OFFICE OF THE SECRETARY OF STATE
BEV CLARNO
SECRETARY OF STATE

JEFF MORGAN
INTERIM DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

PTLB 3-2020

CHAPTER 848
PHYSICAL THERAPIST LICENSING BOARD

FILED
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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Extending Certain Deadlines for Applicants Impacted by COVID-19 Pandemic

EFFECTIVE DATE: 09/10/2020 THROUGH 03/08/2021

AGENCY APPROVED DATE: 09/09/2020

CONTACT: Michelle Sigmund-Gaines
971-673-0200
optlb.exec@state.or.us

800 NE Oregon Street, Suite 407
Portland,OR 97232

Filed By:
Michelle Sigmund-Gaines
Rules Coordinator

NEED FOR THE RULE(S):

Applicants for licensure have been impacted by the COVID-19 pandemic in ways outside their control. Testing centers have cancelled or delayed tests; students scheduled to complete clinical requirements have had those postponed, which in turn postpones their graduation date. For applicants that began their process before these impacts manifested, some are finding that, without a rule change, they will have to reapply or re-test, incurring additional time and expense.

JUSTIFICATION OF TEMPORARY FILING:

The failure to immediately adopt rules allowing for applications to be extended or addressing the 90-day test to graduation requirement would result in several applicants needing to reapply and pay additional fees and/or need to retest based on factors outside their control. This temporary action will allow for extensions to be granted in these circumstances.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Correspondence, Analysis Documents; Available at Board Office.

RULES:
848-010-0015, 848-010-0020

AMEND: 848-010-0015

RULE TITLE: Examinations

RULE SUMMARY: Changes to application expiration and 90-day NPTE testing window in light of impacts from COVID-19 pandemic.

RULE TEXT:
(1) Examinations for licensing of physical therapists and of physical therapist assistants shall be provided by an examination service approved by the Board. For purposes of this rule the Board's approved examination shall be the Federation of State Boards of Physical Therapy's (FSBPT) National Physical Therapy Examination (NPTE).
(a) The overall passing score shall be based on a formula using the criterion-referenced scoring system.

(b) An applicant may sit for the NPTE a maximum of three times within any 12-month period.
(c) An applicant may sit for the NPTE a maximum of six times in a lifetime, per exam level.
(d) An applicant is no longer eligible to sit for the NPTE if they have two previous scores of 400 or less per exam level.
(e) All applications are valid for a period of six months from the date first received by the Board. However, applicants who are impacted by the COVID-19 pandemic may request an extension of their application by contacting the Board. Applicants may be subject to additional background screening or required to provide updated documents or information.
(2) All completed applications for examination, non-refundable application fees and required documents must be received and approved by the Board.
(3) Unless qualified for licensure by endorsement under OAR 848-010-0022, an applicant whose first professional degree in physical therapy was awarded from a foreign physical therapy program that is/was not CAPTE accredited must submit:
(a) A Credentials Evaluation Statement ("the Report") of professional education and training prepared by a Board-approved credentials evaluation agency. The Report must be sent directly from the credentialing agency to the Board. It is the applicant's responsibility to pay the expenses associated with the credentials evaluation.
(A) The Report must provide evidence and documentation that the applicant's education outside a state or territory of the United States is substantially equivalent to the education of a physical therapist who graduated from an accredited physical therapy education program approved by the Board pursuant to ORS 688.050(2).
(B) To determine substantial equivalency, the approved credentialing evaluation agency shall use the appropriate Course Work Tool ("CWT") adopted by the Federation of State Boards of Physical Therapy. The appropriate CWT means the CWT in place at the time the foreign educated physical therapist files the application with the Oregon Board.
(b) English Language Proficiency
(A) Verification that English is the native language of the country of origin, and the physical therapy program employs English as the language of training; or
(B) Verification that the applicant has achieved the following minimum scores for each category of the internet based TOEFL (ibTOEFL) examination: writing, 22; speaking, 24; reading, 22; listening, 21. All passing scores must be achieved on the same score report and the report date must be within two years of the NPTE examination application.
(c) If applicant has taken a Board-approved national licensing examination prior to application for licensure in Oregon, a report of applicant's examination scores must be submitted to the Board directly from the Board-approved examination service.
(d) If applicant holds or has held a license in the country in which the applicant received their physical therapy education, the applicant must provide primary source verification of the license.
(4) The Examination must be given in the English language.
(5) A physical therapist student or physical therapist assistant student may take the National Physical Therapy Examination (NPTE) up to 90 days prior to graduation from a CAPTE accredited program. If a student approved under this section subsequently has their graduation delayed after taking the exam as a result of the COVID-19 pandemic, this 90 day rule may be waived upon approval by the Board.
(6) Any applicant who has graduated from an approved school of physical therapy and passed a Board-approved examination more than five years prior to application for licensure in the State of Oregon and who has not been actively licensed in any other state or territory of the United States for a five year period must demonstrate competence to practice physical therapy. If the applicant fails to demonstrate competence, the Board may require the applicant to serve an internship under a restricted license or satisfactorily complete a refresher course approved by the Board, or both, at the discretion of the Board. The Board may also require the applicant to pass an examination approved by the Physical Therapist Licensing Board as provided in OAR 848-010-0015.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.020, 688.040, 688.050, 688.055, 688.070, 688.090

AMEND: 848-010-0020

RULE TITLE: Endorsement of Out-of-State Physical Therapists and Physical Therapist Assistants

RULE SUMMARY: Changes to application expiration in light of impacts from COVID-19 pandemic.

RULE TEXT:

Physical therapists and physical therapist assistants not licensed in the State of Oregon may be licensed by endorsement if they comply with all of the following:

(1) File a completed application form, pay a non-refunable application fee and submit required documents. All applications are valid for six months from the date first received by the Board. However, applicants who are impacted by the COVID-19 pandemic may request an extension of their application by contacting the Board. Applicants may be subject to additional background screening or required to provide updated documents or information.

(2) Are at least 18 years of age.

(3) Are graduates of an approved school for physical therapists or physical therapist assistants as provided in OAR 848-010-0010 and 848-010-0015(3).

(4) At the time of application, applicant holds a valid, unrestricted license in any other state or territory of the United States.

(5) Have passed the physical therapist or physical therapist assistant examination provided by a Board-approved examination service.

STATUTORY/OTHER AUTHORITY: ORS 688.160

STATUTES/OTHER IMPLEMENTED: ORS 688.080