

Physical Therapy Licensure Compact



Wisconsin Board of Physical Therapy



What Do You Want to Know?

Bordered by 4 states

- Minnesota
- Iowa
- Illinois
- Michigan





A brief history



- Membership driven initiative
- Focused on consumer access
- Advisory Task Force
- Drafting Team

Drafting Team

- Barbara Safriet JD, Public Member
- Jean Bickal JD, Public Member
- Senator Bo Watson PT, State Legislator
- Jeff Rosa, Administrator
- Scott Majors JD, Administrator
- Dargan Ervin, PT
- APTA: Justin Elliott
- External consultants: Rick Masters JD, CSG
- FSBPT Board Liaison: Nancy Kirsch PT
- Staff : Mark Lane PT, Leslie Adrian PT

Guiding Principles

Advisory & Drafting Teams

- Balance individuality with feasibility
 - ▣ Continuing Competence
 - ▣ Jurisprudence Requirement
- Level of trust amongst jurisdictions
- Balance costs with efficiencies
- Licensure is always an option

Drafting a Compact

- Physical Therapy Licensure Compact
(PTLC or Compact)
 - ▣ agreement between the states
 - ▣ agreement made by passing the same legislation
 - ▣ contract and law

Purpose

- The purpose of this compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services.
 - ▣ The practice of physical therapy occurs in the state where the patient/client is located at the time of the patient/client encounter.
 - ▣ The Compact preserves the states' regulatory authority to protect public health and safety through the current system of state licensure.

Purpose (cont.)

- This Compact is designed to achieve the following objectives:
 - ▣ Increase public access to physical therapy services
 - ▣ Enhance the states' ability to protect the public's health and safety;
 - ▣ Support of spouses of relocating military members;
 - ▣ Enhance the exchange of licensure, investigatory, and disciplinary information between member states.

Definitions

- Physical Therapy Compact Commission
 - ▣ aka Commission or Compact Commission
 - ▣ national administrative body whose membership consists of all states that have enacted the Compact
 - ▣ **Executive Board** group of directors elected/appointed to act on behalf of, and within the powers granted to them by, the Commission

- Compact Privilege
 - ▣ means the authorization granted by a remote state to allow a licensee from another member state to practice as a physical therapist or work as a physical therapist assistant in the remote state under its laws and rules.

Definitions: what state am I in?

- Member State
 - ▣ means a state that is participating in the compact

- Home State
 - ▣ means the member state that is the licensee's primary state of residence
 - ▣ military spouse definition

- Remote State
 - ▣ means a member state, other than the home state, where a licensee is exercising or seeking to exercise the Compact Privilege

- Party State
 - ▣ means any member state in which a licensee holds a current license or Compact Privilege or is applying for a license/Compact Privilege

Quiz question #1

- Chris:
 - ▣ is licensed in Iowa and lives in Iowa, which is a compact member state
 - ▣ works in WI via compact privilege (WI is a compact *member state*)
 - ▣ moves to Illinois which is not a member state
 - ▣ Still wants to work in WI

- What, if anything, must Chris do to continue to work in WI?
 - ▣ Chris must now apply for a WI license. (*Not eligible for Compact Privilege when home state is not a member state*).

Quiz Question #2

- Chris
 - ▣ Is licensed in Iowa and lives in Iowa which is a compact *member state*
 - ▣ Works in WI via compact privilege (WI is a compact *member state*)
 - ▣ Moves to MI which is a member state
 - ▣ Still wants to work in WI

- What, if anything, must Chris do to continue to work in WI?
 - ▣ Chris must now apply and receive license in KY (new home state) in order to meet eligibility for Compact Privilege.

Quiz Question #3

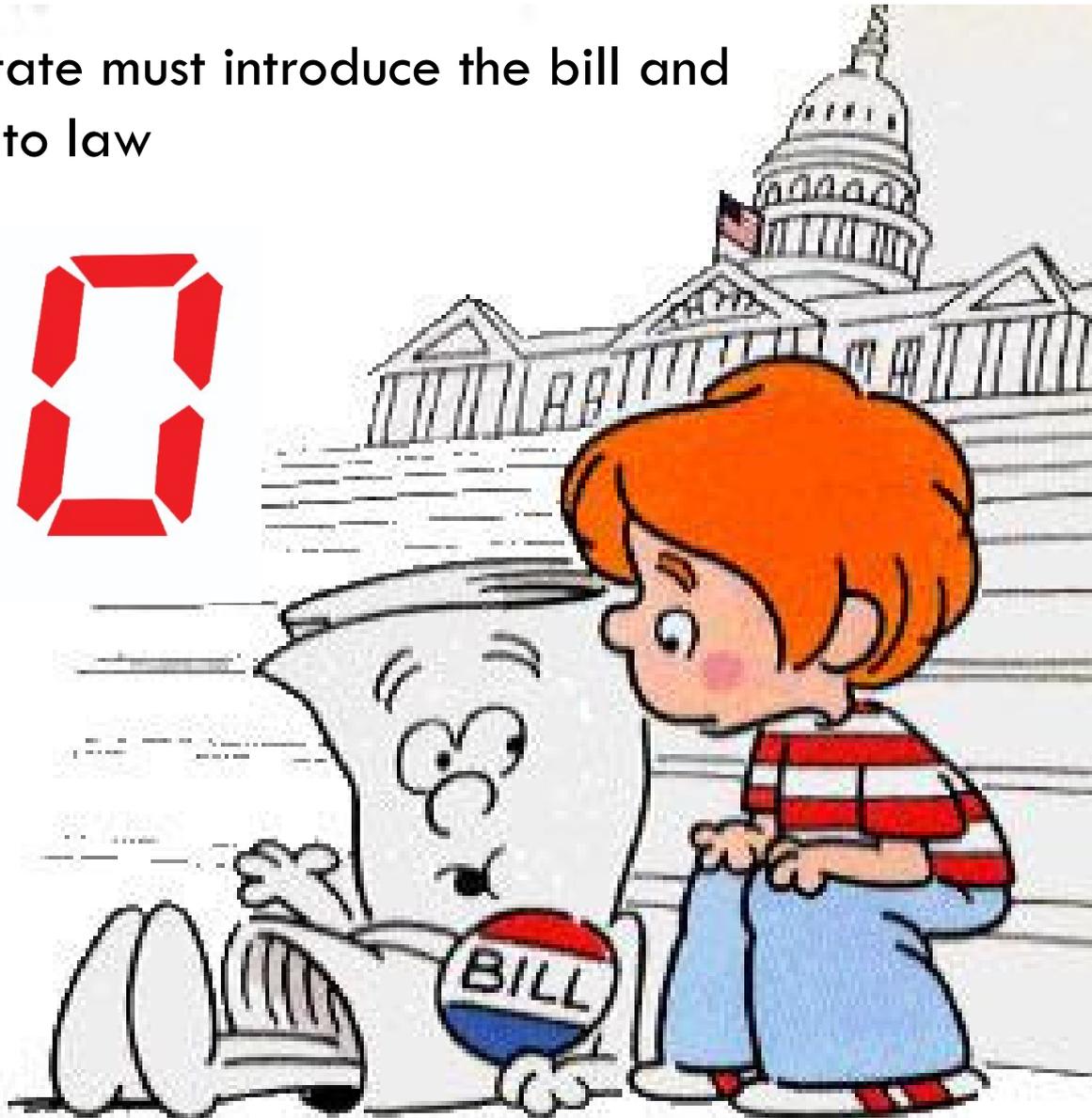
- FL, MD, DC are member states, VA is not
- Chris is a military spouse
 - ▣ Permanent Change of Station (PCS) post is in Washington, DC
 - ▣ Home of record is FL
 - ▣ Current residence is in VA. Chris currently has a license in VA.
- What, if anything, must Chris do to practice in DC and MD?
 - ▣ Option 1: Chris uses FL as home state, gets a license, and then gets Compact Privilege in MD and DC.
 - ▣ Option 2: Chris uses PCS (DC) as home state and gets licensed in DC and a Compact Privilege in MD

Compact Commission

- Forms when at least 10 jurisdictions pass compact legislation
- Governmental entity (not a part of FSBPT)
- Establishes rules to govern compact
 - ▣ PTLC not live until rules established
 - ▣ Initial 10 jurisdictions promulgate the rules

Each state must introduce the bill and pass into law

10



Get the Party Started!

State X (10th state)

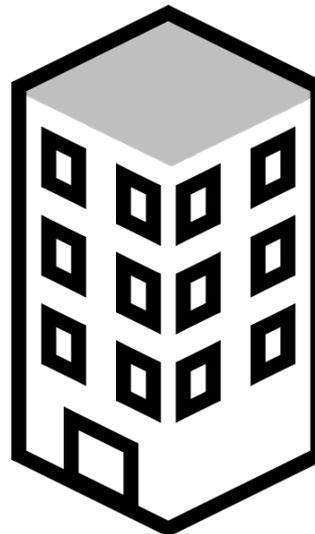
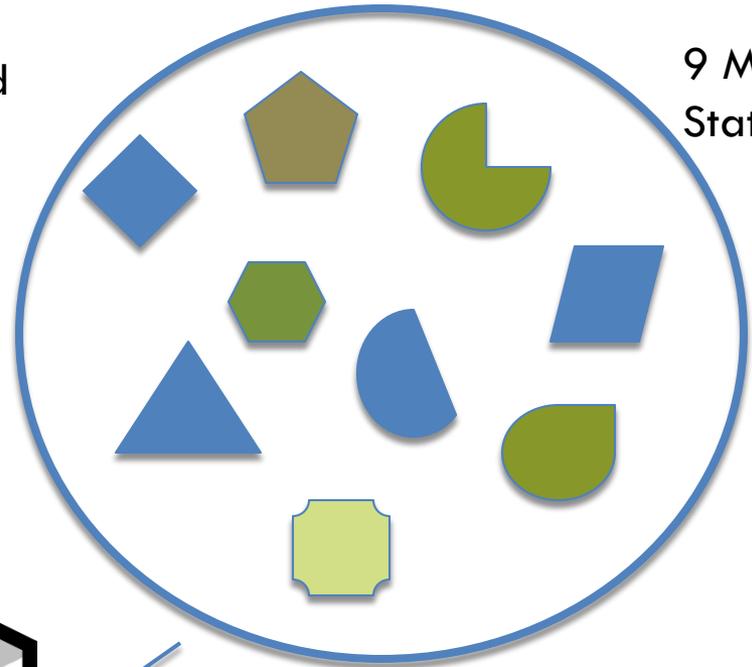


Compact adopted
in State X

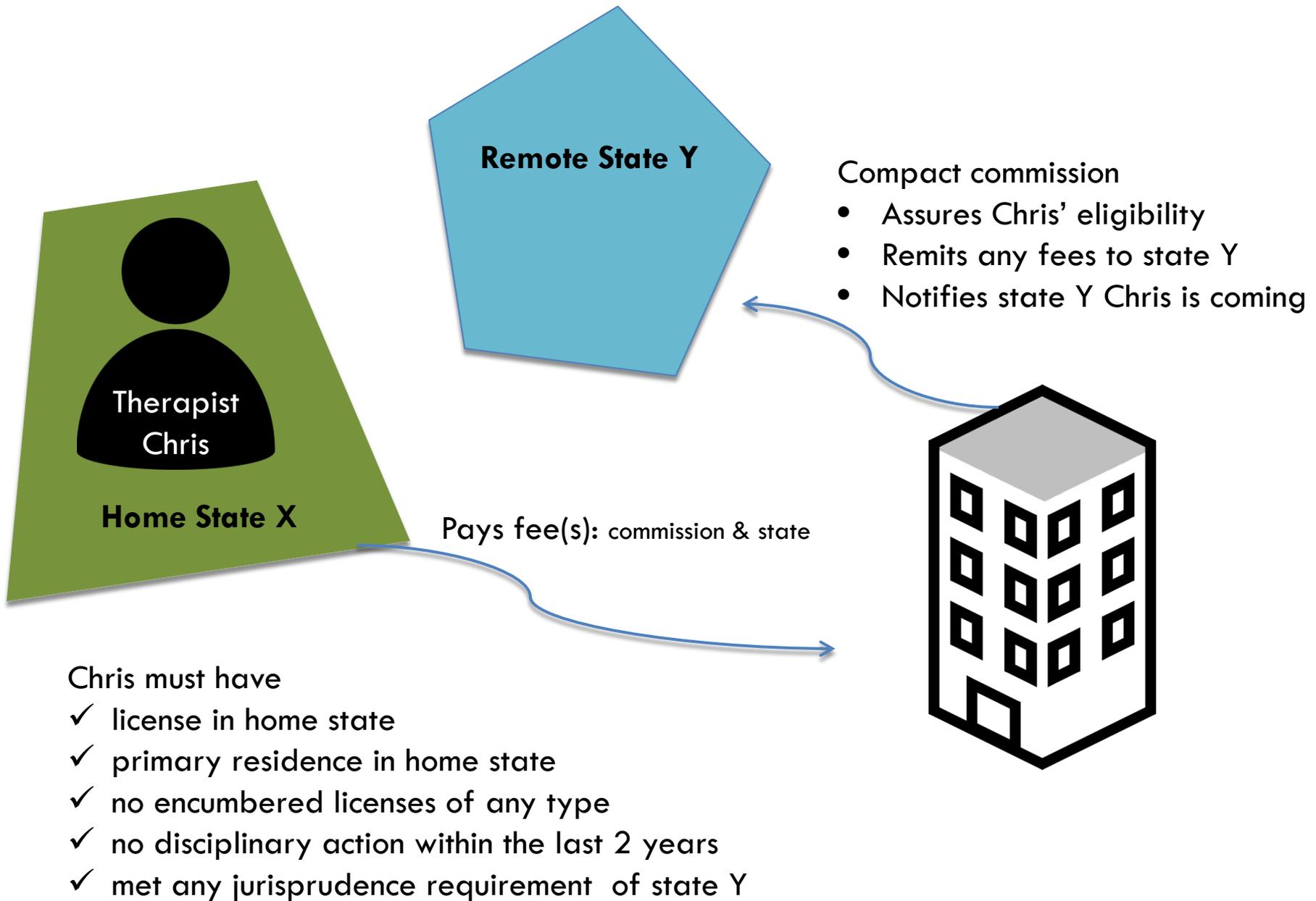
State X

- ✓ Continuing Competence requirements
- ✓ Criminal Background Checks
- ✓ Full participation in Compact database
- ✓ Require NPTE

9 Member
States



Compact Commission:
has complete licensure and
disciplinary database



Therapist Chris “messes up”

HOME STATE action limited to home state license

REMOTE STATE action limited to Compact Privilege in that jurisdiction

However, **any** discipline against a license or Compact Privilege removes **all** Compact Privileges until both have occurred:

- 2 years have passed since the board took final action and
- Any encumbrances have been removed

PARTY STATES

Sharing of disciplinary information

If Chris Loses the Compact Privilege, may attempt to get license

Quiz Question #4

- Chris
 - ▣ lives in TX and has a license in TX.
 - ▣ has a Compact Privilege in OK, NE and NM
 - ▣ Does not complete the continuing competence requirements for TX and has disciplinary action taken against license.

- What happens to Chris' Compact privilege in OK?, NE?, NM?
 - ▣ Chris loses Compact Privilege in OK and all states for 2 years.

- Is there any way Chris can still work in OK?
 - ▣ Chris can apply for license in OK

Quiz Question #5

- Chris
 - ▣ lives in OR
 - ▣ Has Compact Privilege in WA, ID, and NV.
 - ▣ is investigated and disciplined in ID for submitting false claims.
 - ▣ Chris loses Compact Privilege in WA, ID, NV, and all other states for 2 years. The Compact Commission is notified and notifies OR.
 - ▣ OR takes action against Chris' OR license for a period of 3 years

- When can Chris get a compact privilege in WA?, ID?, NV?
 - ▣ In 3 years provided OR reinstates the licenses fully
- Can Chris get a license in WA, ID, or NV?
 - ▣ It is up to each state

What is FSBPT relationship with Compact Commission?

- Contractual
- Separate tracking of operating results
- FSBPT retains ownership of the ELDD (database)
- FSBPT develops & owns administrative software/hardware
- Compact Commission establishes
 - Rules
 - Fees

What about the cost?

- Extensive/complex modeling
 - ▣ Volume forecast
 - ▣ Revenue forecast
 - ▣ Expense forecast
- Known FSBPT expenditures
 - ▣ Augmenting the ELDD & Systems
 - Capital
 - Operating
 - ▣ Loss of score transfer revenue

Revenue Options Explored

(fees determined by Commission)

- Scenario #1 – Fee of \$60 to Applicant

- Scenario #2
 - ▣ Fee of \$60 to Applicant and a
 - ▣ Jurisdiction fee of \$5/Licensee

- Scenario #3
 - ▣ Fee of \$60 to Applicant and
 - ▣ Set fee of \$6,000 per Jurisdiction

- Other options

Impact of Compact on State Fees and Budget

- Section 4.A.6 authorizes a member state to charge a fee for a compact privilege
 - ▣ State fee in addition to fees charged by the Commission
- Factors to consider with state revenue:
 - ▣ Loss of initial application fees for reciprocity applicants practicing in WI with Compact Privilege
 - Also loss of renewal fees for this group
 - ▣ Loss of license verification
 - ▣ Reduced workload by the State Agency
 - ▣ Nursing experience

Compact Benefits for Jurisdictions

- ▣ Full participation in the Exam, Licensure & Disciplinary Database
- ▣ Requires Criminal Background Checks
- ▣ Requires Continuing Competence
- ▣ Allows sharing of investigatory information
- ▣ Preserves the current state-based system
- ▣ Demonstrates PT regulators responsiveness to issues



Compact Benefits for Public

- ▣ Improve continuity of care
 - Moves, vacations, “snow birds”
- ▣ Improves portability for Military Spouse licensees
- ▣ Greater access to physical therapy providers
- ▣ Greater choice of physical therapy providers
- ▣ Paves the way for the future
 - New health care delivery models
 - International access to care
 - Alternate physical therapy delivery methods
 - Telehealth?

Compact Benefits: Physical Therapy Community

- Faster approval to practice in a jurisdiction
- Increase ease of telehealth
- May pave the way to decrease variation between states
 - ▣ Uniform Application
 - ▣ Credentials Verification Services
- Addresses concerns of varied groups
 - ✓ Federal government
 - ✓ American Telehealth Association
 - ✓ FSBPT Member Boards
 - ✓ Public policy groups

What's Next?

- Work with CSG
 - ▣ Educate legislators, staff
- Collaborate with your chapter
- Obtain sponsors and political support
- Introduce in next legislative session



The Legislative Process

- Compact legislation is separate from practice act
- Should be a collaborative effort between the Chapter and Board
- 10 State minimum requirement
 - ▣ Once the Commission is formed, the member states will participate in the initial rule-making process

Next Steps for You

- Talk to your fellow Board members
 - ▣ Informational materials available on the web
- Talk to your State Chapter
 - ▣ Is the chapter supportive?
 - ▣ What are the legislative priorities?
- Evaluate the political climate
 - ▣ Has portability been an issue in your state?
 - Military spouses?
 - ▣ Has telehealth been an issue in your state?
 - ▣ How have other medical compacts fared?
 - Nursing – yes
 - Medicine – no
 - EMS - no

Questions and Feedback



General FSBPT Updates

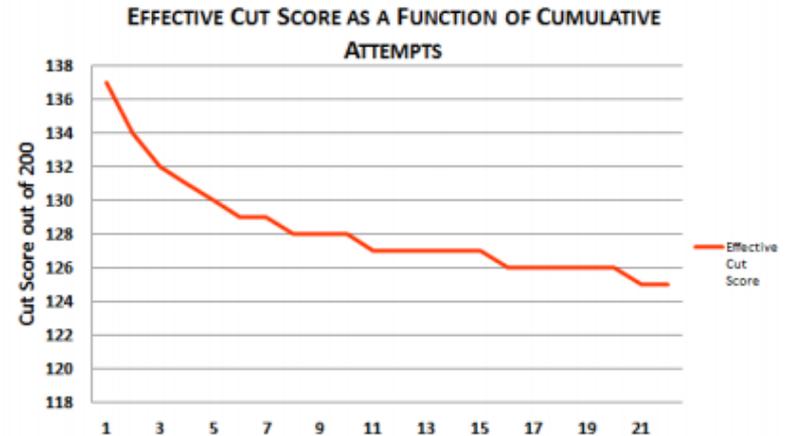
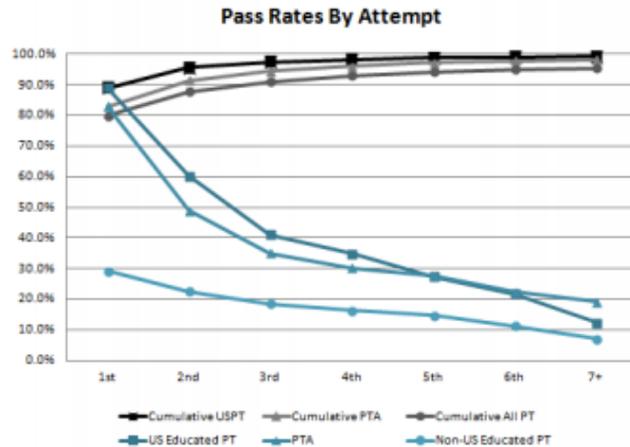


- NPTE eligibility requirements
- Alternative approval pathway
- Exam Licensure and Disciplinary Database
- Minimum Data Set
- Jurisprudence Assessment Module

NPTE Eligibility Requirements

- Requirements to sit for the NPTE (vs requirements for licensure)
- FSBPT requirements (vs jurisdiction requirements)
- Jurisdictions may require additional criteria
- History
 - 2011 NPTE Summit—eligibility requirements reviewed
 - 2012 Background Review
 - 2013 Eligibility panel, LIF, Annual Meeting, Delegate Assembly

Data-Based Recommendations



# of Scores ≤ 400	Never Passed	Passed	Cumulative Odds of Ever Passing
1	436	5	115:1
2	168	1	257:1
3	58	0	--
4	19	0	--
5	8	0	--
6	4	0	--

	First Attempt Pass Rate	Ultimate Pass Rate (within 6 attempts)
Meets TOEFL Requirement (n=338)	56.5%	73.7%
Does Not Meet TOEFL Requirement (n=244)	34.0%	59.0%

PT Candidates	2010	2011	2012	2013	2014
Total Candidates	1,686	2,707	2,704	2,630	2,262
Candidates with more than 6 attempts	253	440	485	462	395
Candidates with 2 or more very low scores	0	36	73	98	75
Candidates who Require TOEFL Scores	1,015	1,926	1,964	1,777	1,480
Candidates who require current CWT	1,037	1,959	2,002	1,824	1,529
Total Candidates affected by Any New Policy	1,069	1,990	2,038	1,859	1,552

PTA Candidates	2010	2011	2012	2013	2014
Total Candidates	363	639	827	679	755
Candidates with more than 6 attempts	16	24	27	34	29
Candidates with 2 or more very low scores	0	0	0	0	0
Candidates who Require TOEFL Scores	93	325	491	376	401
Candidates who require current CWT	110	338	508	400	420
Total Candidates affected by Any New Policy	115	345	517	409	428

New Rules and Implementation

- NPTE Lifetime limit of 6 attempts AND NPTE Lifetime limit of 2 very low scores (January 2016)
- English language proficiency required (Late 2017)
 - ▣ TOEFL
- Require most current Coursework Tool for FEPT credentialing (Late 2017)

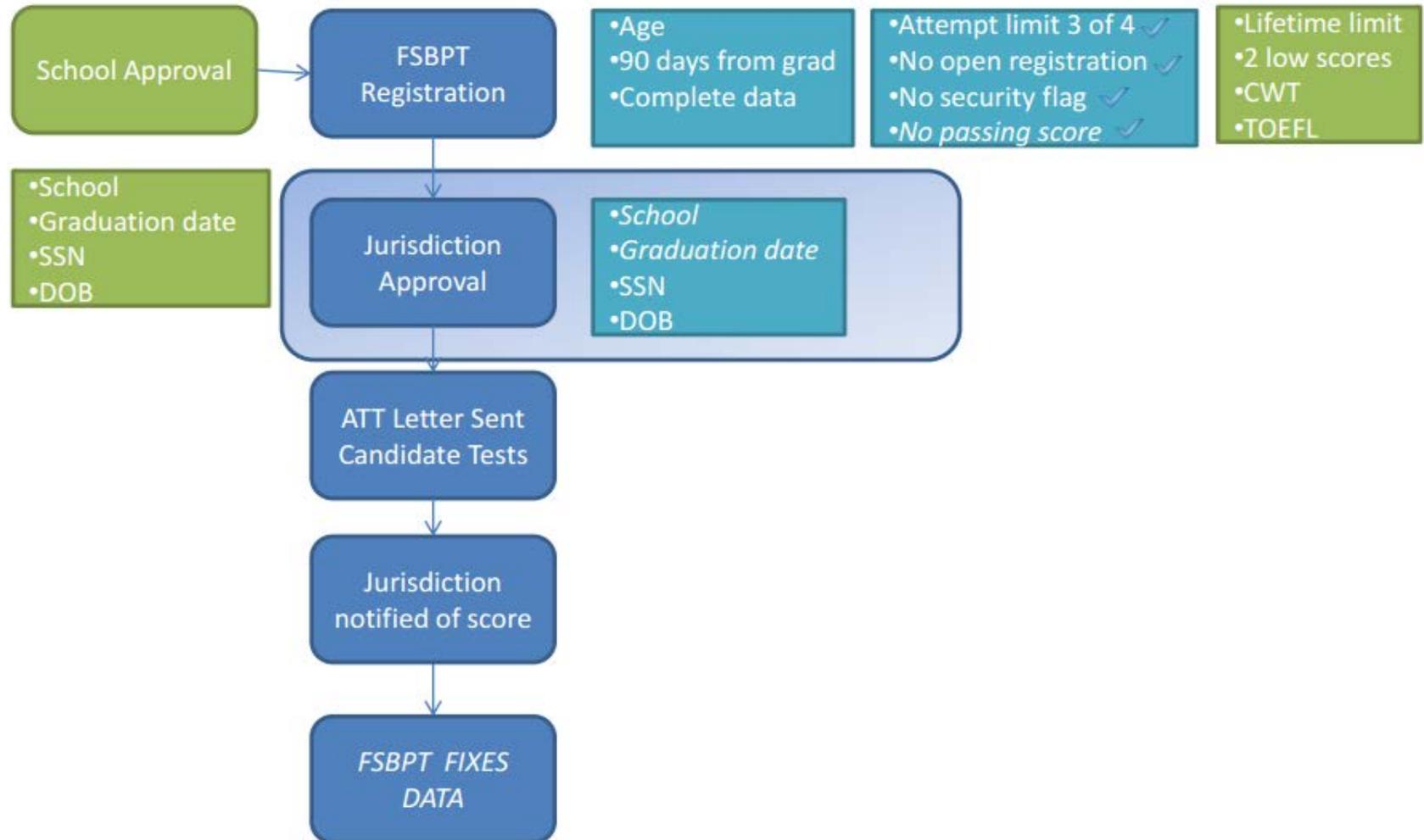
NPTE Lifetime Limits

- Six attempt limit
 - ▣ No “grandfathering”
 - ▣ Personalized letters to active candidates
 - ▣ 6+ attempts: Must appeal
 - ▣ New candidates: Letter after second failure
- Low Scores
 - ▣ Does not count previous attempts
 - ▣ Count applies at each exam level separately

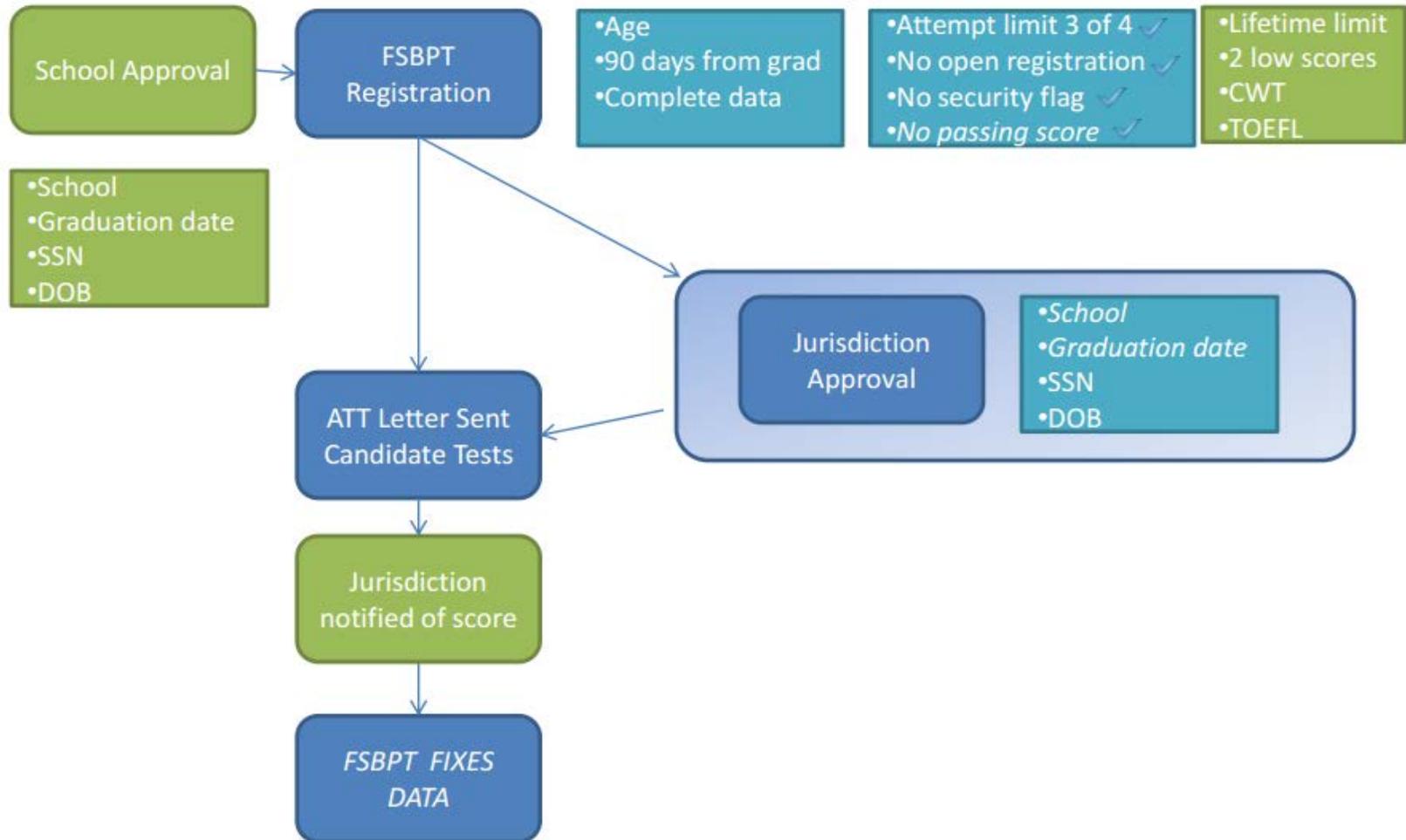
Appeals Policy

- Paper Process
 - ▣ FSBPT website has downloadable form
 - ▣ Candidate submits appeal to State board
 - ▣ State board submits appeal request to FSBPT via email
- BOD subcommittee reviews/decides
- Granted appeals require candidate to complete exam within two years
- Reasonable Considerations
 - ▣ Candidate was attending PT/PTA school during notice period (Oct 2014-Dec 2015); Inactive test taker (prior to Jan 2011); State law requires additional attempt.

Approval Pathway with Eligibility Changes

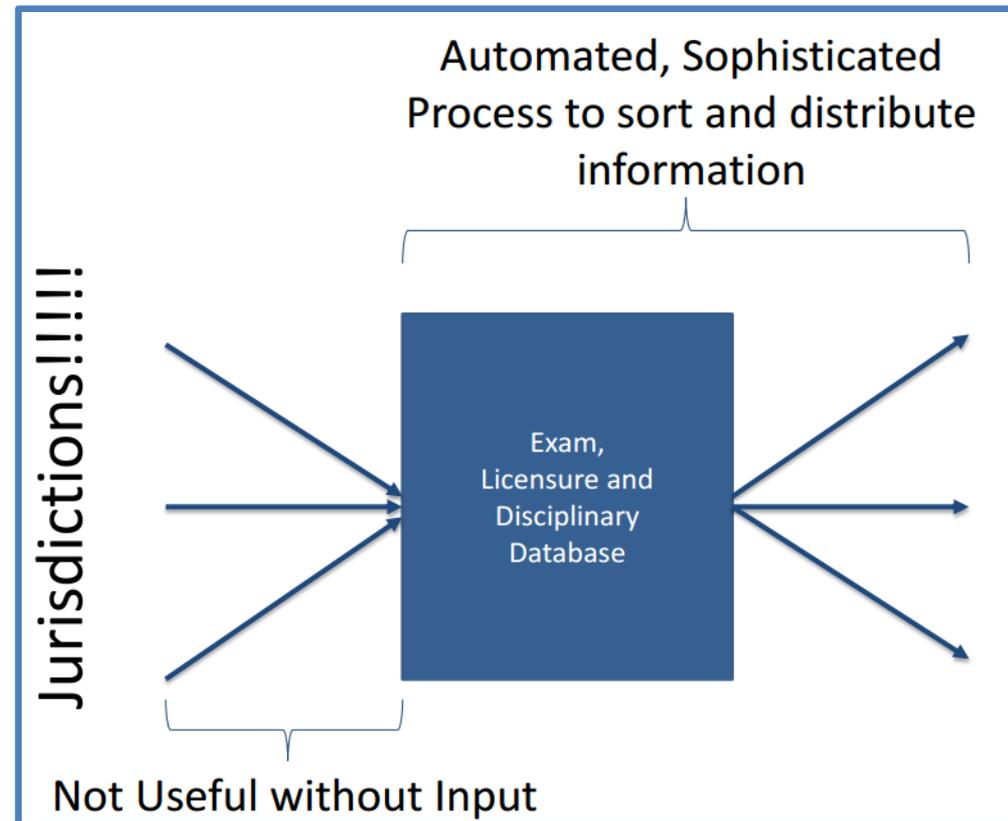


Early 2017 Alternate Approval Path



Exam, Licensure & Disciplinary Database

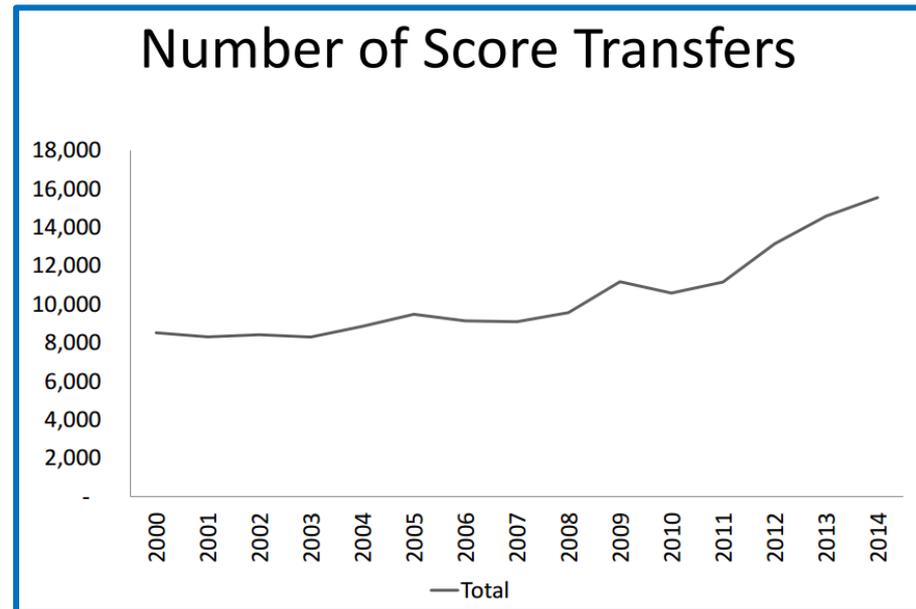
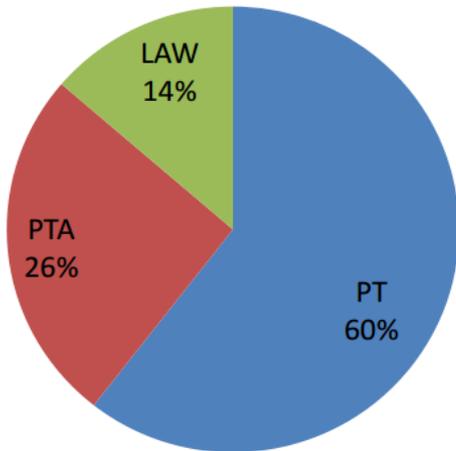
- Database Objective
 - ▣ Support our shared mission of **public protection** by compiling and maintaining a Physical Therapy Database containing: Disciplinary, Licensure and Examination Scores



Examples from ELDD

Exam Scores

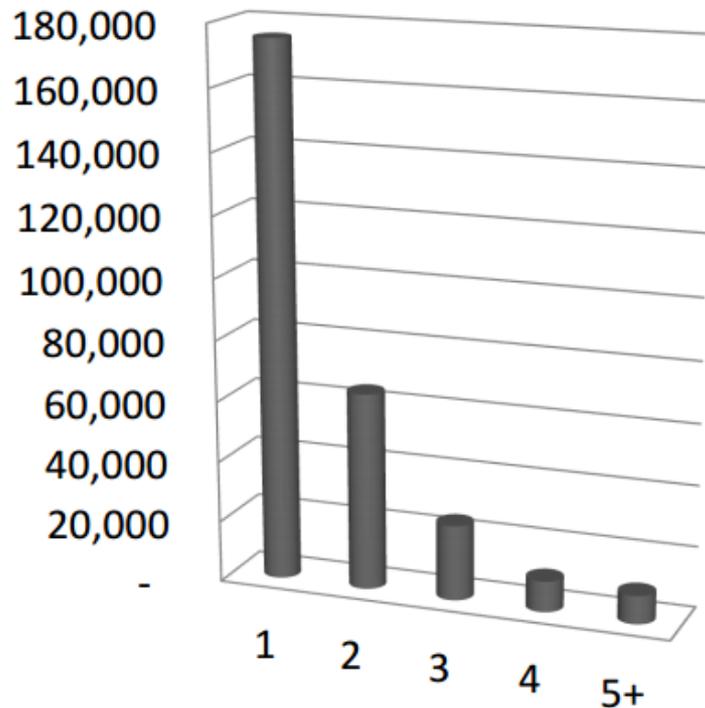
- Total Number of Scores
 - PT : 341,779
 - PTA: 145,394
 - LAW: 77,322



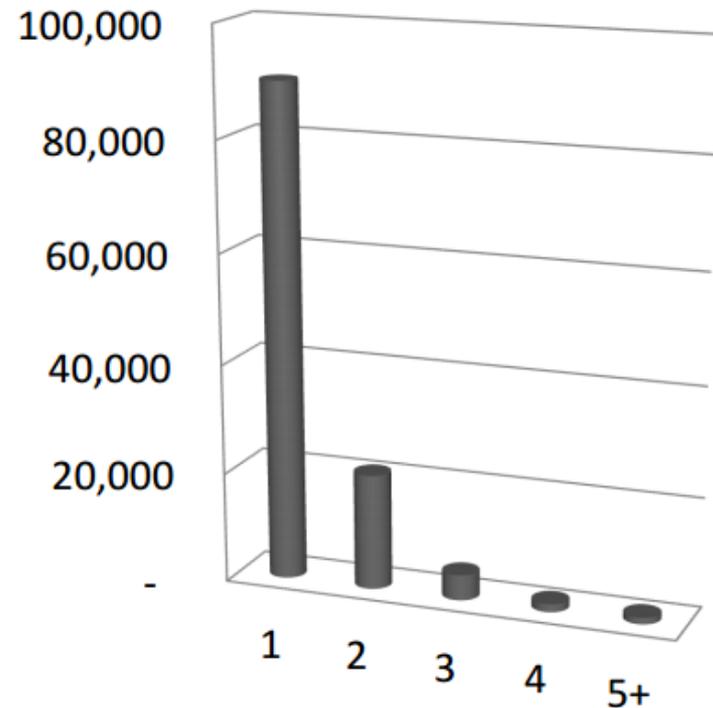
Examples from ELDD

Number of Licenses per Person

Physical Therapist



Physical Therapist Assistant



Examples from ELDD

□ Disciplinary Actions

- Total of 7,589 disciplinary actions.

 - Defined as an action where a legal document was signed.

- Against 5,457 (1%) of Licensees

 - 3,860 PT's

 - 1,597 PTA's

ELDD Quality

How many different people?

State	License	First	Middle	Last	DOB
AL	PTH3630	AMY	R	DAVIS	4/10/1976
CA	PT 22546	AMY	KATHLEEN	JOHNSON	8/14/1970
FL	PT 23401	AMY	R	DAVIS	4/10/1976
MA	10929	AMY	K	JOHNSON	8/14/1970
MA	17993	AMY	B	DAVIS	10/5/1980
MN	A95	AMY	MARIE	DAVIS	6/30/1974
MS	3286	AMY	R	DAVIS	4/10/1976
NC	P7115	AMY		TRAVIS	2/15/1975
RI	PT01480	AMY	JOHNSON	DAVIS	8/14/1970
RI	PT02115	AMY	BETH	DAVIS	10/5/1980
TN	6158	AMY	T.	DAVIS	
TN	5290	AMY		DAVIS	7/1/1978

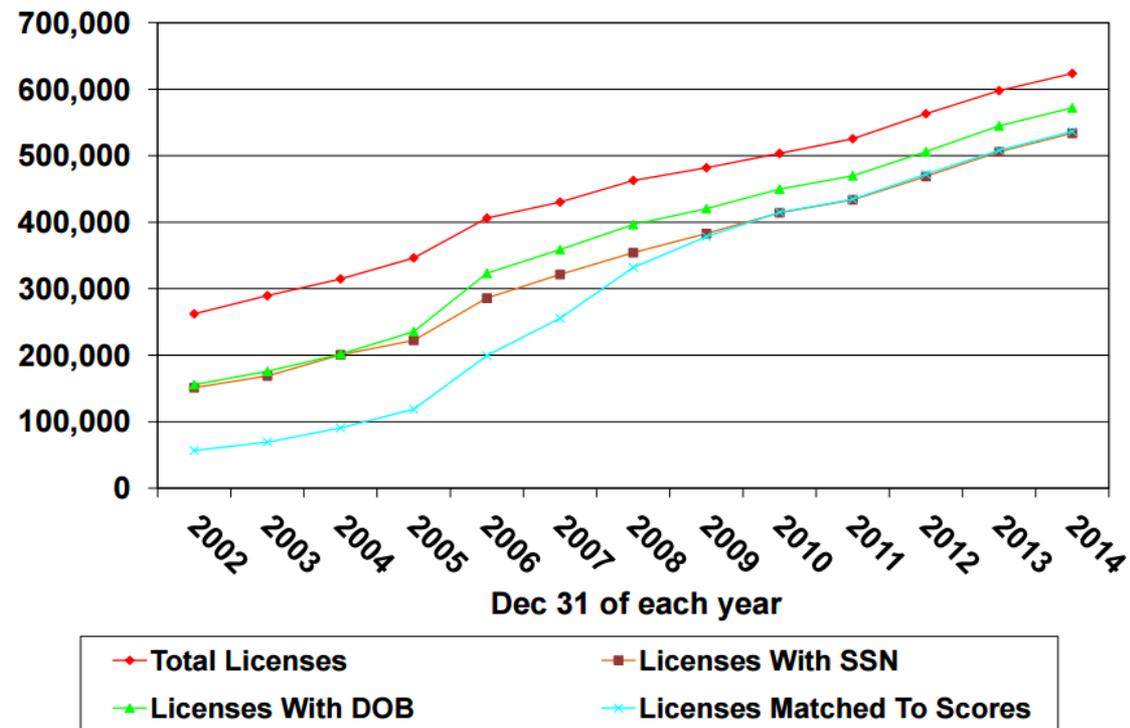
ELDD Quality

	State	License	First	Middle	Last	DOB
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	MA	10929	AMY	K	JOHNSON	8/14/1970
	RI	PT01480	AMY	JOHNSON	DAVIS	8/14/1970
2	NC	P7115	AMY		TRAVIS	2/15/1975
	TN	6158	AMY	T.	DAVIS	
	AL	PTH3630	AMY	R	DAVIS	4/10/1976
3	FL	PT 23401	AMY	R	DAVIS	4/10/1976
	MS	3286	AMY	R	DAVIS	4/10/1976
4	MA	17993	AMY	B	DAVIS	10/5/1980
	RI	PT02115	AMY	BETH	DAVIS	10/5/1980
5	MN	A95	AMY	MARIE	DAVIS	6/30/1974
6	TN	5290	AMY		DAVIS	7/1/1978

Measures of Quality

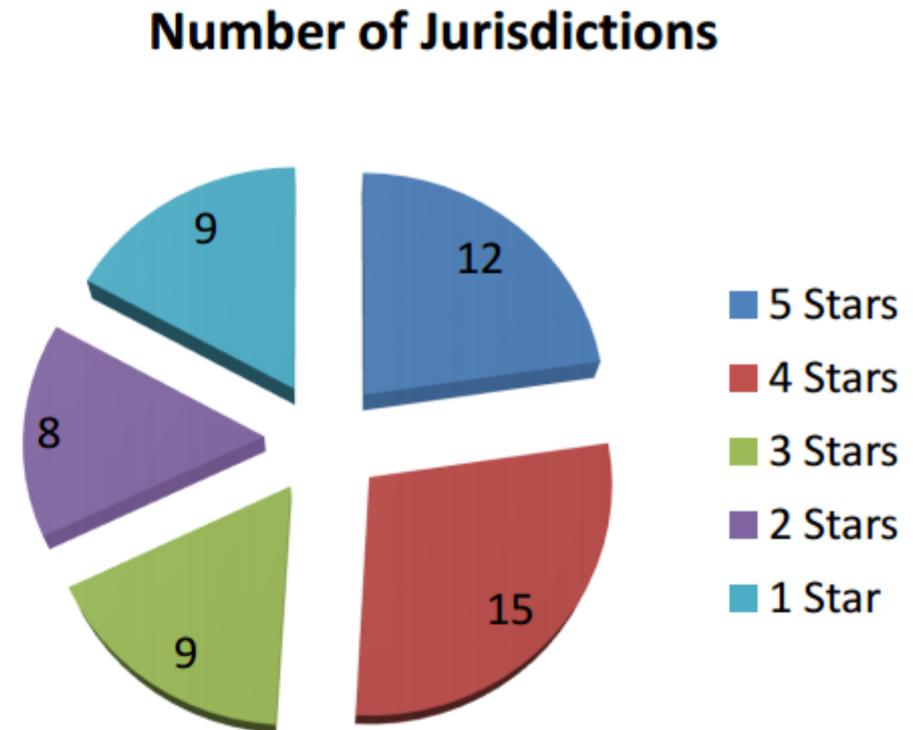
- Unique identification in the database
 - ▣ Number of records with SSN
 - ▣ Number of records with DOB
 - ▣ Number of records matched to passing Score

Status of the Licensure DB



ELDD Participation Levels (Q1 2015)

- Considers:
 - Discipline,
 - Licensure and
 - Scores
- Five Possible Levels
 - 5 Stars
 - 4 Stars
 - 3 Stars
 - 2 Stars
 - 1 Star



Jurisdiction Barriers to Participation

- Legal
- Technology
- Resources

FSBPT can help in all these areas!



Minimum Data Set (MDS)

What is MDS?

- Consistent set of data elements to be collected on all licensees at regular intervals in order to understand workforce needs related to access to healthcare.
- Used to:
 - ▣ Identify workforce needs
 - ▣ Perform workforce planning
 - ▣ Consider alternate healthcare models
 - ▣ Inform legislators

Minimum Data Set and FSBPT

- Delegate Assembly Motion—2012
 - ▣ Support and encourage participation
- MDS Developed by Task Force—2013
 - ▣ FSBPT, APTA and HRSA Representatives
- Task Force Membership Revised—2014, 2015
 - ▣ Contacted state administrators/representatives
 - ▣ Pilot MDS form
 - ▣ Pilot revised MDS form

Final MDS Survey

- www.fsbpt.org/mdsSurvey

- MDS Champions
 - Kathy Arney, NC
 - Mary Keehn, IL
 - Mark Cornwall, AZ

- FSBPT Staff Contact
 - Mark Lane
 - Leslie Adrian

Jurisprudence Assessment Module (JAM)



Jurisprudence Assessment Module

- Jurisprudence
 - ▣ Assesses candidate/licensee understanding of the laws/rules governing physical therapy within the state
 - ▣ Patients are at risk when licensees don't know the law
- JAM
 - ▣ Online and on-demand jurisprudence assessment and learning tool
 - ▣ High-quality, reliable assessment guided by testing industry standards
 - ▣ Psychometric analysis with review and replacement of items as needed

Jurisprudence Assessment Module

- 2015

- ▣ New Jersey

- ▣ New Hampshire

- ▣ Hawaii

- 2016

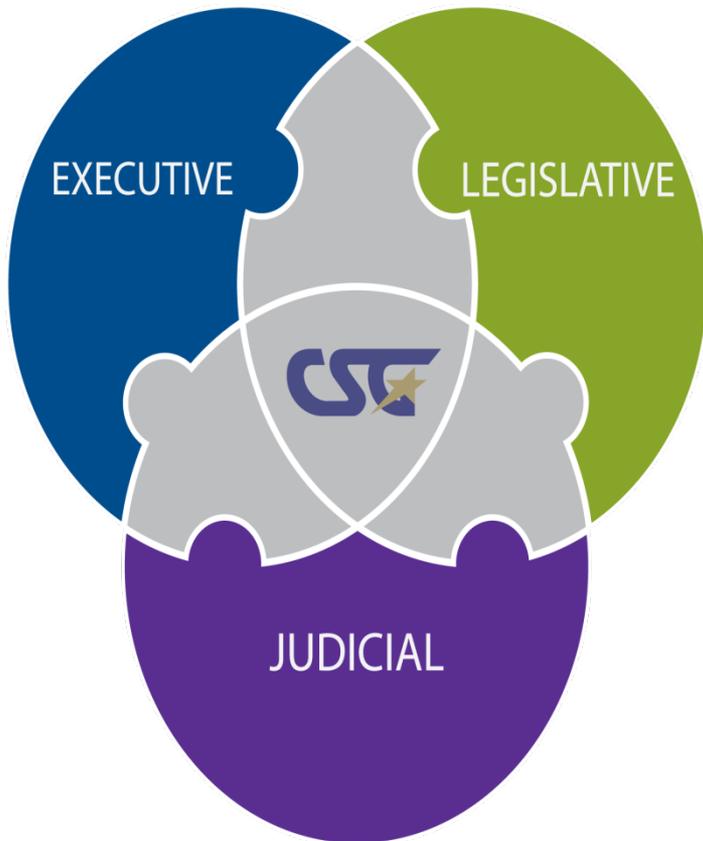
- ▣ Georgia

More than 5,000 JAMs completed in the first 6 months after being introduced

Questions



Who is CSG?



- Non-partisan organization serving all three branches of state government.
- Collaborative, national reach combined with regional offices.
- Fosters the exchange of insights and ideas to help state officials shape public policy.
- Extensive experience providing guidance and technical assistance in the field of interstate compacts.



What is an Interstate Compact?

Has legal status as both state statutes and contractual obligations among member states authorized and protected from impairment by the U.S. Constitution.



Notable Medical and Licensing Compacts

- Nurse Licensure Compact – 24 States
- Compact on Mental Health – 45 states
- Drivers Licensing Compact – 50 states
- Emergency Management Assistance Compact – 50 states
- EMS Licensure Compact – In development
- Medical Licensure Compact – In development
- Physical Therapy Compact – In development

