physical Therapy Specialties (ABPTS) or PTA advanced proficiency certification. A licensee who completes this certification or recertification will be considered as having met the CEU requirement for the entire licensure biennium in which the certification or recertification is awarded.

(g) completion of academic course work germane to the practice of physical therapy and conducted or sponsored by accredited institutions of higher education. Courses must be on the graduate level for PTs. Undergraduate courses are acceptable for PTAs. Ten (10) contact hours may be awarded for each credit hour awarded by the accredited institution of higher education. A transcript from the institution which indicates a passing grade in the course is required as evidence of compliance.

(h) completion of any appropriate physical therapy continued competency tools, including examinations and/or self-assessments, developed by the FSBPT and/or APTA. Credit for CEUs is applied as awarded. If no contact hours are awarded, a licensee may receive five (5) contact hours. A certification of completion is required as evidence of compliance.

(i) completion of courses relating to physical therapy approved by the American Medical Association (AMA). A certification of completion is required as evidence of compliance.

(4) A licensee may obtain up to fifteen (15) hours of CEU credit through Approved Activities per biennium. Approved Activities include:

(a) completion of continuing education courses and attendance at conferences that do not meet the requirements for Certified Activities. A licensee who completes such a course or attends such a conference will receive credit for: ten (10) contact hours for each course/conference that totals thirty-two (32) hours or longer; five (5) contact hours for each course/conference that totals a minimum of eight (8) but fewer than thirty-two (32) hours; and two (2) contact hours for each course/conference that totals fewer than eight (8) hours. A certification of completion is required as evidence of compliance.

(b) clinical instruction. Clinical instructors shall receive one (1) contact hour for every one hundred and sixty (160) hours of clinical internship, limited to a maximum of six (6) contact hours per instructor per biennium. Students must be enrolled in CAPTE accredited or eligible DPT or PTA programs. Clinical instructors must be credentialed by APTA to receive clinical continuing education credits. Verification of the clinical supervision agreement with the student's educational program and a log reporting supervision hours is required as evidence of compliance. A certificate of completion from the educational program may also be used as evidence of compliance.

(c) attendance at in-service education programs pertaining to safety, governmental regulation, clinical concepts, or CPR. One (1) contact hour per in-service program may be awarded for a maximum of three (3) contact hours per biennium. Learning objectives, program schedule, and verification of attendance from an employer are required as evidence of compliance.

(d) teaching a course on a subject germane to the practice of physical therapy at an accredited institution of higher education when that teaching is an adjunct responsibility and not the licensee's primary employment. CEU credit is based on didactic classroom/lab teaching time and may not exceed ten (10) contact hours per biennium. A letter from the institution documenting the licensee's completion of this activity is required as evidence of compliance.

(e) performing volunteer work. A licensee who renders physical therapy services voluntarily and without compensation or the expectation or promise of compensation and seeks no reimbursement from charitable and governmental sources may receive one (1) contact hour of continuing education for each hour of volunteer medical services rendered, up to a maximum of seven and one-half (7.5) contact hours per biennium. A letter from the organization/individual for whom the licensee is providing volunteer services documenting the licensee's completion of this activity is required as evidence of compliance.

(f) presentations made before physical therapists or other health care professionals and directly related to the profession of physical therapy. Three (3) contact hours per presentation/topic may be awarded. Documentation of the learning objectives presented and a presentation brochure or flyer are required as evidence of compliance. A licensee may obtain no more than six (6) hours of credit for this activity per biennium.

(g) self-study germane to the practice of physical therapy, which may be directed by a correspondence course, video, internet or satellite program by a provider not outlined in the Certified Activities listed above. One (1) contact hour per study topic may be awarded. Documentation of the study objectives, activities, and

time spent to meet objectives, as well as reflection on learning achieved, is required as evidence of compliance. A licensee may obtain no more than two (2) hours of credit for this activity per biennium.

(h) conducting peer-reviewed research germane to the practice of physical therapy performed by the licensee. Credit for ten (10) contact hours may be awarded for principal and co-principal investigators in research projects. The title of the research project and copy of the abstract, as well as the funding agency and grant period, if applicable, are required as evidence of compliance.

(i) writing a professional publication. Credit for eight (8) contact hours may be awarded for each peer-reviewed publication written by a licensee. Credit for four (4) contact hours may be awarded for each non-peer-reviewed publication. A copy of the article, book chapter, or other work product is required as evidence of compliance. A licensee may obtain no more than eight (8) hours of credit for this activity per biennium.

(j) participation in a formal mentorship (as mentor or protégé). Credit for five (5) contact hours may be awarded per biennium for a licensee's participation in a formal mentorship program. Documentation of the objectives and action plans, as well as documentation of the activities completed are required as evidence of compliance.

(5) Notwithstanding any provision in this Chapter to the contrary, no contact hours or CEUs may be awarded for a licensee's:

- (a) attendance at staff meetings, or involvement in presentations or publications directed at lay groups;
- (b) participation in non-educational entertainment or recreational meetings or activities;
- (c) participation or attendance at case conferences, grand rounds, informal presentations, etc.;
- (d) participation in self-directed studies other than those specifically allowed for herein;
- (e) routine teaching, research, or orientation duties as part of a job requirement;
- (f) CEUs or contact hours carried over from one licensure period to another; or
- (g) attendance at exhibits or poster presentations.

(6) Reporting Requirements:

(a) reports shall be submitted in a manner prescribed by the Board. By signing the biennial report of continuing education, the licensee signifies that the report is true and accurate

(b) Licensees shall retain original documentation of all Certified Activities and Approved Activities completed as required herein for no less than three (3) years from the beginning date of the licensure period.

(7) Audit of continuing competency:

(a) each licensee shall be responsible for maintaining sufficient records in a format determined by the Board; and

(b) these records shall be subject to a random audit by the Board to assure compliance with this section; and

(c) the Board may audit a percentage of the continuing education reports.

(8) In the event of denial, in whole or part, of credit for purposes of meeting the requirements of this Section, the licensee shall have the right to request a hearing in accordance with the Administrative Procedures Act.

ARTICLE 8 PHYSICAL THERAPY COMPACT RULES AND AMENDMENTS

101-16. Physical Therapy Compact Commission Rules and Amendments.

All rules and amendments adopted by the Physical Therapy Compact Commission are incorporated by reference herein and shall be binding upon the Board and its licensees as of the date specified in each rule or amendment. These rules and amendments are available on the Physical Therapy Compact Commission's website, www.ptcompact.org.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

Statement of Rationale:

The updated regulations will conform to requirements established by 2018 Act No. 226, the Physical Therapy Licensure Compact. The Board proposes to amend R.101-04 and 101-05 to add the requirement for criminal

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background checks, amend R.101-07 to expand continuing education opportunities to demonstrate continuing professional development and competency outside of the traditional classroom setting, and R.101-16 to adopt the PT Compact Commission Rules.