

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 137 ~~PRACTICE OF PHYSICAL THERAPY~~ LICENSURE OF PHYSICAL THERAPY

137-001 SCOPE AND AUTHORITY: ~~These regulations are intended to implement the laws governing the practice of physical therapy and set forth the procedures for licensure of physical therapists and certification of physical therapist assistants pursuant to the Physical Therapy Practice Act and the Uniform Licensing Law. These regulations govern the credentialing of Physical Therapy under Neb. Rev. Stat. §§ 38-2901 to 38-2929 and the Uniform Credentialing Act (UCA).~~ Physical therapy does not include the use of roentgen rays and radium for diagnostic and therapeutic purposes, including cauterization.

137-002 DEFINITIONS

Act means Neb. Rev. Stat. §§ ~~71-1,362 to 71-1,389~~ 38-2901 to 38-2929 known as the Physical Therapy Practice Act.

Active addiction means current physical or psychological dependence on alcohol or a substance, which develops following the use of alcohol or a substance on a periodic or continuing basis.

Adequate pPatient rRecords means legible records that contain at a minimum:

1. Sufficient information to identify the patient;
2. An evaluation of objective findings;
3. A plan of care;
4. A treatment record; and
5. A discharge plan.

Alcohol or substance abuse means a maladaptive pattern of alcohol or substance use leading to clinically significant impairment or distress as manifested by one or more of the following occurring at any time during the same 12-month period:

1. Recurrent alcohol or substance use resulting in a failure to fulfill major role obligations at work, school, or home;
2. Recurrent alcohol or substance use in situations in which it is physically hazardous;
3. Recurrent legal problems related to alcohol or substance use; or
4. Continued alcohol or substance use despite having persistent or recurrent social or interpersonal problems caused or exacerbated by the effects of the alcohol or substance use.

Approved Educational Program means a program for the education and training of physical therapists and physical therapist assistants approved by the Board based on the program's accreditation by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association (APTA) or by equivalent standards established by the Board.

Attest or Aattestation means that the individual declares that all statements on the application ~~or petition are true and complete.~~ are true and complete.

Audit means the selection of licensees or certificate holders for verification of satisfactory completion of continuing ~~education-competency~~ requirements during a specified time period.

Board means the Board of Physical Therapy.

CAPTE means the Commission on Accreditation in Physical Therapy Education.

Certificate means an authorization issued by the Department that gives a person the right to use a protected title that only a person who has met specific requirements may use.

Certification Examination means the National Physical Therapist Assistant Examination and Jurisprudence (NE Law) Examination approved by the Department on the recommendation of the Board.

Completed Application means an application ~~with all of the information requested on the application filled in, fees and all required documentation submitted~~ that contains all of the information requested on the application, with attestation to its truth and completeness, and that is submitted with the required fees and all required documentation.

Confidential information means information protected as privileged under applicable law.

Consumer means a person receiving health or health-related services or environmental services and includes a patient, client, resident, customer, or person with a similar designation.

Continuing Competency Activities means those appropriate learning experiences physical therapists and physical therapist assistants undertake to expand their scope of knowledge beyond the basic preparation for the profession of physical therapy.

Conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere or non vult contendere made to a formal criminal charge, or a judicial finding of guilt irrespective of the pronouncement of judgment or the suspension thereof, and includes instances in which the imposition or the execution of sentence is suspended following a judicial finding of guilt and the defendant is placed on probation.

Course of study means a program of instruction necessary to obtain a credential meeting the requirements set out for each profession in the appropriate practice act and rules and regulations and includes a college, a professional school, a vocational school, hours of training, or a program of instruction with a similar designation.

Credential means a license, certificate, or registration.

Department means the Division of Public Health of the Department of Health and Human Services.

Dependence means a maladaptive pattern of alcohol or substance use, leading to clinically significant impairment or distress, as manifested by three or more of the following occurring at any time in the same 12-month period:

1. Tolerance as defined by either of the following:

- a. A need for markedly increased amounts of alcohol or the substance to achieve intoxication or desired effect; or
- b. A markedly diminished effect with continued use of the same amount of alcohol or the substance;
2. Withdrawal as manifested by either of the following:
 - a. The characteristic withdrawal syndrome for alcohol or the substance as referred to in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, published by the American Psychiatric Association; or
 - b. Alcohol or the same substance or a closely related substance is taken to relieve or avoid withdrawal symptoms;
3. Alcohol or the substance is often taken in larger amounts or over a longer period than was intended;
4. A persistent desire or unsuccessful efforts to cut down or control alcohol or substance use;
5. A great deal of time is spent in activities necessary to obtain alcohol or the substance, to use alcohol or the substance; or to recover from the effects of use of alcohol or the substance;
6. Important social, occupational, or recreational activities are given up or reduced because of alcohol or substance use; or
7. Alcohol or substance use continues despite knowledge of having had a persistent or recurrent physical or psychological problem that was likely to have been caused or exacerbated by alcohol or the substance.

Direct supervision means supervision in which the supervising practitioner is physically present and immediately available and does not include supervision provided by means of telecommunication.

Director means the Director of Public Health of the Division of Public Health or his/her designee. ~~of the Department of Health and Human Services or the Chief Medical Officer if one has been appointed pursuant to Neb. Rev. Stat. § 81-3201, for performance of the duties set out in that statute.~~

FSBPT means Federation of State Boards of Physical Therapy.

General supervision means supervision either onsite or by means of telecommunication.

Hour as it relates to continuing education means at least 60 minutes of participation in an organized learning experience otherwise known as a "contact hour."

1. One academic semester hour is equal to 15 contact hours: ~~Thus an An~~ approved three credit hour course ~~would provide~~s 45 contact hours of continuing education credit; and
2. One academic quarter hour is equal to ten contact hours: ~~Thus an An~~ approved three credit hour course ~~would provide~~s 30 contact hours of continuing education credit.

Inactive credential License or Certificate means a credential which the credential holder has voluntarily placed on inactive status and by which action has terminated the right to practice or represent him/herself as having an active credential. ~~the voluntary termination of the right or~~

~~privilege to practice physical therapy. The licensee or certificate holder retains the right or privilege to represent himself/herself as having an inactive license or certificate.~~

Intervention means a therapeutic procedure defined by the Current Procedural Terminology (CPT) manual of the American Medical Association.

Jurisdiction of the United States means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any American territory.

Jurisprudence (NE LAW) Examination means the Nebraska Physical Therapy Law Examination covering the laws governing the practice of physical therapy in Nebraska. This examination covers: the Regulations relating to the Practice of Physical Therapy, 172 NAC 137; the Statutes relating to Physical Therapy, Neb. Rev. Stat. §§ 38-2901 to 38-2929; 71-1,362 to 71-1,389, inclusive; the Uniform Credentialing Act, Licensing Law Neb. Rev. Stat. §§ 38-101 to 38-1,140-71-401 to 71-172, inclusive; and Medical Records Statutes the Statutes Relating to Medical Records, §§ 71-8401 to 71-8407, inclusive.

~~Lapsed License or Certificate means the voluntary termination of the right or privilege to represent himself/herself as a licensed physical therapist or certified physical therapist assistant and to practice physical therapy.~~

License means an authorization issued by the Department to an individual to engage in a profession or to a business to provide services which would otherwise be unlawful in this state in the absence of such authorization.

Licensure Examination means the National Physical Therapist Examination and Jurisprudence (NE LAW) Examination approved by the Department on the recommendation of the Board.

Military service means full-time duty in the active military service of the United States, a National Guard call to active service for more than 30 consecutive days, or active service as a commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration. Military service may also include any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause. (From the Servicemembers Civil Relief Act, 50 U.S.C. App. 501 et seq., as it existed on January 1, 2007.)

Mobilization or Manual Therapy means a group of techniques comprising a continuum of skilled passive movements to the joints or related soft tissues, or both, throughout the normal physiological range of motion that are applied at varying speeds and amplitudes, without limitation.

NAC means the Nebraska Administrative Code, the system for classifying State agency rules and regulations. These regulations are 172 NAC 137.

Non-treatment-related tasks means clerical, housekeeping, facility maintenance, or patient transportation services related to the practice of physical therapy.

Normal Physiological Range of Motion means all motions available at a joint in response to forces and loads that move the joint to the limit of its flexibility or extensibility. These motions may or may not be accompanied by a popping sound from the joint commonly known as joint cavitations.

Motions that result in movement beyond the range of motion of a normal, unimpaired joint or that result in partial or full dislocation are not part of the normal physiological range of motion of a joint.

Official means received directly from the issuing agency.

~~Pattern of negligent conduct means a continued course of negligent conduct in performing the duties of the profession.~~

Pattern of incompetent or negligent conduct means a continued course of incompetent or negligent conduct in performing the duties of the profession.

Physical therapy or pPhysiotherapy means:

1. Examining, evaluating, and testing individuals with mechanical, physiological, and developmental impairments, functional limitations, and disabilities or other conditions related to health and movement and, through analysis of the evaluative process, developing a plan of therapeutic intervention and prognosis while assessing the ongoing effects of the intervention;
2. Alleviating impairment, functional limitation, or disabilities by designing, implementing, or modifying therapeutic interventions, which does not include the making of a medical diagnosis, but which may include any of the following:
 - a. Therapeutic exercise;
 - b. Functional training in home, community, or work integration or reintegration related to physical movement and mobility;
 - c. Therapeutic massage;
 - d. Mobilization or manual therapy;
 - e. Recommendation, application, and fabrication of assistive, adaptive, protective, and supportive devices and equipment;
 - f. Airway clearance techniques;
 - g. Integumentary protection techniques;
 - h. Non-surgical debridement and wound care;
 - i. Physical agents or modalities;
 - j. Mechanical and electrotherapeutic modalities; and
 - k. Patient-related instruction.
3. Purchasing, storing, and administering topical and aerosol medication in compliance with applicable rules and regulations of the Board of Pharmacy regarding the storage of such medication;
4. Reducing the risk of injury, impairment, functional limitation, or disability, including the promotion and maintenance of fitness, health, and wellness; and
5. Engaging in administration, consultation, education, and research.

Physical therapist-Therapist means a person licensed to practice physical therapy under the Act.

Physical Therapist Assistant means a person certified as a physical therapist assistant under the Act.

Physical Therapy Aide means a person who is trained under the direction of a physical therapist and who performs treatment-related and non-treatment-related tasks.

Plan of Care means plans of therapeutic intervention utilizing APTA guidelines.

Practice Site means the location where the physical therapist provides physical therapy services.

Profession means any profession or occupation named in subsection (1) or (2) of Neb. Rev. Stat. § 38-121.

Satellite Office means a practice site operating without the presence of a physical therapist.

Semester Credit Hour means a semester credit that must include at a minimum: ~~15 hours of lecture, or 30 hours of laboratory, or 48 hours of clinical education.~~

1. 15 hours of lecture;
2. 30 hours of laboratory; or
3. 48 hours of clinical education.

Served in the regular armed forces has the same meaning as "military service" in these regulations.

Student means a person enrolled in an approved educational program.

Supervisory visit means an on-site visit by the supervising physical therapist in consultation with the physical therapist assistant. The on-site visit may occur in any clinical setting where the supervising physical therapist renders patient care.

Telecommunications means a land phone-line, cellular phone service, pager, video teleconference or any similar teleconferencing that will allow immediate response time. Facsimile and electronic mail are not defined as telecommunications due to inadequate response time.

Testing means standard methods and techniques used to gather data about a patient. Testing includes surface electromyography and, subject to approval of the Board, fine wire electromyography. Testing excludes diagnostic needle electromyography.

Treatment-related tasks means activities related to the practice of physical therapy that do not require the clinical decision making of a physical therapist or the clinical problem solving of a physical therapist assistant.

~~Verified means sworn before a Notary Public.~~

~~137-003 INITIAL CREDENTIAL FOR A PHYSICAL THERAPIST LICENSE-REQUIREMENTS FOR PHYSICAL THERAPIST LICENSURE: Any person who wishes to practice physical therapy must obtain a license. The criteria for issuance of a license and the documentation required by the Department and the Board are set forth below.~~

~~137-003.01 Qualifications: To receive a credential to practice as a physical therapist, an individual must meet the following qualifications:~~

- ~~1. Age and Good Character: Be at least 19 years old and of good character;~~

2. Citizenship/Lawful Presence Information: For purposes of Neb. Rev. Stat. §§4-108 to 4-114, a citizen of the United States or qualified alien under the Federal Immigration and Nationality Act. For the purposes of the Neb. Rev. Stat. §38-129, a citizen of the United States, an alien lawfully admitted into the United States, who is eligible for a credential under the Uniform Credential Act, or a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.
3. Education:
 - a. Have graduated from an approved physical therapist educational program; or
 - b. Have met the requirements of training as a physical therapist in a foreign country and English proficiency requirements pursuant to 172 NAC137-004.
4. Examination:
 - a. Pass the licensure examination with a scaled score that is greater than or equal to 600 on the National Physical Therapist Examination; and
 - b. Pass the Jurisprudence (NE Law) Examination with a scaled score that is greater than or equal to 600.
5. License in Another Jurisdiction and is Currently Practicing: An applicant for a license to practice as a physical therapist on the basis of licensure in another jurisdiction and meets the qualifications listed in 172 NAC 137-003.01 items 1, 2, 3, and 4.
6. License in Another Jurisdiction and has not Practiced Within the Three Years Preceding the Application: The applicant must meet the qualifications listed in 172 NAC 137-003.01 items 1, 2, 3, and 4 and the following:
 - a. Retake the licensure examination and pass with a scaled score that is greater than or equal to 600 on the National Physical Therapist Examination; and
 - b. Pass the Jurisprudence (NE LAW) Examination with a scaled score that is greater than or equal to 600.
7. Passed the Licensure Examination But is Not Practicing: If an applicant meets the requirements as listed in 172 NAC 137-003.01 items 1, 2, 3, 4 and passed the licensure examination more than three years prior to the time of application for licensure; s/he will need to:
 - a. Retake the licensure examination and pass with a scaled score that is greater than or equal to 600 on the National Physical Therapist Examination; and
 - b. Pass the Jurisprudence (NE LAW) Examination with a scaled score that is greater than or equal to 600.

~~137-003 REQUIREMENTS FOR PHYSICAL THERAPIST LICENSURE: Any person who wishes to practice physical therapy must obtain a license. The criteria for issuance of a license and the documentation required by the Department and the Board are set forth below.~~

~~137-003.01 License Based on Completion of an Approved Educational Program: An applicant for a license to practice physical therapy on the basis of education must:~~

- ~~1. Have graduated from an approved physical therapy educational program;~~
- ~~2. Pass the licensure examination with a scaled score that is greater than or equal to 600 on the National Physical Therapist Examination and a scaled score that is greater than or equal to 600 on the Jurisprudence Examination;~~
- ~~3. Have good moral character and have attained at least the age of majority (Neb. Rev. Stat. § 43-2101): All persons under 19 years of age are declared to be minors, but in the case of any person married under the age of 19 years, his/her minority ends; and~~
- ~~4. Submit to the Department:
 - ~~a. A completed application, on a form provided by the Department or on an alternate format, which includes the following information:
 - ~~(1) Complete name including middle or maiden name;~~
 - ~~(2) Mailing address including street, P.O. Box, route, city, state, and zip;~~
 - ~~(3) Date of birth (month, day, and year);~~
 - ~~(4) Place of birth (city and state);~~
 - ~~(5) Social Security Number;~~
 - ~~(6) Telephone number including area code (optional); and~~
 - ~~(7) If convicted of a felony or misdemeanor,
 - ~~(a) The official court records relating to the conviction and disposition;~~
 - ~~(b) Copies of arrest records;~~
 - ~~(c) A letter from the licensee explaining the nature of the conviction(s);~~
 - ~~(d) All addiction/or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~
 - ~~(e) A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and~~~~
 - ~~(8) The state, license number, date license issued, and expiration date of license for each state where the applicant has been or is currently licensed;~~
 - ~~(9) If any disciplinary action was taken against the applicant's license, a letter of explanation of the disciplinary action;~~
 - ~~(10) The name of college or the university attended;~~
 - ~~(11) The name and date of the degree awarded;~~
 - ~~(12) The applicant was denied licensure or the right to take an examination, an explanation of the denial; and~~~~~~

~~(13) Attestation by the applicant:~~~~(a) That s/he has not practiced in Nebraska prior to the application for a license; or~~~~(b) To the actual number of days practiced in Nebraska prior to the application for a license; and~~~~(14) Signature and date on the following statement: I hereby certify that the preceding information is correct to the best of my knowledge and I further certify that I am of good moral character; and~~~~b. An official copy of a transcript showing graduation from an approved physical therapy educational program;~~~~c. Official documentation of passing the licensure examination;~~~~d. A copy of the applicant's birth certificate, marriage license, driver's license or other valid verification of age; and~~~~e. The required license fee.~~~~137-003.01A The Department will act within 150 days upon all completed applications for licensure.~~~~137-003.01B When a credential will expire within 180 days after its initial issuance date, the Department will collect \$26, and the license will be valid until the next subsequent renewal date.~~~~137-003.01C Administrative Penalty or Other Action: An individual, who practices prior to issuance of a license, is subject to assessment of an administrative penalty pursuant to 172 NAC 137-023, or other action as provided in the statutes and regulations governing the license.~~

137-003.02 Application: To apply for a credential to practice as a physical therapist, the individual must submit a complete application to the Department. A complete application includes all required documentation, the required fee, and a written application. The applicant may obtain an application from the Department or construct an application that must contain the following information:

1. Written Application:

a. Personal Information:

(1) The legal name of the applicant, maiden name (if applicable), and any other names by which the applicant is known;

(2) Date of birth (month, day, and year);

(3) Place of birth (city and state or country if not born in the United States);

(4) Mailing address (street, rural route, or post office address; and city, state, and zip code, or country information);

(5) The applicant's:

(a) Social Security Number (SSN);

(b) Alien Registration Number ("A#"); or

(c) Form I-94 (Arrival-Departure Record) number.

Certain applicants may have both a SSN and an A# or I-94 number, and if so, must report both.

- the licensing agency submit to the Department a certification of his/her credential;
- (2) Disciplinary Action: A list of any disciplinary actions taken against the applicant's credential and a copy of the disciplinary action(s), including charges and disposition;
 - (3) Denial: If the applicant was denied a credential or denied the right to take a credentialing examination, an explanation of the basis for the denial;
 - (4) Conviction Information: If the applicant has been convicted of a felony or misdemeanor, the applicant must submit to the Department:
 - (a) A list of any misdemeanor or felony convictions;
 - (b) A copy of the court record, which includes charges and disposition;
 - (c) Explanation from the applicant of the events leading to the conviction (what, when, where, why) and a summary of actions the applicant has taken to address behaviors/actions related to the conviction;
 - (d) All addiction/mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required;
 - (e) A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and
 - (f) Any other information as requested by the Board/Department;
- c. Evidence that the applicant is:
- (1) For purposes of Neb. Rev. Stat. §§ 4-108 to 4-114, a citizen of the United States or a qualified alien under the Federal Immigration and Nationality Act; and
 - (2) For the purposes of Neb. Rev. Stat. §38-129; a citizen of the United States, an alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, or a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.
- d. Evidence of citizenship, lawful presence, and/or immigration status may include a copy of:
- (1) A U.S. Passport (unexpired or expired);
 - (2) A birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal;
 - (3) An American Indian Card (I-872);
 - (4) A Certificate of Naturalization (N-550 or N-570);
 - (5) A Certificate of Citizenship (N-560 or N-561);
 - (6) Certification of Report of Birth (DS-1350);
 - (7) A Consular Report of Birth Abroad of a Citizen of the United States of America (FS-240);

- (8) Certification of Birth Abroad (FS-545 or DS-1350);
 - (9) A United States Citizen Identification Card (I-197 or I-179);
 - (10) A Northern Mariana Card (I-873);
 - (11) A Green Card, otherwise known as a Permanent Resident Card (Form I-551), both front and back of the card;
 - (12) An unexpired foreign passport with an unexpired Temporary I-551 stamp bearing the same name as the passport;
 - (13) A document showing an Alien Registration Number ("A#"). An Employment Authorization Card/Document is not acceptable; or
 - (14) A Form I-94 (Arrival-Departure Record);
 - e. Documentation of education, including:
 - (1) Name and date of diploma/degree awarded; and
 - (2) Name of school, college, university that awarded the diploma/degree.
 - f. Documentation of examination, including:
 - (1) Name of examination;
 - (2) Date of examination; and
 - (3) Rating/grade received; and
 - g. Documentation that the applicant:
 - (1) Requested that the examination score for the National Physical Therapist Examination be sent directly to the Department from the appropriate examination service or State Board Office;
 - (2) Submitted a completed request for special accommodations, if special testing accommodations are needed by the applicant; and
 - (3) Submitted any other documentation as requested by the Board/Department; and
3. Fee: The applicant must submit the required license fee along with the application and all required documentation.

137-003.02A Prorated Fee: When a credential will expire within 180 days after its initial issuance date and the initial credentialing fee is \$25 or more, the Department will collect \$25 or one-fourth of the initial credentialing fee, whichever is greater, for the initial credential, and the credential will be valid until the next subsequent renewal date.

137-003.03 Department Review: The Department will act within 150 days upon all completed applications for initial credentialing.

137-003.04 Denial of Initial Credential: If an applicant for an initial credential does not meet all of the requirements for a credential, the Department will deny issuance of a credential. If the applicant is found to have committed any act which would be grounds for denial of a credential as listed in 172 NAC 137-015, the Department may deny issuance of a credential. To deny a credential, the Department will notify the applicant in writing of the denial and the reasons for the determination. The denial will become final 30 days after mailing the notice unless the applicant, within that 30-day period, requests a hearing in

writing. The hearing will be conducted in accordance with the Administrative Procedure Act and 184 NAC 1, the Department's Rules of Practice and Procedure for Administrative Hearings.

137-003.05 Withdrawn Applications: An applicant for a credential who withdraws his/her application or whose application is rejected by the Department prior to administration of the examination will be allowed the return of his/her fee, except for a \$25 administrative fee to be retained by the Department.

137-003.06 Practice Prior to Credential: An individual who practices prior to issuance of a credential is subject to assessment of an administrative penalty under 172 NAC 137-018 or such other action as provided in the statutes and regulations governing the credential.

137-003.07 Confidentiality: Social Security Numbers obtained under this section are not public information but may be shared by the Department for administrative purposes if necessary and only under appropriate circumstances to ensure against any unauthorized access to this information.

137-003.08 Address Information: Each credential holder must notify the Department of any change to the address of record.

137-003.09 Non-English Documents: Any documents written in a language other than English must be accompanied by a complete translation into the English language. The translation must be an original document and contain the notarized signature of the translator. An individual may not translate his/her own documents.

~~137-004 137-003.02 License~~ INITIAL CREDENTIAL FOR A PHYSICAL THERAPIST LICENSE Based on Training as a Physical Therapist in a Foreign Country: An applicant for a license to practice physical therapy on the basis of training as a physical therapist in a foreign country must have met the qualifications outlined in 172 NAC 137-003.01, items 1 through 4; and items 5 through 7, whichever is applicable. The applicant must also meet the following requirements:

1. Have completed a program of professional instruction that is substantially equivalent to an approved educational program. A substantially equivalent program of professional instruction is one that consists of those components specified in one of the following Federation of State Boards of Physical Therapy (FSBPT) Coursework tools: The appropriate FSBPT Coursework Tool to be used by the credentialing agency will be determined by the year the foreign trained physical therapist graduated from his/her foreign program of professional instruction. The credit hours required for general education may be obtained through the College Level Examination Program (CLEP).

- a. ~~Federation of State Boards of Physical Therapy (FSBPT) Coursework Evaluation Tool for Foreign Educated Physical Therapists 1998 to present (Fourth Edition Revised May, 2004) a copy of which is attached as Attachment N and incorporated into these regulations pursuant to 172 NAC 137; Tool For Foreign Education Physical Therapists Who Graduated before 1978 CWT 1.~~
- b. ~~FSBPT Retrospective Coursework Evaluation Tool for Foreign Educated Physical Therapists 1992 to 1997 (March 2005) a copy of which is attached as~~

~~Attachment O and incorporated into these regulations pursuant to 172 NAC 137 Coursework Tool For Foreign Educated Physical Therapists Who Graduated From 1978 to 1991 CWT 2.~~

- c. ~~FSBPT Retrospective Coursework Evaluation Tool for Foreign Educated Physical Therapists 1978 to 1991 (September 2005) a copy of which is attached as Attachment P and incorporated into these regulations pursuant to 172 NAC 137; or Coursework Tool For Foreign Educated Physical Therapists Who Graduated From 1992 to 1997 CWT3.~~
 - d. ~~FSBPT Retrospective Coursework Evaluation Tool for Foreign Educated Physical Therapists 1955 to 1977 (September 2005) a copy of which is attached as Attachment Q and incorporated into these regulations pursuant to 172 NAC 137; and Coursework Tool For Foreign Educated Physical Therapists who Graduated from 1998 to June 30, 2009 CWT 4.~~
 - e. ~~Coursework Tool For Foreign Educated Physical Therapists who Graduated after June 30, 2009 CWT 5.~~
 - e. ~~The appropriate FSBPT Coursework Evaluation Tool to be used by the credentialing agency will be determined by the year the foreign-trained physical therapist graduated from his/her foreign program of professional instruction; and~~
 - f. ~~The credit hours required for general education may be obtained through the College Level Examination Program (CLEP); and~~
2. Have proficiency in the English language:
- a. The following applicants are deemed to be proficient in the English Language:
 - a(1). Graduates of physical therapy programs from Australia, Canada (except Quebec), Ireland, New Zealand, the United Kingdom, and the United States; and
 - b(2). Graduates from programs accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE); ~~and~~
 - b. ~~Obtain a passing score on one of the following examinations administered by Educational Testing Service which measures proficiency in the English language:~~
 - (1) ~~Test of English as a Foreign Language (TOEFL), paper pencil format, with a minimum passing score of 560; Test of Written English (TWE), paper pencil format, with a minimum passing score of 4.5; and Test of Spoken English (TSE), paper pencil format with a minimum passing score of 50; or~~

(2) Internet Based English Language Proficiency Test, TOEFL iBT with the minimum passing scores as follows:

Reading Comprehension 21
Listening Comprehension 18
Writing Comprehension 24
Speaking Comprehension 26

Total score 89; or

c. Hold an official U.S. Citizenship and Immigration Services' Health Care Worker Certification issued no more than five years immediately preceding the date of the application by one of the following agencies.

(1) Foreign Credentialing Commission of Physical Therapy (FCCPT); or

(2) Commission on Graduates of Foreign Nursing Schools (CGFNS).

~~3. Pass the licensure examination with a scaled score that is greater than or equal to 600 on the National Physical Therapist Examination and a scaled score that is greater than or equal to 600 on the Jurisprudence Examination;~~

~~4. Have good moral character and have attained at least the age of majority (Neb. Rev. Stat. § 43-2101): All persons under 19 years of age are declared to be minors, but in the case of any person married under the age of 19 years, his/her minority ends; and~~

3.5. Submit to the Department:

a. Documentation of the applicant's educational credentials prepared by one of the following accrediting agencies:

- (1) International Consultants of Delaware, Inc.;
- (2) International Credentialing Association, Inc.;
- (3) International Education Research Foundation, Inc.; or
- (4) Foreign Credentialing Commission on Physical Therapy.

The credentialing agency must base their evaluation of the applicant's program of professional instruction on the requirements set out in 172 NAC ~~137-003.02~~137-004, item 1; ~~and~~

b. An official transcript(s) of the training the physical therapist completed in a foreign country; and

c. ~~Proof of~~One of the following documents that proves proficiency in the English language:

- (1) ~~Deemed to have met the proficiency requirement~~Proof of graduation from a physical therapy program pursuant to 172 NAC ~~137-003.02, item 2; or~~137-004 item 2a;

- (2) ~~Provide Official documentation from the Educational Testing Service showing the passing scores on the examination outlined in official documentation showing passage of one of the examinations administered by Educational Testing Service which measures proficiency in the English language 172 NAC 137-004 item 2b; or:~~
- (a) ~~Test of English as a Foreign Language (TOEFL), paper pencil format, with a minimum passing score of 560; Test of Written English (TWE), paper pencil format, with a minimum passing score of 4.5; and Test of Spoken English (TSE), paper pencil format with a minimum passing score of 50; or~~
- (b) ~~Internet Based English Language Proficiency Test, TOEFL iBT with the minimum passing scores as follows:~~
- ~~Reading Comprehension—24
Listening Comprehension—18
Writing Comprehension—24
Speaking Comprehension—26~~
- ~~Total score 89; or~~
- (3) ~~Provide the e~~Official U.S. Citizenship and Immigration Services' Health Care Worker Certification issued no more than five years immediately preceding the date of the application. ~~; and~~

137-004.02 Application: To apply for a credential to practice as a physical therapist, the individual must submit a complete application to the Department. A complete application includes all required documentation, the required fee, and a written application. The applicant may obtain an application from the Department or construct an application that must contain the following information:

1. Written Application:

a. Personal Information:

- (1) The legal name of the applicant, maiden name (if applicable), and any other names by which the applicant is known;
- (2) Date of birth (month, day, and year);
- (3) Place of birth (city and state or country if not born in the United States);
- (4) Mailing address (street, rural route, or post office address; and city, state, and zip code, or country information);
- (5) The applicant's:
- (a) Social Security Number (SSN);
- (b) Alien Registration Number ("A#"); or
- (c) Form I-94 (Arrival-Departure Record) number.
Certain applicants may have both a SSN and an A# or I-94 number, and if so, must report both.

- licensing agency submit to the Department a certification of his/her credential;
- (2) Disciplinary Action: A list of any disciplinary actions taken against the applicant's credential and a copy of the disciplinary action(s), including charges and disposition;
 - (3) Denial: If the applicant was denied a credential or denied the right to take a credentialing examination, an explanation of the basis for the denial;
 - (4) Conviction Information: If the applicant has been convicted of a felony or misdemeanor, the applicant must submit to the Department:
 - (a) A list of any misdemeanor or felony convictions;
 - (b) A copy of the court record, which includes charges and disposition;
 - (c) Explanation from the applicant of the events leading to the conviction (what, when, where, why) and a summary of actions the applicant has taken to address behaviors/actions related to the conviction;
 - (d) All addiction/mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required;
 - (e) A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and
 - (f) Any other information as requested by the Board/Department;
- c. Evidence that the applicant is:
- (1) For purposes of Neb. Rev. Stat. §§ 4-108 to 4-114, a citizen of the United States or a qualified alien under the Federal Immigration and Nationality Act; and
 - (2) For the purposes of Neb. Rev. Stat. §38-129; a citizen of the United States, an alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, or a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.
- d. Evidence of citizenship, lawful presence, and/or immigration status may include a copy of:
- (1) A U.S. Passport (unexpired or expired);
 - (2) A birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal;
 - (3) An American Indian Card (I-872);
 - (4) A Certificate of Naturalization (N-550 or N-570);
 - (5) A Certificate of Citizenship (N-560 or N-561);
 - (6) Certification of Report of Birth (DS-1350);
 - (7) A Consular Report of Birth Abroad of a Citizen of the United States of America (FS-240);

- (8) Certification of Birth Abroad (FS-545 or DS-1350);
 - (9) A United States Citizen Identification Card (I-197 or I-179);
 - (10) A Northern Mariana Card (I-873);
 - (11) A Green Card, otherwise known as a Permanent Resident Card (Form I-551), both front and back of the card);
 - (12) An unexpired foreign passport with an unexpired Temporary I-551 stamp bearing the same name as the passport;
 - (13) A document showing an Alien Registration Number ("A#"). An Employment Authorization Card/Document is not acceptable; or
 - (14) A Form I-94 (Arrival-Departure Record);
 - e. Documentation of education, including:
 - (1) Name and date of diploma/degree awarded; and
 - (2) Name of school, college, university that awarded the diploma/degree.
 - f. Documentation of examination, including:
 - (1) Name of examination;
 - (2) Date of examination; and
 - (3) Rating/grade received; and
 - g. Documentation that the applicant:
 - (1) Requested that the examination score for the National Physical Therapist Examination and the Jurisprudence (NE Law) Examination be sent directly to the Department from the appropriate examination service or State Board Office if applicable;
 - (2) Submitted a completed request for special accommodations, if special testing accommodations are needed by the applicant; and
 - (3) Submitted any other documentation as requested by the Board/Department; and
3. Fee: The applicant must submit the required license fee along with the application and all required documentation.

137-004.02A Prorated Fee: When a credential will expire within 180 days after its initial issuance date and the initial credentialing fee is \$25 or more, the Department will collect \$25 or one-fourth of the initial credentialing fee, whichever is greater, for the initial credential, and the credential will be valid until the next subsequent renewal date.

- ~~d. Official documentation of passing the licensure examination;~~
- ~~e. A completed application, on a form provided by the Department or on an alternate format pursuant to 172 NAC 137-003.01 item 4a;~~
- ~~f. A copy of the applicant's birth certificate, marriage license, driver's license or other valid verification of age; and~~
- ~~g. Attestation by the applicant:~~
 - ~~(1) That s/he has not practiced in Nebraska prior to the application for a license; or~~

~~(2) To the actual number of days practiced in Nebraska prior to the application for a license; and~~

~~h. The required license fee.~~

~~137-003.02A The Department will act within 150 days upon all completed applications for licensure.~~

~~137-003.02B When a credential will expire within 180 days after its initial issuance date, the Department will collect \$26, and the license will be valid until the next subsequent renewal date.~~

~~137-003.02C Administrative Penalty or Other Action: An individual, who practices prior to issuance of a license, is subject to assessment of an administrative penalty pursuant to 172 NAC 137-023, or other action as provided in the statutes and regulations governing the license.~~

~~137-003.03 License Based on a License Issued in Another Jurisdiction: An applicant for a license to practice physical therapy on the basis of licensure in another jurisdiction must:~~

- ~~1. Provide documentation that the standards regulating the practice of physical therapy in the other jurisdiction are equal to those maintained in Nebraska;~~
- ~~2. Provide documentation that his/her license was based on:
 - ~~a. A written examination;~~
 - ~~b. The grades given at examination; and~~
 - ~~c. The date the license was issued; and~~~~
- ~~3. Pass the jurisprudence examination with a minimum scaled score of 600;~~
- ~~4. Provide documentation of being actively engaged in the practice of physical therapy under a license or in an accepted residency or graduate program for at least one of the three years immediately preceding application;~~
- ~~5. Provide documentation of being in active and continuous practice of physical therapy under the license issued by examination in the state, territory, or District of Columbia from which s/he comes for at least one year;~~
- ~~6. Have good moral character and have attained at least the age of majority (Neb. Rev. Stat. § 43-2101): All persons under 19 years of age are declared to be minors, but in the case of any person married under the age of 19 years, his/her minority ends; and~~
- ~~7. Submit to the Department:
 - ~~a. A completed application, on a form provided by the Department or on an alternate format pursuant to 172 NAC 137-003.01 item 4a;~~
 - ~~b. A copy of the applicant's birth certificate, marriage license, driver's license or other valid verification of age; and~~~~

- ~~e. Attestation by the applicant:~~
- ~~(1) That s/he has not practiced in Nebraska prior to the application for a license; or~~
 - ~~(2) To the actual number of days practiced in Nebraska prior to the application for a license; and~~
- ~~d. Documentation of certification from the licensing agency in the other jurisdiction that the applicant is duly licensed. Documentation of certification may be on a form provided by the Department or on an alternate format provided by the licensing agency. The form must contain the following information:~~
- ~~(1) A certification that the applicant is duly licensed or certified, that his/her license or certificate has never been suspended or revoked, and that so far as the record of the agency is concerned, the applicant is entitled to its endorsement;~~
 - ~~(2) The nature of disciplinary action(s), if any, taken against the applicant's license or certificate;~~
 - ~~(3) The issuance date of the applicant's license or certificate;~~
 - ~~(4) The name of the examination on which licensure was based;~~
 - ~~(5) The score attained on the examination; and~~
 - ~~(6) Documentation of the requirements for licensure or certification in the other jurisdiction which were in effect at the time the license was issued; and~~
- ~~e. The required licensure fee.~~

~~137-003.03A The Board will review the documents submitted to determine if the applicant's license or certificate issued by the other jurisdiction was based upon standards regulating the profession which are equal to those maintained in physical therapy by Nebraska.~~

~~137-003.03B The Department will act within 150 days upon all completed applications for licenses.~~

~~137-003.03C When a credential will expire within 180 days after its initial issuance date, the Department will collect \$26, and the license will be valid until the next subsequent renewal date.~~

~~137-003.03D Administrative Penalty or Other Action: An individual, who practices prior to issuance of a license, is subject to assessment of an administrative penalty pursuant to 172 NAC 137-023, or other action as provided in the statutes and regulations governing the license.~~

~~137-004.03 Department Review: The Department will act within 150 days upon all completed applications for initial credentialing.~~

~~137-004.04 Denial of Initial Credential: If an applicant for an initial credential does not meet all of the requirements for a credential, the Department will deny issuance of a credential. If the applicant is found to have committed any act which would be grounds for denial of a credential as listed in 172 NAC 137-015, the Department may deny issuance of a credential. To deny a credential, the Department will notify the applicant in writing of the~~

denial and the reasons for the determination. The denial will become final 30 days after mailing the notice unless the applicant, within that 30-day period, requests a hearing in writing. The hearing will be conducted in accordance with the Administrative Procedure Act and 184 NAC 1, the Department's Rules of Practice and Procedure for Administrative Hearings.

137-004.05 Withdrawn Applications: An applicant for a credential who withdraws his/her application or whose application is rejected by the Department prior to administration of the examination will be allowed the return of his/her fee, except for a \$25 administrative fee to be retained by the Department.

137-004.06 Practice Prior to Credential: An individual who practices prior to issuance of a credential is subject to assessment of an administrative penalty under 172 NAC 137-018 or such other action as provided in the statutes and regulations governing the credential.

137-004.07 Confidentiality: Social Security Numbers obtained under this section are not public information but may be shared by the Department for administrative purposes if necessary and only under appropriate circumstances to ensure against any unauthorized access to this information.

137-004.08 Address Information: Each credential holder must notify the Department of any change to the address of record.

137-004.09 Non-English Documents: Any documents written in a language other than English must be accompanied by a complete translation into the English language. The translation must be an original document and contain the notarized signature of the translator. An individual may not translate his/her own documents.

137-004-RESERVED

137-005-137-005 REQUIREMENTS FOR INITIAL CREDENTIAL FOR A PHYSICAL THERAPIST ASSISTANT-CERTIFICATION CERTIFICATE: Any person who wishes to practice as a physical therapist assistant must obtain a certificate. The criteria for issuance of a certificate and the documentation required by the Department and the Board are set forth below.

137-005.01 Qualifications: To receive a credential to practice as a physical therapist assistant, an individual must meet the following qualifications:

1. Age and Good Character: Be at least 19 years old and of good character;
2. Citizenship/Lawful Presence Information: For purposes of Neb. Rev. Stat. §§4-108 to 4-114, a citizen of the United States or qualified alien under the Federal Immigration and Nationality Act. For the purposes of the Neb. Rev. Stat. §38-129, a citizen of the United States, an alien lawfully admitted into the United States, who is eligible for a credential under the Uniform Credential Act, or a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.
3. Education:

- a. Have graduated from an approved physical therapist assistant educational program.
4. Examination:
 - a. Pass the certification examination with a scaled score that is greater than or equal to 600 on the National Physical Therapist Assistant Examination; and
 - b. Pass the Jurisprudence (NE Law) Examination with a scaled score that is greater than or equal to 600.
 5. Credential As A Physical Therapist Assistant in Another Jurisdiction and is Currently Practicing: An applicant for a certification to practice as a physical therapist assistant on the basis of licensure in another jurisdiction and meets the qualifications listed in 172 NAC 137-005.01 items 1, 2, 3, and 4.
 6. Credential As a Physical Therapist Assistant in Another Jurisdiction and Has Not Practiced Within the Three Years Preceding the Application: The applicant must meet the qualifications listed in 172 NAC 137-005.01 items 1, 2, 3, and 4 and the following:
 - (1) Retake the certification examination and pass with a scaled score that is greater than or equal to 600 on the National Physical Therapist Assistant Examination; and
 - (2) Pass the Jurisprudence (NE LAW) Examination with a scaled score that is greater than or equal to 600.
 7. Passed the Certification Examination But is Not Practicing: If an applicant meets the requirements as listed in 172 NAC 137-005.01 items 1, 2, 3, 4 and passed the certification examination more than three years prior to the time of application for certification; s/he will need to:
 - (1) Retake the certification examination and pass with a scaled score that is greater than or equal to 600 on the National Physical Therapist Assistant Examination; and
 - (2) Pass the Jurisprudence (NE LAW) Examination with a scaled score that is greater than or equal to 600.

~~137-005.01 An applicant for a certificate to practice as a physical therapist assistant issued on the basis of education must:~~

- ~~1. Have graduated from an approved physical therapist assistant educational program;~~
- ~~2. Pass the certification examination with a score that is greater than or equal to 600 on the National Physical Therapist Assistant Examination and a scaled score that is greater than or equal to 600 on the Jurisprudence Examination;~~

- ~~3. Have good moral character and have attained at least the age of majority (Neb. Rev. Stat. § 43-2101): All persons under 19 years of age are declared to be minors, but in the case of any person married under the age of 19 years, his/her minority ends; and~~

137-005.02 Application: To apply for a credential to practice as a physical therapist assistant, the individual must submit a complete application to the Department. A complete application includes all required documentation, the required fee, and a written application. The applicant may obtain an application from the Department or construct an application that must contain the following information:

1. Written Application:

a. Personal Information:

- (1) The legal name of the applicant, maiden name (if applicable), and any other names by which the applicant is known;
- (2) Date of birth (month, day, and year);
- (3) Place of birth (city and state or country if not born in the United States);
- (4) Mailing address (street, rural route, or post office address; and city, state, and zip code, or country information);
- (5) The applicant's:
 - (a) Social Security Number (SSN);
 - (b) Alien Registration Number ("A#"); or
 - (c) Form I-94 (Arrival-Departure Record) number.
Certain applicants may have both a SSN and an A# or I-94 number, and if so, must report both.
- (6) The applicant's telephone number including area code (optional);
- (7) The applicant's e-mail address (optional);
- (8) The applicant's fax number (optional);

b. Practice Before Application: The applicant must state:

- (1) That s/he has not practiced as a physical therapist assistant in Nebraska before submitting the application; or
- (2) If s/he has practiced as a physical therapist assistant in Nebraska before submitting the application, the actual number of days practiced in Nebraska before submitting the application for a credential and the name and location of practice;

c. Attestation: The applicant must attest that:

- (1) S/he has read the application or has had the application read to him/her;
- (2) All statements on the application are true and complete;
- (3) S/he is of good character;
- (4) S/he has not committed any act that would be grounds for denial under 172 NAC 137-006 or if an act(s) was committed, provide an explanation of all such acts; and
- (5) S/he is:

- (a) For purposes of Neb. Rev. Stat. §§ 4-108 to 4-114, a citizen of the United States or a qualified alien under the Federal Immigration and Nationality Act; and
 - (b) For the purposes of Neb. Rev. Stat. §38-129;
 - (i) A citizen of the United States;
 - (ii) An alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credential Act; or
 - (iii) A nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.
 - 2. Documentation: The applicant must submit the following documentation with the application:
 - a. Evidence of age, such as:
 - (1) Driver's license;
 - (2) Birth certificate;
 - (3) Marriage license that provides date of birth;
 - (4) Transcript that provides date of birth;
 - (5) U.S. State identification card;
 - (6) Military identification; or
 - (7) Other similar documentation;
 - b. Evidence of good character, including:
 - (1) Other Credential Information: If the applicant holds a credential to provide health services, health-related services, or environmental services in Nebraska or in another jurisdiction, the applicant must submit the state, credential number, type of credential, date issued, and expiration date of each credential where the applicant has been or is currently credentialed. The applicant must have the licensing agency submit to the Department a certification of his/her credential;
 - (2) Disciplinary Action: A list of any disciplinary actions taken against the applicant's credential and a copy of the disciplinary action(s), including charges and disposition;
 - (3) Denial: If the applicant was denied a credential or denied the right to take a credentialing examination, an explanation of the basis for the denial;
 - (4) Conviction Information: If the applicant has been convicted of a felony or misdemeanor, the applicant must submit to the Department:
 - (a) A list of any misdemeanor or felony convictions;
 - (b) A copy of the court record, which includes charges and disposition;
 - (c) Explanation from the applicant of the events leading to the conviction (what, when, where, why) and a summary of actions the applicant has taken to address behaviors/actions related to the conviction;
 - (d) All addiction/mental health evaluations and proof of treatment, if the conviction involved a drug and/or

- alcohol related offense and if treatment was obtained and/or required;
- (e) A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and
- (f) Any other information as requested by the Board/Department;
- c. Evidence that the applicant is:
- (1) For purposes of Neb. Rev. Stat. §§ 4-108 to 4-114, a citizen of the United States or a qualified alien under the Federal Immigration and Nationality Act; and
- (2) For the purposes of Neb. Rev. Stat. §38-129; a citizen of the United States, an alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, or a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.
- d. Evidence of citizenship, lawful presence and/or immigration status may include a copy of:
- (1) A U.S. Passport (unexpired or expired);
- (2) A birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal;
- (3) An American Indian Card (I-872);
- (4) A Certificate of Naturalization (N-550 or N-570);
- (5) A Certificate of Citizenship (N-560 or N-561);
- (6) Certification of Report of Birth (DS-1350);
- (7) A Consular Report of Birth Abroad of a Citizen of the United States of America (FS-240);
- (8) Certification of Birth Abroad (FS-545 or DS-1350);
- (9) A United States Citizen Identification Card (I-197 or I-179);
- (10) A Northern Mariana Card (I-873);
- (11) A Green Card, otherwise known as a Permanent Resident Card (Form I-551), both front and back of the card;
- (12) An unexpired foreign passport with an unexpired Temporary I-551 stamp bearing the same name as the passport;
- (13) A document showing an Alien Registration Number ("A#"). An Employment Authorization Card/Document is not acceptable; or
- (14) A Form I-94 (Arrival-Departure Record);
- e. Documentation of education, including:
- (1) Name and date of diploma/degree awarded; and
- (2) Name of school, college, university that awarded the diploma/degree.
- f. Documentation of examination, including:
- (1) Name of examination;
- (2) Date of examination; and
- (3) Rating/grade received; and
- g. Documentation that the applicant:

- (1) Requested that the examination score for the National Physical Therapist Examination and the Jurisprudence (NE Law) Examination be sent directly to the Department from the appropriate examination service or State Board office;
 - (2) Submitted a completed request for special accommodations, if special testing accommodations are needed by the applicant; and
 - (3) Submitted any other documentation as requested by the Board/Department; and
3. Fee: The applicant must submit the required license fee along with the application and all required documentation.

137-005.02A Prorated Fee: When a credential will expire within 180 days after its initial issuance date and the initial credentialing fee is \$25 or more, the Department will collect \$25 or one-fourth of the initial credentialing fee, whichever is greater, for the initial credential, and the credential will be valid until the next subsequent renewal date.

4. Submit to the Department:

- a. A completed application, on a form provided by the Department or on an alternate format which includes the following information:
- (1) Complete name including middle or maiden name;
 - (2) Mailing address including street, P.O. Box, route, city, state, and zip;
 - (3) Date of birth (month, day, and year);
 - (4) Place of birth (city and state);
 - (5) Social Security Number;
 - (6) Telephone number including area code (optional); and
 - (7) If convicted of a felony or misdemeanor,
 - (a) The official court records relating to the conviction and disposition; and
 - (b) A letter of explanation of conviction(s); and
 - (8) The state, license or certificate number, date license or certificate issued, and expiration date of license or certificate for each state where the applicant has been or is currently licensed or certified;
 - (9) If any disciplinary action was taken against the applicant's license or certificate, a letter of explanation of the disciplinary action;
 - (10) The name of the college or university attended;
 - (11) The name and date of the degree awarded;
 - (12) If the applicant was denied licensure or certification or the right to take an examination, an explanation of the denial; and
 - (13) Attestation by the applicant:
 - (a) That s/he has not practiced in Nebraska prior to the application for a certificate; or
 - (b) To the actual number of days practiced in Nebraska prior to application for a certificate; and

- ~~(14) Signature and date on the following statement: I hereby certify that the preceding information is correct to the best of my knowledge and I further certify that I am of good moral character; and~~
- ~~b. An official transcript showing graduation from an approved physical therapist assistant program;~~
 - ~~c. Official documentation of passing the certification examination;~~
 - ~~d. A copy of the applicant's birth certificate, marriage license, driver's license or other valid verification of age; and~~
 - ~~e. The required certification fee.~~

~~137-005A The Department will act within 150 days upon all completed applications for certification.~~

~~137-005B When a credential will expire within 180 days after its initial issuance date, the Department will collect \$26, and the certificate will be valid until the next subsequent renewal date.~~

~~137-005C Administrative Penalty or Other Action: An individual, who practices prior to issuance of a license, is subject to assessment of an administrative penalty pursuant to 172 NAC 137-023, or other action as provided in the statutes and regulations governing the license.~~

~~137-005.02 Certificate Based on a Certificate in Another Jurisdiction: An applicant for a certificate to practice as a physical therapist assistant on the basis of licensure or certification in another jurisdiction must:~~

- ~~1. Provide documentation that the standards regulating the practice of physical therapy as a physical therapist assistant in the other jurisdiction are equal to those maintained in Nebraska;~~
- ~~2. Provide documentation that his/her license or certificate was based on:
 - ~~a. A written examination;~~
 - ~~b. The grades given at examination; and~~
 - ~~c. The date the license or certificate was issued; and~~~~
- ~~3. Pass the jurisprudence examination, with a minimum scaled score, of greater than or equal to 600;~~
- ~~4. Provide documentation of being actively engaged in practice as a physical therapist assistant or in an accepted residency or graduate program for at least one of the three years immediately preceding application; or~~
- ~~5. Provide documentation of being in active and continuous practice for at least one year as a physical therapist assistant under license or certificate issued by examination in the state, territory, or District of Columbia from which s/he comes;~~
- ~~6. Have good moral character and have attained at least the age of majority (Neb. Rev. Stat. § 43-2101): All persons under 19 years of age are declared to be~~

~~minors, but in the case of any person married under the age of 19 years, his/her minority ends;~~

~~7. Submit to the Department:~~

- ~~a. A completed application, on a form provided by the Department or on an alternate format pursuant to 172 NAC 137-005.01, item 4a;~~
- ~~b. A copy of the applicant's birth certificate, marriage license, driver's license or other valid verification of age; and~~
- ~~c. Attestation by the applicant:
 - ~~(1) That s/he has not practiced in Nebraska prior to the application for a certificate; or~~
 - ~~(2) To the actual number of days practiced in Nebraska prior to the application for a certificate; and~~~~
- ~~d. Documentation of certification from the licensing agency in the other jurisdiction that the applicant is duly licensed. Documentation of certification may be on a form provided by the Department or on an alternate format provided by the licensing agency. The form must contain the following information:
 - ~~(1) A certification that the applicant is duly licensed or certified, that his/her license or certificate has never been suspended or revoked, and that so far as the record of the agency is concerned, the applicant is entitled to its endorsement;~~
 - ~~(2) The nature of disciplinary actions, if any, taken against the applicant's license or certificate;~~
 - ~~(3) The issue date of the applicant's license or certificate;~~
 - ~~(4) The name of the examination on which licensure or certification was based;~~
 - ~~(5) The score attained on the examination; and~~
 - ~~(6) Documentation of the requirements for licensure or certification in the other jurisdiction which were in effect at the time the license or certificate was issued; and~~~~
- ~~e. The required license fee.~~

~~137-005.02A The Board will review the documents submitted to determine if the applicant's license or certificate issued by the other jurisdiction was based upon standards regulating the profession which are equal to those maintained for physical therapist assistants by Nebraska.~~

~~137-005.02B The Department will act within 150 days upon all completed applications for certification.~~

~~137-005.02C When a credential will expire within 180 days after its initial issuance date, the Department will collect \$26, and the certificate will be valid until the next subsequent renewal date.~~

~~137-005.02D Administrative Penalty or Other Action: An individual, who practices prior to issuance of a certificate, is subject to assessment of an administrative penalty~~

~~pursuant to 172 NAC 137-023, or other action as provided in the statutes and regulations governing the certificate.~~

137-005.03 Department Review: The Department will act within 150 days upon all completed applications for initial credentialing.

137-005.04 Denial of Initial Credential: If an applicant for an initial credential does not meet all of the requirements for a credential, the Department will deny issuance of a credential. If the applicant is found to have committed any act which would be grounds for denial of a credential as listed in 172 NAC 137-015, the Department may deny issuance of a credential. To deny a credential, the Department will notify the applicant in writing of the denial and the reasons for the determination. The denial will become final 30 days after mailing the notice unless the applicant, within that 30-day period, requests a hearing in writing. The hearing will be conducted in accordance with the Administrative Procedure Act and 184 NAC 1, the Department's Rules of Practice and Procedure for Administrative Hearings.

137-005.05 Withdrawn Applications: An applicant for a credential who withdraws his/her application or whose application is rejected by the Department prior to administration of the examination will be allowed the return of his/her fee, except for a \$25 administrative fee to be retained by the Department.

137-005.06 Practice Prior to Credential: An individual who practices prior to issuance of a credential is subject to assessment of an administrative penalty under 172 NAC 137-018 or such other action as provided in the statutes and regulations governing the credential.

137-005.07 Confidentiality: Social Security Numbers obtained under this section are not public information but may be shared by the Department for administrative purposes if necessary and only under appropriate circumstances to ensure against any unauthorized access to this information.

137-005.08 Address Information: Each credential holder must notify the Department of any change to the address of record.

137-005.09 Non-English Documents: Any documents written in a language other than English must be accompanied by a complete translation into the English language. The translation must be an original document and contain the notarized signature of the translator. An individual may not translate his/her own documents.

137-006 REQUIREMENTS TO PERFORM PHYSICAL THERAPY SERVICES as a CERTIFIED PHYSICAL THERAPIST ASSISTANT: A physical therapist assistant must be certified by the Department prior to performing physical therapy services.

137-006.01 General Supervision: A physical therapist assistant is authorized to perform physical therapy services under the general supervision of a physical therapist. A physical therapist assistant being directed to perform physical therapy services:

1. Must notify the supervising physical therapist of any change from routine responses that occur during or prior to treatment warranting a reevaluation of or a change in the patient treatment plan;
2. May document physical therapy services provided by the physical therapist assistant without the signature of the supervising physical therapist;
3. May act as a clinical instructor for physical therapist assistant students in an approved educational program-; and
4. May assign the supervision of the physical therapist assistant student to another physical therapist assistant or physical therapist during the scheduled or non-scheduled periods of absence from the clinical setting.

137-006.02 Physical Therapy Assistant Student: All patient care services delivered by a physical therapist assistant student, working under the clinical instruction of a physical therapist assistant must be rendered under the direct supervision of a supervising physical therapist or physical therapist assistant.

137-006.03 Prohibited Services: A certified physical therapist assistant is not authorized to perform any of the following:

1. Interpretation of physician referrals;
2. Development of a plan of care;
3. Initial evaluation or reevaluation of patients;
4. Readjustment of a plan of care without consultation with the supervising physical therapist; or
5. Discharge planning for patients.

137-007 FINE-WIRE ELECTROMYOGRAPHY: A physical therapist who wishes to perform tissue penetration for the purpose of fine-wire electromyography must meet one of the following requirements.

137-007.01 Requirements: A physical therapist must:

1. Complete pre-service or in-service training. The pre-service or in-service training must include:
 - a. Pertinent anatomy and physiology;
 - b. Choice and operation of equipment;
 - c. Knowledge of test indications;
 - d. Proper technique of tissue penetration;
 - e. Sterile methods, hazards, and complications;
 - f. Post test care;
 - g. Knowledge in test interpretation; and
 - h. Documentation of ten kinesiology electromyography examinations in an educational environment; or
2. Hold authorization from another state to perform fine-wire electromyography with substantially equivalent requirements; or
3. Hold a certification from the American Board of Clinical Specialists in the area of Clinical Electrophysiology; and
4. Maintain documentation of acceptable evidence of meeting one of the requirements specified in 172 NAC 137-007.01. Successful completion of the

course must be maintained by the licensee and available upon request by the Board or Department. Documentation must be in the form of one of the following:

- a. A certificate of completion of pre-service or in-service training;
- b. A certificate from another state authorizing fine-wire electromyography or;
- c. A copy of certification from the American Board of Clinical Specialists in the area of Clinical Electrophysiology.

137-008 REQUIREMENTS FOR SUPERVISION OF PHYSICAL THERAPIST ASSISTANTS: A physical therapist supervising a physical therapist assistant must meet the following standards/requirements of supervision:

1. A physical therapist may provide general supervision for no more than two physical therapist assistants at any point in time during the physical therapist's work day;
2. All physical therapy services performed by the physical therapist assistant are under the general supervision of a supervising physical therapist: General supervision as defined in 172 NAC 137-002 means supervision either onsite or by means of telecommunication; and
 - a. All telecommunications must be documented in the medical records of patients under care of the supervising physical therapist; and
 - b. When the supervising physical therapist is unavailable s/he must transfer responsibility of all patient care to another qualified physical therapist who will assume responsibility for all patient care including those being rendered by the physical therapist assistant under general supervision; and
3. The supervising physical therapist maintains primary responsibility for all patient care services including those rendered by a physical therapist assistant under general supervision;
4. A supervising physical therapist must re-evaluate or re-examine each patient and the plan of care of the patient receiving physical therapy services from a physical therapist assistant a minimum of least one time every 30 calendar days under general supervision. More frequent re-evaluations or re-examinations by the supervising physical therapist may be warranted dependent upon the following parameters:
 - a. Patient complexity and acuity;
 - b. Upon request by the physical therapist assistant;
 - c. When a change in treatment plan is warranted;
 - d. Any significant change in the medical status of the patient; and
 - e. Upon request by the patient; and
5. The supervising physical therapist must provide final documentation for discharge of patient care being rendered by a physical therapist assistant under general supervision, including patient response to treatment at the time of discharge; and
6. The physical therapist assistant may participate in the discharge process for patient care by providing subjective and objective patient information to the supervising physical therapist.

137-008.01 General Supervision of the Physical Therapist Assistant in Satellite Clinics: A physical therapist may supervise a physical therapist assistant in a satellite clinic under general supervision. Satellite clinics include but are not limited to:

1. Rehabilitation facilities;
2. Acute care facilities;
3. Skilled nursing facilities;
4. Nursing homes;

5. Schools-based settings;
6. Outpatient clinics;
7. Home health; and
8. Client preventative facilities.

137-008.01A When a physical therapist assistant is rendering physical therapy services in a satellite clinic the following requirements apply as well as 172 NAC 137-008, items 1-6:

1. A supervisory visit with the physical therapist will be made every 30 days or at a higher frequency if warranted. More frequent re-evaluations or re-examinations by the supervising physical therapist may be warranted dependent upon the following parameters:
 - a. Patient complexity and acuity;
 - b. Upon request by the physical therapist assistant;
 - c. When a change in treatment plan is warranted;
 - d. Any significant change in the medical status of the patient; and
 - e. Upon request by the patient; and
2. A supervisory visit as defined in 172 NAC 137-002 is an on-site visit by the supervising physical therapist in consultation with the physical therapist assistant. The on-site visit may occur in any clinical setting where the supervising physical therapist renders patient care. The on-site visit must include:
 - a. Direct patient contact for the purpose of reevaluation or re-examination of patient status;
 - b. A review of the plan of care with revision and or termination of treatment as warranted; and
 - c. A re-assessment for utilization of outside resources for physical therapy services; and
3. The supervising physical therapist must provide final documentation for discharge of patient care being rendered by a physical therapist assistant in a satellite clinic under general supervision, including patient response to treatment at the time of discharge. The physical therapist assistant may participate in the discharge process for patient care by providing subjective and objective patient information to the supervising physical therapist; and
4. A physical therapist is not authorized to establish a satellite clinic for the purpose of rendering physical therapy services staffed solely by a physical therapist assistant.

137-008.02 Requirements for the Assignment of Services to Physical Therapist Assistants: It is the responsibility of the supervising physical therapist to determine which tasks require the clinical reasoning expertise of the physical therapist and which tasks can be safely assigned to the physical therapist assistant under general supervision.

137-008.02A Assignment of Services- Patient or Client Management: Assignment of services related to patient or client management is dependent upon the clinical practice setting in addition to patient complexity and acuity. Clinical practice settings include but are not limited to:

1. Rehabilitation facilities;
2. Acute care facilities;

3. Skilled nursing facilities;
4. Nursing homes;
5. School-based settings¹;
6. Out-patient clinics¹;
7. Home health;
8. Industrial rehabilitation facilities; and
9. Client preventative services.

137-008.02B Assignment of Patient or Client Services to a Physical Therapist Assistant: Patient complexity and acuity must also be considered when a physical therapist assigns patient or client services to a physical therapist assistant¹. The supervising physical therapist must exercise professional judgment when determining what services can or cannot be assigned to the physical therapist assistant.

137-008.02B1 Factors in Direct Patient Care: The following factors inherent in direct patient care must be considered by the supervising physical therapist when assigning services, and must be commensurate with the education, training, and experience of the physical therapist assistant under general supervision. These factors apply to all clinical settings where physical therapy services are rendered by a physical therapist assistant under general supervision:

1. Predictability of action -How confident is the physical therapist assistant in predicting consequences of action related to patient care?;
2. Stability of the environment - How confident is the physical therapist assistant in clinical problem solving issues related to change in patient status?;
3. Observability of patient status – How easy is it to observe or perceive relevant clinical indicators of patient status? ;
4. Ambiguity of patient status – How difficult is it to interpret phenomena related to change in relevant clinical indicators? ; and
5. Criticality of patient treatment – What consequences exist for a poor choice in patient intervention?

137-008.03 Responsibility of the Supervising Physical Therapist: For each patient under his/her care, a physical therapist must:

1. Be responsible for managing all aspects of physical therapy services provided to the patient and assume legal liability for physical therapy and related services provided under his/her supervision;
2. Provide initial evaluation and documentation of the evaluation;
3. Provide periodic reevaluation and documentation of the reevaluation;
4. Provide documentation for discharge, including the patient's response to therapeutic intervention at the time of discharge;
5. Be responsible for accurate documentation and billing for services provided; and
6. On each date physical therapy services are provided to a patient, a physical therapist must:
 - a. Provide all therapeutic interventions that require the expertise of a physical therapist for example, sharp wound debridement and low amplitude high velocity manual therapy techniques; and

- b. Determine the appropriate use of physical therapist assistants or physical therapy aides.

137-009 USE OF UNLICENSED PERSONNEL: Unlicensed individuals may provide the following services.

137-009.01 Physical Therapy Aides: A physical therapy aide trained under the direction of a physical therapist may perform non-treatment and treatment related tasks under the supervision of a physical therapist or a physical therapist assistant as specified below.

1. Non-Treatment Related Tasks- General Supervision: Under the general supervision of a physical therapist or physical therapy assistant a physical therapy aide may perform non-treatment related tasks under general supervision including clerical, housekeeping, facility maintenance or patient transportation services related to the practice of physical therapy such as:
 - a. Transporting patients;
 - b. Assisting a patient in preparation for treatment;
 - c. Removing and applying assistive and supportive devices; and
 - d. Other non-treatment related tasks.
2. Treatment Related Tasks- Direct Supervision: Under the direct supervision of a physical therapist or physical therapist assistant, a physical therapy aide may assist the physical therapist or physical therapist assistant with treatment related tasks. An aide may perform treatment related tasks when treatment is initiated by a physical therapist or physical therapist assistant and only under direct supervision. A physical therapy aide:
 - a. Must not solely provide an intervention;
 - b. Must receive training from a physical therapist for all treatment related tasks that the aide will perform;
 - c. Must receive supervision, orders, and directions only from a physical therapist or physical therapist assistant; and
 - d. Must be knowledgeable of the preparation of equipment and accessories and all other operational activities relevant to equipment and accessories necessary for treatment.

137-009.02 School Personnel and Personal Assistance Services: An unlicensed person employed by a school district, educational service unit, or other public or private educational institution or entity serving pre-kindergarten through twelfth grade students who is providing personal assistance services will not be construed to be engaged in the unauthorized practice of physical therapy. Personal assistance services include:

1. Mobility and transfer activities such as assisting with ambulation with and without aids;
2. Positioning in adaptive equipment;
3. Application of braces;
4. Encouraging active range-of-motion exercises;
5. Assisting with passive range-of-motion exercises;
6. Assisting with transfers with or without mechanical devices; and
7. Other personal services based on individual needs as are suitable to providing an appropriate educational program.

~~137-010~~ ~~RESERVED~~

~~137-011-137-010~~ LIABILITY FOR NEGLIGENCE: The physical therapist must be responsible for managing all aspects of physical therapy services provided to the patient and assume legal liability for physical therapy and related services provided under his/her supervision.

~~137-012~~ ~~RESERVED~~~~137-013-137-011~~ EXAMINATION ELIGIBILITY

~~137-013.01-137-011.01~~ Physical Therapist Licensure Examination: To be eligible to take the licensure examination, an applicant must have met all the requirements for licensure pursuant to 172 NAC ~~137-003.01 or 137-003.02~~ 137-003 or 137-004 except passing the licensure examination.

~~137-013.02-137-011.02~~ Physical Therapist Assistant Certification Examination: To be eligible to take the certification examination, an applicant must have met all the requirements for certification pursuant to 172 NAC ~~137-005.01~~ 137-005 except passing the certification examination.

~~137-013.03~~137-011.03 Jurisprudence (NE Law) Examination for Applicants Applying Based on a License or Certificate in Another Jurisdiction: To be eligible to take the jurisprudence (NE Law) examination, an applicant must have met all requirements for licensure or certification that are pursuant to 172 NAC ~~137-003.03~~137-003, 137-004, or 137-005.02137-005 except passing the jurisprudence (NE Law) examination.

~~137-014-137-012~~ EXAMINATION PROCEDURES

~~137-014.01-137-012.01~~ Physical Therapist Licensure Examination: The Department will notify an applicant in writing of the licensure examination results within 60 days after notification of the examination scores.

~~137-014.02-137-012.02~~ Physical Therapist Assistant Certification Examination: The Department will notify an applicant in writing of the certification examination results within 60 days after notification of the examination scores.

~~137-014.03~~137-012.03 Re-examination

~~137-014.03A-137-012.03A~~ An applicant who fails the licensure examination may apply for re-examination by submitting a new application pursuant to 172 NAC ~~137-003.04, item 4a~~137-003 or 137-004, and the licensure fee pursuant to 172 NAC 137-021.

~~137-014.03B~~137-012.03B An applicant who fails the certification examination may apply for re-examination by submitting a new application pursuant to 172 NAC ~~137-005.01, item 4a~~137-005, and the certification fee pursuant to 172 NAC 137-021.

~~137-014.03C~~137-012.03C The Department will notify an applicant in writing of the re-examination results within 60 days after notification of the examination scores.

~~137-015 RENEWAL REQUIREMENTS FOR PHYSICAL THERAPIST LICENSE: All licenses issued by the Department under this Act and these regulations expire on November 1 of each odd-numbered year.~~

~~137-015.01 Renewal Process: Any licensee who wishes to renew his/her license must:~~

- ~~1. Meet continuing competency requirements pursuant to 172 NAC 137-022;~~
- ~~2. Pay the renewal fee as pursuant to 172 NAC 137-021; and~~
- ~~3. Respond to the following questions:~~
 - ~~a. Has your license in any health care profession in another state been revoked, suspended, limited, or disciplined in any manner?; and~~
 - ~~b. Have you been convicted of a misdemeanor or a felony?~~

~~These questions relate to the time period since the last renewal of the license or during the time period since initial licensure in Nebraska if occurred within the two years prior to the expiration date; and~~

- ~~4. Submit to the Department:~~
 - ~~a. The renewal notice; and~~
 - ~~b. Attestation of completing continuing competency requirements pursuant to 172 NAC 37-022.01 within 24 months of the date of expiration or application for waiver of continuing competency requirements: Attestation to meeting continuing competency requirements satisfies the submission of the documentation requirement of Neb. Rev. Stat. § 71-110;~~
 - ~~c. If any disciplinary action was taken against the applicant's license by another state, an official copy of the disciplinary action, including charges and disposition; and~~
 - ~~d. If the licensee has been convicted of a felony or misdemeanor:~~
 - ~~(1) The official court record, including charges and disposition;~~
 - ~~(2) Copies of arrest records;~~
 - ~~(3) A letter from the licensee explaining the nature of the conviction;~~
 - ~~(4) All addiction or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~
 - ~~(5) A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and~~
 - ~~e. The renewal fee.~~

~~137-015.02 First Notice: At least 30 days before November 1 of each odd-numbered year, the Department will send a renewal notice by means of regular mail to each licensee's last known address as noted in the records of the Department: It is the responsibility of the licensee prior to the renewal period to notify the Department of any name and/or address changes.~~

~~137-015.02A The renewal notice specifies:~~

- ~~1. The name of the licensee;~~

- ~~2. The license holder's last known address of record;~~
- ~~3. The license number;~~
- ~~4. The expiration date of the license;~~
- ~~5. The continuing competency requirements required for renewal;~~
- ~~6. The option to place the license on either inactive or lapsed status; and~~
- ~~7. The renewal fee pursuant to 172 NAC 137-021.~~

~~137-015.02B The licensee must apply for renewal by submitting to the Department:~~

- ~~1. The renewal notice;~~
- ~~2. The licensee's Social Security Number;~~

- ~~3. Attestation of completing the continuing competency requirements earned within 24 months of the date of expiration or application for waiver of continuing competency requirements;~~
- ~~4. Documentation relating to misdemeanor or felony conviction(s) or licensure revocation, suspension, limitation, or disciplinary action (if applicable); and~~
- ~~5. The renewal fee~~

~~137-015.02C If the licensee wishes to place his/her license on either inactive or lapsed status s/he must:~~

- ~~1. Request that his/her license be placed on inactive status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked inactive; and~~
 - ~~b. The fee of \$25; or~~~~
- ~~2. Request that his/her license be placed on lapsed status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked lapsed.~~~~

~~137-015.02D The Department will notify the licensee in writing of the acceptance or denial of the request to allow the license to be placed on inactive or lapsed status.~~

~~137-015.03 Second Notice: The Department will send to each licensee who fails to renew his/her license or place the license on inactive or lapsed status in response to the first notice, a second notice of renewal pursuant to 172 NAC 137-015.01 that specifies:~~

- ~~1. That the licensee failed to pay the renewal fee;~~
- ~~2. That the license has expired;~~
- ~~3. That the licensee is subject to an administrative penalty pursuant to 172 NAC 137-023 if s/he practices after the expiration date;~~
- ~~4. That upon receipt of the renewal fee, together with additional late fee of \$25, and documentation of continuing competency requirements within that time, no order of revocation will be entered; and~~

- ~~5. That upon failure to receive \$25 in addition to the regular renewal fee and documentation of continuing competency requirements, the license will be revoked pursuant to 172 NAC 137-018.~~

~~137-015.04 The license holder must apply for renewal by submitting to the Department:~~

- ~~1. The renewal notice;~~
- ~~2. The license holder's Social Security Number; and~~
- ~~3. Attestation by the licensee:
 - ~~a. That s/he has not practiced in Nebraska since the expiration of his/her license; or~~
 - ~~b. To the actual number of days practiced in Nebraska since the expiration of his/her license; and~~~~
- ~~4. Attestation of completing continuing competency requirements earned within 24 months of the date of expiration or waiver of continuing competency requirements; and~~
- ~~5. Documentation relating to misdemeanor or felony conviction(s) or licensure revocation, suspension, limitation or disciplinary action (if applicable);~~
- ~~6. The renewal fee; and~~
- ~~7. The additional fee of \$25.~~

~~137-015.05 If the licensee wishes to place his/her license on either inactive or lapsed status s/he must:~~

- ~~1. Request that his/her license be placed on inactive status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked inactive; and~~
 - ~~b. The fee of \$25; or~~~~
- ~~2. Request that his/her license be placed on lapsed status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked lapsed.~~~~

~~137-015.06 The Department will notify the licensee in writing of the acceptance or denial of the request to allow the license to be placed on lapsed or inactive status.~~

~~137-015.07 The Department will automatically revoke the license without further notice or hearing and will make proper record of the revocation when any licensee fails, within 30 days of expiration of a license to:~~

- ~~1. Complete the renewal application;~~
- ~~2. Pay the renewal fee;~~
- ~~3. Submit documentation of continuing competency requirements; and/or~~
- ~~4. Pay an additional fee of \$25.~~

~~137-015.08 Failure to meet the continuing competency requirement for renewal within 30 days of expiration of his/her license will constitute non-renewal of licensure, unless a waiver of continuing competency requirements is granted or the license is placed on inactive or lapsed status.~~

~~137-015.09 The Department will revoke the license after notice and opportunity for hearing when any licensee fails, within 30 days of expiration of a license, to:~~

- ~~1. Meet the continuing competency requirements for renewal; and/or~~
- ~~2. Pay an additional late fee of \$25.~~

~~Hearings held before the Department will be conducted pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920, Administrative Procedure Act and 184 NAC 1, the Rules of Practice and Procedure for the Department.~~

~~137-015.10 When the licensee has given notification to the Department that s/he desires to have the license lapse or be placed on inactive status upon expiration, 172 NAC 137-015.07, 137-015.08, 137-016.07, 137-016.08, 137-016.09 and 137-016.10 will not apply.~~

~~137-015.11 The Department may refuse to renew a license for falsification of any information submitted for renewal of a license. The refusal will be made pursuant to Neb. Rev. Stat. §§ 71-149 to 71-155 and 184 NAC 1, the Rules of Practice and Procedure for the Department.~~

~~137-016 RENEWAL OF PHYSICAL THERAPIST ASSISTANT CERTIFICATION: All certificates issued by the Department under this Act and these regulations expire on November 1 of each odd-numbered year.~~

~~137-016.01 Renewal Process: Any certificate holder who wishes to renew his/her certificate must:~~

- ~~1. Meet continuing competency requirements pursuant to 172 NAC 137-022;~~
- ~~2. Pay the renewal fee pursuant to 172 NAC 137-021; and~~
- ~~3. Respond to the following questions:~~
 - ~~a. Has your certificate in any health care profession in another state been revoked, suspended, limited, or disciplined in any manner?; and~~
 - ~~b. Have you been convicted of a misdemeanor or a felony?~~

~~These questions relate to the time period since the last renewal of the certificate or during the time period since initial certification in Nebraska if occurred within the two years prior to the expiration date; and~~

- ~~4. Submit to the Department:~~
 - ~~a. The renewal notice;~~
 - ~~b. Attestation of completing continuing competency requirements pursuant to 172 NAC 137-022.01 earned within 24 months of the date of expiration or application for waiver of continuing competency requirements; and~~

- ~~c. If any disciplinary action was taken against the applicant's certificate by another state, an official copy of the disciplinary action, including charges and disposition; and~~
- ~~d. If the certificate holder has been convicted of a felony or misdemeanor:
 - ~~(1) The official court record, including charges and disposition;~~
 - ~~(2) Copies of arrest records;~~
 - ~~(3) A letter from the certificate holder explaining the nature of the conviction;~~
 - ~~(4) All addiction or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~
 - ~~(5) A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and~~~~
- ~~e. The renewal fee.~~

~~137-016.02 First Notice: At least 30 days before November 1 of each odd-numbered year, the Department will send a renewal notice by means of regular mail to each certificate holder's last known address as noted in the records of the Department. It is the responsibility of the certificate holder prior to the renewal period to notify the Department of any name and/or address changes.~~

~~137-016.02A The renewal notice specifies:~~

- ~~1. The name of the certificate holder;~~
- ~~2. The certificate holder's last known address of record;~~
- ~~3. The certificate number;~~
- ~~4. The expiration date of the certificate;~~
- ~~5. The continuing competency requirements;~~
- ~~6. The option to place the certificate on either inactive or lapsed status; and~~
- ~~7. The renewal fee pursuant to 172 NAC 137-023.~~

~~137-016.02B The certificate holder must apply for renewal by submitting to the Department:~~

- ~~1. The renewal notice;~~
- ~~2. The certificate holder's Social Security Number;~~
- ~~3. Attestation of completing continuing competency requirements earned within 24 months of the date of expiration or application for waiver of continuing competency requirements;~~
- ~~4. Documentation relating to misdemeanor or felony conviction(s) or certification, revocation, suspension, limitation, or disciplinary action (if applicable); and~~
- ~~5. The renewal fee.~~

~~137-016.02C If the certificate holder wishes to place his/her license on either inactive or lapsed status s/he must:~~

- ~~1. Request that his/her certificate be placed on inactive status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked inactive; and~~
 - ~~b. The fee of \$25; or~~~~

- ~~2. Request that his/her certificate be placed on lapsed status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked lapsed.~~~~

~~137-016.02D The Department will notify the certificate holder in writing of the acceptance or denial of the request to allow the certificate to be placed on inactive or lapsed status.~~

~~137-016.03 Second Notice: The Department will send to each certificate holder who fails to renew his/her certificate or place the certificate on inactive or lapsed status in response to the first notice, a second notice of renewal pursuant to the requirements of 172 NAC 137-016.01 that specifies:~~

- ~~1. That the certificate holder failed to pay the renewal fee;~~
- ~~2. That the certificate has expired;~~
- ~~3. That the certificate holder is subject to an administrative penalty pursuant to 172 NAC 137-023 if s/he practices after the expiration date;~~
- ~~4. That upon receipt of the renewal fee, together with additional late fee of \$25, and documentation of continuing competency requirements within that time, no order of revocation will be entered; and~~
- ~~5. That upon failure to receive \$25 in addition to the regular renewal fee and documentation of continuing competency requirements, the certificate will be revoked pursuant to 172 NAC 137-018.~~

~~137-016.04 The certificate holder must apply for renewal by submitting to the Department:~~

- ~~1. The renewal notice;~~
- ~~2. The certificate holder's Social Security Number; and~~
- ~~3. Attestation by the licensee:
 - ~~a. That s/he has not practiced in Nebraska since the expiration of his/her certificate; or~~
 - ~~b. To the actual number of days practiced in Nebraska since the expiration of his/her certificate; and~~~~
- ~~4. Attestation of completing continuing competency requirements earned within 24 months of the date of expiration or waiver of continuing competency requirements;~~
- ~~5. Documentation relating to misdemeanor or felony conviction(s) or certification revocation, suspension, limitation or disciplinary action (if applicable);~~
- ~~6. The renewal fee; and~~
- ~~7. The additional fee of \$25.~~

~~137-016.05 If the certificate holder wishes to place his/her certificate on either inactive or lapsed status s/he must:~~

- ~~1. Request that his/her certificate be placed on inactive status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked inactive; and~~
 - ~~b. The fee of \$25; or~~~~

- ~~2. Request that his/her certificate be placed on lapsed status by submitting to the Department:
 - ~~a. The renewal notice with a check in the box marked lapsed.~~~~

~~137-016.06 The Department will notify the certificate holder in writing of the acceptance or denial of the request to allow the certificate to be placed on lapsed or inactive status.~~

~~137-016.07 The Department will automatically revoke the certificate without further notice or hearing and will make proper record of the revocation when any certificate holder fails, within 30 days of expiration of a certificate, to:~~

- ~~1. Complete the renewal application;~~
- ~~2. Pay the renewal fee;~~
- ~~3. Submit documentation of continuing competency requirements; and/or~~
- ~~4. Pay an additional fee of \$25.~~

~~137-016.08 Failure to meet the continuing competency requirements for renewal within 30 days of expiration of his/her certificate will constitute non-renewal of certification, unless a waiver of continuing competency requirements is granted or the certificate is placed on inactive or lapsed status.~~

~~137-016.09 The Department will revoke the certificate after notice and opportunity for hearing when any certificate holder fails, within 30 days of expiration of a certificate to:~~

- ~~1. Meet the continuing competency requirements for renewal; and/or~~
- ~~2. Pay an additional late fee of \$25.~~

~~Hearings held before the Department will be conducted pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920 Administrative Procedure Act and 184 NAC 1, the Rules of Practice and Procedure for the Department.~~

~~137-016.10 When the certificate holder has given notification to the Department that s/he desires to have the certificate lapse or be placed on inactive status upon expiration, 172 NAC 137-016.07, 137-016.08 and 137-015.09 will not apply.~~

~~137-016.11 The Department may refuse to renew a certificate for falsification of any information submitted for renewal of a certificate: The refusal will be made pursuant to Neb.~~

~~Rev. Stat. §§ 71-149 to 71-155 and 184 NAC 1, the Rules of Practice and Procedure for the Department.~~

~~137-017 RESERVED~~

~~137-018 REVOCATION FOR FAILURE TO MEET RENEWAL REQUIREMENTS: The Department will automatically revoke a physical therapist license or a physical therapist assistant certification when the licensee or certificate holder fails to meet the renewal requirements.~~

~~137-018.01 Revocation for Non-Payment of Renewal Fee: The Department will automatically revoke the license or certificate without further notice or hearing when any licensee or certificate holder fails to:~~

- ~~1. Complete the renewal application;~~
- ~~2. Submit documentation of continuing competency requirements;~~
- ~~3. Fails to request that his/her license or certificate be placed on either inactive or lapsed status within 30 days of its expiration; and/or~~
- ~~4. Pay the renewal fee; and~~
- ~~5. Pay an additional fee of \$25.~~

~~137-018.01A The revocation notice specifies:~~

- ~~1. That the licensee or certificate holder was given a first and final notice of renewal requirements and the respective dates for these notices;~~
- ~~2. That the licensee or certificate holder failed to renew the license or certificate and to request that his/her license or certificate be placed on inactive or lapsed status;~~
- ~~3. That the Department has revoked the license or certificate;~~
- ~~4. That the licensee or certificate holder has a right to appeal the revocation; and~~
- ~~5. That the licensee or certificate holder has a right to reinstatement of the license or certificate.~~

~~137-018.02 Revocation for Failure to Meet Continuing Competency Requirements: The Department will revoke his/her license or certificate after notice and opportunity for a hearing when any licensee or certificate holder fails to:~~

- ~~1. Meet the continuing competency requirement for licensure or certification renewal;~~
- ~~2. Complete the renewal application; and~~
- ~~3. Fails to request that his/her license or certificate be placed on either inactive or lapsed status within 30 days of its expiration.~~

~~137-018.02A The revocation notice specifies:~~

- ~~1. That the licensee or certificate holder was given a first and second notice of failure to meet the continuing competency requirements and the respective dates for these notices;~~

- ~~2. That the licensee or certificate holder failed to renew the license or certificate or to have his/her license or certificate timely placed on inactive or lapsed status;~~
- ~~3. That the Department will revoke the license or certificate within 30 days of date of receipt of the notice unless the license or certificate holder requests in writing a hearing;~~
- ~~4. That the licensee or certificate holder has a right to appeal the revocation; and~~
- ~~5. That the licensee or certificate holder has a right to reinstatement of the license or certificate.~~

~~137-019 GROUND ON WHICH THE DEPARTMENT MAY DENY, REFUSE RENEWAL OF, OR DISCIPLINE A LICENSE OR CERTIFICATE: The Department may deny, refuse renewal, or discipline a license or certificate if the applicant or individual fails to meet requirements for licensure or certification or for any of the following grounds in 172 NAC 137-019 listed below:~~

~~137-019.01 The Department will deny an application for a license or certificate when the applicant fails to meet the requirements for licensure or certification pursuant to 172 NAC 137-003 and 137-005, and/or or is found to be in violation of any of the provisions of 172 NAC 137-019.03.~~

~~137-019.02 The Department will refuse renewal of a license or certificate if the licensee or certificate holder fails to meet the requirements pursuant to 172 NAC 137-015, 137-016, or 137-019.03.~~

~~137-019.03 The Department may deny, refuse renewal of, limit, suspend, or revoke a license or certificate for any of the following grounds:~~

- ~~1. Fraud, forgery, or misrepresentation of material facts, in procuring or attempting to procure a license or certificate;~~
- ~~2. Grossly immoral or dishonorable conduct evidencing unfitness or lack of proficiency sufficient to meet the standards required for practice of the profession in this state;~~
- ~~3. Habitual intoxication or dependence or failure to comply with a treatment program or an aftercare program entered into under the Licensee Assistance Program;~~
- ~~4. Conviction of a misdemeanor or felony under state law, federal law, or the law of another jurisdiction and which, if committed within this state, would have constituted a misdemeanor or felony under state law and which has a rational connection with the applicant's, licensee's, or certificate holder's fitness or capacity to practice the profession;~~
- ~~5. Practice of the profession:
 - ~~a. Fraudulently;~~~~

- ~~b. Beyond its authorized scope;~~
 - ~~c. With manifest incapacity;~~
 - ~~d. With gross incompetence or gross negligence; or~~
 - ~~e. In a pattern of negligent conduct: Pattern of negligent conduct means a continued course of negligent conduct in performing the duties of the profession;~~
- ~~6. Practice of the profession while the ability to practice is impaired by:~~
- ~~a. Alcohol;~~
 - ~~b. Controlled substances;~~
 - ~~c. Narcotic drugs; or~~
 - ~~d. Physical disability, mental disability, or emotional disability;~~
- ~~7. Physical or mental incapacity to practice the profession as evidenced by a legal adjudication or a determination thereof by other lawful means;~~
- ~~8. Permitting, aiding, or abetting the practice of a profession or the performance of activities requiring a license or certificate by a person not licensed or certified to do so;~~
- ~~9. Having had his/her license or certificate denied, refused renewal, limited, suspended, or revoked or having had the license or certificate disciplined in any other manner pursuant to Neb. Rev. Stat. § 71-155 by another state or jurisdiction to practice physical therapy based upon acts by the applicant, licensee, or certificate holder similar to acts pursuant to 172 NAC 137-019: A certified copy of the record of denial, refusal of renewal, limitation, suspension, or revocation of a license, certificate, or registration or the taking of other disciplinary measures against it by another state or jurisdiction will be conclusive evidence;~~
- ~~10. Unprofessional conduct, which term includes all acts pursuant to Neb. Rev. Stat. § 71-148 and the other acts which include but are not limited to:~~
- ~~a. Competence: A physical therapist or physical therapist assistant must not provide services for which s/he is not trained or experienced. Unprofessional conduct in the practice of physical therapy includes but is not limited to:
 - ~~(1) Committing any act which endangers patient safety or welfare; or~~
 - ~~(2) Failure to adhere to or departure from the standards of acceptable and prevailing practice in physical therapy;~~~~
 - ~~b. Confidentiality: Without the prior written consent of a patient, physical therapist or physical therapist assistant must hold in confidence information obtained from a patient, except in those unusual circumstances in which to do so would result in clear danger to the person or to others, or where otherwise required by law;~~

- ~~c. **Professional Relationships:** A physical therapist or physical therapist assistant must safeguard the welfare of patients and maintain professional relationships with patients. Commission of any of the following acts or behavior will constitute unprofessional conduct:~~
- ~~(1) Exploiting another person for one's own advantage;~~
 - ~~(2) Performing or agreeing to perform physical therapy services that have been requested when the services are known to be contraindicated or unjustified;~~
 - ~~(3) Performing or agreeing to perform procedures that have been requested when the procedures are known to be outside of the physical therapists or physical therapist assistant's scope of practice;~~
 - ~~(4) Verbally or physically abusing patients;~~
 - ~~(5) Falsification or unauthorized destruction of patient's records;~~
 - ~~(6) Attempting to provide diagnostic or treatment information to patient(s) that is beyond the physical therapists or physical therapist assistant's level of education, training and expertise;~~
 - ~~(7) Delegating to other personnel those patient related services for which the clinical skills and expertise of a physical therapist or physical therapist assistant are required;~~
 - ~~(8) Encouraging or promoting the practice of physical therapy by untrained or unqualified persons;~~
 - ~~(9) Failure to safeguard the patient's dignity and right to privacy;~~
 - ~~(10) Failure to maintain adequate patient records : Adequate patient records means legible records that contain at a minimum, sufficient information to identify the patient, an evaluation of objective findings, a plan of care, a treatment record, and a discharge plan; or~~
 - ~~(11) Delegating to a physical therapy assistant those patient related services for which the clinical skills and expertise of a physical therapist are required;~~
- ~~d. **Sexual Misconduct:** A physical therapist or physical therapist assistant must under no circumstances engage in sexual misconduct. Specifically with regard to patients, the unprofessional conduct includes but is not limited to:~~
- ~~(1) Engaging in sexual relationships, whether consensual or non consensual with any patient while a physical therapist or physical therapist assistant/patient relationship exists; or~~
 - ~~(2) Engaging in sexual harassment of patients: Sexual harassment includes making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal or physical conduct of a sexual nature which results in:
 - ~~(a) Providing or denying physical therapy to a patient;~~
 - ~~(b) Creating an intimidating, hostile, or offensive environment for the patient; or~~
 - ~~(c) Interfering with a patient's ability to recover;~~~~

- ~~e. Other unprofessional conduct includes but is not limited to:~~
- ~~(1) Obtaining any fee for professional services by fraud, deceit or misrepresentation;~~
 - ~~(2) The violation of an assurance of compliance entered into pursuant to Neb. Rev. Stat. § 71-171.02 of the Uniform Licensing Law;~~
 - ~~(3) Failure to follow policies or procedures implemented in the practice situation to safeguard patient care;~~
 - ~~(4) Failure to exercise appropriate supervision over persons who are authorized to practice only under the supervision of a physical therapist;~~
 - ~~(5) Practicing in this state without a current Nebraska license or certificate;~~
 - ~~(6) Failure to obtain patient informed consent before treatment;~~
 - ~~(7) Failure to take steps to transfer the continuum of care of the patient, as appropriate, to another health care provider in the event of elective termination of physical therapy services by the physical therapist;~~
 - ~~(8) Engaging in conduct that subverts or undermines the integrity of the examination or the examination process including, but not limited to, utilizing in any manner recalled or memorized examination questions from or with a person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with other examinees during the test, or copying or sharing examination questions or portions of questions;~~
 - ~~(9) Failure to complete continuing competency requirements as established by rules and regulations as specified in 172 NAC 137;~~
 - ~~(10) Promoting any unnecessary device, treatment intervention or service resulting in the financial gain of the practitioner or of a third party; or~~
 - ~~(11) Participating in under-utilization or over-utilization of physical therapy services for personal or institutional financial gain;~~
- ~~11. Use of untruthful or improbable statements, or flamboyant, exaggerated, or extravagant claims concerning a licensee's or certificate holder's professional excellence or abilities, in advertisements;~~
- ~~12. Conviction(s) of fraudulent or misleading advertising or conviction of a violation of the Uniform Deceptive Trade Practices Act;~~

~~13.—Distribution of:~~

- ~~a.—Intoxicating liquors;~~
- ~~b.—Controlled substances; or~~
- ~~c.—Drugs for any other than lawful purposes;~~

~~14.—Willful or repeated violations of the Uniform Licensing Law or of 172 NAC 137-019;~~~~15.—Unlawful invasion of the field of practice of any profession mentioned in the Uniform Licensing Law which the licensee or certificate holder is not licensed or certified to practice;~~~~16.—Practicing the profession of physical therapy while his/her license or certificate is suspended or in contravention of any limitation placed upon his/her license or certificate;~~~~17.—Physical or mental illness or physical or mental deterioration or disability which would render the applicant or licensee or certificate holder unqualified to practice his/her profession or occupation;~~~~18.—Refusal to submit to a physical or mental examination request by the Board, pursuant to Neb. Rev. Stat. §§ 71-161.12 to 71-161.16 to determine his/her qualifications to practice or to continue in the practice of the profession or occupation for which application was made or for which s/he is licensed or certified; or~~~~19.—Failure to file a report pursuant to Neb. Rev. Stat. § 71-168.~~

~~137-019.04—If the Department proposes to deny, refuse renewal of, limit, revoke, or suspend a license or certificate the applicant or licensee or certificate holder must be given an opportunity for a hearing before the Department and will have the right to present evidence on his/her own behalf. Hearings before the Department are pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920, Administrative Procedure Act and 184 NAC 1, the Rules of Practice and Procedure for the Department.~~

~~137-020 RE CREDENTIALING: This section applies to individuals previously issued a Nebraska credential who have lost the legal authority to practice in total or in part and who seek the authority to return to practice in Nebraska with a valid Nebraska credential.~~

~~137-020.01 Eligibility~~~~137-020.01A An individual whose credential has been previously:~~

- ~~1.—Placed on lapsed status;~~
- ~~2.—Placed on inactive status;~~
- ~~3.—Revoked for failure to meet the renewal requirements;~~
- ~~4.—Suspended or limited for disciplinary reasons; or~~

- ~~5. Voluntarily surrendered or voluntarily limited for an indefinite period of time; may request, at any time, to be re-credentialed and re-authorized to practice under the credential, pursuant to these regulations.~~

~~137-020.01B An individual whose credential has been revoked for disciplinary reasons may apply for reinstatement only after a period of two years has elapsed from the date of revocation.~~

~~137-020.01C An individual who practices prior to re-credentialing, is subject to:~~

- ~~1. Assessment of an administrative penalty pursuant to 172 NAC 137-023; and~~
- ~~2. Limitation or other sanction on the credential, or denial of the request to be re-credentialed and re-authorized to practice under the credential, and referral for prosecution for un-credentialed practice, as provided in the statutes and regulations governing the credential.~~

~~137-020.02 Requirements for Restoration from Lapsed Status: A person whose credential has been placed on lapsed status may have their credential restored from lapsed to active status by the Department upon proof to the Department that they meet the requirements pursuant to 172 NAC 137-003.~~

~~137-020.02A If the Department has evidence that an applicant has practiced while his/her credential was lapsed, the Department may:~~

- ~~1. Assess an administrative penalty pursuant to 172 NAC 137-023;~~
- ~~2. Initiate disciplinary action against the lapsed credential;~~
- ~~3. Deny the request to restore the credential from lapsed to active status; or~~
- ~~4. Restore the credential to active status and impose limitation(s) or other sanctions on the credential.~~

~~137-020.02B If the Department has evidence that an applicant has committed any other violation of the statutes and regulations governing the credential, the Department may:~~

- ~~1. Initiate disciplinary action against the lapsed credential;~~
- ~~2. Deny the request to restore the credential from lapsed to active status; or~~
- ~~3. Restore the credential to active status and impose limitation(s) or other sanctions on the credential.~~

~~137-020.02C The Department will act within 150 days on all completed applications.~~

~~137-020.02D The applicant will be provided with notice and the opportunity for hearing pursuant to the Department's Rules of Practice and Procedure and Neb. Rev. Stat. §§ 84-901 to 84-920 before any of the actions pursuant to 172 NAC 137-020.02A and 137-020.02B are final.~~

~~137-020.03 Requirements to Move a Credential from Inactive to Active Status: A person whose credential has been placed on inactive status may have his/her credential moved~~

~~from inactive to active status upon proof to the Department that they meet the following requirements:~~

- ~~1. Meet renewal requirements, including:
 - ~~a. The continuing competency requirements; and~~
 - ~~b. Paying the renewal fee; and~~
 - ~~c. Any other applicable fees; and~~~~
- ~~2. Attest:
 - ~~a. That s/he has not practiced in Nebraska since s/he last held an active credential; or~~
 - ~~b. To the actual number of days practiced if the applicant has practiced in Nebraska since s/he last held an active credential.~~~~

~~137-020.04 Procedures for Moving from Inactive to Active Status: To move a credential from inactive status to active status, an applicant must:~~

- ~~1. Submit to the Department:
 - ~~a. A written completed application which contains the following information:
 - ~~(1) Complete name including middle or maiden name;~~
 - ~~(2) Mailing address including street, P.O. Box, route, city, state and zip;~~
 - ~~(3) Social Security Number;~~
 - ~~(4) If the applicant holds a professional credential in another state, the state(s) and type of credential; and~~
 - ~~(5) A statement describing all felony or misdemeanor convictions during the time period since the credential was active;
 - ~~(a) If convicted of a felony or misdemeanor:
 - ~~[1] The official court record, including charges and disposition;~~
 - ~~[2] Copies of arrest records;~~
 - ~~[3] A letter from the applicant explaining the nature of the conviction;~~
 - ~~[4] All addiction or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~
 - ~~[5] A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and~~~~
 - ~~(6) Revocations, suspensions, or other disciplinary action(s) against any professional credential held by the applicant, during the time period since the credential was active;
 - ~~(a) If any disciplinary action was taken against the applicant's credential by another state, an official copy of the disciplinary action, including charges and disposition;~~
 - ~~(b) Disciplinary charges pending against any professional credential held by the applicant; and~~~~
 - ~~(7) Attestation that the continuing competency requirements for renewal have been met; and~~
 - ~~(8) Attestation by applicant:~~~~~~~~

~~(a) That s/he has not practiced in Nebraska since s/he last held an active credential; or~~

~~(b) To the actual number of days practiced if the applicant has practiced in Nebraska since s/he last held an active credential; and~~

~~b. The renewal fee; and~~

~~c. Any other applicable fees.~~

~~137-020.04A If an applicant has practiced while his/her credential was inactive, the Department may:~~

~~1. Assess an administrative penalty pursuant to 172 NAC 137-023;~~

~~2. Initiate disciplinary action against the credential;~~

~~3. Deny the request to move the credential from inactive to active status; or~~

~~4. Move the credential to active status and impose limitation(s) or other sanctions on the credential.~~

~~137-020.04B If an applicant has committed any other violation of the statutes and regulations governing the credential, the Department may:~~

~~1. Initiate disciplinary action against the credential;~~

~~2. Deny the request to move the credential from inactive to active status; or~~

~~3. Move the credential to active status and impose limitation(s) or other sanctions on the credential.~~

~~137-020.04C In either event pursuant to 137-020.04A or 137-020.04B, a notice and the opportunity for hearing will be given to the applicant.~~

~~137-020.04D The Department will act within 150 days on all completed applications.~~

~~137-020.05 Requirements for Reinstatement within One Year Following Revocation for Failure to Meet the Renewal Requirements: An applicant for reinstatement who applies not more than one year following revocation for failure to meet renewal requirements must:~~

~~1. Meet the renewal requirements, including:~~

~~a. The continuing competency requirements; and~~

~~b. Paying the renewal fee;~~

~~c. The reinstatement late fee of \$35; and~~

~~d. Any other applicable fees; and~~

~~2. Attest:~~

~~a. That s/he has not practiced in Nebraska since s/he last held an active credential; or~~

~~b. To the actual number of days practiced if the applicant has practiced in Nebraska since s/he last held an active credential.~~

~~137-020.06 Procedures for Reinstatement within One Year Following Revocation for Failure to Meet the Renewal Requirements: To reinstate a credential not more than one year following revocation for failure to meet renewal requirements, an applicant must:~~

~~1. Submit to the Department:~~~~a. A written completed application which contains the following information:~~

- ~~(1) Complete name including middle or maiden name;~~
- ~~(2) Mailing address;~~
- ~~(3) Social Security Number;~~
- ~~(4) If the applicant holds a professional credential in another state, the state(s) and type of credential; and~~
- ~~(5) A statement describing all felony or misdemeanor convictions during the time period since the credential was active:
 - ~~(a) If convicted of a felony or misdemeanor:
 - ~~[1] The official court record, including charges and disposition;~~
 - ~~[2] Copies of arrest records;~~
 - ~~[3] A letter from the applicant explaining the nature of the conviction;~~
 - ~~[4] All addiction or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~
 - ~~[5] A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and~~~~
 - ~~(6) Revocations, suspensions, or other disciplinary action(s), against any professional credential, held by the applicant during the time period since the credential was revoked; and~~
 - ~~(a) If any disciplinary action was taken against the applicant's credential by another state an official copy of the disciplinary action, including charges and disposition; and~~
 - ~~(b) Disciplinary charges pending against any professional credential held by the applicant; and~~
 - ~~(7) Documentation of continuing competency as required pursuant to 172 NAC 137-022.01D1; and~~
 - ~~(8) Attestation by the applicant:
 - ~~(a) That s/he has not practiced in Nebraska since s/he last held an active credential; or~~
 - ~~(b) To the actual number of days practiced if the applicant has practiced in Nebraska since s/he last held an active credential; and~~~~~~

~~b. The renewal fee;~~~~c. The reinstatement late fee of \$35; and~~~~d. Any other applicable fees.~~~~137-020.06A If an applicant has practiced after his/her credential was revoked the Department may:~~

- ~~1. Assess an administrative penalty pursuant to 172 NAC 137-023 in which case a notice and opportunity for hearing will be sent to the applicant; and~~
- ~~2. If an applicant has practiced after his/her credential was revoked, or has committed any other violation of the statutes and regulation governing the credential, other action may be taken pursuant to 172 NAC 137-020.06B.~~

~~The Department will forward the application to the Board for its recommendation pursuant to Neb. Rev. Stat. § 71-110 (5).~~

~~137-020.06B The Board's recommendation to the Department may be to:~~

- ~~1. Reinstatement of the credential;~~
- ~~2. Reinstatement of the credential with terms, conditions or restrictions; or~~
- ~~3. Denial of reinstatement.~~

~~137-020.06B1 Upon receipt of the Board's recommendation, the Department will, within 150 days, send to the applicant a written notice of the Department's response. The Department may:~~

- ~~1. Reinstatement of the credential: An administrative penalty may be assessed pursuant to 172 NAC 137-023 if warranted; and~~
- ~~2. If the Department determines that the applicant has committed acts or offenses prohibited by Neb. Rev. Stat. §§ 71-147 or 71-148, the Department may:
 - ~~a. Reinstatement of the credential with terms, conditions or restrictions: In this case the applicant will be provided notice and the opportunity for hearing before the Department pursuant to the Department's Rules of Practice and Procedure and Neb. Rev. Stat. §§ 84-901 to 84-920. An administrative penalty may be assessed pursuant to 172 NAC 23-016 if warranted; or~~
 - ~~b. Denial of reinstatement: In this case the applicant will be provided notice and the opportunity for hearing before the Department pursuant to the Department's Rules of Practice and Procedure and Neb. Rev. Stat. §§ 84-901 to 84-920.~~~~

~~137-020.07 Requirements for Reinstatement More Than One Year Following Revocation for Failure to Meet the Renewal Requirements: An applicant for reinstatement who applies more than one year after revocation for failure to meet the renewal requirements must:~~

- ~~1. Petition the Board for reinstatement pursuant to Neb. Rev. Stat. § 71-161.05. The petition for reinstatement must be accompanied by:
 - ~~a. Verified recommendations from at least two credentialed practitioners of the same profession as the petitioner each having personal knowledge of the activities of the petitioner since the credential was revoked; and~~
 - ~~b. Verified recommendations from at least two citizens each having personal knowledge of the activities of the petitioner since the credential was revoked; and~~~~
- ~~2. Meet the renewal requirements, including:
 - ~~a. The continuing competency requirements; and~~~~

- ~~b. Paying the renewal fee;~~
- ~~c. The reinstatement late fee of \$75; and~~
- ~~d. Any other applicable fees; and~~
- ~~3. Attest:~~
 - ~~a. That s/he has not practiced in Nebraska since s/he last held an active credential; or~~
 - ~~b. To the actual number of days practiced if the petitioner has practiced in Nebraska since s/he last held an active credential.~~

~~137-020.08 Procedures for Reinstatement More Than One Year Following Revocation for Failure to Meet Renewal Requirements: An applicant for reinstatement more than one year following revocation for failure to meet renewal requirements must:~~

- ~~1. Submit to the Board:~~
 - ~~a. A petition for reinstatement:~~
 - ~~(1) Stating the reason the petitioner believes his/her credential must be reinstated;~~
 - ~~(2) Accompanied by verified recommendations from at least two credentialed practitioners of the same profession as the petitioner each having personal knowledge of the activities of the petitioner since the credential was revoked; and~~
 - ~~(3) Verified recommendations from at least two citizens each having personal knowledge of the activities of the petitioner since the credential was revoked; and~~
 - ~~(4) Contain the following information about the petitioner:~~
 - ~~(a) Complete name including middle or maiden name;~~
 - ~~(b) Mailing address;~~
 - ~~(c) Social Security Number; and~~
 - ~~(d) If the petitioner holds a professional credential in another state, the state(s) and type of credential; and~~
 - ~~(5) A statement describing all felony or misdemeanor convictions during the time period since the credential was active; and:~~
 - ~~(a) If the petitioner has been convicted of a felony or misdemeanor:~~
 - ~~[1] The official court record, including charges and disposition;~~
 - ~~[2] Copies of arrest records;~~
 - ~~[3] A letter from the petitioner explaining the nature of the conviction;~~
 - ~~[4] All addiction or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~
 - ~~[5] A letter from the probation officer addressing probationary conditions and current status, if the petitioner is currently on probation; and~~
 - ~~(6) Revocations, suspensions, or other disciplinary action(s) against any professional credential held by the petitioner during the time period since the credential was revoked; and~~

- ~~(a) If any disciplinary action was taken against the petitioner's credential by another state, an official copy of the disciplinary action, including charges and disposition; and~~
- ~~(b) Disciplinary charges pending against any professional credential held by the petitioner; and~~
- ~~(7) Documentation of continuing competency as required pursuant to 172 NAC 137-022.01D1 for renewal; and~~
- ~~(8) Attestation by the petitioner:
 - ~~(a) That s/he has not practiced in Nebraska since s/he last held an active credential; or~~
 - ~~(b) To the actual number of days practiced if the petitioner has practiced in Nebraska since s/he last held an active credential; and~~~~
- ~~b. The renewal fee;~~
- ~~c. The reinstatement late fee of \$75; and~~
- ~~d. Any other applicable fees.~~

~~137-020.08A If a petitioner has practiced after his/her credential was revoked the Department may:~~

- ~~(1) Assess an administrative penalty pursuant to 172 NAC 137-023 in which case a notice and opportunity for hearing will be sent to the petitioner; and~~
- ~~(2) If a petitioner has practiced after his/her credential was revoked, or has committed any other violation of the statutes and regulations governing the credential, other action may be taken pursuant to 172 NAC 137-020.08F.~~

~~137-020.08B The petition to recommend reinstatement will be considered at the next meeting of the Board that is held, but not earlier than 30 days after the petition is filed.~~

~~137-020.08B1 Any petition to recommend reinstatement of a credential will be conclusively acted upon by the Board within 180 days after the filing of a properly prepared petition and the necessary accompanying documents with the Board.~~

~~137-020.08C If the Board recommends reinstatement of the credential, no public hearing will be held on the petition.~~

~~137-020.08D Prior to any recommendation by the Board against reinstatement of the credential, an opportunity for a formal public hearing on the petition must be granted by the Board, if formally requested by the petitioner.~~

~~137-020.08D1 The petitioner's request for a formal hearing must be submitted within 30 days of the Board's notification of an opportunity for a formal public hearing.~~

~~137-020.08E If the petitioner formally requests a formal public hearing or if the Board otherwise holds a hearing, the petitioner will be given at least 30 days prior notice by sending to the petitioner a copy of the notice of hearing by certified or registered mail at his/her last known residence or business post office address as shown by the files~~

~~or records of the Department or as otherwise known. Notice may be given to the petitioner by personal service. The hearing will be conducted pursuant to 172 NAC 1-~~

~~137-020.08F The Board will review the petition to recommend reinstatement and the record of any hearing held, and submits its recommendation regarding reinstatement and the record on which the recommendation is made to the Department within 180 days of receipt of the petition to recommend reinstatement.~~

~~137-020.08F1 If the Board recommends reinstatement of the credential, the Department may:~~

- ~~1. Accept the Board's recommendation and grant reinstatement of the credential; or~~
- ~~2. If the Department determines that the Board's recommendation is: in excess of statutory authority; made upon lawful procedure; unsupported by competent, material, and substantial evidence; or arbitrary or capricious, the Department may not accept the Board's recommendation and either:
 - ~~a. Deny reinstatement of the credential; or~~
 - ~~b. Grant reinstatement with terms, conditions, or restrictions.~~~~

~~137-020.08F2 If the Board recommends denial of reinstatement, the Board will send to the petitioner a written notice of the Board's recommendation. The petitioner may appeal the Board's decision to the District Court of Lancaster County pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920.~~

~~137-020.08F3 If the Board recommends reinstatement with terms, conditions, or restrictions, the Department may:~~

- ~~1. Accept the Board's recommendation and grant reinstatement with terms, conditions, or restrictions; or~~
- ~~2. Not accept the Board's recommendation and either:
 - ~~a. Deny reinstatement of the credential; or~~
 - ~~b. Grant reinstatement of the credential.~~~~

~~137-020.08F4 The Department will, within 150 days of receipt of the Board's recommendation, send to the petitioner a written notice of the Department's reinstatement with or without terms, conditions, or restrictions or denial of reinstatement of the credential.~~

~~137-020.08F5 The petitioner may appeal the Department's decision to the District Court of Lancaster County pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920.~~

~~137-020.09 Requirements to Reinstate a Credential Following Suspension, Limitation, or Revocation for Disciplinary Reasons: An applicant for reinstatement following suspension, limitation, or revocation for disciplinary reasons must meet the following requirements:~~

- ~~1. Petition the Board for reinstatement:
 - ~~a. The petition for reinstatement must be accompanied by verified recommendations from at least two credentialed practitioners of the same~~~~

~~profession as the petitioner each having personal knowledge of the activities of the petitioner since the credential was suspended, limited, or revoked; and~~

- ~~b. Verified recommendations from at least two citizens each having personal knowledge of the activities of the petitioner since the credential was suspended, limited, or revoked; and~~
- ~~2. If the credential was revoked or suspended, attest:

 - ~~a. That s/he has not practiced in Nebraska since s/he last held an active credential; or~~
 - ~~b. To the actual number of days practiced if the petitioner has practiced in Nebraska since s/he last held an active credential; and~~~~
- ~~3. Pay the reinstatement fee of \$75.~~

~~137-020.10 Procedures for Reinstatement Following Suspension, Limitation, or Revocation for Disciplinary Reasons: An applicant for reinstatement following suspension, limitation, or revocation for disciplinary reasons must:~~

- ~~1. Submit to the Board:

 - ~~a. A petition for reinstatement:

 - ~~(1) Stating the reason the petitioner believes his/her credential must be reinstated;~~
 - ~~(2) Accompanied by verified recommendations from at least two credentialed practitioners of the same profession as the petitioner each having personal knowledge of the activities of the petitioner since the credential was suspended, limited, or revoked; and~~
 - ~~(3) Verified recommendations from at least two citizens each having personal knowledge of the activities of the petitioner since the credential was suspended, limited, or revoked; and~~
 - ~~(4) Contain the following information about the petitioner:

 - ~~(a) Complete name including middle or maiden name;~~
 - ~~(b) Mailing address;~~
 - ~~(c) Social Security Number; and~~
 - ~~(d) If the petitioner holds a professional credential in another state, the state(s) and type of credential; and~~~~
 - ~~(5) A statement describing all felony or misdemeanor convictions during the time period since the credential was suspended, limited, or revoked; and

 - ~~[a] If the petitioner has been convicted of a felony or misdemeanor:

 - ~~[1] The official court record, including charges and disposition;~~
 - ~~[2] Copies of arrest records;~~
 - ~~[3] A letter from the petitioner explaining the nature of the conviction;~~
 - ~~[4] All addiction or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~~~~~~~~~

- ~~[5]—A letter from the probation officer addressing probationary conditions and current status, if the petitioner is currently on probation; and~~
- ~~(6)—Revocations, suspensions, or other disciplinary action(s) against any professional credential held by the petitioner during the time period since the credential was suspended, limited, or revoked; and~~
- ~~(a)—If any disciplinary action was taken against the petitioner's credential by another state, an official copy of the disciplinary action, including charges and disposition; and~~
- ~~(b)—Disciplinary charges pending against any professional credential held by the petitioner; and~~
- ~~(7)—Any continuing competency activities; and~~
- ~~(8)—Attestation by the petitioner, if the credential was revoked or suspended:~~
- ~~(a)—That s/he has not practiced in Nebraska since s/he last held an active credential; or~~
- ~~(b)—To the actual number of days practiced if the petitioner has practiced in Nebraska since s/he last held an active credential.~~
- ~~b.—The reinstatement fee of \$75.~~

~~137-020.10A If a petitioner has practiced after his/her credential was revoked the Department may:~~

- ~~1.—Assess an administrative penalty pursuant to 172 NAC 137-023 in which case a separate notice and opportunity for hearing will be sent to the petitioner; and~~
- ~~2.—If a petitioner has practiced after his/her credential was revoked, or has committed any other violation of the statutes and regulations governing the credential, other action may be taken pursuant to 172 NAC 137-019.~~

~~137-020.10B The Board will make a recommendation to the Director regarding reinstatement following disciplinary action. In determining whether reinstatement will be recommended, the Board may:~~

- ~~1.—Request the Department investigate all activities of the petitioner since the disciplinary action was taken against him/her, including activities prohibited by Neb. Rev. Stat. §§71-147 and 71-148; and~~
- ~~2.—Require the petitioner to submit to a complete diagnostic examination by one or more physicians appointed by the Board, the petitioner being free also to consult a physician or physicians of his/her own choice for a~~
- ~~—complete diagnostic examination and make available a report or reports thereof to the Board; or~~
- ~~3.—Require the petitioner to pass a written, oral, or practical examination or any combination of examinations; or~~
- ~~4.—Require the petitioner to complete additional education.~~

~~137-020.10C The petition to recommend reinstatement will be considered at the next meeting of the Board that is held, but not earlier than 30 days after the petition is filed.~~

~~137-020.10D Any petition to recommend reinstatement of a credential will be conclusively acted upon by the Board within 180 days after the filing of a properly prepared petition and the necessary accompanying documents with the Board.~~

~~137-020.10E If the Board recommends reinstatement of the credential, no public hearing need be held on the petition.~~

~~137-020.10F Prior to any recommendation by the Board against reinstatement of the credential, an opportunity for a formal public hearing on the petition must be granted by the Board, if formally requested by the petitioner.~~

~~137-020.10F1 The petitioner's request for a formal hearing must be submitted within 30 days of the Board's notification of an opportunity for a formal public hearing.~~

~~137-020.10F2 If the petitioner had a hearing or an opportunity for a hearing on a prior petition to recommend reinstatement filed pursuant to Neb. Rev. Stat. § 71-161.04 within a period of two years immediately preceding the filing of the current petition, the Board may grant or deny, without a hearing, the current petition to recommend reinstatement filed pursuant to Neb. Rev. Stat. § 71-161.04.~~

~~137-020.10F3 If the petitioner formally requests a formal public hearing or if the Board otherwise holds a hearing, the petitioner will be given at least 30 days prior notice by sending to the petitioner a copy of the notice of hearing by certified or registered mail at his/her last known residence or business post office address as shown by the files or records of the Department or as otherwise known. Notice may be given to the petitioner by personal service. The hearing will be conducted pursuant to 172 NAC 4.~~

~~137-020.10G The Board reviews the petition to recommend reinstatement, any examination or investigatory information and the record of hearing, if one was held. The Board will submit its recommendation to the Director within 180 days of receipt of the petition to recommend reinstatement.~~

~~137-020.10G1 If the Board recommends reinstatement of the credential:~~

- ~~1. The Board will send its recommendation to the petitioner by certified mail along with notification that the petitioner must file an application for reinstatement with the Director; and~~
- ~~2. The petitioner must submit, to the Department, an application for reinstatement by the Director within 30 days of receipt of the Board's recommendation; and~~
 - ~~a. Name the petitioner; and~~

- ~~b. A signed statement that the petitioner requests the Director to issue the credential pursuant to the Board's recommendation for reinstatement;~~
- ~~3. Upon receipt of an application for reinstatement from the petitioner, the Department will submit to the Director:~~
- ~~a. The completed application;~~
- ~~b. The written recommendation of the Board, including any finding of fact or order of the Board;~~
- ~~c. The petition submitted to the Board;~~
- ~~d. The record of hearing, if any; and~~
- ~~e. Any pleadings, motions, requests, preliminary or intermediate rulings and orders, and similar correspondence to or from the Board and the petitioner.~~
- ~~4. The Director will issue a decision regarding reinstatement within 150 days of receipt of the petitioner's application for reinstatement. The Director's decision will be based upon a review of the record of the proceedings before the Board. The Director will not hold a second hearing. The Director may affirm, reverse or modify the Board's recommendation. A decision by the Director to reverse or modify the Board's recommendation will be based on finding that the Board's recommendation is: in excess of statutory authority; made upon unlawful procedure; unsupported by competent, material, and substantial evidence in view of the entire record; or arbitrary or capricious.~~
- ~~a. When the Director affirms, modifies or reverses the Board's recommendation for reinstatement, the Director will enter an Order setting forth the decision regarding reinstatement of the petitioner's credential. The Order will be sent by certified mail to the petitioner.~~
- ~~b. If the petitioner does not accept the Director's decision, s/he may appeal such decision to the District Court of Lancaster County pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920.~~

~~137-020.10G2 If the Board recommends reinstatement of the credential with terms, conditions, or restrictions:~~

- ~~1. The Board will send its recommendation to the petitioner by certified mail along with notification that the petitioner must file an application for reinstatement with the Director; and~~
- ~~2. The Petitioner must submit, to the Department, an application for reinstatement by the Director within 30 days of receipt of the Board's recommendation. The application must include:~~
- ~~a. Name of the Petitioner's; and~~
- ~~b. Signed statement that the petitioner requests the Director to issue the credential pursuant to the Board's recommendation for reinstatement; and~~

3. ~~Upon receipt of the application for reinstatement from the petitioner, the Department will submit the following to the Director:~~
 - a. ~~The application;~~
 - b. ~~The written recommendation of the Board, including any finding of fact or order of the Board;~~
 - c. ~~The petition submitted to the Board;~~
 - d. ~~The record of hearing, if any; and~~
 - e. ~~Any pleadings, motions, requests, preliminary or intermediate rulings and orders, and similar correspondence to or from the Board and the petitioner.~~
4. ~~The Director will issue a decision regarding reinstatement within 150 days of receipt of the petitioner's application for reinstatement. The Director's decision will be based upon a review of the record of the proceedings before the Board. The Director will not hold a second hearing. The Director may affirm, reverse or modify the Board's recommendation. A decision by the Director to reverse or modify the Board's recommendation will be based on finding that the Board's recommendation is: in excess of statutory authority; made upon unlawful procedure; unsupported by competent, material, and substantial evidence in view of the entire record; or arbitrary or capricious.~~
 - a. ~~When the Director affirms, modifies or reverses the Board's recommendation for reinstatement, the Director will enter an Order setting forth the decision regarding reinstatement of the petitioner's credential. The Order will be sent by certified mail to the petitioner.~~
 - b. ~~If the petitioner does not accept the Director's decision, s/he may appeal such decision to the District Court of Lancaster County pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920.~~

~~137-020.10G3 If the Board denies reinstatement, the Board will send to the petitioner a written notice of the Board's recommendation to deny reinstatement. The petitioner may appeal the Board's decision to the District Court of Lancaster County pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920.~~

~~137-020.11 Procedures for Restoration of Credentials Voluntarily Surrendered or Limited for an Indefinite Period of Time: Credentials voluntarily surrendered or limited for an indefinite period of time pursuant to Neb. Rev. Stat. §71-161.11 may be restored at the discretion of the Department.~~

~~137-020.11A An applicant for restoration of a credential that was voluntarily surrendered or limited for an indefinite period of time must:~~

1. ~~Submit to the Department:~~
 - a. ~~A written completed application which contains the following information about the applicant:~~
 - (1) ~~Complete name including middle or maiden name;~~

- ~~(2) Mailing address;~~
- ~~(3) Social Security Number; and~~
- ~~(4) If the applicant holds a professional credential in another state, the state(s) and type of credential; and~~
- ~~(5) A statement describing all felony or misdemeanor convictions during the time period since the credential was active; and~~
 - ~~(a) If the applicant has been convicted of a felony or misdemeanor:

 - ~~[1] The official court record, including charges and disposition;~~
 - ~~[2] Copies of arrest records;~~
 - ~~[3] A letter from the applicant explaining the nature of the conviction;~~
 - ~~[4] All addiction or mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and~~
 - ~~[5] A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and~~~~
- ~~(6) Revocations, suspensions, or other disciplinary action(s) against any professional credential, held by the applicant, during the time period since the credential was active; and~~
 - ~~(a) If any disciplinary action was taken against the applicant's credential by another state, an official copy of the disciplinary action, including charges and disposition; and~~
 - ~~(b) Disciplinary charges pending against any professional credential held by the applicant; and~~
- ~~(7) Any continuing competency activities; and~~
- ~~(8) Attest:

 - ~~(a) That s/he has not practiced in Nebraska prior to the voluntary surrender of his/her credential; or~~
 - ~~(b) To the actual number of days practiced if the applicant has practiced in Nebraska prior to the voluntary surrender of his/her credential.~~~~

~~137-020.11A1 If an applicant has practiced while his/her credential was voluntarily surrendered, the Department may:~~

- ~~1. Assess an administrative penalty pursuant to 172 NAC 137-023;~~
- ~~2. Initiate disciplinary action against the credential;~~
- ~~3. Deny the request to restore the credential; or~~
- ~~4. Restore the credential to active status and impose limitation(s) or other sanctions on the credential.~~

~~137-020.11A2 If an applicant has committed any other violation of the statutes and regulations governing the credential while his/her credential was voluntarily surrendered or limited, the Department may:~~

- ~~1. Initiate disciplinary action against the credential;~~
- ~~2. Deny the request for restoration of the credential; or~~
- ~~3. Restore the credential to active status and impose limitation(s) or other sanctions on the credential.~~

~~137-020.11A3 In either event pursuant to 137-020.11A2 or 137-020.11A3, a notice and the opportunity for hearing will be given to the applicant.~~

~~137-020.11A4 The Department will act within 150 days on all completed applications.~~

~~137-020.12 Procedures for Restoration of Credentials Voluntarily Surrendered or Limited for a Specific and Definite Period of Time~~

~~137-020.12A Credentials voluntarily surrendered or limited for a specific and definite period of time as agreed to between the holder and Department pursuant to Neb. Rev. Stat. § 71-161.11, will be automatically restored at the expiration of that period of time.~~

~~137-020.12B If an individual has practiced while his/her credential was voluntarily surrendered for a specific and definite period of time, the Department may assess an administrative penalty pursuant to 172 NAC 137-023.~~

~~137-020.13 Credentials Voluntarily Surrendered or Limited Permanently~~

~~137-020.13A Credentials that are voluntarily surrendered or limited permanently pursuant to Neb. Rev. Stat. § 71-161.11 will not be restored.~~

~~137-021 SCHEDULE OF FEES:~~ The following fees have been set by the Department:

- ~~1. Initial License Fee for Physical Therapist: By an applicant for a license to practice physical therapy, the fee of \$50 and the Licensee Assistance Program fee of \$1 for each year remaining during the current biennial renewal period.~~
- ~~2. Proration of Initial License or Certificate: For issuance of a license or certificate that will expire within 180 days after its initial issuance date, a fee of \$25 and the Licensee Assistance Program fee of \$1. If the fee is less than \$25, the fee will not be prorated.~~
- ~~3. Initial Certification Fee for Physical Therapist Assistant: By an applicant for certification as a physical therapist assistant, the fee of \$35 and the Licensee Assistance Program fee of \$1 for each year remaining during the current biennial renewal period.~~
- ~~4. License Renewal Fee for Physical Therapist: By an applicant for renewal on a biennial basis of a license to practice physical therapy, the fee of \$20 and the Licensee Assistance Program fee of \$1 for each year remaining during the current biennial renewal period.~~
- ~~5. Certification Renewal Fee for Physical Therapist Assistant: By an applicant for renewal on a biennial basis of a certificate to practice as a physical therapist assistant, the fee~~

- ~~of \$15 and the Licensee Assistance Program fee of \$1 for each year remaining during the current biennial renewal period.~~
- ~~6. Inactive License or Certificate Status Fee: By an applicant to have his/her license placed on inactive status, the fee of \$25.~~
 - ~~7. Renewal Late Fee: By an applicant for renewal on a biennial basis of a license, who fails to pay the renewal fee on or before the expiration date of his/her license, the fee of \$25 as a late charge in addition to the renewal fee.~~
 - ~~8. Certification of License or Certificate Fee: For issuance of a certification of a physical therapy license the fee of \$25. The certification includes information regarding:
 - ~~a. The basis on which a credential was issued;~~
 - ~~b. The date of issuance;~~
 - ~~c. Whether disciplinary action has been taken against the credential; and~~
 - ~~d. The current status of the credential.~~~~
 - ~~9. Verification of License or Certification Fee: For issuance of a verification of a license or certificate the fee of \$5. The verification includes written confirmation as to whether a license was valid at the time the request was made.~~
 - ~~10. Duplicate Original Fee: For an original duplicate or reissued license or certificate, the fee of \$10.~~
 - ~~11. Administrative Fee: For a denied license or certificate or a withdrawn application, the administrative fee of \$25 will be retained by the Department, except if the license or certificate fee is less than \$25, the fee will be forfeited and an examination fee will not be returned.~~
 - ~~12. Reinstatement Late Fee: For reinstatement of a license or certificate for failure to meet renewal requirements.
 - ~~a. Within one year, the fee of \$35 in addition to the renewal fee; and~~
 - ~~b. After one year of revocation, the fee of \$75 in addition to the renewal fee.~~~~
 - ~~13. Reinstatement Fee: For reinstatement of a physical therapy license following suspension, limitation, or revocation for disciplinary reasons, the fee of \$75.~~

~~137-013 CONTINUING COMPETENCY REQUIREMENTS FOR LICENSURE AND CERTIFICATION: Each person holding an active credential must, on or before the date of expiration of the credential, comply with the continuing competency requirements for his/her profession, unless the requirements are waived in accordance with 172 NAC 137-014.03 and 137-014.04. Each credentialed individual is responsible for maintaining certificates or records of continuing competency activities.~~

~~137-022 CONTINUING COMPETENCY REQUIREMENTS FOR LICENSURE AND CERTIFICATION~~

~~137-022.01-137-013.01~~ General Requirements for [Renewal of Licensure or Certification](#): On or before November 1 of each odd-numbered year, each physical therapist and each physical therapist assistant ~~that is in with an active practice and in the State of Nebraska~~ credential must:

1. Complete acceptable continuing education hours to renew a license or certificate during the preceding 24 month period:
 - a. Each physical therapist must complete 20 hours of continuing education and each physical therapist assistant must complete ~~40~~ten hours of continuing education during the preceding 24 month period; and
 - b. ~~Commencing on November 1, 2009 each~~ Each physical therapist and each physical therapist assistant must successfully complete the Nebraska Law Tutorial: The Nebraska Law Tutorial is a free, online open book tutorial developed by the Board for the purpose of assuring that all physical therapists and physical therapist assistants understand the Physical Therapy Practice Act and these regulations, 172 NAC 137. Successful completion means a score of 100%. Each licensee or certificate holder is required to maintain a copy of the Nebraska Law Tutorial documentation; and

~~2. Submit to the Department attestation of continuing competency requirements pursuant to 172 NAC 137-015.01, item 4b;~~

~~3.~~ 2. Be responsible for:

- a. Maintaining documentation of attendance at or participation in continuing competency activities until the next renewal period. Documentation of attendance must include the following:
 - (1) A signed certificate;
 - (2) The course brochure or course outline; and
 - (3) Completed Nebraska Law Tutorial documentation; and
- b. Maintaining documentation of presentation of a continuing education program if the licensee is presenting a program. Documentation must include the following:
 - (1) The course outline; and
 - (2) The course brochure; or
 - (3) A statement of the instructor's qualifications to teach the course, unless the qualifications are included in the brochure; ~~and.~~

~~3. Submit a completed application for waiver of the continuing competency requirements pursuant to 172 NAC 137-002.04A if applicable.~~

~~137-022.02-137-013.02~~ Acceptable Continuing Education: In order for a learning experience to be accepted for the renewal or reinstatement of a license or certificate, the learning experience must relate to physical therapy and it may focus on research, treatment,

documentation, management, or education. The Board does not pre-approve continuing education programs but may accept as continuing education for renewal of a license or certificate or reinstatement of a license or certificate the following learning experiences to include:

1. Programs at State and National meetings which relate to the theory or clinical application of theory pertaining to the practice of physical therapy for example, a meeting of the Nebraska Physical Therapy Association and/or the American Physical Therapy Association; or
2. Formal education courses or presentations in which:
 - a. The courses or presentations are formally organized and planned instructional experiences that have:
 - (1) A date;
 - (2) Location;
 - (3) Course title;
 - (4) Number of contact hours;
 - (5) A signed certificate of attendance; and
 - (6) Are open to all licensees and certificate holders;
 - b. The objectives relate to the theory or clinical application of theory pertaining to the practice of physical therapy; and
 - c. The instructor has specialized experience or training to meet the objectives of the course;
3. University sponsored courses relating to the theory or clinical application of theory pertaining to the practice of physical therapy;
4. Home study relating to the theory or clinical application of theory pertaining to the practice of physical therapy: A Licensee or certificate holder may complete a maximum of ten hours of continuing education by home study each 24 month renewal period. The home study program must have a testing mechanism;
5. Management courses which relate to the theory or clinical application of theory pertaining to the practice of physical therapy. A Licensee or certificate holder may complete a maximum of four hours of continuing education utilizing management courses each 24 month renewal period;
6. Videotapes or satellite programs that meet the following criteria:
 - a. There is a sponsoring group or agency;
 - b. There is a facilitator or program official present each time the videotapes or satellite programs are presented to monitor attendance of licensees;
 - c. Any program official who wishes to receive credit for a videotape or satellite program may not self-monitor attendance; and
 - d. The objectives of the program must relate to the theory or clinical application of theory pertaining to the practice of physical therapy. A Licensee or certificate holder may complete a maximum of ten hours of continuing education utilizing videotape presentations or satellite programs each 24 month renewal period;

7. Completion and publication of a scientific review of a research paper for a professionally recognized database as approved by the Board for example, APTA *Hooked on Evidence*, Physiotherapy Evidence Database (PEDro). A Licensee or certificate holder will be awarded a maximum of five hours each 24 month period. One contact hour will be awarded for each article published. Documentation must include a certificate of completion or a copy of the published review;
8. Participation in research or other scholarly activities that result in professional publication or acceptance for publication that relates to physical therapy and is intended for an audience of health care professionals: A Licensees or certificate holders will be awarded a maximum of ten hours each 24 month period. These include:
 - a. Primary author of an article in a non-refereed journal. Earn ~~5~~five hours per article: Documentation required – a copy of the article;
 - b. Primary or secondary author of an article in a refereed journal. Earn ~~4~~ten hours per article: Documentation required – a copy of the article;
 - c. Primary, secondary or contributing author of a published textbook. Earn ~~4~~ten hours per book: Documentation required – A copy of the title page;
 - d. Primary or secondary author of a poster presentation. ~~5~~five hours per presentation: Documentation required – Letter of acknowledgement;
 - e. Primary author of a home study course. Earn ~~5~~five hours per course: Documentation -Letter of approval;
9. Completion of the Jurisprudence (NE Law) Examination: Five hours of continuing education will be awarded for passing the Jurisprudence (NE Law) examination with a scaled score that is greater than or equal to 600; ~~or~~
10. Completion of a residency and/or fellowship program approved by the American Physical Therapy Association: A Licensee or certificate holder will be awarded one hour for each month of participation. Documentation required – Letter verifying participation from the agency providing the program. The dates of participation must be included in the letter-; or
11. Obtaining the initial Certified Strength and Conditioning Specialist (CSCS) certificate issued by the National Strength and Conditioning Association (NSCA). Four hours of continuing education will be awarded for the Certified Strength and Conditioning Specialist (CSCS) certificate during the twenty hour months prior to the reinstatement application or license expiration date.
12. Direct supervision of students for clinical education:
 - a. The physical therapist or physical therapist assistant who is supervising the student must be an American Physical Therapy Association Credentialed Clinical Instructor of record at the Basic Level;
 - b. The student being supervised must be from an accredited physical therapist or physical therapist assistant program and participating in a full-time clinical experience of varying length. Full time is defined as clinical experiences with durations of approximately 40 hours per week ranging from 1-18 weeks;

- c. One hour will be awarded for every 160 contact hours of supervision of full-time physical therapist student or physical therapist assistant student;
- d. A maximum of eight hours for physical therapist and four hours for physical therapist assistant per 24 month renewal period may be awarded to each individual for supervision of a physical therapist student or physical therapist assistant student; and
- e. The physical therapist or physical therapist assistant must have documentation from the accredited educational program indicating the number of hours spent supervising a student.

137-013.02A Two hours of credit will be awarded for a current Cardiopulmonary Resuscitation (CPR) certificate.

~~137-022.02A~~137-013.02B One hour of credit will be awarded for each hour of attendance. Credit will not be awarded for breaks, ~~lunch, or dinner or meals.~~

~~137-022.02B~~ 137-013.02C One hour credit will be awarded for each hour of scientific presentation by a licensee or certificate holder acting as an essayist or lecturer to licensed physical therapists and physical therapist assistants if the program relates to the theory or clinical application of theory pertaining to physical therapy: A licensee or certificate holder may receive continuing education credit for only the initial presentation during a renewal period, with a maximum of four hours of continuing education for presentations in a 24 month renewal period.

~~137-022.03~~ 137-013.03 Non-acceptable Continuing Education: Continuing education credit will not be awarded for programs where the subject matter does not relate to the theory or clinical application of theory pertaining to the practice of physical therapy, including but not limited to:

1. Business communications and operations;
2. Medical terminology ~~and language courses;~~
3. Courses which deal with personal self-improvement, financial gain, or career options;
4. Courses designed for lay persons.
5. Teaching unlicensed or uncertified persons;
6. Courses less than 60 minutes in duration;
7. Physical therapy on-the-job training; or
8. Physical therapy orientation programs or staff meetings, including:
 - a. Orientation to new policies;
 - b. Procedures;
 - c. Equipment;
 - d. Forms;
 - e. Responsibilities; or
 - f. Services; or

~~9. CPR or other related training;~~

~~109.~~ Presentations made by students; or

~~110.~~ Participation in or attendance at case conferences, grand rounds, or informal presentations.

137-014 RENEWAL: An individual who wants to renew his/her physical therapist or physical therapist assistant credential must request renewal as specified in 172 NAC 137-014.02. All physical therapist and physical therapist assistant credentials issued by the Department will expire on November 1 of each odd-numbered year.

137-014.01 Renewal Notice: At least 30 days before the expiration of a credential, the Department will notify each credential holder at the last known address of record. The renewal notice will include:

1. The type of credential;
2. The credential number;
3. The expiration date;
4. Continuing competency requirements for renewal;
5. The amount of the renewal fee; and
6. Information on how to request renewal and how to place a credential on inactive status.

137-014.02 Renewal Procedures: The request for renewal may be submitted in person or by mail or Internet, and must include all required documentation and the renewal fee, which must be paid no later than the expiration date. The applicant may obtain an application from the Department or construct an application.

1. Application: The applicant, on his/her application:
 - a. Must provide the following information:
 - (1) The legal name of the applicant, maiden name (if applicable), and any other names by which the applicant is known;
 - (2) Mailing address (street, rural route, or post office address; and city, state, and zip code, or country information);
 - (3) The applicant's:
 - (a) Social Security Number (SSN); or
 - (b) Alien Registration Number (A#) or
 - (c) Form I-94 (Arrival-Departure Record) number.Certain applicants may have both a SSN and an A# or I-94 number, and if so, must report both;
 - b. May provide the following information about him/herself:
 - (1) The applicant's telephone number including area code;
 - (2) The applicant's e-mail address; and
 - (3) The applicant's fax number;
 - c. Must attest that s/he:
 - (1) Is of good character;
 - (2) Has met the continuing competency requirements specified in 172 NAC 137-013 or has requested a waiver if s/he meets the requirements of 172 NAC 137-014.04 and/or 137-013.04;
 - (3) Has not, since the last renewal of the credential, committed any act which would be grounds for action against a

- credential as specified in 172 NAC 137-13.01, or if an act(s) was committed, provide an explanation of all such acts; and
- (4) For purposes of Neb. Rev. Stat. §§ 4-108 to 4-114, a citizen of the United States or a qualified alien under the Federal Immigration and Nationality Act; and
 - (5) For the purposes of Neb. Rev. Stat. §38-129; a citizen of the United States, an alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, or a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.
2. Documentation: The applicant must submit the following documentation with the application:
- a. Alien or Non-Immigrant: Evidence of lawful presence, and/or immigration status may include a copy of:
 - (1) A Green Card otherwise known as a Permanent Resident Card (Form I-551), both front and back of the card;
 - (2) An unexpired foreign passport with an unexpired Temporary I-551 stamp bearing the same name as the passport;
 - (3) A document showing an Alien Registration Number ("A#"). An Employment Authorization Card/Document is not acceptable; or
 - (4) A Form I-94 (Arrival-Departure Record);
 - b. Other Credential Information: If the applicant holds a credential to provide health services, health-related services, or environmental services in Nebraska or in another jurisdiction, the applicant must submit the state, credential number, type of credential, date issued, and expiration date of each credential where the applicant has been or is currently credentialed;
 - c. Disciplinary Action: A list of any disciplinary actions taken against the applicant's credential and a copy of the disciplinary action(s), including charges and disposition;
 - d. Denial: If the applicant was denied a credential or denied the right to take a credentialing examination, an explanation of the basis for the denial;
 - e. Conviction Information: If the applicant has been convicted of a felony or misdemeanor since his/her last renewal or during the time period since initial credentialing if such occurred within the previous two years, the applicant must submit to the Department:
 - (1) A list of any misdemeanor or felony convictions;
 - (2) A copy of the court record, which includes charges and disposition;
 - (3) Explanation from the applicant of the events leading to the conviction (what, when, where, why) and a summary of actions the applicant has taken to address the behaviors/actions related to the convictions;
 - (4) All addiction/mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol

related offense and if treatment was obtained and/or required;

(5) A letter from the probation officer addressing probationary conditions and current status, if the applicant is currently on probation; and

(6) Any other information as requested by the Board/Department;

3. The renewal fee according to 172 NAC 2.

137-014.03 Waivers for Military Service: A credential holder who has served in the regular armed forces of the United States during part of the credentialing period immediately preceding the renewal date, or is actively engaged in military service as defined in 172 NAC 137-016, is not required to pay the renewal fee or to meet the continuing competency requirements if acceptable documentation is submitted to the Department. The individual must document his/her military service by submitting to the Department:

1. Military identification proving that s/he is in active service;

2. Military orders; or

3. A letter from his/her Commanding Officer indicating that s/he is on active duty.

Upon receipt of acceptable documentation, the Department will waive the fee and the continuing competency requirements and renew the credential. The credential will remain active until the next renewal period.

137-014.04 Waiver of Continuing Competency Requirements: The Department waives continuing competency requirements for individuals who were first credentialed within the 24-month period immediately preceding the renewal date.

137-014.04A The Department may waive continuing competency requirements, in whole or in part, upon submission by a credential holder of documentation that circumstances beyond his/her control have prevented completion of these requirements. These circumstances may include:

~~137-022.04 Waiver of Continuing Competency Requirements: The Department, on the recommendation of the Board, may waive the continuing competency requirements, in part or in total, for any two-year licensing period when a licensee or certificate holder submits documentation that circumstances beyond his/her control prevented completion of the requirements. The circumstances include situations in which:~~

~~1. The licensee or certificate holder holds a Nebraska license but is not practicing his/her profession in Nebraska;~~

~~2. The licensee or certificate holder has served in the regular armed forces of the United States during part of the 24 months immediately preceding the license renewal date: Official documentation must include a statement listing the dates of service;~~

31. The licensee or certificate holder has submitted proof that s/he was suffering from a serious or disabling illness or physical disability which prevented completion of the ~~required number of continuing education hours competency requirements~~ during the 24 months immediately preceding the license renewal date. The proof submitted by the licensee or certificate holder must include a statement from a treating physician and indicate:
- That the licensee or certificate holder was injured or ill;
 - The duration of the illness or injury and of the recovery period; and
 - That the licensee or certificate holder was unable to obtain or complete the required number of continuing education hours during that period.

~~4. The licensee or certificate holder was first licensed within the 24 months immediately preceding the license renewal date.~~

~~137-022.05-137-014.05~~ The Department, on recommendation of the Board, may grant or deny, in part or in total, an application for waiver of continuing competency requirements, upon proof that circumstances beyond the applicant's control prevented completion of such requirements.

~~137-022.05A-137-014.05A~~ When the Department determines to deny an application for waiver of continuing competency requirements, it will send to the applicant by certified mail to the last name and address of record in the Department, a notice setting forth the reason for the denial determination.

~~137-022.05A1-137-014.05A1~~ The applicant has 30 days from the date of receipt of the denial notice to make a written request to the Department for an appeal. The appeal will be conducted pursuant to Neb. Rev. Stat. §§ 84-901 to 84-902, Administrative Procedure Act and 184 NAC 1 of the Rules of Practice and Procedure for the Department.

~~137-022.05A2-137-014.05A2~~ The Department will issue at the conclusion of the appeal under 184 NAC 1, a final order setting forth the results of the appeal.

~~137-022.05B-137-014.05B~~ When the Department determines to grant a waiver of continuing competency requirements, the applicant will be notified within 30 days of receipt of the application.

137-014.06 Audit of Continuing Competency Requirements: The Department or the Board may biennially select, in a random manner, a sample of the renewal applications for audit of continuing competency requirements. Each credential holder selected for audit must produce documentation of the continuing competency activities.

137-014.06A The Department will notify each selected credential holder by mail. Failure to notify the Department of a current mailing address will not absolve the credential holder from the requirement for audit.

137-014.06B Within 30 days, each selected credential holder must respond by submitting documentation that s/he has met the requirements for continuing competency. An extension beyond 30 days for submission of the documentation

may be granted at the discretion of the Department. Documentation submitted by the credential holder will not be returned.

137-014.06C Acceptable documentation that the credential holder has met the continuing competency requirements include:

- (1) The course outline; and
- (2) The course brochure; or
- (3) A statement of the instructor's qualifications to teach the course, unless the qualifications are included in the brochure; and
- (4) NE Law Tutorial documentation with a score of 100%

137-014.06D The Department/Board will review the submitted documentation to determine if the credential holder has met the requirements for continuing competency activities for renewal of the credential. Only documented activities/hours that meet the continuing competency requirements will be counted toward the total requirements for renewal.

137-014.06E The Department will notify the credential holder upon satisfactory completion of the audit.

137-014.06F The credential of any person who fails to comply with the conditions of the audit will expire 30 days after notice and an opportunity for a hearing.

137-014.06G The Board reserves the right to audit continuing competency requirements of any credential holder by notifying the credential holder and requesting that s/he produce the required documentation of attendance at or participation in acceptable continuing competency programs within 30 days of mailing.

~~137-022.06B When selected for audit, the licensee or certificate holder must provide satisfactory documentation of attendance at or participation in continuing competency activities pursuant to 172 NAC 137-022-01, items 3a and 3b.~~

~~137-022.06C The Board reserves the right to audit the continuing competency activities of any licensee or certificate holder by notifying the licensee or certificate holder and requesting the licensee to produce within 30 days of mailing, documents verifying attendance at or participation in continuing competency activities as referenced in 137-022.01, items 3a and 3b.~~

~~137-022.06D Continuing education for which no documentation is produced will not be included in the calculation of the total number of continuing education hours.~~

~~137-022.06E Failure to comply with the audit may be grounds for non-renewal or revocation of the license or certificate.~~

~~137-022.06 Audit of Continuing Competency Requirements: The Board may select, either during or after renewal, in a random manner, a sample of the licensee's or certificate holder's renewal applications for audit of continuing competency requirements: Each license or certificate holder will be responsible for maintaining in his/her own personal files such documents as required by 172 NAC 137-022-01, items 3a and 3b. License or certificate~~

~~holders selected for audit will be required to produce documentation of his/her attendance at or participation in those continuing competency activities attested to on his/her renewal application.~~

~~137-022.06A The Department will send to each licensee or certificate holder selected for audit a notice of audit.~~

~~137-023 ADMINISTRATIVE PENALTY: The Department may assess an administrative penalty when evidence exists that a person or entity practices without a credential. Practice without a credential for the purpose of this regulation means practice:~~

- ~~1. Prior to the issuance of a credential;~~
- ~~2. Following the expiration of a credential; or~~
- ~~3. Prior to the reinstatement of a credential.~~

~~137-023.01 Evidence of Practice: The Department will consider any of the following conditions as prima facie evidence of practice without a credential:~~

- ~~1. The person admits to engaging in practice;~~
- ~~2. Staffing records or other reports from the employer of the person indicate that the person was engaged in practice;~~
- ~~3. Billing or payment records document the provision of service, care, or treatment by the person;~~
- ~~4. Service, care, treatment records document the provision of service, care, treatment by the person;~~
- ~~5. Appointment records indicate that the person was engaged in practice; and~~
- ~~6. The person or entity opens a business or practice site and announces or advertises that the business or site is open to provide service, care, or treatment.~~

~~137-023.02 Penalty: The Department may assess an administrative penalty in the amount of \$10 per day, not to exceed a total of \$1,000 for practice without a credential. To assess an administrative penalty, the Department will:~~

- ~~1. Provide written notice of the assessment to the person: The notice must specify:
 - ~~a. The total amount of the administrative penalty;~~
 - ~~b. The evidence on which the administrative penalty is based;~~
 - ~~c. That the person may request, in writing, a hearing to contest the assessment of an administrative penalty;~~
 - ~~d. That the Department will within 30 days following receipt of payment of the administrative penalty, transmit the penalty to the State Treasurer for credit to the Permanent School Fund; and~~
 - ~~e. That an unpaid administrative penalty constitutes a debt to the State of Nebraska which may be collected in the manner of a lien foreclosure or sued for and recovered in a proper form of action in the name of the state in the District Court of the county in which the violator resides or owns property; and~~~~

- ~~2. — Send by certified mail, a written notice of the administrative penalty to the last known address of the person to whom the penalty is assessed.~~

~~137-023.03 Administrative Hearing: When a person contests the administrative penalty and requests a hearing, the Department will hold a hearing pursuant to Neb. Rev. Stat. §§ 84-901 to 84-920 and the Department's rules and regulations adopted pursuant to these statutes.~~

~~137-014.07 Department Review: The Department will act within 150 days upon all completed applications for renewal.~~

~~137-014.07A False Information: The Department may refuse to renew a credential for falsification of any information submitted for renewal of a credential. The refusal will be made according to 184 NAC 1, the Department's Rules of Practice and Procedure for Administrative Hearings.~~

~~137-014.08 Address Information: Each credential holder must notify the Department of any change to the address of record.~~

~~137-014.09 Expiration of a Credential: A credential expires if a credential holder fails to:~~

- ~~1. Notify the Department that s/he wants to place his/her credential on inactive status upon its expiration;~~
- ~~2. Meet the requirements for renewal on or before the date of expiration of his/her credential; or~~
- ~~3. Otherwise fails to renew his/her credential.~~

~~137-014.09A Failure to Renew: A credential automatically expires without further notice or opportunity for hearing if a credential holder fails by the expiration date of the credential to either:~~

- ~~1. Submit documentation of continuing competency; or~~
- ~~2. Pay the required renewal fee.~~

~~137-014.09B Failure to Meet Continuing Competency Requirements: The Department will refuse to renew a credential, after notice and opportunity for hearing, if a credential holder fails to meet the continuing competency requirements for renewal by the expiration date of the credential.~~

~~137-014.09C Right to Practice: When an individual's credential expires, the right to represent him/herself as a credential holder and to practice as a physical therapist or physical therapist assistant terminates.~~

~~137-014.09D Practice After Expiration: An individual who practices after expiration of his/her credential is subject to assessment of an administrative penalty under 172 NAC 137-018 or such other action as provided in the statutes and regulations governing the credential.~~

137-014.09E Reinstatement of an Expired Credential: If a credential holder wants to resume the practice as a physical therapist or physical therapist assistant after failing to renew his/her credential by the expiration date, s/he must apply to the Department for reinstatement as specified in 172 NAC 137-.017.

137-014.10 Inactive Status: When an individual wants to have his/her credential placed on inactive status, s/he must notify the Department in writing. There is no fee to have a credential placed on inactive status and continuing competency is not required.

137-014.10A Request for Inactive Status: When the Department has received notification that an individual wants to have his/her credential placed on inactive status, the Department will notify the credential holder in writing of the acceptance or denial of the request.

137-014.10B Placement on Inactive Status: When an individual's credential is placed on inactive status, the credential holder must not engage in the practice as a physical therapist or physical therapist assistant, but may represent him/herself as having an inactive credential.

137-014.10C Return to Active Status: A credential may remain on inactive status for an indefinite period of time. An individual who wants to have his/her credential returned to active status must apply to the Department for reinstatement and meet the requirements specified in 172 NAC 137-017.

137-015 DISCIPLINARY ACTIONS

137-015.01 Grounds for Action Against a Credential: A credential to practice a profession may have disciplinary actions taken against it on any of the following grounds:

1. Misrepresentation of material facts in procuring or attempting to procure a credential;
2. Immoral or dishonorable conduct evidencing unfitness to practice the profession in this state;
3. Abuse of, dependence on, or active addiction to alcohol, any controlled substance, or any mind-altering substance;
4. Failure to comply with a treatment program or an aftercare program, including, but not limited to, a program entered into under the Licensee Assistance Program established pursuant to Neb. Rev. Stat. § 38-175;
5. Conviction of:
 - a. A misdemeanor or felony under Nebraska law or federal law, or
 - b. A crime in any jurisdiction which, if committed within this state, would have constituted a misdemeanor or felony under Nebraska law and which has a rational connection with the fitness or capacity of the applicant or credential holder to practice the profession;
6. Practice of the profession:
 - a. Fraudulently,
 - b. Beyond its authorized scope,
 - c. With gross incompetence or gross negligence, or
 - d. In a pattern of incompetent or negligent conduct;

7. Practice of the profession while the ability to practice is impaired by alcohol, controlled substances, drugs, mind-altering substances, physical disability, mental disability, or emotional disability;
8. Physical or mental incapacity to practice the profession as evidenced by a legal judgment or a determination by other lawful means;
9. Illness, deterioration, or disability that impairs the ability to practice the profession;
10. Permitting, aiding, or abetting the practice of a profession or the performance of activities requiring a credential by a person not credentialed to do so;
11. Having had his/her credential denied, refused renewal, limited, suspended, revoked, or disciplined in any manner similar to 172 NAC 137-015.05 by another state or jurisdiction based upon acts by the applicant or credential holder similar to acts described in this part;
12. Use of untruthful, deceptive, or misleading statements in advertisements;
13. Conviction of fraudulent or misleading advertising or conviction of a violation of the Uniform Deceptive Trade Practices Act;
14. Distribution of intoxicating liquors, controlled substances, or drugs for any other than lawful purposes;
15. Violations of the Uniform Credentialing Act or the rules and regulations relating to the particular profession;
16. Unlawful invasion of the field of practice of any profession regulated by the Uniform Credentialing Act which the credential holder is not credentialed to practice;
17. Violation of the Uniform Controlled Substances Act or any rules and regulations adopted pursuant to the act;
18. Failure to file a report required by Neb. Rev. Stat. §§ 38-1,124 or 38-1,125;
19. Failure to maintain the requirements necessary to obtain a credential;
20. Violation of an order issued by the Department;
21. Violation of an assurance of compliance entered into under Neb. Rev. Stat. § 38-1,108;
22. Failure to pay an administrative penalty;
23. Unprofessional conduct as defined in 172 NAC 137-015.02; or
24. Violation of the Automated Medication Systems Act.

137-015.02 Unprofessional Conduct: Unprofessional conduct means any departure from or failure to conform to the standards of acceptable and prevailing practice of a profession or the ethics of the profession, regardless of whether a person, consumer, or entity is injured, but does not include a single act of ordinary negligence. Unprofessional conduct also means conduct that is likely to deceive or defraud the public or is detrimental to the public interest. Unprofessional conduct includes but not is limited to:

1. Receipt of fees on the assurance that an incurable disease can be permanently cured;
2. Division of fees, or agreeing to split or divide the fees, received for professional services with any person for bringing or referring a consumer other than:
 - a. With a partner or employee of the applicant or credential holder or his/her office or clinic;

- b. With a landlord of the applicant or credential holder pursuant to a written agreement that provides for payment of rent based on gross receipts;
 - c. With a former partner or employee of the applicant or credential holder based on a retirement plan or separation agreement; or
 - d. By a person credentialed pursuant to the Water Well Standards and Contractors' Practice Act.
3. Obtaining any fee for professional services by fraud, deceit, or misrepresentation, including, but not limited to, falsification of third-party claim documents;
4. Cheating on or attempting to subvert the credentialing examination;
5. Assisting in the care or treatment of a consumer without the consent of the consumer or his/her legal representative;
6. Use of any letters, words, or terms, either as a prefix, affix, or suffix, on stationery, in advertisements, or otherwise, indicating that the person is entitled to practice a profession for which s/he is not credentialed;
7. Performing, procuring, or aiding and abetting in the performance or procurement of a criminal abortion;
8. Knowingly disclosing confidential information except as otherwise permitted by law;
9. Commission of any act of sexual abuse, misconduct, or exploitation related to the practice of the profession of the applicant or credential holder;
10. Failure to keep and maintain adequate records of treatment or service;
11. Prescribing, administering, distributing, dispensing, giving, or selling any controlled substance or other drug recognized as addictive or dangerous for other than a medically accepted therapeutic purpose;
12. Prescribing any controlled substance to:
 - a. Oneself; or
 - b. Except in the case of a medical emergency:
 - (1) One's spouse;
 - (2) One's child;
 - (3) One's parent;
 - (4) One's sibling; or
 - (5) Any other person living in the same household as the prescriber;
13. Failure to comply with any federal, state, or municipal law, ordinance, rule, or regulation that pertains to the applicable profession;
14. Disruptive behavior, whether verbal or physical, which interferes with consumer care or could reasonably be expected to interfere with the care; and
15. Competence: A physical therapist or physical therapist assistant must not provide services for which s/he is not trained or experienced. Unprofessional conduct in the practice of physical therapy includes but is not limited to: Performing or agreeing to perform procedures when the procedures are known to be a departure from the standards of acceptable and prevailing practice in physical therapy. Unprofessional conduct does not include a single act of ordinary negligence.
16. Confidentiality: Without the prior written consent of a patient, physical therapist or physical therapist assistant must hold in confidence information

obtained from a patient, except in those unusual circumstances in which to do so would result in clear danger to the person or to others, or where otherwise required by law;

17. Professional Relationships: A physical therapist or physical therapist assistant must safeguard the welfare of patients and maintain professional relationships with patients. Commission of any of the following acts or behavior will constitute unprofessional conduct:
- a. Exploiting another person for one's own advantage;
 - b. Performing or agreeing to perform physical therapy services that have been requested when the services are known to be contraindicated or unjustified;
 - c. Performing or agreeing to perform procedures that have been requested when the procedures are known to be outside of the physical therapists or physical therapist assistant's scope of practice;
 - d. Verbally or physically abusing patients;
 - e. Falsification or unauthorized destruction of patient's records;
 - f. Attempting to provide diagnostic or treatment information to patient(s) that is beyond the physical therapists or physical therapist assistant's level of education, training and expertise
 - g. Delegating to other personnel those patient related services for which the clinical skills and expertise of a physical therapist or physical therapist assistant are required;
 - h. Encouraging or promoting the practice of physical therapy by untrained or unqualified persons;
 - i. Failure to safeguard the patient's dignity and right to privacy;
 - j. Failure to maintain adequate patient records : Adequate patient records means legible records that contain at a minimum, sufficient information to identify the patient, an evaluation of objective findings, a plan of care, a treatment record, and a discharge plan; or
 - k. Delegating to a physical therapy assistant those patient related services for which the clinical skills and expertise of a physical therapist are required;
18. Sexual Misconduct: A physical therapist or physical therapist assistant must not under any circumstances engage in sexual misconduct. Specifically with regard to patients, the unprofessional conduct includes but is not limited to:
- a. Engaging in sexual relationships, whether consensual or non consensual with any patient while a physical therapist or physical therapist assistant/patient relationship exists; or
 - b. Engaging in sexual harassment of patients: Sexual harassment includes making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal or physical conduct of a sexual nature which results in:
 - (1) Providing or denying physical therapy to a patient;
 - (2) Creating an intimidating, hostile, or offensive environment for the patient; or
 - (3) Interfering with a patient's ability to recover;

19. Other unprofessional conduct includes but is not limited to:
- a. Obtaining any fee for professional services by fraud, deceit or misrepresentation;
 - b. The violation of an assurance of compliance entered into pursuant to Neb. Rev. Stat. § 71-171.02 of the Uniform Licensing Law;
 - c. Failure to follow policies or procedures implemented in the practice situation to safeguard patient care;
 - d. Failure to exercise appropriate supervision over persons who are authorized to practice only under the supervision of a physical therapist;
 - e. Practicing in this state without a current Nebraska license or certificate;
 - f. Failure to obtain patient informed consent before treatment;
 - g. Failure to take steps to transfer the continuum of care of the patient, as appropriate, to another health care provider in the event of elective termination of physical therapy services by the physical therapist;
 - h. Engaging in conduct that subverts or undermines the integrity of the examination or the examination process including, but not limited to, utilizing in any manner recalled or memorized examination questions from or with a person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with other examinees during the test, or copying or sharing examination questions or portions of questions;
 - i. Failure to complete continuing competency requirements as established by rules and regulations as specified in 172 NAC 137;
 - j. Promoting any unnecessary device, treatment intervention or service resulting in the financial gain of the practitioner or of a third party; or
 - k. Participating in under-utilization or over-utilization of physical therapy services for personal or institutional financial gain;

137-015.03 Temporary Suspension or Limitation

137-015.03A The Department may temporarily suspend or temporarily limit any credential issued by the Department without notice or a hearing if the Director determines that there is reasonable cause to believe that grounds exist under 172 NAC 137-015.01 for the revocation, suspension, or limitation of the credential and that the credential holder's continuation in practice or operation would constitute an imminent danger to the public health and safety. Simultaneously with the action, the Department will institute proceedings for a hearing on the grounds for revocation, suspension, or limitation of the credential. The hearing will be held no later than 15 days from the date of the temporary suspension or temporary limitation of the credential.

137-015.03B A continuance of the hearing will be granted by the Department upon the written request of the credential holder, and the continuance must not exceed 30 days unless waived by the credential holder. A temporary suspension or

temporary limitation order by the Director will take effect when served upon the credential holder.

137-015.03C A temporary suspension or temporary limitation of a credential under 172 NAC 137-015.03 will not be in effect for more than 90 days unless waived by the credential holder. If a decision is not reached within 90 days, the credential will be reinstated unless and until the Department reaches a decision to revoke, suspend, or limit the credential or otherwise discipline the credential holder.

137-015.04 Department Action: The Department will follow the procedures delineated in the Uniform Credentialing Act to notify credential holders of any disciplinary action to be imposed and the time and place of the hearing.

137-015.05 Sanctions: Upon the completion of any hearing held regarding discipline of a credential, the Director may dismiss the action or impose the following sanctions:

1. Censure;
2. Probation;
3. Limitation;
4. Civil Penalty;
5. Suspension; or
6. Revocation.

137-015.05A Additional Terms and Conditions of Discipline: If any discipline is imposed pursuant to 172 NAC 137-015.05, the Director may, in addition to any other terms and conditions of that discipline:

1. Require the credential holder to obtain additional professional training and to pass an examination upon the completion of the training. The examination may be written or oral or both and may be a practical or clinical examination or both or any or all of the combinations of written, oral, practical, and clinical, at the option of the Director;
2. Require the credential holder to submit to a complete diagnostic examination by one or more physicians or other qualified professionals appointed by the Director. If the Director requires the credential holder to submit to an examination, the Director will receive and consider any other report of a complete diagnostic examination given by one or more physicians or other qualified professionals of the credential holder's choice if the credential holder chooses to make available the report or reports by his/her physician or physicians or other qualified professionals; and
3. Limit the extent, scope, or type of practice of the credential holder.

137-016 VOLUNTARY SURRENDER OR LIMITATION: A credential holder may offer to voluntarily surrender or limit a credential issued by the Department. The credential holder must make the offer in writing on a form provided by the Department or constructed by the credential holder, which must include the following information:

1. Personal Information:
 - a. First, middle and last name;
 - b. Mailing address (street, rural route, or post office address), city, state, and zip code;
 - c. Telephone number; and
 - d. Fax number.
2. Information Regarding the Credential Being Offered for Surrender or Limitation:
 - a. List credential(s) and credential number(s) that would be surrendered or limited;
 - b. Indicate the desired time frame for offered surrender or limitation:
 - (1) Permanently;
 - (2) Indefinitely; or
 - (3) Definite period of time (specify);
 - c. Specify reason for offered surrender or limit of credential; and
 - d. Specify any terms and conditions that the credential holder wishes to have the Department consider and apply to the offer.
3. Attestation: The credential holder must:
 - a. Attest that all the information on the offer is true and complete; and
 - b. Provide the credential holder's signature and date.

137-016.01 The Department may accept an offer of voluntary surrender or limitation of a credential based on:

1. An offer made by the credential holder on his/her own volition;
2. An offer made with the agreement of the Attorney General or the legal counsel of the Department to resolve a pending disciplinary matter;
3. A decision by the Attorney General to negotiate a voluntary surrender or limitation in lieu of filing a petition for disciplinary action; or
4. A decision by the legal counsel of the Department to negotiate a voluntary surrender or limitation in response to a notice of disciplinary action.

137-016.02 The Department may reject an offer of voluntary surrender of a credential under circumstances which include, but are not limited to, when the credential:

1. Is under investigation;
2. Has a disciplinary action pending but a disposition has not been rendered;
or
3. Has had a disciplinary action taken against it.

137-016.03 When the Department either accepts or rejects an offer of voluntary surrender or limitation, the Director will issue the decision in a written order. The order will be issued within 30 days after receipt of the offer of voluntary surrender or limitation and will specify:

1. Whether the Department accepts or rejects the offer of voluntary surrender; and
2. The terms and conditions under which the voluntary surrender is accepted or the basis for the rejection of an offer of voluntary surrender. The terms and conditions governing the acceptance of a voluntary surrender will include, but not be limited to:

- a. Duration of the surrender;
- b. Whether the credential holder may apply to have the credential reinstated; and
- c. Any terms and conditions for reinstatement.

137-016.04 A limitation may be placed on the right of the credential holder to practice a profession or operate a business to the extent, for the time, and under the conditions as imposed by the Director.

137-016.05 Violation of any of the terms and conditions of a voluntary surrender or limitation by the credential holder will be due cause for the refusal of renewal of the credential, for the suspension or revocation of the credential, or for refusal to restore the credential.

137-016.06 Reinstatement following voluntary surrender is set out in 172 NAC 137-017.

137-017 REINSTATEMENT: This section applies to individuals previously credentialed in Nebraska who seek the authority to return to practice in Nebraska with a valid Nebraska credential. Individuals may apply for reinstatement as follows:

1. An individual whose credential has expired, been placed on inactive status, voluntarily surrendered for an indefinite period of time, or suspended or limited for disciplinary reasons, may apply for reinstatement at any time.
2. An individual whose credential has been voluntarily surrendered for a definite period of time may apply for reinstatement after that period of time has elapsed.
3. An individual whose credential has been revoked may apply for reinstatement only after a period of two years has elapsed from the date of revocation.
4. An individual whose credential has been permanently voluntarily surrendered may not apply for reinstatement.

The voluntary surrender of a credential may be unrelated to disciplinary matters, or may be done to resolve a pending disciplinary matter, in lieu of disciplinary action, or in response to a notice of disciplinary action.

137-017.01 Reinstatement From Expired or Inactive Status or Following Voluntary Surrender Unrelated to a Disciplinary Matter

The applicant must submit to the Department a written application on a form provided by the Department or constructed by the applicant.

1. Application: The applicant, on his/her application:
 - a. Must provide the following information:
 - (1) The legal name of the applicant, maiden name (if applicable), and any other names by which the applicant is known;

- (2) Mailing address (street, rural route, or post office address; and city, state, and zip code or country information);
 - (3) The applicant's:
 - (a) Social Security Number (SSN); or
 - (b) Alien Registration Number (A#); or
 - (c) Form I-94 (Arrival-Departure Record) number.
Certain applicants may have both a SSN and an A# or I-94 number, and if so, must report both.
 - (4) If the applicant holds a professional credential in another state, a list of the state(s) and type of credential;
- b. If the applicant is an alien or non-immigrant, s/he must submit evidence of lawful presence which may include a copy of:
- (1) A Green Card otherwise known as a Permanent Resident Card (Form I-551), both front and back of the card;
 - (2) An unexpired foreign passport with an unexpired Temporary I-551 stamp bearing the same name as the passport;
 - (3) A document showing an Alien Registration Number ("A#").
An Employment Authorization Card/Document is not acceptable; or
 - (4) A Form I-94 (Arrival-Departure Record);
- c. May provide the following information about him/herself:
- (1) Telephone number including area code;
 - (2) E-mail address;
 - (3) Fax number; and
- d. Must attest that s/he:
- (1) Is of good character;
 - (2) Has met the continuing competency requirements specified in 172 NAC 137-013 for a physical therapist or physical therapist assistant within the 24 months immediately preceding submission of the application (or other requirements as specified by the practice act);
 - (3) Has not practiced in Nebraska since s/he last held an active credential, or if the applicant has practiced in Nebraska since s/he last held an active credential, the actual number of days practiced;
 - (4) Has not committed any act which would be grounds for action against a credential as specified in 172 NAC 137-015 since the last renewal or issuance of the credential (whichever is later), or if an act(s) was committed, provide an explanation of all such acts; and
 - (5) For purposes of Neb. Rev. Stat. §§ 4-108 to 4-114, a citizen of the United States or a qualified alien under the Federal Immigration and Nationality Act; and
 - (6) For the purposes of Neb. Rev. Stat. §38-129; a citizen of the United States, an alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, or a nonimmigrant lawfully present in the

United States who is eligible for a credential under the Uniform Credentialing Act.

2. Fee(s): The following fee(s):
 - a. If the credential is expired or inactive, the reinstatement and renewal fees; or
 - b. If the credential was voluntarily surrendered, the renewal fee.

137-017.01A If an applicant has practiced while his/her credential was expired, inactive, or voluntarily surrendered, the Department may, with the recommendation of the Board, take one or more of the following actions:

1. Deny the application to reinstate the credential;
2. Reinstate the credential to active status and impose limitation(s) or other disciplinary actions on the credential; and/or
3. Reinstate the credential.

137-017.01B If an applicant has committed any other violation of the statutes and regulations governing the credential, the Department may:

1. Deny the application for reinstatement of the credential;
2. Reinstate the credential to active status and impose limitation(s) or other disciplinary actions on the credential; and/or
3. Reinstate the credential.

137-017.01C The Department will act within 150 days on all completed applications.

137-017.01D The Department's decision may be appealed to the Director by any party to the decision. The appeal must be in accordance with the Administrative Procedure Act.

137-017.02 Reinstatement from Non-Disciplinary Revocation or Lapsed Status: An individual whose credential was placed on non-disciplinary revocation or lapsed status before December 1, 2008 may apply for reinstatement as provided in 172 NAC 137-017.01.

137-017.03 Reinstatement Following Suspension, Limitation, Revocation, or Voluntary Surrender to Resolve a Pending Disciplinary Matter, In Lieu of Discipline, or In Response to a Notice of Disciplinary Action: An individual whose credential was suspended or limited may apply for reinstatement at any time. An individual whose credential has been revoked may apply for reinstatement after a period of two years has elapsed from the date of revocation. An individual whose credential was voluntarily surrendered may apply for reinstatement according to the order entered by the Director.

The applicant must submit to the Board a written application on a form provided by the Department or constructed by the applicant.

1. Application: The applicant on his/her application:
 - a. Must provide the following information:

- (1) The legal name of the applicant, maiden name (if applicable), and any other names by which the applicant is known;
 - (2) Mailing address (street, rural route, or post office address; and city, state, and zip code or country information);
 - (3) The applicant's:
 - (a) Social Security Number (SSN); or
 - (b) Alien Registration Number (A#); or
 - (c) Form I-94 (Arrival-Departure Record) number.Certain applicants may have both a SSN and an A# or I-94 number, and if so, must report both.
 - (4) If the applicant holds a professional credential in another state, a list of the state(s) and type of credential;
 - (5) A statement of the reason the applicant believes his/her credential should be reinstated;
- b. If the applicant is an alien or non-immigrant, s/he must submit evidence of lawful presence and/or immigration status which may include a copy of:
- (1) A Green Card otherwise known as a Permanent Resident Card (Form I-551), both front and back of the card;
 - (2) An unexpired foreign passport with an unexpired Temporary I-551 stamp bearing the same name as the passport;
 - (3) A document showing an Alien Registration Number ("A#"). An Employment Authorization Card/Document is not acceptable; or
 - (4) A Form I-94 (Arrival-Departure Record);
- c. May provide the following information about him/herself:
- (1) Telephone number including area code;
 - (2) E-mail address;
 - (3) Fax number; and
- d. Must attest that s/he:
- (1) Is of good character;
 - (2) Has met the continuing competency requirements specified in 172 NAC 137-013 within the 24 months immediately preceding submission of the application (or other requirements as specified by the practice act);
 - (3) Has not practiced in Nebraska since s/he last held an active credential, or if the applicant has practiced in Nebraska since s/he last held an active credential, the actual number of days practiced;
 - (4) Has not committed any act which would be grounds for action against a credential as specified in 172 NAC 137-015 since the last renewal or issuance of the credential (whichever is later), or if an act(s) was committed, provide an explanation of all such acts; and

- (5) For purposes of Neb. Rev. Stat. §§ 4-108 to 4-114, a citizen of the United States or a qualified alien under the Federal Immigration and Nationality Act; and
- (6) For the purposes of Neb. Rev. Stat. §38-129
 - (a) A citizen of the United States;
 - (b) An alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, or
 - (c) A nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act.

2. Fee: The renewal fee.

137-017.03A The Board will make a recommendation regarding reinstatement following suspension, limitation, revocation, or voluntary surrender within 180 days of receipt of the application.

137-017.03B The Department, with the recommendation of the Board, may:

1. Conduct an investigation to determine if the applicant has committed acts or offenses prohibited by Neb. Rev. Stat. § 38-178;
2. Require the applicant to submit to a complete diagnostic examination, at the expense of the applicant, by one or more physician(s) or other professionals appointed by the Board. The applicant may also consult a physician(s) or other professionals of his/her own choice for a complete diagnostic examination and make available a report(s) of the examination(s) to the Department and to the Board;
3. Require the applicant to pass a written, oral, or practical examination or any combination of examinations at the expense of the applicant;
4. Require the applicant to successfully complete additional education at the expense of the applicant;
5. Require the applicant to successfully pass an inspection of his/her practice site; or
6. Take any combination of these actions.

137-017.03C On the basis of the written application, materials submitted by the applicant, and the information obtained under 172 NAC 137-017.03B, the Board may:

1. Deny the application for reinstatement; or
2. Recommend to the Department:
 - a. Full reinstatement of the credential;
 - b. Modification of the suspension or limitation; or
 - c. Reinstatement subject to limitations or subject to probation with terms and conditions.

If the applicant has practiced while his/her credential was suspended, limited, revoked, or voluntarily surrendered, the Department may assess an administrative penalty pursuant to 172 NAC 137-018, in which case a separate notice of opportunity for hearing will be sent to the applicant.

137-017.03D An affirmative vote of a majority of the full membership of the Board as authorized by statute is required to recommend reinstatement of a credential with or without terms, conditions, or restrictions.

137-017.03E Full Reinstatement: If the Board recommends full reinstatement of the credential, modification of the suspension or limitation, or reinstatement of the credential subject to limitations or subject to probation with terms and conditions, the Board's recommendation will be sent to the applicant by certified mail. The following information will be forwarded to the Director for a decision:

1. The written recommendation of the Board, including any finding of fact or order of the Board;
2. The application for reinstatement;
3. The record of hearing, if any; and
4. Any pleadings, motions, requests, preliminary or intermediate rulings and orders, and similar correspondence to or from the Board and the applicant.

137-017.03F Denial, Modification, Limitation, or Probation: If the Board's initial decision is to deny the application for reinstatement, recommend modification of the suspension or limitation, or reinstate the credential subject to limitation or probation with terms and conditions, notification of the Board's decision will be mailed to the applicant by certified mail.

1. The initial decision or recommendation of the Board will become final 30 days after the decision or recommendation is mailed to the applicant unless the applicant requests a hearing within that 30-day period.
 - a. If the applicant requests a hearing before the Board, the Department will mail a notice of the date, time, and location of the hearing. The notice will be sent by certified mail at least 30 days before the hearing.
 - b. Following the hearing, the Board may deny the reinstatement or recommend full reinstatement of the credential, or recommend modification of the suspension or limitation, or recommend reinstatement of the credential subject to limitations or probation with terms and conditions.
2. If the applicant has been afforded a hearing or an opportunity for a hearing on an application for reinstatement within two years before filing the current application, the Department may grant or deny the application without another hearing before the Board.

137-017.03G Denial Decision: If the Board's final decision is denial of the application for reinstatement, the applicant will be notified by certified mail. The applicant may appeal the Board's denial to District Court in accordance with the Administrative Procedure Act.

137-017.03H Board Recommendation: If the Board's final recommendation is full reinstatement of the credential, modification of the suspension or limitation, or reinstatement of the credential subject to limitations or probation with terms and conditions, the Board's recommendation will be sent to the applicant by certified mail. The following information will be forwarded to the Director for a decision:

1. The written recommendation of the Board, including any finding of fact or order of the Board;
2. The application for reinstatement;
3. The record of hearing, if any; and
4. Any pleadings, motions, requests, preliminary or intermediate rulings and orders, and similar correspondence to or from the Board and the applicant.

137-017.03I Director's Review: The Director, upon receipt of the Board's recommendation for full reinstatement, modification, or probation, will review the application and other documents and make a decision within 150 days of receipt of the Board's recommendation and accompanying documents. The Director will enter an order setting forth the decision. The Director may:

1. Affirm the recommendation of the Board and grant reinstatement; or
2. Reverse or modify the recommendation if the Board's recommendation is:
 - a. In excess of statutory authority;
 - b. Made upon unlawful procedure;
 - c. Unsupported by competent, material, and substantial evidence in view of the entire record; or
 - d. Arbitrary and capricious.

The order regarding reinstatement of the applicant's credential will be sent to the applicant by certified mail. The Director's decision may be appealed to District Court by any party to the decision. The appeal must be in accordance with the Administrative Procedure Act.

137-018 ADMINISTRATIVE PENALTY: The Department may assess an administrative penalty when evidence exists of practice without a credential to practice a profession or operate a business. Practice without a credential for the purpose of this regulation means practice:

1. Prior to the issuance of a credential;
2. Following the expiration of a credential; or
3. Prior to the reinstatement of a credential.

137-018.01 Evidence of Practice: The Department will consider any of the following conditions as prima facie evidence of practice without being credentialed:

1. The person admits to engaging in practice;
2. Staffing records or other reports from the employer of the person indicate that the person was engaged in practice;
3. Billing or payment records document the provision of service, care, or treatment by the person;
4. Service, care, or treatment records document the provision of service, care, or treatment by the person;
5. Appointment records indicate that the person was engaged in practice;
6. Water well registration or other government records indicate that the person was engaged in practice; and
7. The person opens a business or practice site and announces or advertises that the business or site is open to provide service, care, or treatment.

For purposes of this regulation, prima facie evidence means a fact presumed to be true unless disproved by some evidence to the contrary.

137-018.02 Penalty: The Department may assess an administrative penalty in the amount of \$10 per day, not to exceed a total of \$1,000 for practice without a credential. To assess the penalty, the Department will:

1. Provide written notice of the assessment to the person. The notice will specify:
 - a. The total amount of the administrative penalty;
 - b. The evidence on which the administrative penalty is based;
 - c. That the person may request, in writing, a hearing to contest the assessment of an administrative penalty;
 - d. That the Department will within 30 days following receipt of payment of the administrative penalty, remit the penalty to the State Treasurer to be disposed of in accordance with Article VII, section 5 of the Constitution of Nebraska;
 - e. That unpaid administrative penalty constitutes a debt to the State of Nebraska which may be collected in the manner of a lien foreclosure or sued for and recovered in a proper form of action in the name of the state in the District Court of the county in which the violator resides or owns property. The Department may also collect in such action attorney's fees and costs incurred directly in the collection of the administrative penalty; and
 - f. Failure to pay an administrative penalty may result in disciplinary action.
2. Send by certified mail, a written notice of the administrative penalty to the last known address of the person to whom the penalty is assessed.

137-018.03 Administrative Hearing: When a person contests the administrative penalty and requests a hearing, the Department will hold a hearing pursuant to the Administrative Procedure Act and 184 NAC 1, the Department's Rules of Practice and Procedure for Administrative Hearings.

137-019 FEES: Fees referred to in these regulations are set out in 172 NAC 2, unless otherwise specified.

137-020 METHOD OF IDENTIFICATION: Every person credentialed as a physical therapist or physical therapist assistant shall make his/her current credential available upon request. The method of identification shall be clear and easily accessed and used by the consumer. All signs, announcements, stationery, and advertisements of physical therapists or physical therapist assistants shall identify the profession. The initials PT and PTA are acceptable identifiers.

These amended rules and regulations replace Title 172 NAC 137_ Regulations Governing the Practice of Physical Therapy, effective August 20, 2008.

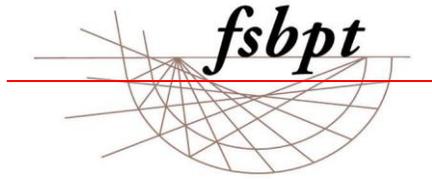
~~Approved by the Attorney General: June 26, 2008
Approved by the Governor: August 15, 2008
Filed with the Secretary of State: August 15, 2008
Effective Date: August 20, 2008~~

~~Forms may be obtained by contacting the Licensure Unit.~~

~~Nebraska Department of Health and Human Services
Division of Public Health
Licensure Unit
PO Box 94986
Lincoln NE 68509-4986~~

~~(402)471-2299~~

~~<http://www.dhhs.ne.gov/crl/profindex1.htm>~~



~~Coursework Evaluation Tool For Foreign Educated Physical Therapists~~

~~("Coursework Evaluation Tool")~~

~~Fourth Edition
Rev. May 2004~~

~~**Federation of State Boards of Physical Therapy**
509 Wythe Street ♦ Alexandria, VA 22314
Telephone: 703/299-3100 ♦ Fax: 703/299-3110
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INTRODUCTION

The Coursework Evaluation Tool for Foreign Educated Physical Therapists (herein referred to as “the Tool”) was developed for the purpose of evaluating the coursework of persons who received their physical therapist education outside the United States. It was developed by the Federation of State Boards of Physical Therapy (FSBPT) in response to the needs of its member jurisdictions for a standardized method to evaluate the educational equivalence of foreign educated physical therapists.

The Tool sets a minimum standard for the educational requirements of foreign educated physical therapists; it reflects the minimum general and professional educational requirements for substantial equivalence in all respects to a U.S. first professional degree in physical therapy.

The Tool is used to determine qualifications for prescreening certification for the Bureau of Citizenship and Immigration Services (formerly the Immigration and Naturalization Service). It is also designed to be used by credentialing organizations and education programs. In addition, the Tool may be used as a self-evaluation method to guide foreign educated physical therapists in comparing their education to U.S. standards.

Coursework Evaluation Tool for Foreign Educated Physical Therapists

OVERVIEW/PURPOSE

As one component of the process used to determine if a foreign-educated person has adequate preparation to practice as a physical therapist in the U.S., the individual's course of study shall be evaluated using the following Coursework Evaluation Tool. It is recommended that this Tool be utilized widely by applicants, jurisdiction boards, credentials reviewers and any other individuals who may have an interest in the credentials review of foreign-educated physical therapists. This Tool should not be interpreted as the sole determinant of an individual's educational preparation or competence to practice.

The Tool reflects the content included in the first professional degree required of a CAPTE-accredited program and required of a physical therapist who desires to pursue licensure to practice in the U.S.

The Tool requires a minimum of 120 semester credit hours. A minimum of 54 semester credit hours are required in general education courses and a minimum of 69 semester credit hours are required in professional education courses. Specific coursework or content is also required to satisfy the minimum credit hour requirement in areas of general and professional education.

A semester hour of credit is equal to fifteen (15) hours of classroom instruction per semester. Courses with a laboratory component are awarded a semester hour of credit for each thirty (30) hours of laboratory instruction per semester. For clinical education courses, a semester hour of credit is equal to forty-eight (48) hours of clinical internship experience per semester.

Some jurisdictions may require a greater number of semester credit hours in either general or professional education as part of their requirements for licensure. The Tool remains applicable in those circumstances as long as the minimum course requirements have been met.

OVERVIEW

OVERALL EDUCATION

The applicant must meet the requirement of not less than one hundred twenty (120) semester credit hours as a prerequisite. The minimum coursework requirements, in and of themselves, do not necessarily satisfy the requirements of the baccalaureate degree. The applicant must have completed sufficient credit to satisfy the requirement for a baccalaureate degree. The applicant must also meet any jurisdiction specific requirements.

GENERAL EDUCATION

Fifty four (54) semester credits shall be the minimum number required in general education in the areas of humanities, physical science, biological science, social science, behavioral science, and mathematics. A minimum of a one semester course must be successfully completed in each area of general education unless otherwise noted.

Note: Some jurisdictions may require more than fifty four (54) semester credits. The applicant must meet the specific requirements in the jurisdiction where they are seeking licensure.

1. Humanities

- ~~1. a. English~~
- ~~i. b. English composition~~
- ~~1. c. Speech or oral communication~~
- ~~1. d. Foreign language (other than native language)~~
- ~~e. Literature~~
- ~~f. Art~~
- ~~g. Music~~

2. Physical Science

- ~~a. Chemistry with laboratory (two courses required)~~
- ~~b. Physics with laboratory (two courses required)~~
- ~~e. Geology~~
- ~~d. Astronomy~~

3. Biological Science

- ~~a. Biology~~
- ~~e. Kinesiology~~
- ~~b. Anatomy~~
- ~~f. Neuroscience~~
- ~~c. Physiology~~
- ~~g. Genetics~~
- ~~d. Zoology~~

4. Social Science

- ~~a. History~~
- ~~d. Economics~~
- ~~b. Geography~~
- ~~e. Political science~~
- ~~c. Sociology~~
- ~~f. Religion~~

5. Behavioral Science

- ~~a. Psychology~~
- ~~e. Philosophy~~
- ~~b. Anthropology~~
- ~~d. Ethics~~

6. Mathematics

- a. Statistics
- d. Calculus
- b. Algebra
- e. Trigonometry
- e. Pre-calculus
- f. Geometry

Sixty-nine (69) semester credits shall be the minimum required in professional education.

PROFESSIONAL EDUCATION

1. Basic Health Science

Content Area is required in each topic listed (a through e) under basic health sciences.

- a. Human anatomy (specific to physical therapy)
- b. Human physiology (specific to physical therapy)
- e. Neuroscience
- d. Kinesiology or functional anatomy
- e. Pathology

2. Medical and Clinical Science

To prepare a competent physical therapist practitioner, the education must incorporate the essential elements of Examination, Evaluation, and Intervention. Therefore, educational coursework must contain all of the following:

- a. a. Clinical medicine pertinent to physical therapy. This must include but not be limited to:
 - 2.1. Neurology/Orthopedics
- a. Pediatrics
- b. Geriatrics
- e. Cardiopulmonary
- d. Pharmacology

3. Physical therapist coursework must include but not be limited to:

- | | |
|---------------------------|---------------------------|
| 1. Integumentary System | 3. Neuromuscular System |
| a. Examination | a. Examination |
| b. Evaluation | b. Evaluation |
| 2. Musculoskeletal System | 4. Cardiopulmonary System |
| a. Examination | a. Examination |
| b. Evaluation | b. Evaluation |

Note: Examination and evaluation content areas must be completed. See Examination and Evaluation Content Area Summary on pages 13-14.

4. Physical therapist coursework must include but is not limited to:

- 1. Integumentary Interventions
- 2. Musculoskeletal Interventions
- 3. Neuromuscular Interventions
- 4. Cardiopulmonary Interventions

Note: Intervention content areas must be completed. See Intervention Content Area Summary on page 15.

3. Clinical Education

Clinical education must include physical therapist supervised application of physical therapy theory, examination, evaluation, and intervention. The applicant must have a minimum of two (2) full-time clinical internships of no less than 800 hours total, which are supervised by a physical therapist. The maximum number of full-time clinical education credits is twenty-three (23).

4. Related Professional Coursework

Content is required in the following nine areas:

- a. Professional behaviors
- d. Research and clinical decision making
- g. Communication (related to client/patient care)
- b. Administration
- e. Educational techniques
- h. Legal and ethical aspects of physical therapy practice
- c. Community health
- f. Medical terminology
- i. Psychosocial aspects in physical therapy practice

**Coursework Evaluation Tool for
Foreign Educated Physical Therapists**

EVALUATION CHECKLIST

Name:	Date:
School:	Country:
Degree:	
Reviewing Organization:	
Reviewer(s):	
Signature of Issuing Organization's Authorized Representative:	
Print Name and Title:	

Note for Reviewing Organizations: Please affix official organization seal to each page of the Evaluation Checklist for authentication purposes.

I. General Education

A minimum of fifty four (54) semester credits is required in this area.

A. HUMANITIES: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. English (see note)		
2. English Composition (see note)		
3. Speech or Oral Communication		
4. Foreign Language (other than native language)		
5. Literature		
6. Art		
7. Music		
8. Native Language		
9.		

Note: If no credit in English or English composition is provided (1. and 2.), the licensing jurisdiction should require the applicant to demonstrate English proficiency.

**Coursework Evaluation Tool for
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B. PHYSICAL SCIENCE: Two one-semester courses in chemistry with laboratory and two one-semester courses in physics with laboratory are required*	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Chemistry with laboratory (Course I)*		
2. Chemistry with laboratory (Course II)*		
3. Physics with laboratory (Course I)*		
4. Physics with laboratory (Course II)*		
5. Geology		
6. Astronomy		
7.		
8.		

*Required

C. BIOLOGICAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Biology		
2. Anatomy		
3. Physiology		
4. Zoology		
5. Kinesiology		
6. Neuroscience		
7. Genetics		
8.		
9.		

**Coursework Evaluation Tool for
Foreign Educated Physical Therapists**

D. SOCIAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. History		
2. Geography		
3. Sociology		
4. Economics		
5. Religion		
6. Political Science		
7.		
8.		

E. BEHAVIORAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Psychology [‡]		
2. Anthropology		
3. Philosophy		
4. Ethics		
5.		
6.		

[‡]Required

F. MATHEMATICS: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Statistics		
2. Algebra		
3. Pre-Calculus		
4. Calculus		

**Coursework Evaluation Tool for
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5.Trigonometry		
6.Geometry		
7.		
8.		

SUB-TOTAL GENERAL EDUCATION CREDITS: _____

(54 minimum)

H. Professional Education

~~A minimum of sixty-nine (69) semester credits is required in this area.~~

A. BASIC HEALTH SCIENCE: Content Areas Required in Each (1—5.)	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION
1.Human Anatomy (Specific to physical therapy)			
2.Human Physiology (Specific to physical therapy)			
3.Neuroscience (Neuroanatomy/ Neurophysiology)			
4.Kinesiology or Functional Anatomy			
5.Pathology			
6.			
7.			

B. MEDICAL SCIENCE: Clinical medicine pertinent to physical therapy. This must include but is not limited to 1—6.	CR EDI T HO UR S	TRANSCRIPT REFERENCE	JUSTIFICATION
1.Neurology			
2.Orthopedies			
3.Pediatrics			
4.Geriatrics			
5.Cardiopulmonary			

**Coursework Evaluation Tool for
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6. Pharmacology			
7.			
8.			
9.			
10.			

**Coursework Evaluation Tool for
Foreign Educated Physical Therapists**

G.CLINICAL SCIENCE: EXAMINATION AND EVALUATION Physical Therapist coursework must include but is not limited to 1a-4b.	CREDIT HOURS	TRANSCRIPT REFERENCE	JUSTIFICATION
1.Integumentary System			
a.Examination			
b.Evaluation			
2.Musculoskeletal System			
a.Examination			
b.Evaluation			
3.Neuromuscular System			
a.Examination			
b.Evaluation			
4.Cardiopulmonary System			
a.Examination			
b.Evaluation			
5.			
6.			
7.			

Note: Within the credit hours assigned above, indicate on the examination and evaluation content area summary below, content for which you found evidence for items 1. -23.

Examination and Evaluation Content Area Summary

Examination and Evaluation content areas include, but are not limited to the following:	Present = ✓ Absent = ∅	Transcript Reference
1.Aerobic capacity		
2.Anthropometric characteristics		
3.Arousal, mentation, and cognition		
4.Assistive and adaptive devices		
5.Community and work (job, school, or play) reintegration		
6.Cranial nerve integrity		
7.Environmental, home, and work barriers		
8.Ergonomics and body mechanics		
9.Gait, assisted locomotion, and balance		
10.Integumentary integrity		
11.Joint integrity and mobility		
12.Motor function		

**Coursework Evaluation Tool for
Foreign Educated Physical Therapists**

Examination and Evaluation content areas include, but are not limited to the following:	Present =✓ Absent = ∅	Transcript Reference
13. Muscle performance (including strength, power, and endurance)		
14. Neuromotor development and sensory integration		
15. Orthotic, protective and supportive devices		
16. Pain		
17. Posture		
18. Prosthetic requirements		
19. Range of motion		
20. Reflex integrity		
21. Self-care and home management (including activities of daily living and instrumental activities of daily living)		
22. Sensory integration (including proprioception and kinesthesia)		
23. Ventilation, respiration, and circulation		
24.		
25.		

Adapted from: Evaluative Criteria for Accreditation of Education Programs for the Preparation of Physical Therapists. Commission on Accreditation in Physical Therapy Education; 1996; p. 29.

D. CLINICAL SCIENCE: INTERVENTIONS Physical Therapist coursework must include but is not limited to 1—4.	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Integumentary Interventions			
2. Musculoskeletal Interventions			
3. Neuromuscular Interventions			
4. Cardiopulmonary Interventions			
5.			
6.			

Note: Within the credit hours assigned above, indicate on the intervention content area summary below, content for which you found evidence for items 1-10.—

**Coursework Evaluation Tool for
Foreign Educated Physical Therapists**

Intervention Content Area Summary

Intervention content areas (listed alphabetically) include, but are not limited to, the following:	Present = √ Absent = Ø	Transcript Reference
1. Airway clearance techniques		
2. Debridement and wound care		
3. Electrotherapeutic modalities		
4. Functional training in community and work (job, school, or play) reintegration (including instrumental activities of daily living, work hardening, and work conditioning)		
5. Functional training in self care and home management (including activities of daily living and instrumental activities of daily living)		
6. Manual therapy techniques		
7. Patient related instruction		
8. Physical agents and mechanical modalities		
9. Prescription, application, and as appropriate, fabrication of assistive, adaptive, orthotic, protective, supportive, and prosthetic devices and equipment		
10. Therapeutic exercise (including aerobic conditioning)		
11.		
12.		

Adapted from: Evaluative Criteria for Accreditation of Education Programs for the Preparation of Physical Therapists. Commission on Accreditation in Physical Therapy Education; 1996; p. 30.

E. CLINICAL EDUCATION	CREDI T HOURS **	TRANSCRIPT REFERENCE	JUSTIFICATION
Two Clinical Internships, total 800 hours			

Note: Clinical education must include physical therapist-supervised application of physical therapy theory, examination, evaluation, and intervention. The applicant must have a minimum of two (2) full time clinical internships of no less than 800 hours total that are supervised by a physical therapist.

****Maximum number of full time clinical education credits is 23.**

**Coursework Evaluation Tool for
Foreign Educated Physical Therapists**

F-RELATED PROFESSIONAL COURSEWORK: Course content required 1—9:	CR EDI T HO UR S	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Professional Behaviors			
2. Administration			
3. Community Health			
4. Research and Clinical Decision Making			
5. Educational Techniques			
6. Medical Terminology			
7. Communication (related to client/patient care)			
8. Legal and Ethical Aspects of Physical Therapy practice			
9. Psychosocial Aspects in Physical Therapy Practice			
10.			
11.			
12.			

SUB-TOTAL PROFESSIONAL EDUCATION CREDITS: _____
(69 minimum)

III. ACADEMIC INSTITUTION

A. Describe the academic level of the educational program and the institution within the context of the country's educational system:

1. Status (recognition/accreditation) within the country's educational system:

2. Entry requirements (secondary education):

3. Degree equivalence (Baccalaureate, etc.):

4. Other (CAPTE accreditation, etc.):

IV. Summary

Total General Education Credits (54 Minimum):	
Total Professional Education Credits (69 Minimum):	
Total Credits (120 Minimum)	

DEFINITIONS

Adequate: Coursework satisfies the requirement that the level of complexity and scope of the content in a course or courses meets established standards necessary for the entry-level degree.

Clinical Education: That portion of a physical therapy program that is conducted in the healthcare environment rather than the academic environment. (*A Normative Model of Physical Therapist Professional Education: Version 2000: p. 112.*) That aspect of the curriculum is where students' learning occurs directly as a function of being immersed within physical therapy practice. These experiences comprise all of the formal and practical "real-life" learning experiences provided for students to apply classroom knowledge, skills, and professional behaviors in the clinical environment. (*A Normative Model of Physical Therapist Professional Education: Version 97: p. 201.*)

Clinical Sciences: The curricular content which addresses the systems approach to medical and surgical conditions frequently encountered by physical therapists. This component of the curriculum includes content about the cardiopulmonary, integumentary, musculoskeletal, and neuromuscular systems. Clinical science content is related to practice expectations which include the specific responsibilities of patient screening, examination, evaluation, diagnosis, prognosis, plan of care, intervention, and outcomes assessment and evaluation. (*A Normative Model of Physical Therapist Professional Education: Version 97: p. 47.*) Content includes both diseases that require direct intervention of a physical therapist for management and diseases that affect conditions being managed by physical therapists across systems. (*A Normative Model of Physical Therapist Professional Education: Version 2000: p. 112.*)

Clock Hour: Fifty to sixty minutes or as determined by the policy of the institution.

Content Area: Component competencies as designated by the *Evaluative Criteria for Accreditation of Educational Programs for the Preparation of Physical Therapists* (Adopted October 1996; Effective January 1998).

Credit Hour: A semester credit hour must include at a minimum: 15 hours of lecture, or 30 hours of laboratory, or 48 hours of clinical education.

Evaluation: A dynamic process in which the physical therapist makes clinical judgments gathered during the examination (*Guide to Physical Therapist Practice Second Edition, January 2001: p. S35*).

Examination: The process of obtaining a history, performing relevant systems reviews, and selecting and administering specific tests and measurements to obtain data for determining a diagnosis, prognosis, and intervention. (*Guide to Physical Therapist Practice Second Edition, January 2001: p. S35*).

Foundational (Basic) Sciences: Essential content that contributes to the development and understanding of physical therapy to include sciences that can be described as *basic* and *applied* and as *biological, physical, and behavioral*. (*A Normative Model of Physical Therapist Professional Education: Version 2000, p. 114*) Include anatomy, histology, physiology, applied physiology, pathophysiology, behavioral sciences, biomechanics and kinesiology, neuroscience, pathology, and pharmacology. (*A Normative Model of Physical Therapist Professional Education: Version 97, p. 14*)

General Education: General Education constitutes all non-physical therapy education completed, provided these courses were taken at the college level from a recognized educational program. These courses, both pre-professional and post-professional education, may be used to fulfill the 54 credit requirements after the core courses have been met.

Intervention: The purposeful and skilled interaction of the physical therapist with the patient/client, and, when appropriate, with other individuals involved in care, using various methods and techniques to produce changes in the patient's/client's condition consistent with the diagnosis and prognosis. (*Guide to Physical Therapist Practice Second Edition, Jan. 2001; p. S37*); *A Normative Model of Physical Therapist Professional Education: Version 2000; Page 7*)

Coursework Evaluation Tool for Foreign Educated Physical Therapists

Justification: Validation of transcript reference. Identifies within official institutional records specific reference to where content area(s) may be found. These references may be in the form of educational objectives, listing of course content, course syllabi, test questions, or other curricular documents.

Standards: Foundational requirements of an established profession; in this case used by FCCPT to determine entry level professional requirements for physical therapists. In physical therapy, *The Guide to Physical Therapist Practice Second Edition, A Normative Model of Physical Therapist Professional Education: Version 2000*, and *Evaluative Criteria for Accreditation of Education Programs for the Preparation of Physical Therapists* serve as resources for setting these requirements.

Substantially Equivalent: The individual has satisfied or exceeded the minimum number of credits required in general and professional education needed for a U.S. first professional degree in physical therapy. Coursework completed may not be identical in all respects to a U.S. first professional degree in physical therapy, but all required content areas are evident. Deficiencies may be noted in coursework, but not in essential areas of professional education nor of such magnitude that the education is not deemed to be at the entry level of preparation for practice in the United States.

Transcript Reference: Official documentation from the academic institution of courses completed, grades assigned, and degree conferred in the form of an official transcript. In the exceptional cases where an official transcript does not exist within the institution, an alternative official document may be considered.

Coursework Evaluation Tool for Foreign Educated Physical Therapists

BIBLIOGRAPHY

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Guide to Physical Therapist Practice Second Edition, American Physical Therapy Association, January 2001.

NPTE Analysis of Practice, The Federation of State Boards of Physical Therapy, 2002.

Prescreening Evaluation Tool, Foreign Credentialing Commission on Physical Therapy; Third Edition; March 1999.

The Coursework Evaluation Tool Validation Study, Phase 1, Phase 2 and Phase 3, The Federation of State Boards of Physical Therapy and Northwestern University, Hayes and Sanders: 2002-2003. (Presented in 2002, to be published in fall 2003.)

Appendix A BACKGROUND

The first Tool was published in June 1996 and encompassed both general and professional minimal U.S. education requirements. This first Tool was the result of a collaborative effort of many individuals associated with the FSBPT. Documents from the CAPTE were reviewed and informal discussions with staff members from the CAPTE occurred regarding such topics as credits and courses. Documents from the American Physical Therapy Association (APTA) were reviewed, in addition to catalogs of institutions offering physical therapist educational programs and guidelines from 49 jurisdictions for licensing foreign educated physical therapists. Research done by the New Jersey State Board of Physical Therapy Education Committee, surveys compiled by the Foreign Educated Physical Therapist Committee of the FSBPT, and an analysis of requirements of 55 licensing jurisdictions completed by International Credentialing Associates were also considered during the establishment of the Tool.

The Second Edition was published in June 1997 and reflected descriptive and editorial improvements.

The Third Edition, published in March 1999, reflected changes in content and credit hour requirements. This edition was developed after consulting the following sources: *A Normative Model of Physical Therapist Professional Education: Version 97*, American Physical Therapy Association, 1997; *Evaluative Criteria for Accreditation of Educational Programs for the Preparation of Physical Therapists*, Commission on Accreditation in Physical Therapy Education, 1990; and additional information compiled by the FSBPT Foreign Educated Physical Therapist Committee, 1998-1999.

This Fourth Edition has been modified to include terminology and concepts published in professional reference documents that describe contemporary education and practice in the U.S. This edition was developed using the following additional sources: *Guide to Physical Therapist Practice Second Edition*, American Physical Therapy Association, January 2001; *Prescreening Evaluation Tool*, Foreign Credentialing Commission on Physical Therapy, Third Edition, March 1999; and *Evaluative Criteria for Accreditation of Educational Programs for the Preparation of Physical Therapists*, Commission on Accreditation in Physical Therapy Education, adopted October 30, 1996; effective January 1, 1998.

INS requires that agencies that provide visa screening for healthcare workers engage in ongoing validation studies of the tools used to assess candidates for INS certifications. The final modifications in terminology in the Fourth Edition resulted from recommendations from the *Validation Study* conducted at Northwestern University to bring it into compliance with the current CAPTE Evaluative Criteria, cited above.

According to Phase 1 of the Validation Study, the Fourth Edition and 1999 versions of the Tool are within 94.7% compliance for content validity. The Fourth Edition and the CAPTE Evaluative Criteria show 75% compliance before the changes in terminology and 80% with the current changes in the area of Related Professional Coursework. The remaining items which are not matched are reflective of performance items; thus not demonstrated in a paper and pencil Tool. This finding supports the recommendation for implementation of clinical performance

Coursework Evaluation Tool for Foreign Educated Physical Therapists

~~assessments in conjunction with the Tool.~~

~~Phase 2 of the Validation Study demonstrated a higher inter and intra-rater reliability in the Fourth Edition. Reviewers reported a greater confidence in their final recommendations with the Fourth edition of the Tool. Phase 3 of the Validation Study looked at the sensitivity of the Tool to ensure that it did not evaluate PTAs as equivalent. The Tool performed well in this area, showing an appropriate level of sensitivity. FSBPT intends to continue with future studies as appropriate.~~

~~CAPTE has begun a review of the *Evaluative Criteria for Accreditation of Education Programs for the Preparation of Physical Therapists* to be completed within the next two years. This Tool will be updated to reflect any content changes for use when and if any new *Evaluative Criteria* are released.~~

~~EVALUATION CHECKLIST 1955 – 1977~~

Name:	Date:
School:	Country:
Degree:	
Reviewing Organization:	
Reviewer(s):	
Signature of Issuing Organization's Authorized Representative:	
Print Name and Title:	

Note for Reviewing Organizations: Please affix official organization seal to each page of the Evaluation Checklist for authentication purposes.

General Education

A minimum of Thirty (30) semester credits is required in this area.

A. HUMANITIES: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. English (see note)		
2. English Composition (see note)		
3. Speech or Oral Communication		
4. Foreign Language (other than native language)		
5. Literature		
6. Art		
7. Music		
8. Native Language		
9.		

Attachment O
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Note: ~~If no credit in English or English composition is provided (1. and 2.), the licensing jurisdiction should require the applicant to demonstrate English proficiency.~~

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B. PHYSICAL SCIENCE: One semester course in chemistry and one semester course in physics* [*]	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Chemistry with laboratory (Course I)*		
2. Physics with laboratory (Course I)*		
3. Geology		
4. Astronomy		
5.		
6.		

*Required

C. BIOLOGICAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Biology		
2. Anatomy**		
3. Physiology**		
4. Zoology		
5. Kinesiology		
6. Neuroscience		
7. Genetics		
8.		
9.		

(could be completed as Professional Education)**

Attachment O
Retrospective Coursework Evaluation Tools for
Foreign Educated Physical Therapists

D. SOCIAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. History		
2. Geography		
3. Sociology		
4. Economics		
5. Religion		
6. Political Science		
7.		
8.		

E. BEHAVIORAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Psychology**		
2. Anthropology		
3. Philosophy		
4. Ethics		
5.		
6.		

(could be completed as Professional Education)**

F. MATHEMATICS: Not Required	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Statistics		
2. Algebra		
3. Pre-Calculus		
4. Calculus		

Attachment O
Retrospective Coursework Evaluation Tools for
Foreign Educated Physical Therapists

5.Trigonometry		
6.Geometry		

SUB-TOTAL GENERAL EDUCATION CREDITS: _____
(30 minimum)

Professional Education

A minimum of Forty-Five (45) semester credits is required in this area.

A.BASIC HEALTH SCIENCE: Content Areas Required in Each (1-5.)	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION
1.Human Anatomy (Specific to physical therapy)			
2.Human Physiology (Specific to physical therapy)			
3.Kinesiology or Functional Anatomy			
4.Pathology			

B.MEDICAL SCIENCE: Clinical medicine pertinent to physical therapy.	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION
1.General Medical Surgical Conditions			
2.			
3.			

G.CLINICAL SCIENCE: EXAMINATION AND EVALUATION (Tests & Measures) Physical Therapist coursework must include but is not limited to 1a- 3b.	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION

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Retrospective Coursework Evaluation Tools for
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1. Musculoskeletal System			
a. Examination			
2. Neuromuscular System			
a. Examination			
3. Tests & Measures			
a. Examination			
b. Evaluation			
4.			

Note: Within the credit hours assigned above, indicate on the examination and evaluation content area summary below, content for which you found evidence for items 1.—9.

Examination and Evaluation Content Area Summary

Examination and Evaluation content areas include, but are not limited to the following:	Present =✓ Absent =∅	Transcript Reference
1. Anthropometric characteristics		
2. Assistive and adaptive devices		
3. Gait, assisted locomotion, and balance		
4. Muscle performance (including strength, power, and endurance)		
5. Orthotic, protective and supportive devices		
6. Pain		
7. Prosthetic requirements		
8. Range of motion		
9. Self-care and home management (including activities of daily living and instrumental activities of daily living)		

D. CLINICAL SCIENCE: INTERVENTIONS Physical Therapist coursework must include but is not limited to 1—4.	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Musculoskeletal Interventions			
2. Neuromuscular Interventions			
3. Physical Agents/Electrotherapy			
4.			
5.			

Note: Within the credit hours assigned above, indicate on the intervention content area summary below, content for which you found evidence for items 1—4.

Intervention Content Area Summary

Attachment O
 Retrospective Coursework Evaluation Tools for
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Intervention content areas (listed alphabetically) include, but are not limited to, the following:	Present = ✓ Absent = ∅	Transcript Reference
1. Electrotherapeutic modalities		
2. Physical agents and mechanical modalities		
3. Prescription, application, and as appropriate, fabrication of assistive, adaptive, orthotic, protective, supportive, and prosthetic devices and equipment		
4. Therapeutic exercise (including aerobic conditioning)		

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E. CLINICAL EDUCATION	CREDIT HOURS **	TRANSCRIPT REFERENCE	JUSTIFICATION
Two Clinical Internships, total 600 hours			

Note: Clinical education must include physical therapist supervised application of physical therapy theory. The applicant must have a minimum of two (2) time clinical experiences of no less than 600 hours total that are supervised by a physical therapist.

~~**~~Maximum number of full time clinical education credits is 15.

F. RELATED PROFESSIONAL COURSEWORK: Course content required 1—9.	CREDIT HOURS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Professional Behaviors			
2. Administration			
3. Community Health			
4. Communication (related to client/patient care)			
5. Legal and Ethical Aspects of Physical Therapy practice			
6. Psychosocial Aspects in Physical Therapy Practice			

SUB-TOTAL PROFESSIONAL EDUCATION CREDITS:

(45 minimum)

IV.ACADEMIC INSTITUTION

A. Describe the academic level of the educational program and the institution within the context of the country's educational system:

1. Status (recognition/accreditation) within the country's educational system:

2. Entry requirements (secondary education):

3. Degree equivalence (Baccalaureate, etc.):

4. Other (CAPTE accreditation, etc.):

V. Summary

Total General Education Credits (30 Minimum):	
Total Professional Education Credits (45 Minimum):	
Total Credits (105 Minimum)	
Total Credits for BS degree (120 Minimum)	

~~EVALUATION CHECKLIST 1978-1991~~

Name:	Date:
School:	Country:
Degree:	
Reviewing Organization:	
Reviewer(s):	
Signature of Issuing Organization's Authorized Representative:	
Print Name and Title:	

Note for Reviewing Organizations: Please affix official organization seal to each page of the Evaluation Checklist for authentication purposes.

General Education

A minimum of Thirty (30) semester credits is required in this area.

A. HUMANITIES: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. English (see note)		
2. English Composition (see note)		
3. Speech or Oral Communication		
4. Foreign Language (other than native language)		
5. Literature		
6. Art		
7. Music		
8. Native Language		
9.		

Attachment P
Retrospective Coursework Evaluation Tools for
Foreign Educated Physical Therapists

Note: ~~If no credit in English or English composition is provided (1. and 2.), the licensing jurisdiction should require the applicant to demonstrate English proficiency.~~

Attachment P
Retrospective Coursework Evaluation Tools for
Foreign Educated Physical Therapists

B. PHYSICAL SCIENCE: One semester course in chemistry and one semester course in physics *	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Chemistry with laboratory (Course I)*		
2. Physics with laboratory (Course I)*		
3. Geology		
4. Astronomy		
5:		
6:		

*Required

C. BIOLOGICAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Biology		
2. Anatomy **		
3. Physiology **		
4. Zoology		
5. Kinesiology		
6. Neuroscience		
7. Genetics		
8:		
9:		

(could be completed as Professional Education)**

Attachment P
Retrospective Coursework Evaluation Tools for
Foreign Educated Physical Therapists

D. SOCIAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. History		
2. Geography		
3. Sociology		
4. Economics		
5. Religion		
6. Political Science		
7.		
8.		

E. BEHAVIORAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Psychology**		
2. Anthropology		
3. Philosophy		
4. Ethics		
5.		
6.		

(could be completed as Professional Education)**

F. MATHEMATICS: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Statistics		
2. Algebra		
3. Pre-Calculus		

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4. Calculus		
5. Trigonometry		
6. Geometry		

SUB-TOTAL GENERAL EDUCATION CREDITS: _____
(30 minimum)

Professional Education

A minimum of sixty (60) semester credits is required in this area.

A. BASIC HEALTH SCIENCE: Content Areas Required in Each (1-5.)	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Human Anatomy (Specific to Physical Therapy)			
2. Human Physiology (Specific to Physical Therapy)			
3. Neuroscience (Neuroanatomy or Neurophysiology)			
4. Kinesiology or Functional Anatomy			
5. Pathology			

B. MEDICAL SCIENCE: Clinical medicine pertinent to physical therapy.	CRE DIT HO URS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Neurology			
2. Orthopedics			
3. Cardiopulmonary			
4.			

C. CLINICAL SCIENCE: EXAMINATION AND		TRANSCRIPT REFERENCE	JUSTIFICATION

Attachment P
Retrospective Coursework Evaluation Tools for
Foreign Educated Physical Therapists

EVALUATION (Tests & Measures) Physical Therapist coursework must include but is not limited to 1a– 3b:	CRE DIF HOU RS		
1. Integumentary System			
— a. Examination			
— b. Evaluation			
2. Musculoskeletal System			
— a. Examination			
— b. Evaluation			
3. Neuromuscular System			
— a. Examination			
— b. Evaluation			
4. Cardiopulmonary System			
— a. Examination			
— b. Evaluation			
5.			

Note: Within the credit hours assigned above, indicate on the examination and evaluation content area summary below, content for which you found evidence for items 1.–10.

Examination and Evaluation Content Area Summary

Examination and Evaluation content areas include, but are not limited to the following:	Present = ✓ Absent = ∅	Transcript Reference
1. Anthropometric characteristics		
2. Assistive and adaptive devices		
3. Environmental, home, and work barriers		
4. Gait, assisted locomotion, and balance		
5. Muscle performance (including strength, power, and endurance)		
6. Orthotic, protective, and supportive devices		
7. Pain		
8. Prosthetic requirements		
9. Range of motion		
10. Self-care and home management (including activities of daily living and instrumental activities of daily living)		

D. CLINICAL SCIENCE:		TRANSCRIPT REFERENCE	JUSTIFICATION
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Attachment P
Retrospective Coursework Evaluation Tools for
Foreign Educated Physical Therapists

INTERVENTIONS Physical Therapist coursework must include but is not limited to 1—4.	CRE DIT HOU RS		
1. Integumentary Interventions			
2. Musculoskeletal Interventions			
3. Neuromuscular Interventions			
4. Cardiopulmonary Interventions			
5. Physical Agents/Electro			

Note: Within the credit hours assigned above, indicate on the intervention content area summary below, content for which you found evidence for items 1–8.

Intervention Content Area Summary

Intervention content areas (listed alphabetically) include, but are not limited to, the following:	Present = ✓ Absent = ∅	Transcript Reference
1. Debridement and wound care		
2. Electrotherapeutic modalities		
3. Functional training in community work (job, school, or play) reintegration (including instrumental activities of daily living, work hardening, and work conditioning)		
4. Functional training in self-care and home management (including activities of daily living and instrumental activities of daily living)		
5. Patient-related instruction		
6. Physical agents and mechanical modalities		
7. Prescription, application, and as appropriate, fabrication of assistive, adaptive, orthotic, protective, supportive, and prosthetic devices and equipment		
8. Therapeutic exercise (including aerobic conditioning)		

E. CLINICAL EDUCATION	CREDIT HOURS **	TRANSCRIPT REFERENCE	JUSTIFICATION
Two Clinical Internships, total 600 hours			

V. ACADEMIC INSTITUTION

A. Describe the academic level of the educational program and the institution within the context of the country's educational system:

1. Status (recognition/accreditation) within the country's educational system:

2. Entry requirements (secondary education):

3. Degree equivalence (Baccalaureate, etc.):

4. Other (CAPTE accreditation, etc.):

VI. Summary

Total General Education Credits (30 Minimum):	
Total Professional Education Credits (60 Minimum):	
Total Credits for BS degree (120 Minimum)	

BIBLIOGRAPHY

~~4th Edition Coursework Evaluation Tool for Foreign Educated Physical Therapists, Federation of State Boards of Physical Therapy, May 2004.~~

~~American Physical Therapy Association Standards for Accreditation of Physical Therapy Education Programs: Adopted by the House of Delegates; June 1978~~

~~A Normative Model of Physical Therapist Professional Education: Version 97, American Physical Therapy Association; 1997.~~

~~Guide to Physical Therapist Practice Second Edition, American Physical Therapy Association, January 2001.~~

~~NPTE Analysis of Practice, The Federation of State Boards of Physical Therapy, 2002.~~

~~Prescreening Evaluation Tool, Foreign Credentialing Commission on Physical Therapy; Third Edition, March 1999.~~

~~The Coursework Evaluation Tool Validation Study, Phase 1, Phase 2 and Phase 3, The Federation of State Boards of Physical Therapy and Northwestern University, Hayes and Sanders: 2002-2003. (Presented in 2002, to be published in fall 2003.)~~

~~Essentials of an Acceptable School of Physical Therapy: Council on Medical Education and Hospitals of the American Medical Associations, Revised December 1955.~~

~~Entry Level Educational Equivalency Review (ELEER): Guidelines for Graduates 1978—1991: PT Board of California, 2004.~~

EVALUATION CHECKLIST 1992 to 1997

Name:	Date:
School:	Country:
Degree:	
Reviewing Organization:	
Reviewer(s):	
Signature of Issuing Organization's Authorized Representative:	
Print Name and Title:	

Note for Reviewing Organizations: Please affix official organization seal to each page of the Evaluation Checklist for authentication purposes.

General Education

A minimum of forty two (42) semester credits is required in this area.

A. HUMANITIES: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. English (see note)		
2. English Composition (see note)		
3. Speech or Oral Communication		
4. Foreign Language (other than native language)		
5. Literature		
6. Art		
7. Music		
8. Native Language		
9.		

Note: If no credit in English or English composition is provided (1. and 2.), the licensing jurisdiction should require the applicant to demonstrate English proficiency.

B. PHYSICAL SCIENCE: One semester course in chemistry and one semester course in physics*	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Chemistry with laboratory (Course I)*		
2. Physics with laboratory (Course I)*		
3. Geology		
4. Astronomy		
5.		
6.		

*Required

C. BIOLOGICAL SCIENCE: One Course Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Biology		
2. Anatomy		
3. Physiology		
4. Zoology		
5. Kinesiology		
6. Neuroscience		
7. Genetics		
8.		
9.		

D. SOCIAL SCIENCE: One-Course-Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. History		
2. Geography		
3. Sociology		
4. Economics		
5. Religion		
6. Political Science		
7.		
8.		

E. BEHAVIORAL SCIENCE: One-Course-Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Psychology		
2. Anthropology		
3. Philosophy		
4. Ethics		
5.		
6.		

F. MATHEMATICS: One-Course-Minimum	CREDIT HOURS	TRANSCRIPT REFERENCE
1. Statistics		
2. Algebra		
3. Pre-Calculus		
4. Calculus		
5. Trigonometry		

6.Geometry		

SUB-TOTAL GENERAL EDUCATION CREDITS:
(42 minimum)

Professional Education

A minimum of sixty-nine (69) semester credits is required in this area.

A. BASIC HEALTH SCIENCE: Content Areas Required in Each (1-5.)	CREDIT HOURS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Human Anatomy (Specific to Physical Therapy)			
2. Human Physiology (Specific to Physical Therapy)			
3. Neuroscience (Neuroanatomy or Neurophysiology)			
4. Kinesiology or Functional Anatomy			
5. Pathology			

B. MEDICAL SCIENCE: Clinical medicine pertinent to physical therapy.	CREDIT HOURS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Neurology			
2. Orthopedics			
3. Pediatrics			
4. Geriatrics			
5. Cardiopulmonary			
6.			

G. CLINICAL SCIENCE: EXAMINATION AND EVALUATION (Tests & Measures) Physical Therapist coursework must include but is not limited to 1a– 3b.	CRE DIT HOU RS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Integumentary System			
— a. Examination			
— b. Evaluation			
2. Musculoskeletal System			
— a. Examination			
— b. Evaluation			
3. Neuromuscular System			
— a. Examination			
— b. Evaluation			
4. Cardiopulmonary System			
— a. Examination			
— b. Evaluation			
5.			

Note: Within the credit hours assigned above, indicate on the examination and evaluation content area summary below, content for which you found evidence for items 1.–16.

Examination and Evaluation Content Area Summary

Examination and Evaluation content areas include, but are not limited to the following:	Present = ✓ Absent = ∅	Transcript Reference
1. Aerobic Capacity		
2. Anthropometric characteristics		
3. Environmental, home, and work barriers		
4. Gait, assisted locomotion, and balance		
5. Integumentary integrity		
6. Joint integrity and mobility		
7. Motor function		
8. Muscle performance (including strength, power, and endurance)		
9. Neuromotor development and sensory integration		
10. Pain		
11. Posture		

Examination and Evaluation content areas include, but are not limited to the following:	Present =✓ Absent =∅	Transcript Reference
12. Range of motion		
13. Reflex integrity		
14. Self-care and home management (including activities of daily living and instrumental activities of daily living)		
15. Sensory integration (including proprioception and kinesthesia)		
16. Ventilation, respiration, and circulation		

D. CLINICAL SCIENCE: INTERVENTIONS Physical Therapist coursework must include but is not limited to 1-4.	CRE DIT HOU RS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Integumentary Interventions			
2. Musculoskeletal Interventions			
3. Neuromuscular Interventions			
4. Cardiopulmonary Interventions			
5. Physical Agents/Electro			

Note: Within the credit hours assigned above, indicate on the intervention content area summary below, content for which you found evidence for items 1-10.

~~Intervention Content Area Summary~~

Intervention content areas (listed alphabetically) include, but are not limited to, the following:	Present =✓ Absent =∅	Transcript Reference
1. Airway clearance techniques		
2. Debridement and wound care		
3. Electrotherapeutic modalities		
4. Functional training in community work (job, school, or play) reintegration (including instrumental activities of daily living, work hardening, and work conditioning)		
5. Functional training in self-care and home		

management (including activities of daily living and instrumental activities of daily living)		
6. Manual therapy techniques		
7. Patient-related instruction		
8. Physical agents and mechanical modalities		
9. Prescription, application, and as appropriate, fabrication of assistive, adaptive, orthotic, protective, supportive, and prosthetic devices and equipment		
10. Therapeutic exercise (including aerobic conditioning)		

E. CLINICAL EDUCATION	CREDIT HOURS **	TRANSCRIPT REFERENCE	JUSTIFICATION
Two Clinical Internships, total 800 hours			

Note: Clinical education must include physical therapist-supervised application of physical therapy theory. The applicant must have a minimum of one (1) full-time clinical internship and a total of no less than 800 hours that are supervised by a Physical Therapist. Clinical experiences should be integrated as well as terminal in nature.

~~**Maximum number of full-time clinical education credits is 23.~~

F. RELATED PROFESSIONAL COURSE WORK: Course content required 1-9:	CREDIT HOURS	TRANSCRIPT REFERENCE	JUSTIFICATION
1. Professional Behaviors			
2. Administration			
3. Community Health			
4. Research and Clinical Decision Making			
5. Educational Techniques			
6. Medical Terminology			
7. Communication			

(related to client/patient care)			
8. Legal and Ethical Aspects of Physical Therapy Practice			
9. Psychosocial Aspects in Physical Therapy Practice			
10. Consultation, Screening & Delegation			
F. Subtotal			

SUB-TOTAL PROFESSIONAL EDUCATION CREDITS+

(69 minimum)

VI. ACADEMIC INSTITUTION

A. Describe the academic level of the educational program and the institution within the context of the country's educational system:
1. Status (recognition/accreditation) within the country's educational system:
2. Entry requirements (secondary education):
3. Degree equivalence (Baccalaureate, etc.):
4. Other (CAPTE accreditation, etc.):

VII. Summary

Total General Education Credits (42 Minimum):	

Total Professional Education Credits (69 Minimum):	
Total Credits for BS degree (120 Minimum)	

~~BIBLIOGRAPHY~~

~~*4th Edition Coursework Evaluation Tool for Foreign Educated Physical Therapists*, Federation of State Boards of Physical Therapy, May 2004.~~

~~*A Normative Model of Physical Therapist Professional Education: Version 97*, American Physical Therapy Association; 1997.~~

~~*A Normative Model of Physical Therapist Professional Education: Version 2000*, American Physical Therapy Association; 2000.~~

~~*Evaluative Criteria for Accreditation of Education Programs for the Preparation of Physical Therapists*, Commission on Accreditation in Physical Therapy Education (CAPTE); Adopted April 3, 1990; Revised September 18, 1990 and Effective January 1, 1992~~

~~*Guide to Physical Therapist Practice Second Edition*, American Physical Therapy Association, January 2001.~~

~~*Prescreening Evaluation Tool*, Foreign Credentialing Commission on Physical Therapy; Third Edition, March 1999.~~

~~*The Coursework Evaluation Tool Validation Study, Phase 1, Phase 2 and Phase 3*, The Federation of State Boards of Physical Therapy and Northwestern University, Hayes and Sanders: 2002-2003. (Presented in 2002, to be published in fall 2003.)~~

~~*Entry-Level Educational Equivalency Review (ELEER): Guidelines for Graduates 1992-1997*: PT Board of California, 2004.~~