



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: February 05, 2024

TIME: 11:34 AM

WSR 24-04-082

Agency: Department of Health – Board of Physical Therapy

Title of rule and other identifying information: (describe subject) Physical therapy licensure compact - Updating the reference date to the most recent physical therapy licensure compact rules. The Board of Physical Therapy (board) is proposing to update the effective date in WAC 246-915A-010 for the Physical Therapy Compact per RCW 18.74.500 Article IX(2). This proposed rule will update the compact effective date to June 27, 2023.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this proposal is to update the effective date in Washington Administrative Code to the compact rules most recent version, June 27, 2023, and to make a housekeeping change to a web address. The compact commission rules are not effective in Washington unless the board approves and adopts the rules.

The Physical Therapy Compact Commission Rules, effective June 27, 2023, make the following changes:

1. Updates to match the model compact language.
2. Add a definition of “board administrator” to mean an individual serving as administrative staff to a member state’s physical therapy licensing board.
3. Add new rule 4.2 to make a technical correction to the citation for “active duty military” in Section 2 of the model statute.

Reasons supporting proposal: The board is proposing amendments to comply with RCW 18.74.500 Article IX(2), which mandates that the board must update the effective date of the compact rules to participate in the compact in the state of Washington.

Statutory authority for adoption: RCW 18.74.023 and 18.74.500 Article IX(2)

Statute being implemented:

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

Name of proponent: (person or organization) Board of Physical Therapy

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Allyson McIver	111 Israel Rd SE Tumwater, WA 98501	360-236-2878
Implementation:	Allyson McIver	111 Israel Rd SE Tumwater, WA 98501	360-236-2878

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW

34.05.353(4): The proposed amendments adopt by reference, without material change, the most recent version of the Physical Therapy Licensure Compact and Compact Commission rules updated on June 27, 2023. The proposed amendments update the rule to the most recent version of the compact and corrects a website address error.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Allyson Mclver, Program Manager

Agency: Department of Health – Board of Physical Therapy

Address: PO Box 47852, Olympia, WA 98504-7852

Phone: 360-236-2878

Fax: 360-236-2901

Email: <https://fortress.wa.gov/doh/policyreview/>

Other: physical.therapy@doh.wa.gov

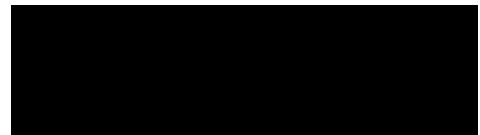
AND RECEIVED BY (date) 4/8/2024

Date: February 5, 2024

Name: Kathryn Dale, PT

Title: Chair, Physical Therapy Board

Signature:



AMENDATORY SECTION (Amending WSR 23-09-068, filed 4/19/23, effective 4/19/23)

WAC 246-915A-010 Physical therapy licensure compact—Compact commission rules. (1) The physical therapy licensure compact (compact) is established in Washington under RCW 18.74.500. Its purpose is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services.

(2) The rules of the physical therapy compact commission, in effect as of (~~October 30, 2022~~) June 27, 2023, are adopted and incorporated by reference.

(3) A copy of the rules is available for public inspection from the department of health at [https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/PhysicalTherapyLicensureCompact\(~~/RulesInProgress~~\)](https://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/PhysicalTherapyLicensureCompact(/RulesInProgress)) or by calling the department of health's office of customer service at 360-236-4700.

(4) A licensee may exercise a compact privilege as provided in RCW 18.74.500, Article IV. Applicable fees are set forth in WAC 246-915A-990.