

## CHAPTER 5601

### BOARD OF MEDICAL PRACTICE

### PHYSICAL THERAPY

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#### 5601.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter the terms defined in this part have the meanings given them.

Subp. 2. **Board.** "Board" means the Board of Medical Practice.

Subp. 3. **Physical therapist assistant.** "Physical therapist assistant" means a skilled technical worker who is a graduate of a physical therapist assistant educational program accredited by the American Physical Therapy Association or a comparable accrediting agency. The physical therapist assistant performs selected physical therapy treatments and related duties as delegated by the physical therapist to assist the physical therapist in patient-, client-, and resident-related activities.

Subp. 4. **Physical therapy aide.** "Physical therapy aide" means a supportive worker who has been trained on the job to perform tasks assigned by a supervising registered physical therapist.

Subp. 5. **Licensed health care professional or licensed health care provider.** "Licensed health care professional" or "licensed health care provider" means a person licensed in good standing in Minnesota to practice medicine, osteopathy, chiropractic, podiatry, or dentistry.

Subp. 6. **Initiation of treatment.** "Initiation of treatment" means the initiation by a physical therapist of physical measures, therapeutic exercises, and rehabilitation procedures, as defined by Minnesota Statutes, section 148.65, without the express direction or supervision of a health care professional.

Subp. 7. **Previously diagnosed condition.** "Previously diagnosed condition" means a lifelong and ongoing condition diagnosed by a health care professional which requires physical therapy treatment.

Subp. 8. **Clinical experience.** "Clinical experience" means practice under a physician's direction or supervision as verified by the board's records.

Subp. 9. **Contact hour.** "Contact hour" means an instructional session of 60 minutes, excluding coffee breaks, registration, meals with a speaker or without a speaker, and other social activities.

**Statutory Authority:** *MS s 148.70; 148.74*

**History:** 8 SR 2573; 15 SR 1055; L 91 c 107 s 6

#### 5601.0200 APPLICATION.

An applicant for admission to a registration examination to practice physical therapy shall file an application with the board. If the board finds that the application is complete and

that all of the requirements of Minnesota Statutes, section 148.70 and this chapter have been met, it shall advise the applicant of the date and place of the examination.

**Statutory Authority:** *MS s 148.70*

**History:** *8 SR 2573*

### 5601.0300 CONTENTS OF APPLICATION.

The application must be submitted on forms prepared by the board together with the fees described under part 5600.2500, items L and M. To be complete, the application must include the following information:

A. a notarized or certified copy of the original diploma, degree, or certificate or evidence satisfactory to the board, taking into consideration the qualifications for applicants set out in Minnesota Statutes, section 148.70, indicating that the applicant has satisfactorily completed an approved curriculum in physical therapy as set out in Minnesota Statutes, section 148.705, clauses (a) and (b) and has been graduated from a school of physical therapy approved by the board;

B. a recommendation of the applicant's ethical and moral character by two physical therapists duly registered to practice physical therapy in the United States or Canada;

C. a recent full-faced photograph of the applicant attached to the application with the affidavit on the form completed and notarized;

D. an accounting of the applicant's high school, college, and board-approved physical therapy school education listing the names, locations, dates of attendance, and diplomas, degrees, or certificates awarded;

E. an accounting of the applicant's postgraduate work and military service;

F. a listing of the states or countries in which the applicant is currently licensed or registered including the applicant's license or registration certificate number, the date the license or registration was obtained, and the method by which the license or registration was received;

G. an accounting of the applicant's current and previous physical therapy practice experience;

H. an accounting of disciplinary action taken on past complaints, refusal of licensure or registration, or denial of examination eligibility by another state board or physical therapy society against the applicant;

I. an accounting of the applicant's personal use or administration of any controlled substances and treatment for alcohol or drug abuse;

J. an accounting by the applicant of any disease, illness, or injury that impairs the applicant's ability to practice physical therapy;

K. an accounting of any convictions for crimes related to the practice of physical therapy, felonies, gross misdemeanors, and crimes involving moral turpitude;

L. a listing of any memberships in a physical therapy society;

M. the applicant's name and address;

N. the applicant's social security number, if the applicant chooses to voluntarily provide the number to the board for identification purposes, or the applicant's alien registration card number, whichever is applicable, or notification to the board if no social security number or alien registration card number is assigned to or available from the applicant;

O. completed copies of credentials verification forms provided by the board; and

P. any other information judged necessary by the board to evaluate the applicant.

**Statutory Authority:** *MS s 148.70; 148.74*

**History:** *8 SR 2573; 15 SR 1055*

### 5601.0400 APPLICATION DEADLINE.

All applications for examination must be fully completed in accordance with part 5601.0300 and forwarded to the secretary of the board. An application must be postmarked not later than 45 days before the date of the examination.

**Statutory Authority:** *MS s 148.70; 148.74*

**History:** *8 SR 2573; 15 SR 1055*

**5601.0500 EXAMINATION.**

The examination, as described in Minnesota Statutes, section 148.72, subdivision 3, must be the professional examination service physical therapy examination or a comparable nationally recognized examination. The passing score is one standard deviation below the mean of all persons taking the examination.

**Statutory Authority:** *MS s 148.70*

**History:** 8 SR 2573

**5601.0600 INELIGIBILITY FOR EXAMINATION.**

If the board determines that an applicant is ineligible for examination, the board shall notify the applicant of this determination and the grounds for it. The applicant may be granted a hearing in accordance with the provisions of part 5615.0300 of the Board of Medical Practice by filing a statement of issues with the board within 20 days after receiving notice from the board. After the hearing, the board shall notify the applicant in writing of its decision.

**Statutory Authority:** *MS s 148.70*

**History:** 8 SR 2573; L 91 c 107 s 6

**5601.0700 REGISTRATION WITHOUT EXAMINATION.**

The board may register a person as a physical therapist in this state without examination if that person completes or presents evidence satisfactory to the board of having passed an examination in accordance with Minnesota Statutes, section 148.70 administered by a state licensing agency. An applicant for registration without examination shall submit an application on forms provided by the board together with the fees described in part 5600.2500. The form must include the following information:

A. a notarized or certified copy of a current license or certificate to practice physical therapy, if any, issued by the duly accredited examining agency of the state or foreign country in which the applicant has been licensed or certified;

B. an original or certified copy of a diploma, degree, or certificate or evidence satisfactory to the board indicating that the applicant has satisfactorily completed an approved curriculum in physical therapy as provided in Minnesota Statutes, section 148.70 and has been graduated from a school of physical therapy approved by the board; and

C. the information required by part 5601.0300, items B to P.

**Statutory Authority:** *MS s 148.70; 148.74*

**History:** 8 SR 2573; 15 SR 1055

**5601.0800 REQUIREMENTS FOR FOREIGN-TRAINED APPLICANTS.**

Subpart 1. **Scope and documentation.** An applicant for registration who is a foreign-trained physical therapist must fulfill the requirements in subparts 2 to 5, providing certified English translations of board-required relevant documentation.

Subp. 2. **Education evaluation.** The applicant must present evidence of completion of physical therapy schooling equivalent to that required in Minnesota Statutes, section 148.705 and part 5601.0500. This evidence will be evaluated by the Physical Therapy Council with the assistance of a credentials evaluation service familiar with educational standards and professional qualification. Agencies providing evaluation services must be approved by the American Physical Therapy Association or meet its standards. The applicant shall be responsible for the expenses incurred as a result of the evaluation.

Subp. 3. **English test.** The applicant must achieve a score of at least 550 on the TOEFL (Test of English as a Foreign Language) examination administered by the Educational Testing Service, Inc., Princeton, New Jersey, or a passing score on a comparable nationally recognized examination approved by the board.

Subp. 4. **Experience.** The applicant must have practiced satisfactorily for at least six months under the supervision of a registered physical therapist at a board-approved facility. A facility that offers such practice must provide a broad base of experience including a variety of physical agents, therapeutic exercises, evaluation procedures, and patient diagnoses.

Supervision must be provided by a registered physical therapist with at least three years of clinical experience. A proposed outline of clinical experiences must be approved by the Physical Therapy Council before the facility begins offering the experience.

Subp. 5. **Examination.** The applicant must satisfactorily complete the board-approved examination as stated in Minnesota Statutes, section 148.72, subdivision 3.

**Statutory Authority:** *MS s 148.70; 148.74*

**History:** 8 SR 2573; 15 SR 1055

#### **5601.0900 ADDRESS.**

Every physical therapist shall provide the board with a current address. A physical therapist who moves from the address on the physical therapist's registration shall notify the board of the change within 30 days.

**Statutory Authority:** *MS s 148.70*

**History:** 8 SR 2573

**5601.1000** [Repealed, 15 SR 1055]

**5601.1100** [Repealed, 15 SR 1055]

#### **5601.1200 REPORTS.**

The physical therapist shall submit reports to a licensed health care provider for periodic review at least every two years. Reports should include, but are not limited to, an initial evaluation, progress notes, and a discharge note. Reports by the physical therapist must be made more frequently if the patient's condition warrants. The physical therapist shall retain dated records evidencing submission of reports to a licensed health care provider for periodic review.

**Statutory Authority:** *MS s 148.70; 148.74*

**History:** 8 SR 2573; 15 SR 1055

#### **5601.1300 RETENTION OF PATIENT RECORDS.**

All patient records including directions and orders within the control of the physical therapist shall be retained for at least seven years, or six years after the patient's majority. The physical therapist shall provide access to these records to the board.

**Statutory Authority:** *MS s 148.70*

**History:** 8 SR 2573

#### **5601.1400 DELEGATION OF DUTIES.**

The physical therapist may delegate patient treatment procedures only to a physical therapist assistant who has sufficient didactic and clinical preparation. The registered physical therapist may not delegate the following activities to the physical therapist assistant or to other supportive personnel: patient evaluation, treatment planning, initial treatment, change of treatment, and initial or final documentation.

The registered physical therapist must observe the patient's status before and after the treatment administered by a physical therapy aide. The physical therapy aide may perform tasks related to preparation of patient and equipment for treatment, housekeeping, transportation, clerical duties, departmental maintenance, and selected treatment procedures. The tasks must be performed under the direct supervision of a registered physical therapist who is readily available for advice, instruction, or immediate assistance.

The registered physical therapist is responsible for all duties delegated to the physical therapist assistant or tasks assigned to the physical therapy aide.

**Statutory Authority:** *MS s 148.70*

**History:** 8 SR 2573

#### **5601.1500 OBSERVATION AND DOCUMENTATION OF DELEGATED DUTIES.**

When components of a patient's treatment are delegated to a physical therapist assistant, a registered physical therapist must provide on-site observation of the treatment and documentation of its appropriateness at least every six treatment sessions.

**Statutory Authority:** *MS s 148.70*

**History:** 8 SR 2573

**5601.1600 SUPERVISION OF PHYSICAL THERAPIST ASSISTANTS.**

A registered physical therapist may supervise no more than two physical therapist assistants.

**Statutory Authority:** *MS s 148.70*

**History:** 8 SR 2573

**5601.1700 RENEWAL OF REGISTRATION.**

When they renew their registrations each year in compliance with Minnesota Statutes, section 148.73, physical therapists must submit lists of locations or institutions where they have practiced during the past five years. Applicants for reregistration who have not practiced the equivalent of eight full weeks during the past five years are required to achieve a passing score on retaking the registration examination or complete no less than eight weeks of council-approved clinical experience with a broad base of treatment modalities and patient diagnoses. In addition, every two years, the applicant must submit verification of compliance with the continuing education requirements of parts 5601.2100 to 5601.2500. An application submitted after the reregistration deadline date must be accompanied by the late fee described in part 5600.2500.

**Statutory Authority:** *MS s 148.70; 148.74*

**History:** 8 SR 2573; 15 SR 1055

**5601.1800 INITIATION OF TREATMENT FOR A CONDITION NOT PREVIOUSLY DIAGNOSED.**

A. A physical therapist who has had more than one year of clinical experience may initiate treatment of a patient for a condition not previously diagnosed for up to 30 calendar days from the date of initial treatment once within a four-month period without referring to a licensed health care professional. Subsequent treatments for a condition not previously diagnosed of up to 30 calendar days within a four-month period beginning with the start of the initial treatment may only be made if the patient's complaint and symptoms are unrelated to the complaint and symptoms of the original treatment.

B. Item A does not apply to patients who have been referred for physical therapy treatment by order or referral of a licensed health care professional.

**Statutory Authority:** *MS s 148.74*

**History:** 15 SR 1055

**5601.1900 INITIATION OF TREATMENT FOR A PREVIOUSLY DIAGNOSED CONDITION.**

A. A physical therapist who has had more than one year of clinical experience may initiate treatment of a patient for a lifelong and ongoing previously diagnosed condition warranting physical therapy treatment.

B. Verification of the diagnosis under item A must be obtained from medical records or a licensed health care professional by the physical therapist within 30 calendar days of the initial admission.

**Statutory Authority:** *MS s 148.74*

**History:** 15 SR 1055

**5601.2000 LIMITATIONS ON PRACTICE.**

If a patient's medical condition is determined by the physical therapist to be beyond the scope of practice of that physical therapist, the physical therapist must refer the patient to a licensed health care professional. A physical therapist shall modify or terminate treatment of a patient that is not beneficial to the patient or that is not tolerated by the patient and shall notify the patient's health care provider of the modification or termination of treatment.

**Statutory Authority:** *MS s 148.74*

**History:** 15 SR 1055

**5601.2100 CONTINUING EDUCATION REQUIREMENT.**

Every two years, each physical therapist registered by the board shall obtain 20 contact hours of continuing education credit as required by parts 5601.2200 to 5601.2600.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

**5601.2200 TWO-YEAR CONTINUING EDUCATION CYCLE.**

Subpart 1. **Initial registration on or after January 1, 1991.** For physical therapists initially registered on or after January 1, 1991, the first two-year continuing education cycle begins on the January 1 following the date of initial registration. Future cycles will run consecutively from that point. Continuing education courses taken between the date of initial registration and January 1 of the following year may be credited toward the first cycle.

Subp. 2. **Initial registration before January 1, 1991.** For physical therapists renewing their registrations on or after January 1, 1991, but who were initially registered before that date, the first two-year continuing education cycle begins as described in item A or B and runs consecutively from that date.

A. If the physical therapist's month of birth occurs in the months of January to June, the cycle begins on January 1, 1992.

B. If the physical therapist's month of birth occurs in the months of July to December, the cycle begins on January 1, 1993. In the first cycle, ending December 31, 1994, a physical therapist in this group shall submit 30 hours of credit.

For purposes of this subpart, continuing education courses taken between January 1, 1991, and January 1 of the physical therapist's first two-year continuing education cycle may be credited toward the first cycle.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

**5601.2300 CATEGORIES OF CREDITED ACTIVITIES.**

Continuing education credit may be obtained from the following activities:

A. Category 1: No less than ten hours of credit must be obtained in a cycle by attendance at educational activities recognized by the board under part 5601.2400. Physical therapists who must submit 30 hours of credit under part 5601.2200, subpart 2, item B, must obtain no less than 15 hours of credit under this item.

B. Category 2: No more than ten hours of credit may be obtained in a cycle through in-service educational activities sponsored by organizations or individuals not designated in Category 1. Physical therapists who must submit 30 hours of credit under part 5601.2200, subpart 2, item B, must obtain no more than 15 hours of credit under this item.

C. Category 3: No more than four hours of credit may be obtained in a cycle through teaching, lecturing, or similar presentation programs. Physical therapists who must submit 30 hours of credit under part 5601.2200, subpart 2, item B, must obtain no more than six hours of credit under this item.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

**5601.2400 CATEGORY 1 CREDIT.**

Subpart 1. **Courses.** The board shall grant Category 1 continuing education credit meeting the standards of part 5601.2500 for educational activities in items A to C:

A. any course planned, sponsored, or cosponsored by an accredited university or college, medical school, state or national medical or osteopathic association, or a national medical specialty society;

B. any course planned, sponsored, or cosponsored by the American Physical Therapy Association or other national or state physical therapy association; and

C. any course planned, sponsored, or cosponsored by the Arthritis Foundation, American Heart Association, or other national or state health organization.

Subp. 2. **Other educational activity.** Any educational activity not included under subpart 1 that meets the standards of part 5601.2500 shall be approved for Category 1 continuing education credit by the board.

An individual or organization seeking board approval of an educational activity for Category I continuing education credit as provided under this subpart shall provide to the board documents describing the name and address of the organization sponsoring the activity, the name and address of the facility at which the activity will be presented, the name and credentials of each instructor or person making a presentation, and the course content in detail, including a time schedule for the activity.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

#### **5601.2500 CREDIT STANDARDS.**

The board shall grant continuing education credit for any educational activity that meets the standards in items A to E.

A. The educational activities must have significant intellectual or practical content dealing primarily with matters directly related to the practice of physical therapy or to the professional responsibility or ethical obligations of the participants.

B. Each person making a presentation shall be qualified by practical or academic experience to teach the subject the person covers.

C. Participants shall attend educational activities in a classroom or other setting suitable for the activity. Video, motion picture, or sound presentations may be used.

D. One hour of credit shall be given for each 60 minutes actually spent on educational activities.

E. Credit shall not be given for entertainment or recreational activities or programs, employment orientation sessions, holding an office or serving as an organizational delegate, individual self-directed study programs, management seminars not directly concerning physical therapy operations, meetings for the purpose of making policy, or non-educational association meetings.

Any course planned, sponsored, or cosponsored as provided under part 5601.2400, subpart 1, shall be presumed to meet the standards in items A to E. This presumption may be withdrawn by the board if it determines that a college, university, association, or specialty has sought credit for a course not meeting these standards.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

#### **5601.2600 VERIFICATION OF COMPLIANCE.**

At the January registration renewal immediately following their two-year continuing education cycle, registrants shall provide a signed statement to the board on a form provided by the board indicating compliance with parts 5601.2100 to 5601.2500. The board shall also accept certification of other state regulatory agencies whose continuing education requirements are equal to or greater than those in parts 5601.2100 to 5601.2500.

Periodically, the board shall select a sample of the registered physical therapists and request evidence of the continuing education to which they attested. Documentation may come directly from the registrant or from state or national organizations that maintain those types of records.

A registrant failing to submit a statement or who submits a statement that, on its face, indicates noncompliance with parts 5601.2100 to 5601.2500 may be subject to the disciplinary provisions in part 5601.2700.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

#### **5601.2700 PENALTIES FOR NONCOMPLIANCE.**

The board shall refuse to renew or grant, or shall suspend, condition, limit, or qualify the registration of any person who the board determines has failed to comply with parts 5601.2100 to 5601.2600.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

**5601.2800 HEARING UPON REFUSAL TO RENEW.**

A registrant whose registration renewal materials fail to comply with the requirements of part 5601.1700 as determined by the board shall be notified of this determination and the grounds for it and may be granted a hearing under part 5615.0300 by filing a statement of issues with the board within 20 days after receipt of notice from the board. After the hearing, the board shall notify the applicant in writing of its decision.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*

**5601.2900 TEMPORARY PERMIT.**

Subpart 1. **Who may apply.** Applicants who have complied completely with the informational requirements in part 5601.0300, items A to P, or 5601.0700, items A to C, may apply for a temporary permit to practice physical therapy under supervision. Foreign-trained applicants must comply completely with part 5601.0800 in addition to the information requirements of part 5601.0300, items A to P, or 5601.0700, items A to C.

Subp. 2. **Application.** The application for a temporary permit to practice physical therapy under supervision must be submitted on forms prepared by the board together with the fee described in part 5600.2500.

Subp. 3. **Contents of application.** To be complete, an application for a temporary permit to practice physical therapy under supervision must include the following information:

A. an original or certified copy of a diploma, degree, or certificate; or evidence satisfactory to the board indicating that the applicant has satisfactorily completed an approved curriculum in physical therapy as provided in Minnesota Statutes, section 148.70, and has been graduated from a school of physical therapy approved by the board;

B. if the applicant is providing evidence of compliance of the informational requirements of part 5601.0700, a notarized or certified copy of a current license or certificate to practice physical therapy issued by the duly accredited examining agency of the state or foreign country in which the applicant has been licensed or certified; and

C. the information required by part 5601.0300, items B to P.

**Statutory Authority:** *MS s 148.74*

**History:** *15 SR 1055*