Board of Physical Therapy
Special Meeting Agenda

April 10, 2019
9:30 a.m.

Department of Health, Point Plaza East, Room 131, 310 Israel Rd SE, Tumwater, WA

BOARD MEMBERS: RENEE COMPTON, PTA, BOARD CHAIR; ANDREW WODKA, PT, DPT, VICE CHAIR; TICHA M. GREEN, PT, DPT; CHRISANDRA OSBORNE, PT, DPT; KATHRYN DALE, PT; DANA JOHNSON, PUBLIC MEMBER

CONTACT: KRIS WAIDELY, PROGRAM MANAGER
(360) 236-4847; FAX (360) 236-2901
kris.waidely@doh.wa.gov

Times and Order
The meeting will commence at 9:30 a.m. on April 10, 2019, and continue until all agenda items are complete. The board will adjourn as determined by the agenda and the board members. Items may be taken in order of the agenda or in a different order. Comments from the public in attendance may be solicited after each agenda item.

Accessibility
This meeting is accessible to persons with disabilities. Special aids and services can be made available upon advance request. Advance request for special aids and services must be made no later than April 2, 2019. If you wish to receive general information about this meeting, please call the program at 360-236-4633. If you need assistance with special needs and services, you may leave a message with that request at 800-525-0127 or 360-236-4052. TDD may also be accessed by calling the TDD relay service at 800-833-6388. If you need assistance due to a speech disability, Speech-to-Speech provides human voicers for people with difficulty being understood. The Washington Speech-to-Speech toll free access number is 877-833-6341.

OPEN SESSION – 9:30 a.m.

1. CALL TO ORDER
   1.1 Introductions
   1.2 Approval of Agenda
2. PHYSICAL THERAPY LICENSURE COMPACT RULES HEARING – The Board of Physical Therapy (board) has filed a CR-102 rulemaking order with the Office of the Code Reviser on March 6, 2019, WSR #19-06-081. The board is proposing rules in order for Washington state to be able to issue compact privileges to PTs and PTAs that hold licenses in other states.

3. ADJOURNMENT

Physical Therapy Rules Hearing – Special Meeting
Wed, Apr 10, 2019 9:30 AM - 10:30 AM PDT

Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/565109973

You can also dial in using your phone.
United States: +1 (669) 224-3412

Access Code: 565-109-973

First GoToMeeting? Let's do a quick system check:
https://link.gotomeeting.com/system-check
The Board of Physical Therapy (board) has filed a CR-102 to establish a new chapter – 246-915A WAC – Physical Therapy Licensure Compact (PTLC).

The board is proposing rules in order for Washington state to be able to issue compact privileges to PTs and PTAs that hold licenses in other states.

A public rules hearing will be held at the Department of Health in Tumwater, WA on April 10, 2019, at 9:30 a.m. The board encourages your participation and comment.

The CR-102 form and proposed rules are attached.

If you are unable to provide comments in-person, you may submit written comments through April 1, 2019 to the following:

Department of Health
Board of Physical Therapy
Kris Waidely, Program Manager
PO Box 47852
Olympia, WA 98504-7852

If you have any questions, please contact me by phone at (360) 236-4847 or email kris.waidely@doh.wa.gov. Thank you.
Title of rule and other identifying information: (describe subject) Chapter 246-915A WAC - "Physical Therapy Licensure Compact". The Board of Physical Therapy (board) is proposing adding a new section, WAC 246-915A-010, to the chapter to implement provisions of House Bill (HB) 1278 (Chapter 108, Laws of 2017). This law approved Washington state membership in the interstate Physical Therapy Licensure Compact and requires the board to adopt rules to implement the compact's rules.

Hearing location(s):

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location (be specific)</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 10, 2019</td>
<td>9:30 a.m.</td>
<td>Department of Health Point Plaza East Room 131 310 Israel Rd SE Tumwater, WA 98501</td>
<td>Kris Waidely, Program Manager</td>
</tr>
</tbody>
</table>

Date of intended adoption: 04/10/2019 (Note: This is NOT the effective date)

Submit written comments to:
Name: Kris Waidely
Address: Department of Health Board of Physical Therapy PO Box 47852 Olympia, WA 98504-7852
Email: https://fortress.wa.gov/doh/policyreview
Fax: 360-236-2901
Other: By (date) 04/01/2019

Assistance for persons with disabilities:
Contact Kris Waidely
Phone: 360-236-4847
Fax: 360-236-2901
TTY: (360) 833-6388 or 711
Email: Kris.waidely@doh.wa.gov
Other: By (date) 04/01/2019
**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** HB 1278 passed in 2017 and was codified in chapter 18.74 RCW, which enacted the Physical Therapy Licensure Compact (PTLC) in Washington state to facilitate interstate practice of physical therapists (PT) and physical therapist assistants (PTA). The purpose of the proposal is to comply with RCW 18.74.500, Article IX, (2), which mandates that the state of Washington is subject to the rules of the PTLC, or compact commission, if the commission's rules are reviewed and adopted by the board. The proposal complies with the statute by proposing adoption and incorporation by reference to the compact commission's rules as of October 28, 2018.

**Reasons supporting proposal:** HB 1278 was codified as 18.74 RCW. Rules are proposed by the board in accordance with chapter 18.74 RCW that requires the board to review and adopt PTLC or compact commission rules. Until the board adopts the proposed rule, PTLC rules are not effective in Washington state. By adopting the proposed rule, Washington state can operationalize the compact privileges in Washington and improve public access to physical therapy services.

**Statutory authority for adoption:** RCW 18.74.500 and 18.74.023

**Statute being implemented:** RCW 18.74.500

**Is rule necessary because of a:**

<table>
<thead>
<tr>
<th>Federal Law?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Federal Court Decision?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>State Court Decision?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

If yes, CITATION:

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

**Name of proponent:** (person or organization) Department of Health

**Name of agency personnel responsible for:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting:</td>
<td>Kris Waidely, Program Manager</td>
<td>111 Israel Rd SE, Tumwater, WA 98501</td>
</tr>
<tr>
<td>Implementation:</td>
<td>Kris Waidely, Program Manager</td>
<td>111 Israel Rd SE, Tumwater, WA 98501</td>
</tr>
<tr>
<td>Enforcement:</td>
<td>Kris Waidely, Program Manager</td>
<td>111 Israel Rd SE, Tumwater, WA 98501</td>
</tr>
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**Is a school district fiscal impact statement required under RCW 28A.305.135?** Yes

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kris Waidely, Program Manager</td>
<td>PO Box 47852</td>
</tr>
<tr>
<td>111 Israel Rd SE, Tumwater, WA 98501</td>
<td>Olympia, WA 98504-7852</td>
</tr>
</tbody>
</table>

**Is a cost-benefit analysis required under RCW 34.05.328?** Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name: Kris Waidely, Program Manager
Address: PO Box 47852
Olympia, WA 98504-7852
Phone: 360-236-4847
Fax: 360-236-2901
TTY: (360) 833-6388 or 711
Email: kris.waidely@doh.wa.gov
Other:

☐ No: Please explain:
Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, may be exempt from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

☐ RCW 34.05.310 (4)(b) (Internal government operations)
☐ RCW 34.05.310 (4)(c) (Incorporation by reference)
☐ RCW 34.05.310 (4)(d) (Correct or clarify language)
☒ RCW 34.05.310 (4)(e) (Dictated by statute)
☐ RCW 34.05.310 (4)(f) (Set or adjust fees)
☐ RCW 34.05.310 (4)(g) (ii) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under RCW .

Explanation of exemptions, if necessary: Chapter 18.74 RCW requires rules in order for Washington state to be able to issue compact privileges to PTs and PTAs who hold licenses in other states or who may wish to obtain compact privileges in other compact participating states if their originating state of licensure is Washington. The law requires the board to review the rules adopted by the PTLC commission. The PTLC rules are not effective in Washington unless the state board adopts them.

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is not exempt, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☐ No Briefly summarize the agency's analysis showing how costs were calculated.

☒ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: March 5, 2019

Name: Blake Maresh
Title: Executive Director

Signature:
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 28, 2018, 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 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.