

1 Board of Medical Examiners

2

3 Adopted Permanent Rules Relating to Physical Therapy

4

5 Rules as Adopted

6 5600.2500 ANNUAL FEES.


7 The fees charged by the board are fixed at the following
8 rates:

- 9 A. physician examination fee, full exam, \$425;
- 10 B. physician examination fee, Part I only, \$250;
- 11 C. physician examination fee, Part II only, \$300;
- 12 D. physician application fee, \$200;
- 13 E. physician annual registration, \$115;
- 14 F. physician certification to other states, \$10;
- 15 G. physician verification to institutions, \$5;
- 16 H. physician endorsement to other states, \$40;
- 17 I. physician emeritus license, \$50;
- 18 J. physician temporary licenses, \$60;
- 19 K. physician late fee, \$60;
- 20 L. physical therapist application fee, \$40;
- 21 M. physical therapist examination fee, \$110;
- 22 N. physical therapist annual registration, \$20;
- 23 O. physical therapist late fee, \$10;
- 24 P. physical therapist certification to other states,
- 25 \$10;
- 26 Q. physical therapist verification to institutions,
- 27 \$5; and
- 28 R. physical therapist temporary permit, \$10.

29 5601.0100 DEFINITIONS.

30 Subpart 1. to 4. [Unchanged.]

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



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

7 Subp. 7. Previously diagnosed condition. "Previously
8 diagnosed condition" means a lifelong and ongoing condition
9 diagnosed by a health care professional ~~within-the-24-month~~
10 ~~period-preceding-the-date-the~~ which requires physical therapist
11 ~~initiates~~ therapy treatment ~~for-the-condition~~.

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

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

19 5601.0300 CONTENTS OF APPLICATION.

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

24 A. [Unchanged.]

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

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

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

35 E. an accounting of the applicant's postgraduate work

1 and military service;

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

7 G. an accounting of the applicant's current and
8 previous physical therapy practice experience ~~listing-two~~
9 ~~references-from-each-place-of-service;~~

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

14 I. an accounting of the applicant's personal use or
15 administration of drugs-that-are-subject-to-abuse any controlled
16 substances and treatment for alcohol or drug abuse;

17 J. an accounting by the applicant of any current
18 disabling-condition disease, illness, or disease injury that
19 impairs the applicant's ability to practice physical therapy;

20 K. an accounting of any ~~violation-of-federal, state,~~
21 ~~or-local-regulations-or-statutes-by-the-applicant~~ convictions
22 for crimes related to the practice of physical therapy,
23 felonies, gross misdemeanors, and crimes involving moral
24 turpitude;

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

27 M. the applicant's name and address;

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

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

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

3 5601.0400 APPLICATION DEADLINE.

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

8 5601.0700 REGISTRATION WITHOUT EXAMINATION.

9 The board may register a person as a physical therapist in
10 this state without examination if that person completes or
11 presents evidence satisfactory to the board of having passed an
12 examination in accordance with Minnesota Statutes, section
13 148.70 administered by a state licensing agency. An applicant
14 for registration without examination shall submit an application
15 on forms provided by the board together with the fees described
16 in part 5600.2500. The form must include the following
17 information:

18 A. and B. [Unchanged.]

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

21 5601.0800 REQUIREMENTS FOR FOREIGN-TRAINED APPLICANTS.

22 Subpart 1. and 2. [Unchanged.]

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

29 Subp. 4. and 5. [Unchanged.]

30 5601.1200 REPORTS.

31 The physical therapist shall submit reports to ~~the~~
32 ~~referring a~~ licensed health care provider ~~at intervals~~
33 ~~determined-by-the-health-care-provider-concerning-the-condition~~
34 ~~and-progress-of-the-patient-in-therapy~~ for periodic review at

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

8 5601.1700 RENEWAL OF REGISTRATION.

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

23 5601.1800 INITIATION OF TREATMENT FOR A CONDITION NOT PREVIOUSLY
24 DIAGNOSED.

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

1 B. ~~A-physical-therapist-with-less-than-one-year-of~~
2 ~~clinical-experience-may-not-initiate-treatment-of-a-previously~~
3 ~~diagnosed-condition.~~

4 E.--Items Item A and B do does not apply to patients
5 who have been referred for physical therapy treatment by order
6 or referral of a licensed health care professional.

7 5601.1900 INITIATION OF TREATMENT FOR A PREVIOUSLY DIAGNOSED
8 CONDITION.

9 A. A physical therapist who has had more than one
10 year of clinical experience may initiate treatment of a patient
11 for a lifelong and ongoing previously diagnosed condition ~~for-up~~
12 ~~to-60-days~~ warranting physical therapy treatment.

13 B. ~~A-physical-therapist-with-less-than-one-year-of~~
14 ~~clinical-experience-may-not-initiate-treatment-of-a-previously~~
15 ~~diagnosed-condition.~~

16 E.--Documentation Verification of the diagnosis under
17 item A ~~or~~-B must be obtained from the medical records or a
18 licensed health care professional by the physical therapist
19 within 30 calendar days of the initial admission.

20 5601.2000 LIMITATIONS ON PRACTICE.

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

29 5601.2100 CONTINUING EDUCATION REQUIREMENT.

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

33 5601.2200 TWO-YEAR CONTINUING EDUCATION CYCLE.

34 Subpart 1. Initial registration on or after January 1,

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

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

13 A. If the physical therapist's month of birth occurs
 14 in the months of January to June, the cycle begins on January 1,
 15 1992.

16 B. If the physical therapist's month of birth occurs
 17 in the months of July to December, the cycle begins on January
 18 1, 1993. In the first cycle, ending December 31, 1994, a
 19 physical therapist in this group shall submit 30 hours of credit.

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

24 5601.2300 CATEGORIES OF CREDITED ACTIVITIES.

25 Continuing education credit may be obtained from the
 26 following activities:

27 A. Category 1: No less than ten hours of credit must
 28 be obtained in a cycle by attendance at educational activities
 29 recognized by the board under part 5601.2400. Physical
 30 therapists who must submit 30 hours of credit under part
 31 5601.2200, subpart 2, item B, must obtain no less than 15 hours
 32 of credit under this item.

33 B. Category 2: No more than ten hours of credit may
 34 be obtained in a cycle through in-service educational activities
 35 sponsored by organizations or individuals not designated in

1 Category 1. Physical therapists who must submit 30 hours of
2 credit under part 5601.2200, subpart 2, item B, must obtain no
3 more than 15 hours of credit under this item.

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

9 5601.2400 CATEGORY 1 CREDIT.

10 Subpart 1. Courses. The board shall grant Category 1
11 continuing education credit meeting the standards of part
12 5601.2500 for the educational activities in items A to D C:

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

17 B. any course planned, sponsored, or cosponsored by
18 the American Physical Therapy Association or other national or
19 state physical therapy association ~~meeting the standards of part~~
20 ~~5601.2500 and receiving board approval; and~~

21 C. any course planned, sponsored, or cosponsored by
22 the Arthritis Foundation, American Heart Association, or other
23 national or state health organization ~~meeting the standards of~~
24 ~~part 5601.2500 and receiving board approval; and.~~

25 ~~D.~~ Subp. 2. Other educational activity. Any
26 educational activity meeting not included under subpart 1 that
27 meets the standards of part 5601.2500 ~~submitted for~~ shall be
28 approved for Category 1 continuing education credit ~~by a~~
29 ~~registered physical therapist in advance of the presentation of~~
30 ~~the activity and receiving approval~~ by the board.

31 An individual or organization seeking board approval of an
32 educational activity for Category 1 continuing education credit
33 as provided under this subpart shall provide to the board
34 documents describing the name and address of the organization
35 sponsoring the activity, the name and address of the facility at

1 which the activity will be presented, the name and credentials
2 of each instructor or person making a presentation, and the
3 course content in detail, including a time schedule for the
4 activity.

5 5601.2500 CREDIT STANDARDS.

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

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

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

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

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

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

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

34 5601.2600 VERIFICATION OF COMPLIANCE.

35 At the January ~~license~~ registration renewal immediately

1 following their two-year continuing education cycle, registrants
 2 shall provide a signed statement to the board on a form provided
 3 by the board indicating compliance with parts 5601.2100 to
 4 5601.2500. ~~The board may, in its discretion, require additional~~
 5 ~~evidence necessary to verify compliance with parts 5601.2100 to~~
 6 ~~5601.2500.~~ The board may shall also accept certification of
 7 other state ~~or national health or medical organizations~~
 8 regulatory agencies whose continuing education requirements are
 9 equal to or greater than those in parts 5601.2100 to 5601.2500.

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

15 A registrant failing to submit a statement or who submits a
 16 statement that, on its face, indicates noncompliance with parts
 17 5601.2100 to 5601.2500 may be subject to the disciplinary
 18 provisions in part 5601.2700.

19 5601.2700 PENALTIES FOR NONCOMPLIANCE.

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

24 5601.2800 HEARING UPON REFUSAL TO RENEW.

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

32 5601.2900 TEMPORARY PERMIT.

33 Subpart 1. **Who may apply.** Applicants who have complied
 34 completely with the informational requirements in part

1 5601.0300, items A to P, or 5601.0700, items A to C, may apply
2 for a temporary permit to practice physical therapy under
3 supervision. Foreign-trained applicants must comply completely
4 with part 5601.0800 in addition to the information requirements
5 of part 5601.0300, items A to P, or 5601.0700, items A to C.

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

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

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

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

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

27

28 **REPEALER.** Minnesota Rules, parts 5601.1000 and 5601.1100,
29 are repealed.