



WEST VIRGINIA BOARD OF PHYSICAL THERAPY
2 Players Club Drive
Charleston, West Virginia 25311
Telephone: (304) 558-0367 Fax: (304) 558-0369

October 16, 2018

Legislative Rule Making Committee
WV State Capitol
1900 Kanawha Blvd., East
132 East Wing
Charleston, WV 25305

Dear Members of the Legislative Rule Making Committee,

The West Virginia Board of Physical Therapy is responding to the Governor's Executive Order No. 3-18 (Regulatory Review Proclamation). I have enclosed the Board's Regulatory Review report as required by the Governor. Please feel free to contact me at 304-558-0368 should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Nonnie S. Ramsey".

Nonnie S. Ramsey
Executive Director

Enclosures



WEST VIRGINIA BOARD OF PHYSICAL THERAPY

2 Players Club Drive, Suite 102
Charleston, West Virginia 25311

Telephone: (304) 558-0367 Fax: (304) 558-0369

October 10, 2018

WEST VIRGINIA BOARD OF PHYSICAL THERAPY
REGULATORY REVIEW REPORT
DUE NOVEMBER 1, 2018

SERIES 1

GENERAL PROVISIONS FOR PT/PTA

DESCRIPTION: This rule describes and defines requirements for licensure as well as nature of practice for physical therapists, physical therapist assistants and support personnel. These items include: applications, issuance/renewal/reinstatement of license, temporary permits, scope of practice for physical therapists, supervision of a physical therapist assistant, licensing individuals outside the United States and continuing education.

According to the records available the rule was first promulgated on December 30, 1982, with modifications effective on the following dates:

4/05/1994
6/01/2000
5/15/2009
6/16/2011

DETERMINATION: The Board is currently studying several items in this rule and comparing them to the model practice act provided by the Federation of State Boards of Physical Therapy (FSBPT) for possible future changes. It is possible the Board may propose changes to this section in the next year or two. At this time, the Board proposes the rule be continued with no changes.

REASON: The filing deadline has already passed. The Board is not prepared to make the changes at this time.

SERIES 2

Contested Case Hearing Procedure

DESCRIPTION: This rule specifies the procedure for the adjudication of contested case hearings before the Board. These items include: conferences, informal disposition of cases, depositions, subpoenas, hearing procedure, transcription of testimony and evidence, submission of proposed findings of fact and conclusions of law, orders, and appeal.

According to the records available the rule was first promulgated on January 15, 2001 and there have been no revisions since.

DETERMINATION: The Board proposes the rule to be continued with no changes.

REASON: No changes needed at this time.

SERIES 3

DISCIPLINARY AND COMPLAINT PROCEDURES

DESCRIPTION: This rule specifies a procedure for the investigation and resolution of complaints against physical therapist, physical therapy aides, physical therapy assistants, permittees and applicants. These items include: Causes for denial/probations/limitation/discipline/suspension or revocation of licenses, disposition of complaints, contested case hearings and appeals.

According to the records available the rule was first promulgated on January 15, 2001.

DETERMINATION: The board is currently studying a few items in this rule. It is possible the Board may propose changes to this section in the next year or two. At this time, the Board proposes the rule to be continued with no changes.

REASON: The filing deadline has already passed. The Board is not prepared to make the changes at this time.

SERIES 4

FEES

DESCRIPTION: This legislative rule describes and defines the fees of the board.

According to the records available the rule was first promulgated on June 16, 2011, with modifications effective on the following dates:

6/01/2015

9/01/2017

DETERMINATION: The Board is currently reviewing these fees and have plans of modifying them in the near future due to the passage of SB 1005 Physical Therapy Licensure Compact Act and eliminating the fees for mailing list/directory. At this time, the Board proposes the rule be continued with no changes.

REASON: The filing deadline has already passed.

SERIES 5

GENERAL PROVISIONS FOR ATHLETIC TRAINERS

DESCRIPTION: This rule describes and defines requirements on registration for Athletic Trainers. These items include: application for registration and renewal for registration requirements.

According to the records available the rule was first promulgated on June 16, 2011 and there have been no revisions since.

DETERMINATION: The Board proposes the rule to be continued with no changes.

REASON: No changes needed at this time.

SERIES 6

FEES FOR ATHLETIC TRAINERS

DESCRIPTION: This rule describes and defines requirements on registration for Athletic Trainers.

According to the records available the rule was first promulgated on June 16, 2011 and there have been no revisions since.

DETERMINATION: The Board is currently reviewing these fees and have plans on modifying them in the near future which will include eliminating the fees for the mailing list/directory. At this time, the Board proposes the rule to be continued with no changes.

REASON: The filing deadline has already passed.

If you have any questions or require any further information I can be reached by phone at 304-558-0367, mail or email at Nonnie.S.Ramsey@wv.gov for any questions.

Very truly yours,

A handwritten signature in cursive script that reads "Nonnie S. Ramsey". The signature is written in dark ink and is positioned above the printed name and title.

Nonnie S. Ramsey
Executive Director