**02-393**

**BOARD OF EXAMINERS IN PHYSICAL THERAPY**

Maine Administrative Procedure Act

2015 - 2016 Regulatory Agenda

AGENCY UMBRELLA-UNIT NUMBER: **02-393**

AGENCY NAME: Department of Professional & Financial Regulation, Office of Professional and Occupational Regulation, **Board of Examiners in Physical Therapy**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2015-2016 RULE-MAKING ACTIVITY:** The Board may review and amend for compliance with current law the licensure requirements for physical therapists, physical therapist assistants and physical therapy aids. The code of professional practice will be reviewed and updated as may be necessary. Public Law Chapter 217 took effect on October 9, 2013, and rules will be reviewed and updated for conformity as may be necessary. Outdated or duplicative rules that may exist in 10 MRS, Part 9, Chapter 901 and rules established by the Office of Professional and Occupational Regulation as authorized by 10 MRS §8003 will be updated or repealed.

**CHAPTER 1**: Definitions

STATUTORY AUTHORITY: 32 MRS §3112(5)(C)

PURPOSE: The chapter defines terms used throughout the Board’s rules. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 2**: General Provisions

STATUTORY AUTHORITY: 32 MRS §3112(5)(C)

PURPOSE: The chapter contains provisions describing the conduct of meetings and hearings, acting on requests for advisory rulings, complaint and investigation procedures and record keeping. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 3**: Licensure Requirement for Physical Therapists and Physical Therapist Assistants

STATUTORY AUTHORITY: 32 MRS §§ 3112(5)(A), B), and (C), 3114-A, 3116

PURPOSE: The chapter states the requirements for issuance of a license to practice physical therapy, including application, education, experience, and references. The Board may review this chapter for conformance with law and make updates as may be necessary.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 4**: Standards for Supervision of Physical Therapist Assistants and Physical Therapy Aids

STATUTORY AUTHORITY: 32 MRS §§ 3112(5)(C), 3113-B(6)

PURPOSE: The chapter establishes standards by which physical therapist assistants and physical therapy aids will be supervised. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 5**: Enforcement and Disciplinary Procedures

STATUTORY AUTHORITY: 32 MRS §3112(5)

PURPOSE: The chapter outlines enforcement and disciplinary procedures, including grounds for discipline and clarification of terms. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

ANTICIPATED SCHEDULE: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 6**: Code of Ethics

STATUTORY AUTHORITY: 32 MRS §§ 3112(5)(C), (E), (F), and (G), 3117-A

PURPOSE: The chapter sets the standards of professional practice of physical therapy. The Board may review this chapter and make changes to reflect current practice expectations for the protection of the public being served.

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 7**: Fees

STATUTORY AUTHORITY: 32 MRS §§ 3112(5)(C and D) and 3114-A(2)(B)

PURPOSE: The chapter establishes fees and is subject to repeal because fees for this program are now established by the Director of the Office of Professional and Occupational Regulation (OPOR) in Chapter 10 of OPOR’s rules, as authorized by 10 MRS §8003(2-A)(D).

ANTICIPATED SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated