

GENERAL GOVERNMENT
Board of Physical Therapy
(Amendment)

201 KAR 22:045. Continued competency requirements and procedures.

RELATES TO: KRS 12.355, 327.010(1), (2), 327.070

STATUTORY AUTHORITY: KRS 327.040(10)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 327.040(10) authorizes the board to promulgate administrative regulations establishing a measure of continued competency as a condition of license renewal. This administrative regulation establishes continued competency requirements and procedures.

Section 1. Definitions.

- (1) "Contact hour" means a credit earned based on sixty (60) minutes of participation in a physical therapy-related activity.
- (2) "Continued competency" means a planned learning experience relating to the scope of "physical therapy" practice as defined by KRS 327.010(1) if the subject is intervention, examination, research, documentation, education, or management of a health care delivery system.
- (3) "Jurisprudence Examination" means an open book tutorial provided by the board on KRS Chapter 327 and 201 KAR Chapter 22.

Section 2.

- (1) A credential holder applying for renewal shall have completed the continued competency requirements established in subsections (2) and (3) of this section during the preceding renewal period. Continued competency shall be based on contact hours awarded.
 - (a) For a physical therapist, the board shall require thirty (30) contact hours as a condition of licensure renewal. These hours shall be obtained as established in subparagraphs 1. through 3. of this paragraph.
 1. Two (2) hours shall be awarded for the successful completion of the Jurisprudence Examination per biennium.
 2. At least eighteen (18) hours shall be earned from Category 1 as established in subsection (2) of this section.
 3. Hours may be earned from Category 2. If hours are earned from Category 2, hours shall be as established in subsection (3) of this section. Hours earned from Category 2 over ten (10) hours shall not be awarded.
 - (b) For a physical therapist assistant, the board shall require twenty (20) contact hours as a condition of renewal. These hours shall be obtained as established in subparagraphs 1. through 3. of this paragraph.
 1. Two (2) hours shall be awarded for the successful completion of the Jurisprudence Examination per biennium.
 2. At least ten (10) hours shall be earned from Category 1 as established in subsection (2) of this section.
 3. Hours may be earned from Category 2. If hours are earned from Category 2, hours shall be as established in subsection (3) of this section. Hours earned from Category 2 over eight (8) hours shall not be awarded.
 - (c) A participant shall not be awarded contact hours for a course that is repeated more than once in the same biennium.
- (2) Category 1 continued competency shall be:
 - (a) Completion of courses, seminars, workshops, symposia, or home study courses consisting of at least three (3) contact hours that have been approved by the board, the

board's designee, the Federation of State Boards of Physical Therapy (FSBPT), another physical therapy licensing agency, or the American Physical Therapy Association (APTA) or its components;

(b) Completion of courses, seminars, workshops, symposia, or home study courses that have been produced and developed by the American Physical Therapy Association (APTA) or its components and consist of less than three (3) contact hours;

(c) Completion or auditing of an accredited postsecondary educational institution credit course meeting "continued competency" as defined by Section 1(2) of this administrative regulation.

1. Twelve (12) contact hours shall be awarded for each semester credit hour completed; and

2. Eight (8) contact hours shall be awarded for each quarter credit hour completed;

(d) Presentation of a continued competency course, workshop, seminar, or symposium that has been approved by the board or its designee. A maximum of three (3) contact hours for preparation may be awarded for each contact hour awarded to participants, with a maximum of two (2) events of the same course per biennium;

(e) Authorship of a research article, manuscript, or scientific paper, published in the biennium and related to physical therapy. Fifteen (15) contact hours shall be awarded per event with a maximum of two (2) events per biennium;

(f) A presented scientific poster or scientific platform presentation related to physical therapy. Ten (10) contact hours shall be awarded per event with a maximum of two (2) events per biennium;

(g) Teaching part of a physical therapy or physical therapist assistant credit course if that teaching is not the primary employment of the credential holder. A maximum of twenty (20) contact hours per biennium shall be awarded;

(h) American Board of Physical Therapy Specialties (ABPTS) certification. Twenty-eight (28) contact hours shall be awarded per biennium;

(i) ABPTS recertification or other certifications and recertifications within the scope of physical therapy practice. A maximum of twenty-eight (28) contact hours per biennium shall be awarded;

(j) Completion of a clinical residency program or clinical fellowship program. Not more than five (5) contact hours shall be awarded for each week of residency with a maximum of twenty-eight (28) contact hours per program per biennium;

(k) Engaging in the practice of "physical therapy" as defined by KRS 327.010(1) at least 1,000 hours per biennium. Five (5) contact hours shall be awarded per biennium;

(l) Engaging in the instruction in a CAPTE-accredited physical therapy or physical therapist assistant program at least 1,000 hours per biennium. Five (5) contact hours shall be awarded per biennium;

(m) Appointment to the Kentucky Board of Physical Therapy. Four (4) contact hours shall be awarded per biennium;

(n) Election or appointment to a position with the APTA Kentucky, APTA, or FSBPT as an officer or committee chair. Four (4) contact hours shall be awarded per biennium;

or

(o) Member of a committee or task force for one (1) of the organizations in paragraph (m) or (n) of this subsection. One (1) contact hour shall be awarded per biennium;

(p) Completion of the APTA's PTA Advanced Proficiency Pathways Program (APP). A maximum of ten (10) contact hours shall be awarded in the biennium during which the certification or recertification of the APP is granted; or

(q) Member of the APTA. One (1) contact hour shall be awarded per year and a maximum of two (2) contact hours per biennium.

(3) Category 2 continued competency shall be:

- (a) Self-instruction from reading professional literature. One (1) contact hour shall be awarded per biennium;
 - (b) Attendance at a scientific poster session, lecture, panel, or symposium other than approved in Section 2(2) or other unapproved applicable courses. One (1) contact hour for each hour of credit shall be awarded up to a maximum of three (3) hours per course.
 - (c) Clinical instructor for a CAPTE-approved educational program or an APTA credentialed residency or fellowship program. Continued competency shall be one (1) contact hour per sixteen (16) hours of student supervision;
 - (d) Participation in a physical therapy in-service or study group consisting of two (2) or more physical therapists or physical therapist assistants. A maximum of two (2) contact hours shall be awarded per biennium;
 - (e) Participation in community service related to health care. One (1) contact hour for each hour of participation shall be awarded up to a maximum of two (2) hours per biennium;
 - (f) Participation as a mentor or mentee in a mentorship program developed by APTA KY. A maximum of two (2) contact hours shall be awarded per year and a maximum of four (4) contact hours per biennium;
 - (g) Completion of other healthcare related courses (cardiopulmonary resuscitation initial certification or re-certification, Bloodborne pathogens courses). A maximum of two (2) contact hours shall be awarded per biennium; or
- (4) Documentation of compliance.
- (a) Each licensee shall retain independently verifiable documentation of completion of all continued competency requirements of this administrative regulation for a period of at least two (2) years from the end of the biennium.
 - (b) The licensee shall, within thirty (30) days of a written request from the board, provide evidence of continued competency activities to the board.
 - (c) A licensee who fails to provide evidence of the continued competency activities or who falsely certifies completion of continued competency activities shall be subject to disciplinary action pursuant to KRS 327.070.
- (5) Exemption and extension.
- (a) A licensee shall be granted a temporary hardship extension for an extension of time, not to exceed one (1) renewal cycle, if the licensee:
 - 1. Files a completed Exemption or Extension for Completion of Continued Competency Form by April 30 of the odd-numbered year in the renewal cycle for which the extension is sought. This plan must include a description on how the required credits will be met; and
 - 2. Submits documentation showing evidence of undue hardship by reason of the licensee's:
 - a. Disability;
 - b. Medical condition;
 - c. Financial condition; or
 - d. Other clearly mitigating circumstance.
 - (b) A licensee shall be granted a temporary nonhardship extension of time if the licensee cannot show undue hardship and if the licensee:
 - 1. Files a completed Exemption or Extension for Completion of Continued Competency Form by March 31 of the odd-numbered year in the renewal cycle for which the extension is sought. This plan must include a description on how the required credits will be met;
 - 2. Pays a fee of \$250;
 - 3. Has not received a temporary nonhardship extension of time in the prior renewal cycle; and

4. Files proof of compliance with the continued competency requirements by the following July 1.

(c) A licensee on active military duty shall be granted an exemption from continued competency requirements as established in KRS 12.355.

Section 3. Incorporation by Reference.

(1) "Exemption or Extension for Completion of Continued Competency Form", June 2012, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable law, at the Kentucky Board of Physical Therapy, 312 Whittington Parkway, Suite 102, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 p.m.

Stephen Curley, Executive Director

APPROVED BY AGENCY: May 10, 2023

FILED WITH LRC: May 10, 2023 at 11:00 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 27, 2023, at 3:00 p.m. (ET) at 312 Whittington Parkway, Suite 102, Louisville, Kentucky 40222. Individuals interested in being heard at this hearing shall notify this agency in writing five days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until July 31, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Stephen Curley, Executive Director, Board of Physical Therapy, 312 Whittington Parkway, Suite 102, Louisville, Kentucky 40222, (502) 429-7140 and Fax (502) 429-7142, Stephen.Curley@ky.gov.