

**NEVADA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS
7570 Norman Rockwell Lane, Suite 230
Las Vegas, NV 89143
(702) 876-5535
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**Notice of Workshop to Solicit Comments on
Proposed Regulation and Legislative Changes**

The State of Nevada Board of Physical Therapy Examiners is proposing the addition, amendment and/or repeal of regulations pertaining to Chapter 640 of the Nevada Administrative Code and Chapter 640 of the Nevada Revised Statutes.

A Public workshop to solicit comments from interested persons has been set as follows:

January 14, 2016 at 9:30am

Office of the Board
7570 Norman Rockwell Lane, Suite 230
Las Vegas, NV 89143

The purpose of the workshop is to solicit comments from interested persons on the proposed changes.

The proposed changes revise provisions concerning continuing education, term limits for continuing education committee members, increasing the number of members on the Board, changing the renewal date to the birthdate of the licensee, national examination parameters, and providing other matters properly relating thereto.

A copy of the proposed changes may be obtained at the workshop or by contacting the Board Office. A copy of the proposed changes is available on the Board's website at ptboard.nv.gov.

Written comments will be accepted in hard copy or by email addressed to atresca@govmail.state.nv.us through January 4, 2016..

All licensees and interested parties are encouraged to participate in the review process. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements are necessary, please notify the Board office at 702-876-5535 within 72 hours of meeting date and time.

This notice has been sent to all persons on the agency's mailing list and posted to the Board's website, and posted at the following locations:

Carson City Library
900 North Roop Street
Carson City, NV 89701

Lincoln County Library
63 Main Street
Pioche, NV 89043

Churchill County Library
553 South Main Street
Fallon, NV 89406

Lyon County Library System
20 Nevin Way
Yerington, NV 89447

Las Vegas-Clark County Library District
Headquarters
833 Las Vegas Blvd.
North Las Vegas, NV 89101

Mineral County Public Library
PO Box 1390
Hawthorne, NV 89415

Douglas County Public Library
1625 Library Lane
Minden, NV 89423

Pershing County Library
1125 Central Avenue
Lovelock, NV 89419

Elko County Library
720 Court Street
Elko, NV 89801

Storey County Treasurer & Clerks Office
Drawer D
Virginia City, NV 89440

Esmeralda County Library
Corner of Crook & 4th Street
PO Box 430
Goldfield, NV 89013

Tonopah Public Library
PO Box 449
Tonopah, NV 89049

Eureka County Library
10190 Monroe Street
Eureka, NV 89316

Washoe County Library System
301 South Center Street
Reno, Nevada 89049

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445

White Pine County Library
950 Campton Street
Ely, NV 89301

Battle Mountain Branch Library
625 South Broad Street
Battle Mountain, NV 89820

Office of the Attorney General
200 North Carson Street
Carson City, NV 89701

Office of the Attorney General
Grant Sawyer State Office Building
555 E. Washington Ave #3900
Las Vegas, NV 89101

Dated: December 16, 2015

BOARD OF PHYSICAL THERAPY EXAMINERS

Workshop 01-14-2016

This list contains changes recommended by licensees, the public, Board members, etc. This list and the associated language is subject to change based on the Workshop discussion, comments received and will be reviewed, and possibly amended by Legislative Counsel Bureau. Any item in Nevada Revised Statute or Nevada Administrative Code Chapter 640 can be addressed at the meeting.

A copy of Chapter 640 can be found on the Board's website under the Board Information tab, Practice Act link, or you may contact the Board office for a copy at (702) 876-5535.

Interested parties are encouraged to attend the Board meeting or submit their brief written comments to the Board no later than January 4, 2016.

Comments can be submitted via fax to (702) 876-2097, email to atresca@govmail.state.nv.us or mailed to the Board office at 7570 Norman Rockwell Lane, #230, Las Vegas, NV 89143

NAC and NRS Changes List – Proposed

Bold and underline is amended/added language

NAC 640.470 Form of course of study or training. (NRS 640.050, 640.150, 640.280) A course of study or training for continuing education may consist of lectures, seminars, classes, correspondence courses, **clinical teaching of a physical therapist or physical therapist's assistant**, or completion of an examination for certification that is approved by the American Physical Therapy Association. The content of the course may be studied privately or in groups.

NAC 640.400 General requirements. (NRS 640.050, 640.150, 640.280)

1. Except as otherwise provided in subsections 3, 4 and 5, every physical therapist or physical therapist's assistant must complete 1.5 units of an approved course within the year immediately preceding his or her application for the renewal of his or her license, of which not more than 0.8 units may be completed in nonclinical courses.

2. The Board will not approve as training for continuing education experience acquired in fields that it determines are unrelated to the practice of physical therapy.

3. A person who is initially licensed as a physical therapist or physical therapist's assistant ~~between February 1 and July 31~~ is not required to complete the requirements for continuing education for the period of licensing which ends on ~~July 31~~ **his/her birthday of** that year.

~~4. A physical therapist or physical therapist's assistant who is licensed between August 1 and January 31 must complete the requirements for continuing education before his or her license is renewed. The number of units of continuing education required to be earned must be computed on the basis of .125 units for each month he or she was licensed during that year.~~

5. 4 A physical therapist or physical therapist's assistant who graduated from a school in which he or she completed a curriculum of physical therapy approved by the Board and who is licensed by the Board within 12 months immediately preceding the date for the renewal of his or her license is not required to complete the requirements for continuing education for the year in which the initial license is issued.

6. 5 Continuing education hours earned through completing a specific course may be counted only once toward the units of continuing education required by this section during a 3-year period, even if the licensee completes that course more than once during that 3-year period.

6. A licensee may renew his/her license using no more than .8 units for time working as a clinical instructor, provided the licensee was credentialed by a Board approved clinical instructor program. The licensee may earn .1 unit for each full-time week of clinical instruction.

NRS 640.030 Creation; qualifications, terms and removal of members; representative of public not to participate in examination; quorum; personal liability.

1. The State Board of Physical Therapy Examiners, consisting of five members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) Four members who are licensed physical therapists in the State of Nevada.

(b) One member who is a licensed physical therapist's assistant in the State of Nevada.

~~(c) One~~ **Two** members who ~~is~~ are a representative of the general public. ~~This~~ **These** members must not be:

(1) A physical therapist, a physical therapist's assistant or a physical therapist's technician; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a physical therapist, a physical therapist's assistant or a physical therapist's technician.

~~3. The member who is a representative of the general public shall not participate in preparing, conducting or grading any examination required by the Board.~~

4. 3 No member of the Board may serve more than two consecutive terms.

5. 4 The Governor may remove any member of the Board for incompetency, neglect of duty, gross immorality or malfeasance in office.

6. 5 A majority of the members of the Board constitutes a quorum.

7. 6 No member of the Board may be held liable in a civil action for any act which he or she has performed in good faith in the execution of his or her duties under this chapter.

NRS 640.150 Renewal; expiration and reinstatement; continuing education; fees.

1. A license to practice physical therapy expires on ~~July 31 of~~ **the birthdate of the licensee** each year. A physical therapist may renew a license before its expiration upon:

NRS 640.280 Renewal of license; expiration and reinstatement; continuing education; fees.

1. The license of a physical therapist's assistant expires on ~~July 31 of~~ **the birthdate of the licensee** each year. A physical therapist's assistant may renew a license before its expiration upon:

NRS 640.029 Applicability of chapter. This chapter does not apply to an ~~occupational therapist, occupational therapy assistant or athletic trainer~~ a licensed healthcare professional who:

1. Is licensed to practice in this state;
2. Practices within the scope of that license; and
3. Does not represent that he or she is a physical therapist or physical therapist's assistant, or that he or she practices physical therapy

NAC 640.595 Physical therapist's technicians. (NRS 640.050) For the purposes of regulating the use of a physical therapist's technician in a physical therapist's practice, the Board will consider any aide or other unlicensed person who performs ~~treatments~~ certain limited activities related to physical therapy which have been directed by a physical therapist, regardless of the title or designation assigned by his or her employer, to be a physical therapist's technician.

NRS 640.100 Examination and reexamination of applicants: Time; scope; fee.

- ~~1. The Board shall examine applicants for licensure as physical therapists at least twice a year at such places as it may determine.~~
- ~~2. The examination must embrace such subjects as the Board deems necessary to determine the applicant's qualifications, and the examination must include a written portion.~~
- ~~3. The Board may charge a fee for examining or reexamining an applicant, based on the Board's cost.~~
- ~~4. Before any applicant may take the examination a third time, the applicant must meet with the Board to discuss the possible need for further training or education and must complete any further training or education determined by the Board to be prerequisite.~~

1. The Physical Therapist (PT) examination is designed to assess basic entry-level competence of the licensure candidate who has graduated from an accredited program of physical therapy or from an equivalent non-accredited program.
2. The Physical Therapist Assistant (PTA) examination is intended to assess basic entry-level competence of the candidate who has graduated from an accredited program for physical therapist assistants.
3. The examination dates will be set by the entity approved by the Board to offer such an examination.
4. The fee for the examination shall be set by the entity approved by the Board to offer such an examination

NAC 640.040 Examination of applicants. (NRS 640.050, 640.080, 640.100, 640.230)

1. The Board will use the examination prepared by a professional examination service retained by the Board in the examination of an applicant for a license as a physical therapist or a physical therapist's assistant.

2. In addition to the examination used pursuant to subsection 1, the Board may administer an examination that tests the familiarity of an applicant with the laws and regulations relevant to the practice of physical therapy in this State.

3. To be eligible to take the examinations, an applicant must file a completed application with the Executive Director of the Board.

4. The applicant must achieve a passing score on each examination before he or she will be licensed.

5. If the applicant fails an examination ~~once~~, he or she may retake it upon payment of the fee for the examination.

6. An applicant is bound by any test-taking limitations set forth by the professional examinations service retained by the Board.

NRS 640.230 Qualifications of applicant. To be eligible for licensing by the Board as a physical therapist's assistant, an applicant must:

~~1. Be at least 18 years old.~~

~~2.1. Be of good moral character.~~

~~3. Have graduated from an approved high school.~~

4. 2. Have completed an educational curriculum approved by the Board for a physical therapist's assistant.

5. 3. Pass an examination designated by the Board or be entitled to licensing without examination as provided in NRS 640.270 or 640.275.

NAC 640.490 Advisory Committee on Continuing Education: Members; duties; quorum. (NRS 640.050, 640.150, 640.280)

1. The Advisory Committee on Continuing Education will be composed of the following members:

(a) A member of the Board.

(b) Not more than three members representing the northern district and not more than three members representing the southern district as follows:

(1) At least one member representing physical therapists who are in private practice.

(2) At least one member representing physical therapists who work in hospitals.

(3) At least one member representing physical therapists who work primarily with children, in a school district or in the area of home health.

(4) Members shall be appointed for a two year term, and may not serve more than three consecutive terms. A one-year lapse in appointment must occur before serving a subsequent term.

2. Each member of the Committee must be licensed as a physical therapist in this State at the time of his or her appointment.

3. The Committee shall:

(a) Select a Chair and Vice Chair;

(b) Recommend to the Board criteria for evaluating any material or course of study or training for continuing education;

(c) Evaluate the course or training and the material based on the criteria approved by the Board, and recommend, within 60 days after receipt of an application for approval, to the Board for its final decision the accreditation of a course of study or training or material and the number of units of continuing education to be awarded; and

(d) Advise the Board on all matters relating to continuing education.

4. A quorum of the Committee is four members, at least one of whom must be the Chair or Vice Chair.

~~NRS 640.140 Licensing of physical therapist licensed in another state or territory. The Board may, in its discretion, license as a physical therapist, without examination, on the payment of the required fee, an applicant for licensure who is a physical therapist registered under the laws of another state or territory, if the requirements for licensure of physical therapists in the state or territory in which the applicant was licensed were at the date of licensure substantially equal to the current requirements of this state.~~

NAC 640.061 Addresses of licensee; delivery of notice by Board. (NRS 640.050)

1. Each licensee shall file, in writing, his or her current residential address and professional address with the Board.

2. A licensee shall notify the Board, in writing, or via the Board's on-line change of address system, of any change in his or her residential address or primary professional address within 30 days after the change. For the purpose of this subsection, the Board will consider a change in the primary professional address of a licensee to have occurred upon any change in the primary location at which the licensee works, including, without limitation, the cessation of the licensee's primary employment and the securing of new primary employment.

3. If the Board is required by law or the provisions of this chapter to deliver any notice by mail to a licensee, the mailing of the notice shall be deemed valid and complete if it is mailed to the last residential address of the licensee which was filed with the Board in accordance with this section, or emailed to the licensee at the email address provided which was filed by the Board.

4. As used in this section, "primary professional address" means the physical address where a licensee practices physical therapy or carries out any other activities relating to physical therapy for the majority of his or her working hours within a consecutive 30-day period.