

**Report From Agency**

**STATE OF WISCONSIN  
PHYSICAL THERAPY EXAMINING BOARD**

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**IN THE MATTER OF RULEMAKING : REPORT TO THE LEGISLATURE**  
**PROCEEDINGS BEFORE THE : CR 20-056**  
**PHYSICAL THERAPY :**  
**EXAMINING BOARD :**

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS:**

N/A

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA is attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

The Physical Therapy Examining Board conducted a comprehensive evaluation of its rules to implement the Physical Therapy Licensure Compact and ensure clarity and consistency with applicable Wisconsin statutes. As a result, updates have been made to do all of the following:

- Create definitions of “physical therapist,” “physical therapist assistant,” and “physical therapy.”
- Amend the definition of “supervisor” to specify it includes a person holding a physical therapist compact privilege granted by the Board, but does not include a person holding a temporary license or a locum tenens license.
- Identify the requirements for obtaining a compact privilege, including a requirement that an individual seeking a compact privilege successfully complete a jurisprudence examination.
- Clarify the requirements for a temporary license to practice as a physical therapist or physical therapist assistant under supervision.
- Clarify that a locum tenens license may not be issued based on a request for services from a person who holds a temporary license as a physical therapist, and specify that a locum tenens license may be issued based on a request for services from a person who holds a physical therapist compact privilege granted by the Board.

- Specify that engaging in fraud, deceit, or misrepresentation in applying for, procuring, or maintaining a compact privilege constitutes unprofessional conduct.

**V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

The Physical Therapy Examining Board held a public hearing on December 2, 2020. The Board did not receive any public comments.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

4. The reference in s. PT 1.04 (2) to the fee specified in s. 448.985 (3) (d), Stats., is unclear. That statutory reference specifies only that a member state may charge a fee. How do applicants know the amount of the fee? The rule should be revised to specifically identify the amount of the fee.

The Board did not revise the proposed rule in response to this recommendation. The fee will be clearly identified on the application form. In addition, specifying the amount of the fee in rule would significantly delay the ability to adjust the fee as permitted by statute.

All other Legislative Council recommendations have been incorporated into the proposed rule.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:**

N/A