

Adopted – Board Meeting – December 11, 2024

**North Carolina Board of Physical Therapy Examiners
MINUTES**

September 18, 2024

**2000 Perimeter Park Drive, Suite 160
Morrisville, NC 27560**

Members Present:

Leslie P. Kesler, PT, Chair
Jamie Miner, Secretary/Treasurer
Lisa Johnston, PT
Jerri Shepard, PT
Stephanie Bernard, PTA
Tiffany Needham, PTA
Lee Diehl, MD
Renu Kasula, CEO, Public Member

Staff Present:

Kathy Arney, PT, Executive Director (ED)
Emily Smith, Office Administrator
Jim Ponder, Information Systems Manager
Ellen Roeber, PT, Deputy Director
Joyce Tynes, Finance Manager/Licensing Manager (Remote)

David C. Gadd, Board Attorney

Members Absent:

None

The format for the Minutes is as follows: *V-# Summary of Motion (Board Member who introduced motion)*

A. Preliminary Matters

Announcements

The Chair reminded the Board that there would be a licensee and her attorney coming to the meeting at 1:30 pm for an informal meeting.

B. Meeting Called to Order

The meeting was called to order by Leslie P. Kesler, PT, Board Chair at 8:31 a.m. September 18, 2024. The meeting was conducted in-person and open to the public. The meeting was noticed in the Board office, on its website, and NC Secretary of State website as required by law. There were no requests for

the meeting agenda prior to the meeting. The Chair conducted a roll call; all members were present, as noted above.

Conflict of Interest Reminder by the Chair

The Chair read the required conflict of interest statement from NCGS 138A, reminding members of their duty to avoid conflicts of interest and appearances of conflicts of interest. The Chair asked if there were any known conflicts of interest or appearance of conflicts of interest with respect to any matters that were to be brought before the Board today as required by NCGS 138A. Jamie Miner will recuse herself during the informal meeting deliberation and vote on recommended disciplinary action, due to being a member on the Investigative Committee. No other Board members indicated conflicts of interest with the business before the Board today.

C. Approval of the Minutes

V-32-'24 Passed Minutes June 5, 2024 Board Meeting [Attachment I]

Motion to approve draft Minutes of the Board Meeting held on June 5, 2024. *(Diehl)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard,
Needham, Diehl, Kasula
Members voting in the negative: None

D. Applications for Review [Attachment II]

- Bowman – PTA Revival applicant – Discipline in another state. The individual had disciplinary action in SC which resulted in temporary voluntary license surrender and later license suspension until SC Board Consent Order conditions were met. SC PTA license was reinstated October 26, 2023, and is currently active. Discipline related to falsifying records and billing. Bowman has completed revival application and his personal statement addressing the SC discipline.

V-33-'24 Bowman – PTA Revival applicant

Motion made to approve Bowman PTA license revival based upon the completion of the SC Board requirements. *(Johnston)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard,
Needham, Diehl, Kasula
Members voting in the negative: None

- Petkov – FEPT applicant by exam – Education not substantially equivalent. The applicant’s educational credentials review indicates he is missing Professional Didactic education. The applicant was notified of the deficiencies and possible methods for completion. The Executive Director’s recommendation is that once the candidate has submitted proof of completion of content deficiencies, the education will be reviewed for substantial equivalence in NC, and if approved, the applicant will be approved to sit for the NPTE. The applicant would then be eligible for licensure with a completed application.

V-34-'24 Petkov – FEPT applicant by exam

Motion made to accept the Executive Directors recommendation. *(Diehl)*

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative:	None

- Shaikh – FEPT applicant by exam – Education not substantially equivalent. The applicant’s educational credentials review indicates deficiencies in General and Professional Education. The applicant was notified of the deficiencies and ways to complete them. The Executive Directors recommendation is that once the candidate has submitted proof of completion of content deficiencies, the education will be reviewed for substantial equivalence in NC, and if approved the applicant will be approved to sit for the NPTE. The applicant would then be eligible for licensure with a completed application.

V-35-'24 Shaikh – FEPT applicant by exam

Motion made to follow the Executive Directors recommendation. *(Johnston)*

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative:	None

- **Board Internal NPTE Appeals policy** – The Executive Director presented a rationale for updating Board policy and applicant requirements for approving an exam appeal application based on the FSBPT recent feedback on prior appeal applications and updates involving their exam appeal form and related policy. Background, the Board has agreed by rule to comply with FSBPT exam policies. FSBPT policy allows exam appeal applicants who have failed the NPTE six times or received two low scores the opportunity to appeal for one additional attempt to be completed within one year of approval based on an application approved by a jurisdiction professional licensure board. With these considerations, the following are the Executive Directors policy recommendations for an exam appeal applicant:
 - completion prior to the Board attestation of such:
 - has an active application for licensure in NC;
 - Completion of the requirements for licensure prior to approval for exam appeal including:
 - proof of substantially equivalent or CAPTE accredited education;
 - proof of English proficiency requirements;
 - FBI CBC
 - demonstrated interest in working in NC,
 - a documented and completed robust remediation plan, and
 - completion with a passing score of 1 or more practice tests for the NPTE.

The policy would ensure that exam appeal applicants are eligible for NC licensure with a passing exam score. Board member discussion followed. Highlighted was the benefit to the exam appeal candidate.

V-36-'24 Board Appeals Policy

Motion to adopt the Board Appeals policy recommended by the ED. *(Diehl)*

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative:	None

- Cruz – Exam Appeal Applicant – Appeal applicant does not have an active application with the Board, has not submitted proof of English proficiency, or provided sufficient outline of a remediation plan. The Executive Director (ED) recommendation is the appeal applicant must have an active application for licensure in NC, must provide proof of English proficiency, provide specific written outline of his remediation plan, demonstrate proof of passing 2 NPTE practice tests, and complete his FBI CBC requirement. The Board discussed the applicant’s options for practice tests should the PEAT no longer be an option because he has already taken the PEAT one time. The Board emphasized the importance of assisting the applicant while protecting the public.

V-37-'24 Cruz – Exam Appeal Applicant

Motion made to follow the Executive Director’s recommendations and updated and approved exam application appeal policy. *(Bernard)*

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative:	None

- Board Internal Policy - Update FE Education Credentials Clinical Practice Deficiencies Remediation – The Board currently allows an applicant deficient in clinical practice to complete a supervised clinical practice experience to complete a portion of those hours up to 300 hours allowed by CAPTE requirements. The Performance Evaluation Tool is to be used to assess the candidate’s competence. In addition, at its next meeting the ED will propose updates to Board policy for all educational credentials deficiencies. A portion of the anticipated recommendation is to have the Board consider all deficiencies including clinical practice deficiencies be handled by the educational credentials evaluation entity or another qualified entity such as the FCCPT PLAN assist the applicant meet the deficiencies and return a substantially equivalent educational credentials document to the Board on behalf of the candidate as part of their application for Exam taking and or licensure.

V-38-'24 Update FE Education Credentials Clinical Practice Deficiencies Remediation

Motion made for the Board not to approve documentation, or any type of educational deficiencies (professional education, general education, or clinical education) related to an educational credentials review as the credentialing agency makes all determinations related to educational deficiencies. *(Miner)*

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
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Members voting in the negative: None

- Turenne –Non-CAPTE Educated PT applicant by Exam – The applicant was found by the educational credentialing agency to be lacking both clinical education and professional education credits. The applicant attempted a supervised clinical practice using the Performance Evaluation Tool and is anticipated not to pass the experience. The applicant was advised of the deficiencies and how to remediate them. The Executive Director recommendations are that the applicant complete a clinical internship through an academic program, preferably in the U.S. to meet the educational credentials reviewed deficiencies. A second recommendation from the Executive Director was that the applicant may choose to utilize assistance through PLAN. Once the applicant has submitted proof of completion of clinical education deficiencies and the professional content credit hours, the education will be reviewed for approval of substantial equivalence and if complete, approved to sit for the NPTE. The applicant would be eligible for licensure with a completed application.

V-39-'24 Turenne-Non-CAPTE Education PT Applicant by Exam

Motion made to approve Executive Directors recommendation. *(Diehl)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative: None

- Warburton– PTA Revival by 500 hours – Revival applicant presented the continuing education portion of his revival plan and an outline of the clinical supervision portion. The applicant has not yet identified a supervising physical therapist but is actively seeking employment as a physical therapy aide which meets Board Rule requirements. Board member discussion surrounded the current lack of required objectivity and final report provided by a supervising physical therapist to satisfy the clinical supervision component. For PTAs specifically, CAPTE no longer recommends the CPI and FSBPT does not have a PTA tool for evaluation. Based on this discussion, the Board will research formal PTA clinical education tools and create a document for the supervising physical therapist to complete for Revival by 500 hours candidates to add objectivity to the revival process. Board member discussion concluded Warburton’s proposed plan for revival follows current Board rules.

V-40-'24 Warburton-Non-CAPTE Education PT Applicant by Exam

Motion made to approve Warburton’s proposed continuing education plan for revival. *(Miner)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative: None

- Board staff will consider Practice Act and Rule changes be brought to the Board for consideration regarding revival rule and performance of supervised clinical practice.
- Pass/Fail PT Programs information update that some PT programs have changed from letter

grades to Pass/Fail. For Board member awareness when reviewing transcripts.

- Potential changes to NCGS 93B if HB938 passes in the NC legislature. Changes that would affect NC PT/PTA applications surround misdemeanors and felony convictions. Moral turpitude is no longer allowed to be a criteria for evaluation applications for licensure. Changes would require the application to be updated to include “felony and misdemeanors.”
- PT listing price proposal – A cost analysis was performed by Board staff to arrive at cost recommendation. The Board has statutory authority to charge a fee of up to \$60.00 for licensee lists and can be reimbursed the actual costs of providing a list. Staff cost recommendation for sending a PT listing by email is \$40.00. Once automated the price will go to \$50.00 as it will be more IT maintenance. Custom requests for lists that require additional programming will be charged \$200.00 for 2 hours and \$300.00 for 3 or more hours of programming of the lists. After programming an automated list would cost \$40.00. Organizations outlined in Board Rule 21 NCAC 48G .0108 will remain free (i.e. state and governmental entities; PT/PTA Schools, APTA NC, schools, NC AHECS). The Board requested it could start at \$50.00 instead of starting at \$40.00 since the maintenance work will be done within the year. The anticipated start date is November 1, 2024.

V-41-'24 PT Listing Price Proposal

Motion to start charging \$50.00 for automated PT list requests and the recommending programming costs (\$200-\$300) for lists requiring programming requests. *(Miner)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard,
Needham, Diehl, Kasula
Members voting in the negative: None

E. Closed Session

V-42-'24 Passed – Motion to go into Closed Session

A motion to go into Closed Session was made at 9:50 am, in accordance with GS 143-318.11 (a) (5) to engage in privileged communications with the Board’s counsel concerning Closed Session Minutes of Board Meetings and contracts for services to the Board. *(Diehl)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard,
Needham, Diehl, Kasula
Members voting in the negative: None

V-43-'23 Passed - Return to Open Session

Motion to return to Open Session at approximately 9:51a.m. *(Shepard)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard,
Needham, Diehl, Kasula
Members voting in the negative: None

Approval of actions during the Closed Session

V-44-'24 Passed – Motion to approve Minutes from the Closed Session of June 5, 2024, as written.
(Diehl)

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative:	None

F. Responses from ED/DD to questions addressed at the previous Board Meeting [Attachments III - IV]

Responses to scope of practice questions from the June 5, 2024 Board meeting sent to the licensee asking the question were as follows:

- Can PT licensees perform PCR testing? The Board discussed this question at the June Board Meeting and the Executive Director answered the email with the Board response. For informational purposes only.
- Question from FSBPT – Has the NC Board made any progress on position regarding imaging and PTs? The Executive Director shared this FSBPT initiative in updating referral for imaging information for their Licensure Reference Guide. The Executive Director shared with FSBPT that there have been no changes to report on this topic.

G. Scope of Practice Questions for Board Consideration/Public Protection Task Force (PPTF) [Attachment V]

The Executive Director and Deputy Director reviewed the following with the Board:

- Public Protection Task Force update – Leslie P. Kesler, Chair of the PPTF and Ellen Roeber DD updated the Board on the following topics from the Task Force meeting on August 15, 2024.
 - Supervision and Documentation Position Statement update will be reviewed for approval today.
 - Vision Therapy which will be reviewed for approval today.
 - PTAs and joint mobilization Position Statement--needs updated and modernized, in progress. PPTF will continue to address at the next meeting.
 - Telehealth-topic needs more research and discussion to recommend necessary updates; in progress. PPTF will continue to address at the next meeting.
 - Imaging Referral by Physical Therapists--recent updates/clarifications from other state PT licensure Boards. PPTF will continue discussion.
- Position Statement – Use and Storage of Medication for Iontophoresis and Phonophoresis. This position statement required updating due to modernization of practice and changes to federal law. The NC Pharmacy Board played a role in the position statement update. This position statement will be reviewed for approval today.

V-45-'24 Passed – Motion to approve the position statement as amended was adopted by consensus.

- Position Statement – Supervision and Documentation. The Board tasked the PPTF to review, research, and revise this position statement due to the impact on practice. Supervision and documentation are two of the most consistent and frequent topics of inquiry from the public and licensees to the Board. PPTF recommended changes and updates that were presented to the full Board. The Board discussed the definition of first-hand knowledge. The Board determined that first-hand knowledge should be defined in the position statement and should include record review and patient contact in the definition.

V-46-'24 Passed – Motion to approve the updated position statement on supervision and documentation with amendments was adopted by consensus.

- Board Statement – Business Entities / Corporate Information – Fact based practice resource to guide people more accurately. This document previously was included on the position statement page of the Board website; however, it is more appropriately included currently on the practice resource page of the Board website. David Gadd, Board Attorney, created the updated resource for the public and licensees.

V-47-'24 Passed – Motion to approve the updated article on Business Entities by David Gadd was adopted by consensus.

- Vision Therapy SOP Response - The PPTF has extensively researched this topic to draft a Board response to the question, “Is Vision Therapy within the scope of practice of NC physical therapy licensees?” The draft response is ready for consideration by the Board.

V-48-'24 Passed – Motion to approve the Vision Therapy Scope of Practice response as presented was adopted by consensus.

- Board Website Update - Scope of Practice Web page introduction – The PPTF considered this topic at the August 2024 meeting. The PPTF recommendation for Board consideration is to include a clarifying statement on the Scope of Practice page of the Board website that informs the public that when Board scope of practice response is provided or updated, the most recent response accounts for any former responses and therefore supersedes previous responses on the same topic. No discussion and unanimous Board member agreement.

V-49-'24 Passed – Motion to approve the Board website page Scope of Practice introduction as amended was adopted by consensus.

Does the PT practice include Functional Medicine? This was a question presented to the Board by a licensee. Board Rules state if you are doing functional activities that qualify as PT, the licensee is considered practicing PT even if the modality is called functional medicine and will need to follow the PT Practice Act and Board Rules. The Executive Director will clarify the response with the inquiring licensee.

Laser use and PTA – Unanimous Board member agreement to refer this topic to the PPTF.

Louisiana Statement on Imaging – For informational purposes only. The Louisiana PT licensure Board issued a formal response to the request for clarification on referral for imaging by physical therapists. There is nationwide interest in this topic therefore APTA NC representatives brought this response to the NCBPTE attention. The PPTF is currently considering the topic.

H. Attorney’s Report- including potential legislation and regulatory education

General Attorney Update:

The Board Attorney discussed decision making in remote meetings when the state of emergency law is not enacted based on a Court case in Anson County regarding an elected sheriff that had died right before the election and how the Board of Commissioners handled the reappointment. The Board of Commissioners called for an emergency meeting, two people were in person, three were in by zoom and two not available, this group voted on who to appoint a replacement for the Sheriff. The following day at the regularly scheduled Board meeting, there were new Board members who were all present in person and voted on someone different to appoint a replacement for the Sheriff. Based on the Public meetings law the emergency Board meeting with three virtual Board members was not considered a proper vote (did not constitute a quorum). This case set a precedent that a quorum must be in person based on the Open meetings law.

Board member discussion about committee and task force meetings. The Board attorney advised since committees and task forces were only making recommendations and not Board decisions and given there are never enough Board members present to constitute a quorum; they are not bound by these laws. Thus, allowing committee and task force meetings to be conducted virtually, live, or hybrid is all acceptable.

Legislative Update: The Board Attorney tracks NC legislative bills due to their potential impact on the Board.

- HB938 – This bill was briefly addressed as an earlier agenda item. Relates to moral turpitude. Should this bill pass, it would change the Practice Act and the application form to remove moral turpitude of language. State law supersedes our Practice Act.
- Case Example - Chiropractor that specialized in prenatal care. The chiropractor recommended the patient not see a physician and handle the birth at home. The chiropractor was asked by the patient to assist with the at home birth. There were complications that led to emergency transport of the patient/mother and death of the infant. After the treating physicians advised the patient, this was an unnecessary outcome, the patient filed a complaint with the Chiropractic Board. Discipline included a suspended license and probation. The Board also required the chiropractor to receive patient consent that chiropractic medicine was not being practiced should the chiropractor ever render advice about prenatal medicine. The chiropractor licensee challenged the discipline, and the NC Court of Appeals upheld the Board decision.
- Uniform law commission – will meet in November to give more guidance on the military licensees. Senate Bill 640 is the federal statute regarding military.
- Case outside of NC-360 Drone Services sued the Board of Surveying and Engineering for infringement on his first amendment right of free speech after the Board sent a cease and desist for his services. This case has gone through the Federal 4th Circuit Court of Appeals who determined the Board has the authority to regulate the practice and it is not a freedom of speech issue but a conduct

issue. This case has been referred to the Supreme Court for review. In October, the Supreme Court will determine if it reviews the case.

Regulatory Training:

Transparency in Government and Public Records:

- Transparency in government is required because of the importance of carrying out the will of the people related to money, issues, participation, and fairness. The Board is an arm of the NC Government. Examples: Federally – Providing Accountability through Transparency Act of 2023, NC general assembly – government transparency act 2023 and constitution of NC amendments
- Sunshine Laws – Open meetings law, Public Records Law, and Annual reports and Audits of Occupational Licensing Boards
- Public Records Law GS Chapter 132- allows the public to obtain information free or at minimal cost unless otherwise specified. Minimal cost shall mean the actual cost of reproducing materials. There is no obligation to generate a record that is not already at the Board.
- Reviewed 93B as related to reports and audits. Many examples of how the NCBPTE meets these requirements and how detailed the report information is.
- How to foster transparency – be clear about how the public may attend meetings and participate, make information easy to find, make agendas and information about discussion topic readily available on the website, be clear about how board members are nominated and appointed, educate the Board members on the importance of their service, and respond to record requests in a timely manner.
- Preparation of Board members related to the process related to an informal meeting. The Board Attorney explained a licensee and their attorney were attending today’s meeting for an informal hearing by the Board related to recommended discipline by the Board Investigative Committee. Board Rules allow for this informal meeting. Only general processes were discussed, and no details of the case were provided. The Board was instructed that all questions to the licensee and attorney are public, and any Board discussion is public. The Board ultimate responsibility is to either accept the disciplinary recommendation of the Investigative Committee or recommend something different.

Disciplinary Actions:

Informal Meeting – Mr. Peter O’Connell, legal representative for the licensee, and Licensee Caroline Co.

The Board Attorney opened the informal meeting by reviewing the process with all parties. Both the licensee and her attorney were introduced. The Board attorney then presented the complaint along with a summary of the Investigative Committee process for investigating the complaint and arriving at the current disciplinary recommendation. Below is the summary.

A complainant filed a complaint in May 2023 that Licensee Co injured the complainant while performing Astym during orientation as a chiropractic Technician, in Dr. Wagner’s Chiropractic clinic in Goldsboro, NC. The complaint was reviewed by the Investigative Committee on June 15, 2023. The Investigative Committee met with Licensee Carolina Co and legal representation on October 12, 2023. The Investigative Committee came to a recommendation of a suspended license of 6 months with conditions that included, no Astym for 12 months, completing the PROBE ethics course, no training or supervising PTA, PT Aides or others on site, and the cost of investigation. Later the Investigative Committee adjusted their recommendation to no active term of suspension, an 18 month probationary period in which the Licensee refrains from teaching or training Astym, refrain from training or supervising PT, PT Aides,

PTA, PTA students, within 6 months successful completion of a PROBE ethics course, and reimburse Board for investigative costs based on new information from the Licensee and her Attorney. The Investigative Committee recommended discipline was in response to violations of GS90-270.103 (6) (7) (9), 21NCAC 48G.0601(a)(8)(22), 21NCAC 48C.0101(b). The background of the complaint and the Investigative Committees recommendation was presented to the Board, and the licensee and the licensees legal counsel gave their testimony about the complaint and told the Board a reasonable action with which they would comply. The Licensee Co was willing to do the PROBE ethics course, reimburse the Board for the cost of investigation, and not perform Astym or train Astym. The Licensee was not in agreement with the probationary period or the refraining from training and supervising PTA, PTA students, and PT Aides with the reasoning being it would have a strong economic impact on her PT practice. The Licensee and legal representation did not believe the evidence supported such a ‘drastic remedy’. The Board deliberated and made a motion based on a recommendation of a formal warning, successful completion of the PROBE ethics course, refrain from teaching, training, or practicing Astym, and the cost of investigation.

The Board deliberated and recommended discipline as follows: completion of the PROBE course within 6 months with an unconditional pass, formal written warning letter, reimburse for the cost of investigation, and refrain from training/teaching or performing ASTYM.

V-50-'24 Passed –Informal Meeting Disciplinary Action Recommendation

Motion to accept the Board recommendation as communicated by Jerri Shepard (*Diehl*)

Members voting in the affirmative:	Kesler, Johnston, Shepard, Bernard, Needham
Members voting in the negative:	Kasula, Diehl

Recuse: Miner (Due to Investigative Committee participation)

Meeting Space discussion- Property management for the Board current office space lease informed the Board that the original conference space is no longer available. The lease includes the conference room, 2 separate meeting rooms, and catering space. The landlord has leased the conference room space referenced in the lease to a tenant. A separate space has been identified by property management and is currently being modified to serve the same purpose. Board staff set up a meeting simulation in the new space with concerns which included Wi-Fi connectivity issues, function issues, and offensive odor related to new paint. This space issue is the reason for the Board meeting relocation today to the current location. Board members discussed their concerns. Board members unanimously suggested reimbursement for fair market cost be deducted from rent. The Board Office Administrator has contacted the Dental Board, the Nursing Board, the McKimmon Center, and several area hotels for pricing. Board Members suggested using the hotel pricing to determine fair market cost. The Board Attorney advised the Board he would continue to work with the Board Executive Director and Office Administrator to come to a lease agreement with the current property management and landlord.

I. Executive Director’s (ED) Update – [Attachments VI - VII]

The Executive Director provided verbal updates including the following:

- Board Contact Information - changes go to Office Administrator.
- Current Licensees Count – Growth of 3.9% from third quarter of 2023 to the same quarter in 2024.
- Strategic Plan FY2025 updates – The Board is ‘in process’ for a lot of items and on track to complete them in this FY. Discussed how IT automation will improve efficiency and reduce errors.
- Board Assessment Resource – reviewed and will discuss further at the December 2024 meeting. Executive Director challenged all Board members and Board staff to complete the survey.
- Board Insurance – Annual Review. Office Administrator reviewed highlights of two different options for insurance brokers.

The Board adopted by consensus to move forward with Sentinel for Board Insurance quotes.

- Updating the Minimum Data Set – PTMDS to CPMDS – FSBPT adopted the cross profession minimum data set. **Board adopted by consensus to use CPMDS.**
- Consumer Protection Rating- The disciplinary data is yellow due to not receiving a signed disciplinary letter in a timely manner thus not updating the NPDB in a timely manner.
- Question for the Board: Does the Board support efforts for advocacy for 100% access to ELDD? A background FSBPT is not a government entity and is not a primary source; however, the information that is in the FSBPT is not 100% complete because not all jurisdictions report and it because there are multiple sources reporting into individual licensee records, it’s not real-time accurate. The ELDD does have information about licensees in other states that we need from time to time, such as with military, telehealth registries, etc. The Board is in support of this action: 100% access to ELDD, support of making the FSBPT database more robust. This will improve public protection not only in NC but nationwide.
- Updated Board Organizational Chart – fyi.
- Question for the Board: Support for spending allotted money for NCPHP/remediation services that is not spent for other remediation services? The budget allows \$21,000 to be allocated for certain licensee referrals to NCPHP annually. This has gone partially unspent for two years while other needs have been identified. The Executive Director outline for the Board a potential need to agree upon guidelines around how to utilize the allotted monies for remediation services outside of NCPHP. The Board was in consensus to support the ED recommendation to allow allotted monies for services outside NCPHP remediation services to cover a 30% reimbursement of the CPEP PROBE remediation courses and fitness to practice evaluations, following proof of successful completion, to the licensee.
- New Board interim Investigator – Mike Longmire - FYI
- Recommendation for Educational Credential and English proficiency update December 2024 Board meeting - **The Board adopted a consensus to update the policy based on ED recommendations**
- Updated Board History 2024 FYI, this will be posted on the Board website.

J. Financial Update [Attachments VIII - IX]

- Update - Joyce Tynes, Finance Manager-
 - Status of Financial Audit Preparations FY2024- Expect the report to be done by the first week of October and will be presented at the December 2024 Board Meeting. This is the first year with new auditors and early indications are this experience is successful.
 - FY 2025 Budget revisions and re-adoptions- Salary changes, postage and FedEx, adjusted IT, increased rate for investigator were the main adjustments (increased expenses) to the FY2025 budget. No changes to income. After the adjustments, the budget is close to breakeven and will not require use of the reserves.

V-51-'24 Passed – Motion to approve the adjusted proposed FY2025 budget. (*Shepard*)

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative:	none

- Profit and Loss FY 2024 comparison to FY 2023 – Higher income stream offset by expenses primarily related to IT cloud conversion. Even with increased expenses, net income of 64k.
- Balance Sheet FY 2024 – The Finance Manager reviewed the numbers, and the projections appear good. The cash values continue to increase; the Board is not dipping into reserves. The Board adopted changes in reserves management at the June 2024 Board meeting, and these are positively reflected in the current balance sheet.
- Comparison FY2024 Budget to actual – Projected to see actuals change year over year. Expenses changed due to staffing needs. Bank fees came in lower due to the change in credit card processing vendor. The result is ~500k net income actual compared to budget for FY 2024. The FY2025 budget to FY2024 will be presented at the December 2024 Board meeting.
- Transfer of Funds from Pinnacle to PNC in July and September 2024. Transfers occur regularly to make certain all are FDIC insured. In July 2024/Sept. 2024, transfers were made from Pinnacle to PNC to cover operating expenses. The rationale for keeping money in Pinnacle is because they manage the money in \$250,000 separate amounts that are FDIC insured. During renewals, the finance manager transfers funds from PNC to Pinnacle and then during the year from Pinnacle to PNC. The Board agreed, by consensus, to allow the regular transfer of funds to/from PNC and Pinnacle to keep all Board monies FDIC insured.

K. Report from Deputy Director (DD) - [Attachment X]

- Report from DD – Brief review of highlights from the attached report.

- Part of the DD current role is to shepherd revival applications. There is a current question from a licensee about revival by 500 hours. The Board discussed the gap in resources for this type of revival applicant, particularly PT applicants. The Board discussed the option for collaboration with APTA NC and educational programs to devise a list of NC physical therapist licensees willing to supervise and mentor this type of applicant. For this situation, the Board’s recommendation is to present the licensee with the Board rule and will continue to consider other future alternatives.

L. Committee on Board Rules

- Update – Rules Committee Staff Update – Periodic rules review due August 2025. The initial report may be completed before August 2025; however, it will not be presented by RRC attorney to the RRC until August 2025. Initially, the report requires the Board to identify rules as necessary vs. unnecessary and noting if a rule must align with a federal law. Board staff presented the completed report for the Board review and approval. DD, who is the Board Rules Review Coordinator, discussed general process and timeline with the Board as related to the Periodic Rules Review.
- **V-52-'24 Passed – Motion to accept the Periodic Rules Review report as presented. (Johnston)**

Members voting in the affirmative:	Kesler, Johnston, Shepard, Bernard, Needham, Diehl, Kasula
Members voting in the negative:	None
Did not participate in the vote	Miner

- Board Rules Committee volunteers – Tiffany Needham and Jerri Shepard. The Board Rules Committee will plan to meet prior to the December 2024 Board meeting.

M. Board Information Technology Team Update [Attachment XI]

- IT Update – The IT team is researching options for moving away from VPN to a zero-trust system, working on Entra security changes testing. Linux migration is complete. Moving electronic files to Teams and have two work/staff groups left to move. The Admin tool reskin is going live this week which includes security, data quality, and user improvements. Renewal prep has begun. Working on automation of letter/email from licensing staff which will include improving security of ED/DD signatures. BCP is almost completed and will begin doing drills with staff. The black book automation is slated for January. Upgrading the Wi-Fi device and creating a secured connection and guest network. Security scores improving and cloud costs stabilizing (see metric data).
- Annual Board Member IT inventory and Acceptable use policy – Each Board member has the updated policy, and the IT Systems Manager will be updating hardware, software, and inventory data.
- IT Strategic Plan Update was reviewed by the Board.

N. Correspondence with Schools and Annual School Score Reports [Attachment XII-XIII]

The board was asked if there were any questions about the following. There were no questions.

- Pass Rate 2024 – NC PT and PTA schools
- Pass Rate 2023 – NC PT and PTA schools
- Pass Rate 2022 – NC PT and PTA schools
- Pass Rate 2021 – NC PT and PTA schools
- Updated School Addresses and contacts
- 2024 Exam schedule and Board member notification for score days
- School Presentations
 - DD presents more general regulatory presentations when requested by PT/PTA programs. DD will be doing a webinar in October on continuing competence and in November on PTA scope of practice and supervision. Board members recommend adding recorded licensure presentations for applicants who aren't enrolled in schools in NC, thus not benefiting from the live presentation.
- School Communications – no new communications.
- FSBPT Faculty Newsletter – FYI

O. Prometric

- NPTE Comments submitted by Exam candidates / NC – Results for Q2 2024 – the satisfaction rate for NC Board is steadily increasing.

P. Ethics Commission

- Reminders were issued to the Board members for the following:
- Board Member Ethics Education (required every 2 years) – a link is available for Board member access to training <http://ethics.nc.gov/education>
- SEI Reminder – Due April 15 annually – ALL Board members – click for filing instructions – <https://ethics.nc.gov/seis>
- Ethics Compliance Report was reviewed. All members are in compliance with SEI and Ethics Education

Q. PT Compact Commission [Attachment XIV]

- Compact Update – This is ED final year as chair of the PT COMPACT Committee. ED asked the Board to consider who in the future may perform the role of Delegate. Board members feel should be staff for continuity purposes and given the role of the delegate. **The Board consensus was a Staff member has better insight and understanding into the administration of the PT Compact and recent and current information.**
- Compact Compliance Reports – we are 100% in compliance.
- FSBPT Compact Status Report for Practice Privilege

- Annual Meeting – Virtual December 16, 2024, 1-2pm.
- PT Compact Delegate – will discuss in December 2024

R. Board Appointments 2024

- 2025 Board Appointments – 1 PT and 1 PTA Member appointments. Stephanie Bernard and Leslie Kesler will rotate off Board.
- APTA NC Ballot/Nominations – The Board must have readily available the nomination process. NCBPTE has requested this process from APTA NC 8/20/2024.
- 2025 Balloting closes 2 weeks after notification August 19, 2024.

S. Submission of Reports to State etc.

The board reviewed reports to the state and other information requests during the third quarter of 2024 as follows:

- Ethics Liaison Q2 Expense filing
- OSBM Cost Collection for Civil Penalties, Fines and Forfeitures
- Office of State Controller – FY2025 Internal Control Questionnaire
- HAAP Q2 payroll tax submission to NC DOR
- NCDOR Annual Report – 2024
- Proposed revisions to the Functional Schedule for State Agencies
- Retirement Plan Fiduciary insurance renewal
- SL2024-45 Inactive Boards Project – Report by Legislative Library
- 2024 Wage and Salary Survey – Catapult
- NCDOR-NCBOLD- repeal of state Art of Healing Privilege Tax
- Public Records Requests

T. Election of officers and FSBPT Delegates/Appointment of Standing Committee members

- List as of March 6, 2024
- PT Compact – confirmation of contingency delegate – confirmed Leslie P. Kesler, PT

U. Federation (FSBPT)

- NEW required FSBPT member portal – required for webinar and in-person
- FSBPT Publications - <https://www.fsbpt.org/News-Events/Publications>
- FSBPT Annual Meeting- CBA Report- completed by ED with input from Board staff.
- FSBPT Annual Meeting –
 - Delegate Assembly – required for delegate and alt TBD – Virtual
 - Annual FSBPT Education Meeting October 31- November 2, 2024 – Cedar Rapids, Iowa—Miner is delegate and Kesler is alternate.
- FSBPT Leadership Issues Forum (LIF) – report from FSBPT – ED and Miner attended.
- License verification survey – CBA initiative

V. APTA NC & APTA

- APTA NC

- Annual Meeting – October 11-12, 2024, High Point, NC - ED will attend Friday and DD will attend Saturday and be available as Board representatives to interact with the public and licensees.
- CSM Meeting – Feb. 13-15, 2025 Houston, TX
- Webinar Series (Free) continues look for information on their website www.aptanc.org

W. Other regulatory Organizations –

- CLEAR – opportunities for education

X. Credentialing Agencies

- No new report

Y. Correspondence from ED, Articles, etc.

Articles and emails of interest during the last quarter were as follows:

- Research study participation opportunity - barriers to direct referral for imaging in physical therapy – Wingate University PT Program
- Dry needling task force – FSBPT -Arney email.
- 2022 Annual NC Medicaid Health Equity report
- Employer prohibition on relaying info on patient plan of care – response from Board Attorney to public inquiry.

Z. Dates and Locations for Future Meetings:

Dates for 2025:

Wednesday, March 19, 2025

Wednesday, June 11, 2025

Wednesday, September 10, 2025

Wednesday, December 10, 2025

The upcoming Quarterly Board Meeting will be held at a location to be determined.

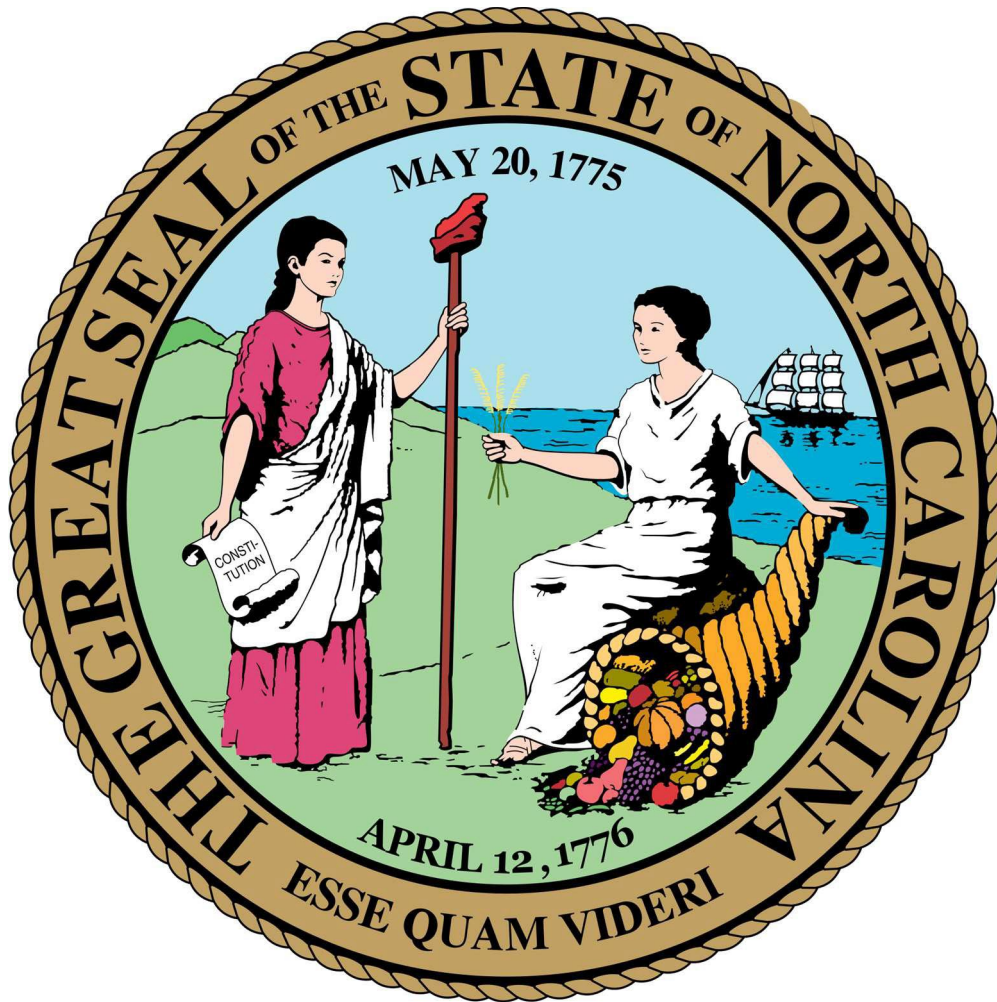
Date–Wednesday, December 11, 2024

Adjourn

Meeting adjourned by Leslie Kesler, Chair at 4:16 PM

Emily Smith
Recording Secretary

Jamie Miner, PT
Secretary-Treasurer



Attachment I

North Carolina Board of Physical Therapy Examiners
MINUTES
June 5, 2024
8300 Health Park, Conference Center
Raleigh, North Carolina 27615

Members Present:

Leslie P. Kesler, PT, Chair
Jamie Miner, Secretary/Treasurer
Lisa Johnston, PT
Jerri Shepard, PT
Stephanie Bernard, PTA
Tiffany Needham, PTA
Lee Diehl, MD

Members Absent:

Renu Kasula, CEO, Public Member

Staff Present:

Kathy Arney, PT, Executive Director (ED)
Emily Smith, Office Administrator
Jim Ponder, Information Systems Manager
Ellen Roeber, PT, Deputy Director
Joyce Tynes, Finance/Licensing Manager

David C. Gadd, Board Attorney

The format for the Minutes is as follows: *V-# Summary of Motion (Board Member who introduced motion)*

A. Preliminary Matters

The Chair welcomed new staff member, Information Systems Manager, Jim Ponder to the meeting.

B. Meeting Called to Order by Leslie P. Kesler, Board Chair for NCBPTE at 8:32 a.m. June 5, 2024. The meeting was conducted in-person and open to the public. The meeting was noticed in the Board office, on its website, and on the NC Secretary of State website as required by law. There were no requests for the meeting agenda prior to the meeting. The Chair conducted a roll call; all members were present except for Renu Kasula, Public Member. A quorum was present.

Conflict of Interest Reminder by the Chair

Leslie P. Kesler, Board Chair, read the Conflict-of-Interest statement by reading the NCGS 138A excerpt. She reminded members of their duty to avoid conflicts of interest and appearances of conflicts of interest. In addition, the chair asked if there were any known conflicts of interest or appearance of conflicts of interest with respect to any matters that were to be brought before the

Board today as required by NCGS 138A. No Board member indicated any conflicts of interest with the business before the Board today.

C. Approval of the Minutes

V-14-'24 Passed Minutes March 6, 2024 [Attachment I]

Motion to approve draft Minutes of the Board Meeting as written held on March 6, 2024. *(Diehl)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl

Members voting in the negative: None

D. Applications for Review

No Applications for Board review.

PTA Score Metrics – the pass/fail rate of NPTE PTA scores was reviewed for reference.

License verification (LV) modernization

E. Roeber, Deputy Director presented on the Board moving to a self-service LV model; This will be a free service to access a LV from the website (current charge is \$30.00 per LV). The licensee lookup is being updated concurrently to include disciplinary status on the first page of the look up. Previously, the process required a licensee to write in a request, staff member creation of a letter and sending it via email to the requested jurisdiction with a copy to the licensee. The self-service model would decrease the time it takes to get information about licensees licensed in NC to other jurisdictions. The \$30.00 fee will no longer be charged and will decrease Board income by approx. \$22,000 per year. This will be offset currently by interest income.

V-15-'24 Passed License Verification Self-Service Model

Motion for the Board to adopt a license verification self-service model *(Johnston)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl

Members voting in the negative: None

E. Closed Session

V-16-'24 Passed – Motion to go into Closed Session

A motion to go into Closed Session was made at 8:47 am, in accordance with GS 143-318.11 (a) (5) and (6) to engage in privileged communications with the Board's counsel concerning Closed Session Minutes of Board Meetings, contracts for services to the Board and employee related matters. *(Deihl)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard,

Members voting in the negative: Needham, Diehl
None

V-17-'23 Passed - Return to Open Session

Motion to return to Open Session at 9:29 a.m. *(Diehl)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard, Bernard,
Needham, Diehl
Members voting in the negative: None

Approval of actions during the Closed Session

V-18-'24 Passed – Motion to approve Minutes from the Closed Session of March 6, 2024, as written. *(Needham)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

V-19-'24 Passed – Motion to approve the Bonus for the Deputy Director for the fiscal year 2024, in addition to any salary compensation as documented in the Deputy Director Performance Review documentation. *(Diehl)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

V-20-'24 Passed – 2. Motion to approve the salary and/or Bonus and/or other changes for the Executive Director for the fiscal year 2025 as documented in the Executive Director Performance Review *(Bernard)*

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

F. Responses from ED/DD to questions addressed at the previous Board Meeting [Attachments II-IV]

- Response from FMCSA Customer Service – NC PTs as DOT Medical Examiners
- DME Prescriptions – vaginal dilators
- PTA and suctioning response to inquiry

G. Scope of Practice Questions for Board Consideration/Public Protection Task Force (PPTF)

Public Protection Task Force update – Leslie P. Kesler, Chair of the PPTF and Ellen Roeber DD updated the Board on the following topics from the Task Force meeting on May 8, 2024.

- PT Delegation of suctioning to a PTA – the response was approved by the Board and posted on the website
- Telehealth questions – referred to PPTF
- Biennial Position Statement Review- every other year the Board reviews the content and accuracy of the Boards Position Statements. There are currently 21 Position statements listed on the Board’s website. Board staff reviewed the statements and recommendations were as follows: eight (8) were reviewed and will stay the same, four (4) are currently being reviewed and revisions will be brought to the Board by the September 2024 meeting, and nine (9) statements were revised and presented to the Board for review and approval.

V-21-'24 Passed – Motion to approve the revisions to 9 position statements reviewed by the Board. (Diehl)

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl
Members voting in the negative:	None

- PTAs administering laser treatments – referred to PPTF
- PTAs performing peripheral mobilizations - continued work by the PPTF. Arney received another question from a PTA program director regarding this topic. PTAs joint mobilization – conflicting guidance between FSBPT and APTA, the PPFT continues to review the question
- Can PT licensees perform PCR testing in respiratory, urinalysis, GI, or wounds?– After discussion and input from the MD member, it was determined that this fits within the Board position statement regarding medical procedures outside the scope of PT that can be performed by PT licensees if they are trained, competent and the results are reviewed and addressed by an appropriate medical professional. The position statement will be updated with these addition and question-asker advised of the response.

H. Attorney’s Report- including potential legislation and regulatory education

General Attorney Update:

- 2023 had double the number of complaints, and they are on track to do the same for 2024. Currently have about 30 complaints. Current process once the complaint comes in, the investigator Mark Scott will gather all the evidence. Many complaints have to do with documentation issues and billing for services not performed due to pressure from employers.

Legislative Update: bill tracking due to possible impact on the Board.

- Rule proposed by the RRC – A rule that has been adopted would restrict

licensing agencies would prevent withdrawing a rule for modification.

- Uniform law commission is coming together to create uniform laws across the states as it relates to the Federal Military licensure law from 2023. Stay tuned for the outcome.

Disciplinary Actions:

- Failure to renew a license – licensee P3518 – Licensee was lapsed for 2 years and has a business that consults employers working environment. Continued to provide consulting services throughout the 2 years of a lapsed license. Recommendation from the Investigative Committee is a warning letter and it'd go on the licensee's file and would be reported to the NPDB and pay the cost of the investigation.

V-22-'24 Passed – Motion to approve the Investigative Committee recommendation for Warning and pay costs of the investigation for failure to renew a license and continued work as a licensee. (Shepard)

Members voting in the affirmative:	Kesler, Johnston, Shepard, Bernard, Needham, Diehl
Members voting in the negative:	None
Members abstaining:	Miner

- Review of recent voluntary surrender – PTA was in a treatment facility during the day, and the employer found entries for treatments after the time she left work and the patients corroborated they were not treated by her. Investigative Committee recommendation that would be revocation/suspension of the license for a portion of time and courses. The PTA requested a voluntary surrender. The Board will submit her voluntary surrender to the NPDB. The investigative committee recommended if the licensee requests licensure again in NC that a 6 month wait period and remedial courses be done before being licensed again.
- Voluntary Surrender – case of a licensee who chose voluntary surrender vs. disciplinary action was reviewed.

Regulatory Training:

- Biennial 93B Required Regulatory Training - During the biennial training, regulatory requirements for occupational licensing boards were reviewed and discussion was had with the Board. These topics included but were not limited to:
 - NC Physical Therapy Practice Act - reviewed definitions, Board of Examiners make up, the Board Powers, applicant qualifications, exemptions, unlawful practice, disciplinary actions, and other modalities.
 - Board Rules – reviewed administration, types of licenses, scope of practice, retention of license, discipline, rulemaking, PT Compact, qualifications of

- compact privilege, and compact rules.
- NC Administrative procedures Act – reviewed policy and scope, special provisions on licensing, declaratory rulings, article 2A. rules, administrative hearings, judicial review,
- Public records law – reviewed this statute and the exceptions.
- Open Meetings law – reviewed how everything is open to the public and the exceptions, and closed sessions.
- Other laws – State tort claims act, the defense of state employees’ law, the state government ethics act, lobbying, and antitrust law and state action immunity.

The Board asked questions about application of these laws which Attorney Gadd answered.

I. Executive Director’s (ED) Update – [Attachments V-VII]

The Executive Director provided verbal updates including the following:

- Board Contact Information
- Current Licensees Count – Growth of **4.3%**
- Strategic Plan FY2024 wrap up – mostly “green” = complete, goals not accomplished will move to the FY2025 plan.
- Strategic Plan Proposed FY2025 – ED reviewed the FY2025 additions created with the strategic planning committee.

V-23-'24 Passed – Motion to approve the proposed Strategic Plan for FY2025 (Bernard)

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl
Members voting in the negative:	None

- Board Insurance – Annual Review with the Board; additional estimates for costs savings are being sought.
- Response to letter submitted to NCDIT requesting permission to collect credit card fees – charging of credit card transactions costs was approved. July 1, 2024 the Board will charge 2.9% +.52 cents per transaction for services and documents paid for with credit cards.
- Arney requested the Board approve of action taken – movement of funds from PNC to Pinnacle in February and March of 2024.

V-24-'24 Passed – Motion to approve the movement of funds from PNC to Pinnacle (Diehl)

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl
Members voting in the negative:	None

- Responses from questions posed to FSBPT were reviewed and discussed. Topics include:
 - Special Accommodation requests for exam candidates
 - Access to information in the FSBPT database – military members in particular
 - Request for review of FSBPT position on their website re: PTA joint mobilization
 - Differences in FSBPT vs. NCBPTE database even with data sharing
 - FSBPT Coursework Tool calculation of supervised clinical practice hours
- Arney will follow up with additional information and requests for information.

- New policies and procedures were reviewed by the Board and considered for adoption: Social Media Use, Credit card use and Accounts Payable Policies.

V-25-'24 Passed – Motion to approve all three policies (Needham)

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl
Members voting in the negative:	None

J. Financial Update [Attachment VIII]

- Update - Joyce Tynes, Finance Manager-
 - Profit and Loss 4th quarter FY 2024 – due to interest income and renewal rates going up in 2024 we will be \$180k ahead of where we anticipated. With the IT third party service provider costing more than anticipated, the total year over year will be about \$70k.
 - Balance Sheet 4th quarter FY 2024 – Good news
 - Anticipated FY2024 Budget to actual – higher keep rate of PTs/PTAs, higher interest income, credit card fees are down due to change to authorize.net, project 200k above budget, 300k under projected costs, projected more money going to the bank and no need to get into reserves.
 - Finance and Audit Committee –
 - Minutes – May 20, 2024 Meeting – were provided for reference
 - Recommendation for approval of FY2025 budget

V-26-'24 Passed – Motion to move the cost-of-living increase from 3% to 5% for FY2025 for all employees (Miner)

Members voting in the affirmative:	Kesler, Miner, Johnston, Shepard, Bernard, Needham, Diehl
Members voting in the negative:	None

V-27-'24 Passed – Motion to accept the proposed fiscal year 2025 budget as presented, pending revisions when performance reviews are completed, and merit increases in addition to cost of living are determined. (Miner)

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

- The Board reviewed the designated reserves for any adjustments. Recommendations were to decrease the continuing education \$25,000, increase the payroll reserve to \$900,000 and create an office expenses reserve of \$150,000. The overall designated reserve total is \$2,950,000.

V-28-'24 Passed – Motion to accept the allocation of the reserves (*Bernard*)

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

- Review of legal contact and dba for banking contracts and noticing – Arney explained the need for this policy and a letter signed by the Chair to assure our banking contracts list the proper legal contact, yet have the authority for a DBA Administrator who can access the account to do financial review and transactions.

V-29-'24 Passed – Motion to approve the letter for the banking contracts or adopt this policy (*Shepard*)

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

K. Report from Deputy Director (DD) -[Attachment IX]

- Report from DD – reviewed 18 courses during this calendar year, pushing to APTA NC when needed. The randomized audit began with 175 PTs and 125 PTAs. Newsletters will continue to go out and move into pushing informational posts on to social media outlets. Revivals will be transitioned to an elec. Outreach has helped with initial applicants and questions from teachers. PPFT has been a huge role and the research for topics has been good.
- Continuing competence audits update was presented
- Monthly Newsletters – 2024 March, April, and May were provided for reference

L. Committee on Board Rules

- Update – Rules Committee Staff Update
- NC PT Practice Act – technical changes and companion document – recommendations were made and presented by staff for board consideration

V-30-'24 Passed – Motion to accept the proposed changes to the NCPT Practice Act (Bernard)

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

- General Statues Commission – Practice act updates
- Approve engagement of Rulemaking consultant, Dedra Alston per letter of agreement

V-31-'24 Passed – Motion to approve engagement of the Rulemaking consultant, Dedra Alston of DA Rulemaking and Consulting (Bernard)

Members voting in the affirmative: Kesler, Miner, Johnston, Shepard,
Bernard, Needham, Diehl
Members voting in the negative: None

M. Committee on Information Technology [Attachment X]

- Introduction to Jim Ponder, Information Systems Manager
- IT Update - tweaking servers to be more cost effective, looking into VPN replacement, working on creating a BCM document by end of the year, Teams will be our new phone system, donated the old servers, using knowbe4 security trainings, and eventually will be using AI.
- IT Strategic Plan Update – creating a FY2025 plan for September, all but a few activities for FY2024 have been completed the ones not completed will continue on the FY2025 strategic plan.
- IT support – references for contacts for Board members were provided and will be included in the next Board contact list update.
- Discussion of Fax or fax alternatives – only receive two documents via fax. IT recommends dropping the fax. An alternative to this will be identified.

N. Correspondence with Schools and Annual School Score Reports [Attachment XI]

- Updated Contact List of PT/PTA Academic Programs – posted on the Board website – please note any changes and let staff know.
- Multi-school score reports were made available for review for 2021, 2022, 2023 and 2024
- School Presentations – Deputy Director reached out to all the schools and has actively made contact with all 21 programs. She will continue to do presentations as invited and reach out and offer to present.
- School Communications No new communications to discuss
- Exam Dates 2024 – see reference on FSBPT website

O. Prometric [Attachment XII]

- NPTE Comments submitted by Exam candidates / NC – Results for Q1 2024
No Board feedback at this time.

P. Ethics Commission

- Reminders were issued to the Board members for the following:
- Board Member Ethics Education (required every 2 years) – a link is available for Board member access to training <http://ethics.nc.gov/education>. A reminder to submit a voucher for Ethics Education was issued.
- SEI Reminder – Due April 15 annually – ALL Board members – click for filing instructions – <https://ethics.nc.gov/seis>
- Ethics Compliance Report – please review for dates of next Ethics Education due.
- New form to update Board/agency membership or ethics liaison form – link is provided
- NC State ethics commission newsletter March 2024 = for reference, it's all about SEIs and proper filing and compliance

Q. PT Compact Commission

- Compact Update – making money for the first time; Compact statute has been adopted by 37 jurisdictions.
- Compact Compliance Reports – NC is compliant 100% across the board with data sharing, unique identifier usage (FSBPT ID), submitting investigations and disciplinary actions.
- PTCC Proposed Rules, Bylaws and Policy Procedure updates have been noticed and will be published on the Board website for 30 days
- PTCC letter sent to all member state Medicaid offices.
- PT Compact Module for educations – available
- June 17, 2024 full PT Compact Commission meeting will be held to adopt Rules, Bylaws and Policy Procedure changes

R. Board Appointments 2024

- 2025 Board Appointments – 1 PT and 1 PTA Member appointments – APTA NC is currently accepting nominations
- Interpretation of NC PT practice act – Board nominations, compact privilege holders do not qualify to nominate as they are not NC residents.
- Nominations: a request to update consent to serve documentation and letter was received. Staff and Board attorney will update the document and provide it to APTA NC to appropriate nominees. Board members all provide input for the updates.

S. Submission of Reports to State etc. [Attachments XIII-XV] The following reports have been

submitted to various state agencies and other external entities as required and requested:

- Annual Submission of 2023 minutes to the state archives
- 2023 OSBM Annual Fee Report
- NEIS Audit report for period 3/15/23 – 3/15/24
- 2024 Annual survey of public employment and payroll
- 2024 NC Department of Commerce – BOLD report
- NC Department of Insurance – Crime Policy – 3/1/2024-3/1/2025
- NCBPTE Board member SEI filing – complete
- Ethics Liaison expense filing Q1 2024 – complete
- NCQA primary source verification – CIGNA
- RxDC Survey, Blue Cross Employer group data
- NC PHP Contract review – ‘evergreen’ unless one party has changes
- HAAP Q1 payroll tax submission to NC DOR
- BCBS medical loss ratio questionnaire - completed

T. Election of officers and FSBPT Delegates/Appointment of Standing Committee members

- List as of March 6, 2024
- No elections – June 2024

U. Federation (FSBPT)

- FSBPT Publications
- FSBPT Annual Meeting –
 - Leadership Issues Forum (LIF) – July 13-14, 2024, Arlington, VA
 - Delegate Assembly – required for delegate and alt TBD – Virtual
 - Annual FSBPT Education Meeting October 31- November 2, 2024 – Cedar Rapids
- NEW required FSBPT member portal – required for webinar and in-person
- Response from FSBPT to Board and staff questions

V. APTA NC & APTA

- APTA NC
- Annual Meeting – October 11-12, 2024, High Point, NC
- Webinar Series

W. Other regulatory Organizations –

- CLEAR – opportunities for education – update the new board members to this.

X. Credentialing Agencies

- No new report

Y. Correspondence from ED, Articles, etc.

- Question regarding PTs ordering imaging
- Legislation to protect mandated reporters

Z. Dates and Locations for Future Meetings:

Dates for 2025:

Wednesday, March 19, 2025

Wednesday, June 11, 2025

Wednesday, September 10, 2025

Wednesday, December 10, 2025

Upcoming Quarterly Board Meeting will be held at 8300 Health Park, Garden Level Conference Room, Raleigh, NC 27615.

Dates –Wednesdays

September 18, 2024

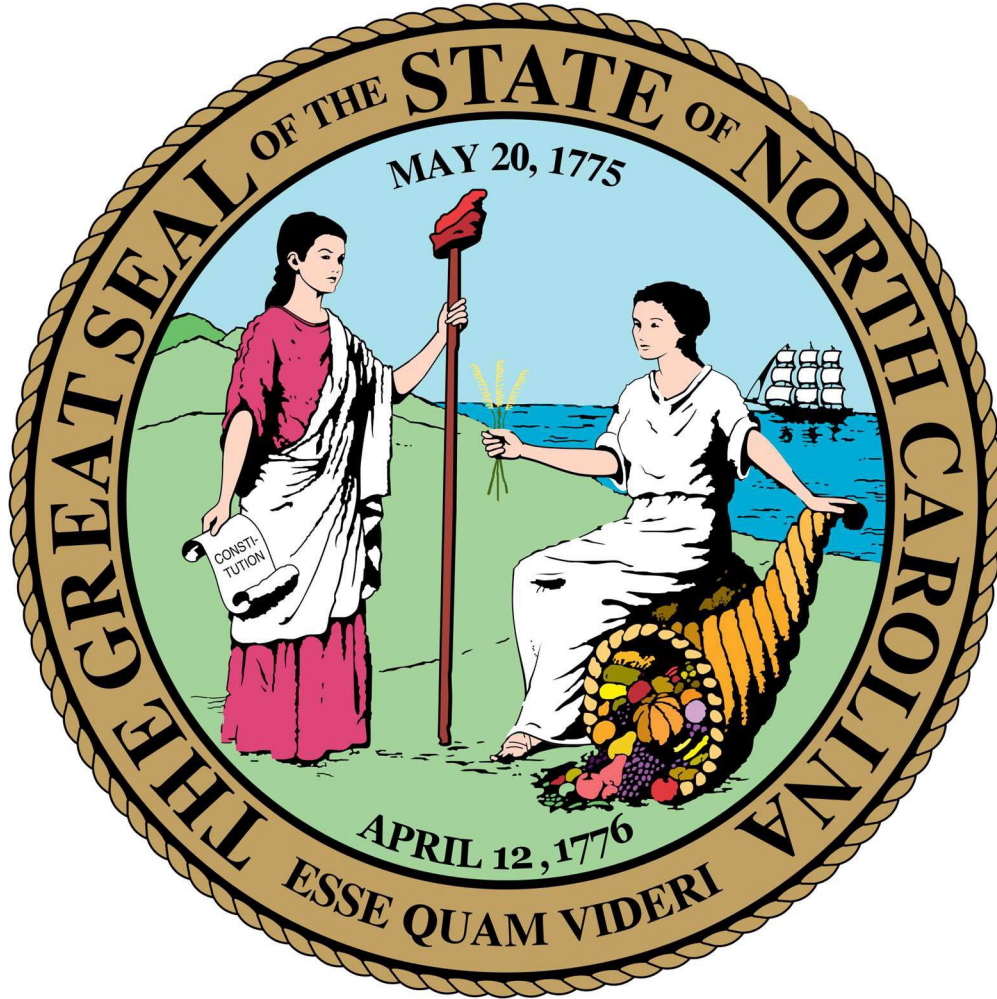
December 11, 2024

Adjourn

Meeting adjourned by Leslie Kesler, Chair at 2:00 PM

Emily Smith
Recording Secretary

Jamie Miner, PT
Secretary-Treasurer



Attachment II

**NC Board of Physical
Therapy Examiners**

Memo

To: North Carolina Board of Physical Therapy Examiners

From: Kathy O. Arney, PT, MA, Executive Director

cc: David C. Gadd, Attorney

Date: 09-18-24

Re: NPTE Appeals Internal Process - Revision

The NC Board of PT Examiners has adopted the Federation of State Boards of Physical Therapy Exam Policies per Board rule. The 2024 policies include a brief section on Exam Appeals. There are several reasons for an applicant to appeal to take an exam again, but the most common reasons for the Board to address are failure to pass on any of the allowed six (6) NPTE attempts, or two (2) low scores received on the NPTE. North Carolina, by virtue of adopting the NPTE policies, has agreed to limit exam attempts to a maximum of 6 times and 2 low scores.

In the past, the Board had not formalized procedures for reviewing these applications for appeal, rather utilizing the exam appeal form required by FSBPT and requiring applicants to complete the form. It has become apparent that the FSBPT Board of Directors who review the appeal applications would like certain information to be present on the form.. Specifically, the Board needs to attest that the applicant meets the requirements for licensure in NC prior to submitting the appeal for consideration.

By way of additional background information about the appeals process, appeals first became readily available on or about 2014 after:

- FSBPT limited the NPTE to 5 times per year due to a cheating scandal.
- Research was undertaken by FSBPT to determine the characteristics of those that pass the NPTE and those that are not passing. Those that are not passing likely have these characteristics:
 - Long length of time since graduation

- Insufficient English proficiency
- More likely have a non-CAPTE education.
- Have more than six (6) attempts to take the NPTE without passing.
- Have 2 or more scores below four hundred (400) taking the NPTE without passing.
- Insufficient remediation of deficiencies noted on taking an exam and failing in one more content areas.
- The NPTE was limited to a maximum of six (6) times and two (2) low scores for an applicant to be eligible to continue to take the test.

More recently, post-pandemic, the FSBPT appeal form has been updated (Addendum 1) and the FSBPT BOD has made specific requests of the Board. The only option for those who do not have a passing NPTE score after the 6th attempt, or those who have 2 low-scores, is to submit an appeal for one additional attempt. If granted, this attempt must be completed within one year of the appeal being granted. Because the decision carries such high stakes to an applicant who otherwise will not obtain a PT or PTA license in the U.S., the Board should seriously consider the requirements for exam appeal applications.

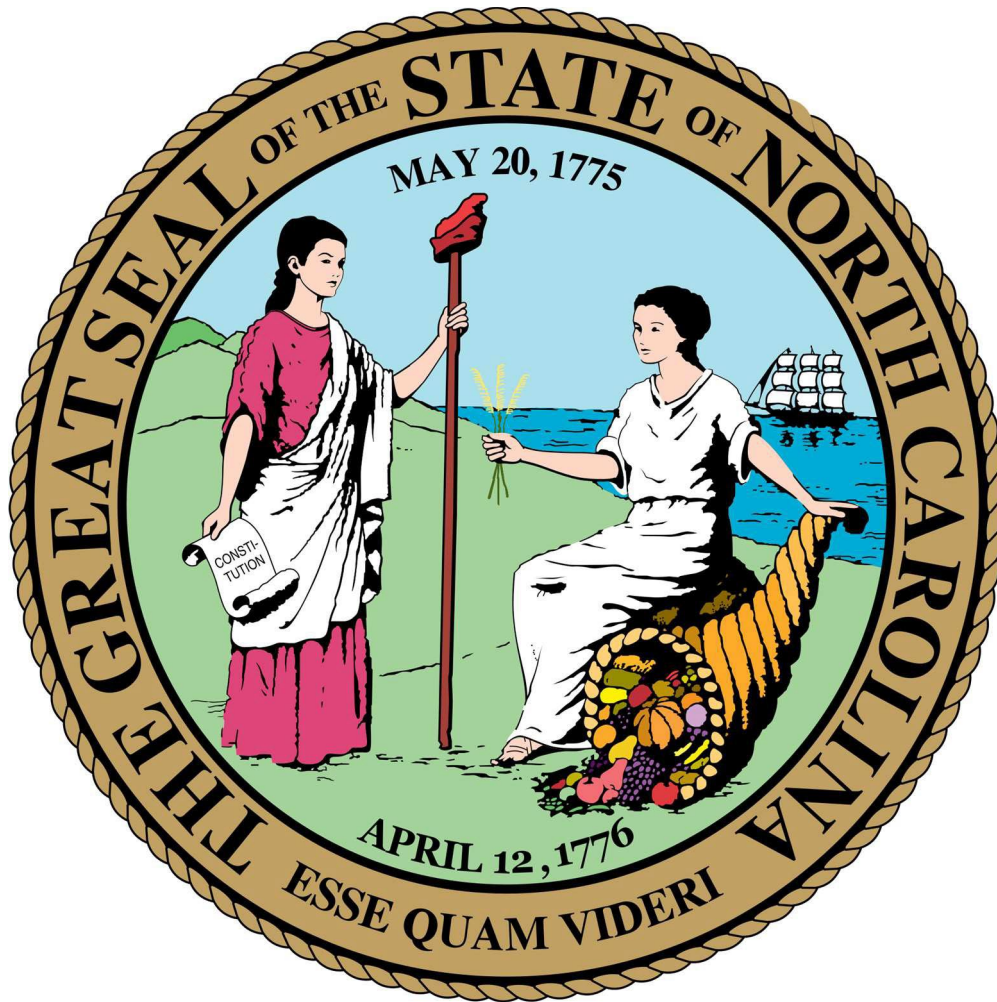
The attestation section of the FSBPT Appeal form states as follows:

Licensing Authority Attestation: I have reviewed the individual's prior examination history. S/he is eligible to sit for the exam and meets all licensure requirements and will be eligible for licensure in this jurisdiction if s/he passes the NPTE. I certify that I am authorized to present this request on behalf of the physical therapy licensing authority.

Before signing the attestation, it is recommended the Board adopt the following requirements related to the Application:

- The application must be active in NC.
- All application components are complete prior to appeal submission (refer to Application Status page). This includes proof of a substantially equivalent or CAPTE accredited education, proof of English proficiency (if non-CAPTE educated) and FBI CBC.
- The applicant must have stated interest in practicing in North Carolina (This addresses a frequently asked question of FSBPT and is asked to minimize "jurisdiction shopping" for a state that will just approve an appeal application. A commitment to practice in the jurisdiction consists of a written statement from the applicant or other proof of job availability once licensed and a licensure application).
- Proof of completion of a remediation plan (This may include additional course work and passing scores on NPTE practice tests such as PEAT, retired PEAT or Scorebuilders).

Updating Board policy to institute the above noted recommendations optimizes the success of the appeal, assures the Board it has accurately attested to the requirements of FSBPT policy and addresses issues most critical to the applicant in achieving a passing exam score.



Attachment III

From: [Kathy Arney](#)
To: [Strait, Leigh](#)
Cc: [Kathy Arney](#); [Kathy Arney](#)
Subject: RE: Scope of Practice Question
Date: Thursday, June 6, 2024 9:49:10 AM
Attachments: [image001.png](#)

Ms. Strait,

In response to your emailed question below to the NC Board of PT Examiners, at it's meeting June 5, 2024, the Board considered your question. This falls into the same category as other medical procedures described in the Board's position statement [Performance of Medical Procedures Requested of Physical Therapy Licensees in Healthcare Settings \(Formerly: Performance of Finger Blood Specimens\)](#) (click here to access). Please review this prior to performing a PCR test to assure your understanding of the Boards position.

The Board will update its posting of this position statement in the coming weeks with the addition of the PCR testing for future reference. Please let me know if you have any additional questions.

Kathy

Kathy O'Dwyer Arney, PT, MA
Executive Director
North Carolina Board of Physical Therapy Examiners
8300 Health Park, Suite 233
Raleigh, North Carolina 27615
Phone: (919)490-6393;(800)800-8982
Fax: (919)490-5106
email: karney@ncptboard.org
Web address: www.ncptboard.org

E-Mail correspondence to and from this address may be subject to the North Carolina Public Records Law "NCGS. Ch.132" and may be disclosed to third parties

From: Strait, Leigh <Leigh.Strait@CenterWellHomeHealth.com>
Sent: Tuesday, June 4, 2024 4:44 PM
To: Kathy Arney <karney@ncptboard.org>
Subject: Re: Scope of Practice Question

Thank you, Kathy. I appreciate your looking into this.

Leigh E. Strait, MPT, Cert. MDT

WNC Area Rehab Director/Home Health Clinic Operations Strategy Lead
CenterWell Home Health
C-(585)704-7733



From: Kathy Arney <karney@ncptboard.org>
Sent: Tuesday, June 4, 2024 4:42 PM
To: Strait, Leigh <Leigh.Strait@CenterWellHomeHealth.com>
Cc: Kathy Arney <karney@ncptboard.org>; Kathy Arney <karney@ncptboard.org>
Subject: FW: Scope of Practice Question

This Message Is From an External Sender
This message came from outside your organization.

[Report Suspicious](#)

Ms. Strait,

In response to your emailed question to the NC Board of PT Examiners, the Board has not been asked this specific question previously. I will need to check with the Board at its next meeting June 5, 2024 and get back to you. Additional research may need to be completed prior to providing you with an answer. You are welcome to check back with me periodically until I have an answer for you.

Kathy

Kathy O'Dwyer Arney, PT, MA
Executive Director
North Carolina Board of Physical Therapy Examiners
8300 Health Park, Suite 233
Raleigh, North Carolina 27615
Phone: (919)490-6393;(800)800-8982
Fax: (919)490-5106
email: karney@ncptboard.org
Web address: www.ncptboard.org

E-Mail correspondence to and from this address may be subject to the North Carolina Public Records Law "NCGS. Ch.132" and may be disclosed to third parties

From: Strait, Leigh <Leigh.Strait@CenterWellHomeHealth.com>
Sent: Tuesday, June 4, 2024 3:27 PM
To: PTBoard <ptboard@ncptboard.org>

Subject: Scope of Practice Question

You don't often get email from leigh.strait@centerwellhomehealth.com. [Learn why this is important](#)

Good afternoon,

Are physical therapists permitted to perform PCR testing for respiratory, urinalysis, GI, or wounds in North Carolina?

Leigh E. Strait, MPT, Cert. MDT

WNC Area Rehab Director/Home Health Clinic Operations Strategy Lead

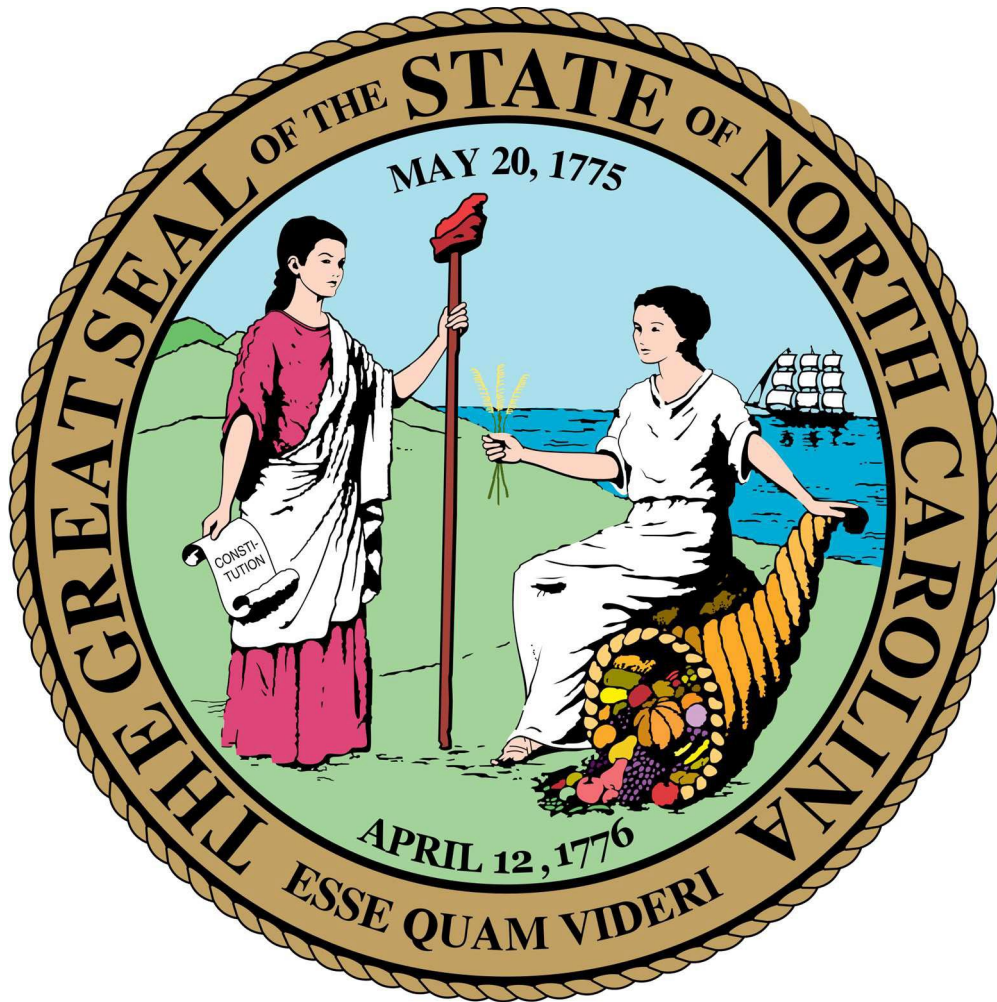
CenterWell Home Health

C-(585)704-7733



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The information contained in this Email transmission is intended only for the use of the individual or entity to whom it is addressed. It may contain privileged, confidential, and/or protected health information. If you received it in error, you are on notice of its status. Please notify us immediately by reply email and then immediately delete this message from your system. Do not copy it, use it for any purposes, or disclose its contents to any other person. To do so could violate state and Federal privacy laws. Thank you for your cooperation. Please contact the sender if you need assistance.



Attachment IV

From: [Leslie Adrian](#)
To: [Kathy Arney](#)
Subject: Imaging
Date: Thursday, June 6, 2024 5:00:13 PM

Hi Kathy,

Has the NC board made any progress on position regarding imaging and PTs?

Thanks,

Leslie

Leslie Adrian, PT

DPT, MPA

Director of Professional Standards

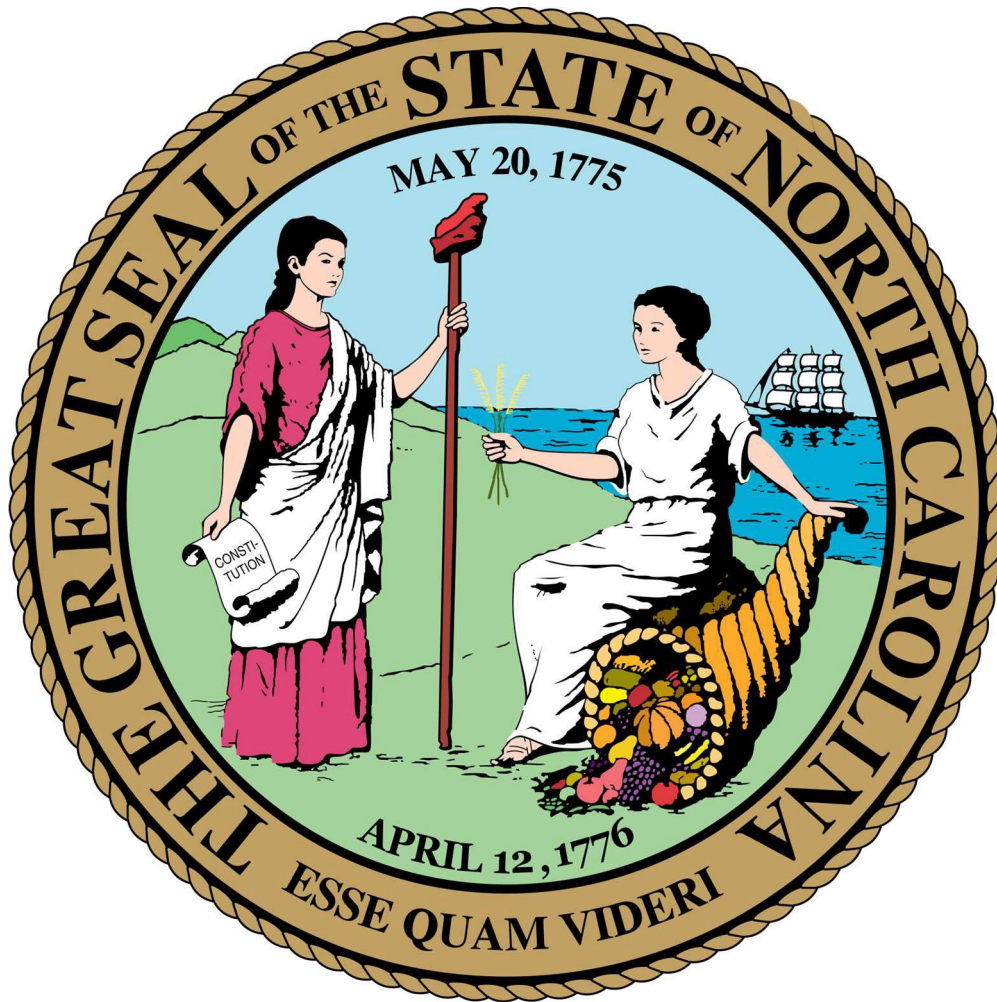
Federation of State Boards of Physical Therapy

124 S. West Street, 3rd floor

Alexandria, VA 22314-2825

703-299-3100 ext 233

ladrian@fsbpt.org



Attachment V

Position Statement – North Carolina Board of Physical Therapy Examiners

9. Use and Storage of Medications for Iontophoresis and Phonophoresis

Adopted – September, 23, 2005 and October 12, 2005

Reviewed – September 23, 2010, June 17, 2015, June 6, 2018, September 2, 2020, June 8, 2022

Revised – June 27, 2024

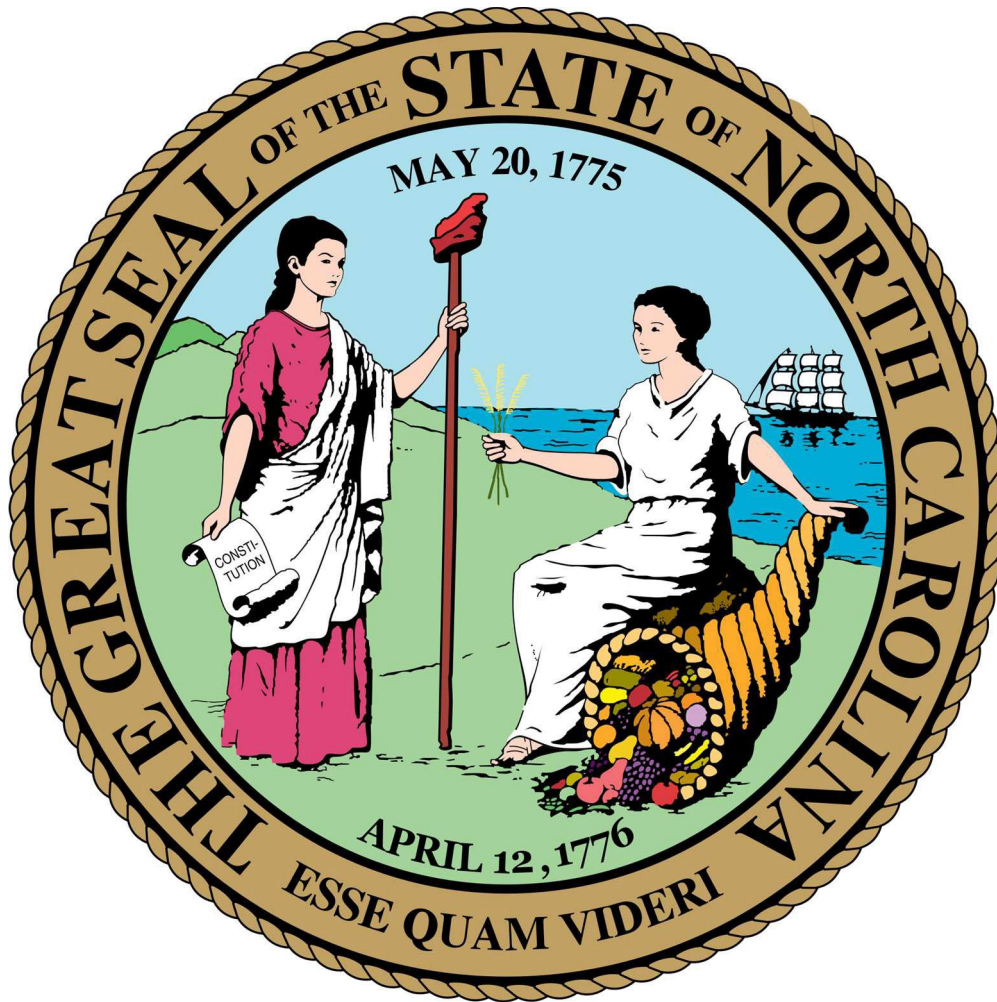
As a result of changes in federal law, pharmacies are now prohibited from compounding drug products for “office use.” The purchase of a drug product other than for an individual patient prescription is considered a wholesale transaction by the Food and Drug Safety Division of the NC Department of Agriculture unless that pharmacy is licensed as a prescription drug wholesaler.

Physical therapists use commercial or compounded products with Phonophoresis and Iontophoresis treatments. The most common drugs used in these procedures are dexamethasone and hydrocortisone.

Based on the changes in federal law and response from the NC Board of Pharmacy, when physical therapy licensees incorporate iontophoresis or phonophoresis in the treatment, the NC Physical Therapy Board encourages licensees to consider the following:

- All patients who receive iontophoresis or phonophoresis with prescription medications by a physical therapist or physical therapist assistant must have a signed individual prescription or written protocol from a physician that indicates specific dosages. A “blanket order” for iontophoresis or phonophoresis is not sufficient. Physical therapy direct access does not allow a physical therapist to administer prescription medications without a physician’s order.
- The physical therapy practice should maintain accurate records of all patients who receive iontophoresis and phonophoresis that includes the name of the patient, date of treatment, referring physician, type of treatment, and specific dosage of medications.
- The physical therapist may store iontophoresis and phonophoresis prescription medications for use on the individual patient who received the written prescription; however, all expired medications should be properly discarded in a timely manner.

*Kathy Arney, PT, MA, Executive Director
NC Board of Physical Therapy Examiners
8300 Health Park, Suite 233, Raleigh, NC 27615
Phone: 1-919-490-6393/800-800-8982
karney@ncptboard.org / www.ncptboard.org*



Attachment VI



Exam, Licensure & Disciplinary Database (ELDD) Consumer Protection Rating (CPR)

We need you!

The ELDD is only as good as the disciplinary, licensure, and exam score information it contains. Each jurisdiction has an important role to play in creating the most accurate database available.

Want to know your jurisdiction’s impact on the ELDD’s ability to further the public protection mission of all FSBPT member boards? See below!

North Carolina	<i>Active Compact Member State - Yes</i>
-----------------------	--

Consumer Protection Rating (CPR)

FSBPT ID	Licensure Data	Disciplinary Data

Ratings Key:

	Actively Participating
	Working towards Participating
	Not Participating

Contact ELDD@fsbpt.org to learn how your jurisdiction can improve its participation in the ELDD or to let us know of specific roadblocks your jurisdiction has to participating.

FSBPT ID	
Status on FSBPT ID	Stores FSBPT ID in their database and sends FSBPT ID via the API.
Next Steps	None

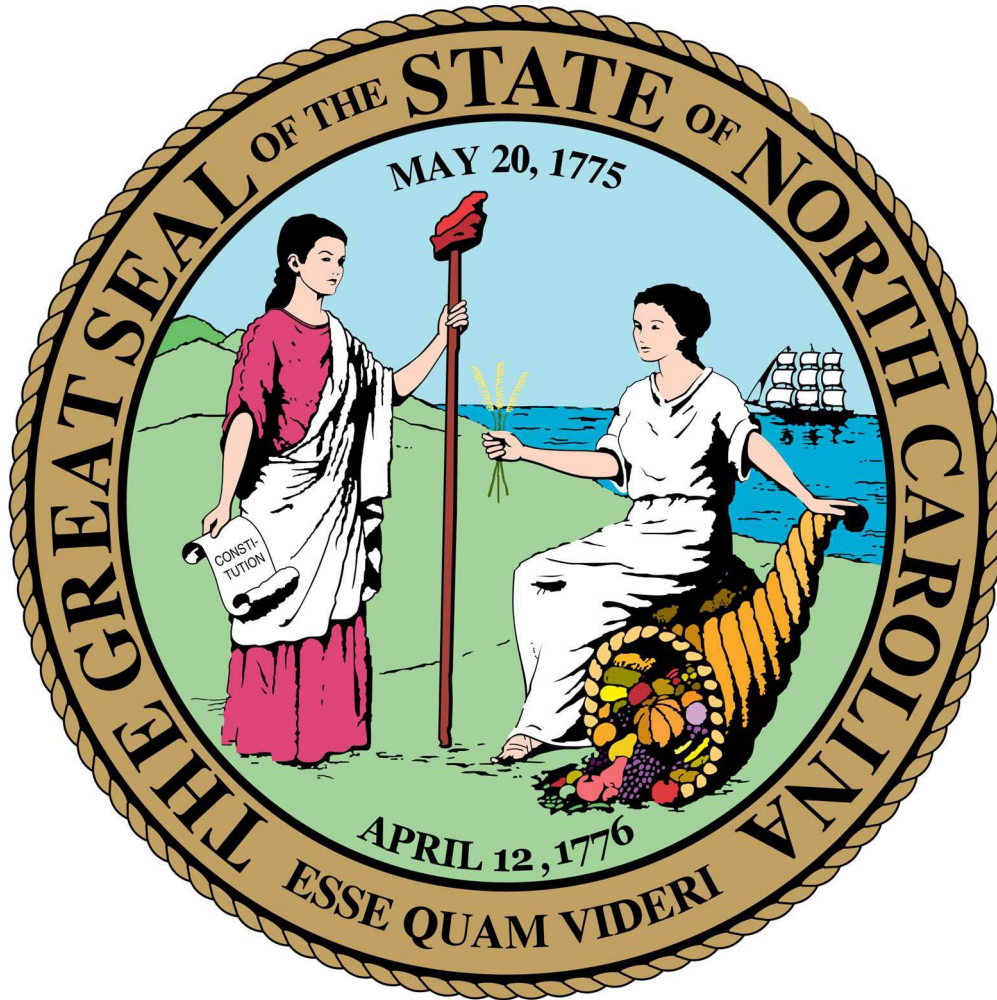
Licensure Data	
Frequency of Licensure Data	New and changed licenses sent daily via the API.
Next Steps	Continue sending licenses via the API.

Disciplinary Data	
Status on Disciplinary Data	Jurisdiction enters via the Online Processing System
Next Steps	Start entering discipline within 14 days of the date the action was taken. Note: NC law prevents the reporting of certain discipline until the appeal period is complete.

Additional Information	
Licensure File or API transfer last received on:	6/30/2024
Enters new licenses online or uses API?	Yes, API
Provided unique identifier with last data:	Yes, FSBPT ID
Provided DOBs with last data:	Yes
Active Number of PTs in the ELDD:	10,900
Active Number of PTAs in the ELDD:	4,330
Total Number of PTs in the ELDD:	23,410
Total Number of PTAs in the ELDD:	8,437
% of Licenses Active/Expired (Licenses with a status of active but an expiration date in the past):	0%
Is FSBPT your NPDB reporting agent?	Yes
Last disciplinary action received on:	6/6/2024
Total # of Actions in the ELDD:	248
Average number of days from date action taken to date reported to FSBPT within the last 2 years:	20 Days

Note: (Data Current as of 6/30/2024)

ELDD Contact Information:
 Email ELDD@fsbpt.org or call
 Angela Johnson @ 703-299-3100 Ext 249



Attachment VII

Educational Credential Reviews – non-CAPTE Educational Credentials

Draft for Board consideration

**March 6, 2024 – concept adopted
September 18, 2024 - Proposed Internal Policy**

Kathy O. Arney, Executive Director

At its March 2024 meeting, the ED recommended the Board adopt an internal policy, which is based on the requirements of 21 NCAC 48E .0110, .0111, .0112 and .0510, for non-CAPTE graduate applicants to meet clinical education deficiencies to become substantially equivalent. The following is a recommended policy.

Applicants trained outside the United States or military members (any non-CAPTE PT or PTA accredited education) with physical therapist (PT) or physical therapist assistant (PTA) education and training are required by Board rules (Addendum 1) to have an educational credentials review that is considered “substantially equivalent” to those graduating from a CAPTE Accredited curriculum. To apply for licensure as a PT or PTA in North Carolina a CAPTE accredited or substantially equivalent education is required.

The Board accepts Educational Credential reviews (Addendum 2) based on the Coursework Tools (CWT) for PT and PTA applicants. The CWTs compare non-CAPTE accredited education to standards for a current entry level graduate of a PT or PTA school for eligibility to take the National Physical Therapy Exam (NPTE). Each CWT is a rubric used to compare a PT or PTA education for a specific year of graduation of a non-CAPTE graduate to the education of a CAPTE graduate for the same year of graduation. Exam applicants are evaluated on the most recent CWT for PTs or PTAs, and endorsement applicants are evaluated using the CWT for the year of graduation from their initial physical therapy education. Coursework tools evaluate General, Professional and Clinical Education and credit hour requirements.

When an applicant has deficiencies in the Clinical Education section of the educational credentials review, NC Board rules point to the CWT for guidance on recommended remediation requirements. While infrequent, reviews with deficiencies in Clinical education require appropriate remediation for the applicant to be considered “substantially equivalent” and to practice competently. Successful completion of clinical practice deficiencies are high stakes and require a valid evaluation tool for assessment. FSBPT developed a supervised clinical practice Performance Evaluation Tool that meets this need as a valid and defensible tool for physical therapy clinical supervisors and licensure boards to use. In order to assure the Board complies with rules related to non-CAPTE educated applicants in approving and/or recommending clinical education deficiencies remediation, the Board adopts this internal policy.

Clinical Education Deficiencies Board Policy

- The Executive Director reviews educational credential reviews and signs off if they meet “substantially equivalent” requirements for Board member review. If deficiencies exist in clinical practice, the Executive Director will communicate the requirements for the supervised clinical practice using the PET to the applicant and their clinical instructor.
- When responding to a licensee with deficiencies, the Board and Board staff will reference Board rules and the appropriate CWT for clarity.
- Use of the Supervised Clinical Practice – Performance Evaluation Tool (PET) (Addendum 3) will be recommended for use for those deficient in clinical education requirements. The PET can be used to meet up to three hundred (300) hours of Clinical Education requirements of PT CWT 6. Per Leslie Adrian, PT, DPT, Director of Professional Standards at FSBPT, the CAPTE curriculum requires the maximum number of hours for clinical post-graduate work be limited to 300 hours in her statement below:

FSBPT Post-graduate Clinical Work Experience: Verification Form CWT 6

This ...is to be used to authenticate the clinical work experience of graduates of international Physical Therapy Programs that are not accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE) and who did not have evidence of a minimum of 1050 Hours of full-time clinical experience within the curriculum.

The...is to be completed by a representative of the facility where the hours were worked, preferably the supervisor, with direct knowledge, or the ability to confirm, the patient care hours for the Physical Therapist applying for credentialing for U.S. licensure. The signature of both the representative and applicant are to be notarized, attesting to the truthfulness of the statements in the form. **The maximum number of hours that may be considered is 300 hours.**

- Documentation required by the PET will be used by the clinician supervisor and applicant and provided to the Board at interim points and at final evaluation of the clinical experience for review and determination of completion or further requirements.
- Clinical Experiences – types of experiences must meet the requirements of the CWT being used.
- PTAs – the maximum number of hours for PTA students is to be determined.
- At completion of the supervised clinical practice experience, the ED will determine if the applicant has met the substantially equivalent metric required (passing and met the hours requirement). If so, the educational component of the application will be noted as complete. The ED will sign off for Board member review. If incomplete, the applicant will receive additional communication from the Board office regarding next steps toward clinical education becoming substantially equivalent.

Addendum 1: NC Board of Physical Therapy Examiners – Rules for Foreign-Trained applicants for licensure

NC Board of Physical Therapy Examiners - Rules

21 NCAC 48E .0110 FOREIGN-TRAINED PHYSICAL THERAPIST APPLICANT BY EXAMINATION

(a) This Rule shall apply to a physical therapist who has graduated from a program located outside the United States that has not been accredited by the Commission of Accreditation of Physical Therapy Education (CAPTE) or its successor, in accordance with G.S. 90-270.95(2), and does not hold an active license in another state or territory of the United States.

(b) All application forms and supporting documents shall be completed in English or accompanied by an English translation.

(c) For the applicant's educational credential to be determined substantially equivalent to that obtained by an applicant for licensure pursuant to G.S. 90-270.95(2), the applicant shall meet the standards of the Federation's most recent Coursework Tool (CWT) for Physical Therapists at [https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools\(CWT\).aspx](https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools(CWT).aspx). These coursework tools are incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy may call the Federation at 703-299-3100 or download a copy from the Federation's website at no cost. Copies of the coursework tools are on file at the Division located at 8300 Health Park Suite 233, Raleigh, NC 27615 and are available for public inspection during regular business hours.

(d) The applicant shall make arrangements to have the credentials evaluated by the Foreign Credentialing Commission on Physical Therapy or a service that has a physical therapist consultant on staff and that is authorized to use the Federation's CWTs for physical therapists referred to in Paragraph (c) of this Rule. The Board shall review an applicant's educational program and shall consider the findings of the credentialing service.

(e) The applicant shall provide the following information to the Board:

- (1) proof that the applicant has demonstrated English language proficiency by meeting the most recent Test of English as a Foreign Language (TOEFL) score requirement as defined by the Federation. This test is incorporated by reference, including subsequent amendments and editions. Individuals wishing to register for the TOEFL shall contact Examination Testing Service (<http://www.ets.org/toefl/>). The cost of this examination is posted on the ETS website. The TOEFL is an examination that is owned by ETS and is not available for public review; or
- (2) documentation for exemption pursuant to 8 CFR 212.15 (<http://www.uscis.gov/>). 8 CFR 212.15 is incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy at no cost may call the United States Citizenship and Immigration Service National Customer Service Center at 1-800-375-5283 or 1-800-767-1833 (TDD) toll free. A copy of 8 CFR 212.15 is on file at the Division located at 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.

(f) An applicant for licensure shall provide a complete set of fingerprints at the applicant's expense in order to obtain a criminal history record check in accordance with G.S. 90-270.96 and G.S. 143B-964.

History Note: Authority G.S. 90-270.92; 90-270.95; 90-270.97; 90-270.98; 143B-964; 150B-21.6(2); Eff. December 30, 1985; Amended Eff. November 1, 1991; August 1, 1991; Temporary Amendment Eff. July 21, 1995, for a period of 180 days or until the permanent Rule becomes effective, whichever is sooner; Amended Eff. February 1, 2015; December 1, 2006; November 1, 2004; August 1, 2002; August 1, 1996; October 1, 1995; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2020; Amended Eff. May 1, 2020; September 1, 2019; November 1, 2018.

21 NCAC 48E .0111 FOREIGN-TRAINED PHYSICAL THERAPIST APPLICANT BY ENDORSEMENT

(a) This Rule shall apply to a physical therapist who has graduated from a program located outside the United States that has not been accredited by the Commission of Accreditation of Physical Therapy Education (CAPTE) or its successor, in accordance with G.S. 90-270.95(2), and holds an active physical therapist license in another state or territory of the United States.

- (b) All application forms and supporting documents shall be completed in English or accompanied by an English translation.
- (c) For the applicant's educational credentials to be determined substantially equivalent to an educational program accredited pursuant to G.S. 90-270.95(2), the applicant shall meet the standards of the Federation's Coursework Tool (CWT) [https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools\(CWT\).aspx](https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools(CWT).aspx) for the applicant's year of graduation. This coursework tool is incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy may call the Federation at 703-299-3100 or download a copy from the Federation's website at no cost. A copy of the coursework tool is on file at the Division located at 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.
- (d) The applicant shall make arrangements to have the credentials evaluated by the Foreign Credentialing Commission on Physical Therapy or a service that has a physical therapist consultant on staff and that is authorized to use the Federation's CWTs for physical therapists referred to in Paragraph (c) of this Rule. The Board shall review an applicant's educational program and shall consider the findings of the credentialing service.
- (e) The applicant shall provide the following information to the Board:
- (1) proof that the applicant has demonstrated English language proficiency by meeting the most recent Test of English as a Foreign Language (TOEFL) score requirement as defined by the Federation. This test is incorporated by reference, including subsequent amendments and editions. Individuals wishing to register for the TOEFL shall contact Examination Testing Service (<http://www.ets.org/toefl/>). The cost of this examination is posted on the ETS website. The TOEFL is an examination that is owned by ETS and is not available for public review; or
 - (2) documentation for exemption pursuant to 8 CFR 212.15 (<http://www.uscis.gov/>). 8 CFR 212.15 is incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy at no cost may call the United States Citizenship and Immigration Service National Customer Service Center at 1-800-375-5283 or 1-800-767-1833 (TDD) toll free. A copy of 8 CFR 212.15 is on file at the Division located at 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.
- (f) An applicant for licensure shall provide a complete set of fingerprints at the applicant's expense in order to obtain a criminal history record check in accordance with G.S. 90-270.96 and G.S. 143B-964.

*History Note: Authority G.S. 90-270.92; 90-270.95; 90-270.95(2); 90-270-97; 90-270.98; 143B-964; 150B-21.6(2); Eff. February 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;
Amended Eff. May 1, 2020; September 1, 2019; November 1, 2018.*

21 NCAC 48E .0112 FOREIGN-TRAINED PHYSICAL THERAPIST ASSISTANT APPLICANT

(a) This Rule shall apply to a physical therapist assistant who has graduated from a program located outside the United States that has not been accredited by the Commission of Accreditation of Physical Therapy Education (CAPTE) or its successor, in accordance with G.S. 90-270.95(3), and holds an active physical therapist assistant license in another state or territory of the United States.

(b) All application forms and supporting documents shall be completed in English or accompanied by an English translation.

(c) For the applicant's educational credentials to be determined substantially equivalent to that obtained by an applicant for licensure pursuant to G.S. 90-270.95(3), the applicant shall meet the standards of the Federation's most recent Coursework Tool (CWT) for Physical Therapist Assistants [https://www.fspt.org/FreeResources/RegulatoryResources/CourseworkTools\(CWT\).aspx](https://www.fspt.org/FreeResources/RegulatoryResources/CourseworkTools(CWT).aspx) for the applicant's year of graduation. This coursework tool is incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy may call the Federation at 703-299-3100 or download a copy from the Federation's website at no cost. A copy of the coursework tool is on file at the Division located at 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.

(d) The applicant shall make arrangements to have the credentials evaluated by the Foreign Credentialing Commission on Physical Therapy or a service that has a physical therapist consultant on staff and that is authorized to use the Federation's CWTs for physical therapist assistants referred to in Paragraph (c) of this Rule. The Board shall review an applicant's educational program and shall consider the findings of the credentialing service.

(e) The applicant shall provide the following information to the Board:

- (1) proof that the applicant has demonstrated English language proficiency by meeting the most recent Test of English as a Foreign Language TOEFL score requirement as defined by the Federation. This test is incorporated by reference, including subsequent amendments and editions. Individuals wishing to register for the TOEFL shall contact Examination Testing Service (<http://www.ets.org/toefl/>). The cost of this

examination is posted on the ETS website. The TOEFL is an examination that is owned by ETS and is not available for public review; or

- (2) documentation for exemption pursuant to 8 CFR 212.15 (<http://www.uscis.gov/>). 8 CFR 212.15 is incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy at no cost may call the United States Citizenship and Immigration Service National Customer Service Center at 1-800-375-5283 or 1-800-767-1833 (TDD) toll free. A copy of 8 CFR 212.15 is on file at the 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.

(f) An applicant for licensure shall provide a complete set of fingerprints at the applicant's expense in order to obtain a criminal history record check in accordance with G.S. 90-270.96 and G.S. 143B-964.

History Note: Authority G.S. 90-270.92; 90-270.95; 90-270.97; 90-270.98; 143B-964; 150B-21.6(2); Eff. February 1, 2015;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018; Amended Eff. May 1, 2020; September 1, 2019; November 1, 2018.

21 NCAC 48E .0510 FOREIGN-TRAINED PHYSICAL THERAPIST ASSISTANT EXAM APPLICANT

(a) This Rule shall apply to a physical therapist assistant who has graduated from a program located outside the United States that has not been accredited by the Commission of Accreditation of Physical Therapy Education (CAPTE) or its successor, in accordance with G.S. 90-270.95(3).

(b) All application forms and supporting documents shall be completed in English or accompanied by an English translation.

(c) For the applicant's educational credentials to be determined substantially equivalent to that obtained by an applicant for licensure pursuant to G.S. 90-270.95(3), the applicant shall meet the standards of the most recent Federation's Coursework Tool (CWT) for Physical Therapist Assistants [https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools\(CWT\).aspx](https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools(CWT).aspx). This coursework tool is incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy may call the Federation at 703-299-3100 or download a copy from the Federation's website at no cost. A copy of the coursework tool is on file at the Division located at 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.

(d) The applicant shall make arrangements to have the credentials evaluated by the Foreign Credentialing Commission on Physical Therapy or a service that has a physical therapist consultant on staff and that is authorized to use the Federation's CWTs for physical therapist assistants referred to in Paragraph (c) of this Rule. The Board shall review an applicant's educational program and shall consider the findings of the credentialing service.

(e) The applicant shall provide the following information to the Board:

(1) proof that the applicant has demonstrated English language proficiency by meeting the most recent Test of English as a Foreign Language TOEFL score requirement as defined by the Federation. This test is incorporated by reference, including subsequent amendments and editions. Individuals wishing to register for the TOEFL shall contact Examination Testing Service (<http://www.ets.org/toefl/>). The cost of this examination is posted on the ETS website. The TOEFL is an examination that is owned by ETS and is not available for public review; or

(2) documentation for exemption pursuant to 8 CFR 212.15 (<http://www.uscis.gov/>). 8 CFR 212.15 is incorporated by reference, including subsequent amendments and editions. Individuals wishing to obtain a copy at no cost may call the United States Citizenship and Immigration Service National Customer Service Center at 1-800-375-5283 or 1-800-767-1833 (TDD) toll free. A copy of 8 CFR 212.15 is on file at the 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.

(f) An applicant for licensure shall provide a complete set of fingerprints at the applicant's expense in order to obtain a criminal history record check in accordance with G.S. 90-270.96 and G.S. 143B-964.

History Note: Authority G.S. 90-270.92; 90-270.95; 90-270.97; 90-270.98; 143B-964; 150B-21.6(2); Eff. May 1, 2020.

Addendum 2: Educational Credentials Evaluation – Coursework Tools

<https://www.fsbpt.org/Free-Resources/Regulatory-Resources/Coursework-Tools-CWT>

The CWTs were created by and owned by the Federation of State Boards of Physical Therapy (FSBPT), who license approved entities to use. There are 3 entities at this time recognized by the NC Board of PT Examiners:

- FCCPT - <https://fccpt.org/> - Foreign Credentialing Commission on Physical Therapy
- ICD - <https://www.icdeval.com/> - International Consultants of Delaware (CGFNS International owns ICD)
- IERF - <https://ierf.org/> - International Education Research Foundation

The Federation has developed standards that represent “best practices” in evaluation services. These standards were developed with input from the physical therapy credentialing agencies that are licensed to use FSBPT’s Coursework Tool (CWT).

For PTs there are 6 CWTs; PTAs 2 CWTs. All are based on evaluating a curriculum of a specific date range for the purpose of determining if a course of study was substantially equivalent to that of a CAPTE Accredited education graduate during the same period.

If an applicant is deficient in Clinical Education requirements the chart below referenced in the rule can be used to provide the applicant with the additional number of hours and specific clinical requirements that can be met by obtaining a supervised clinical practice experience with a Board approved clinical supervisor.

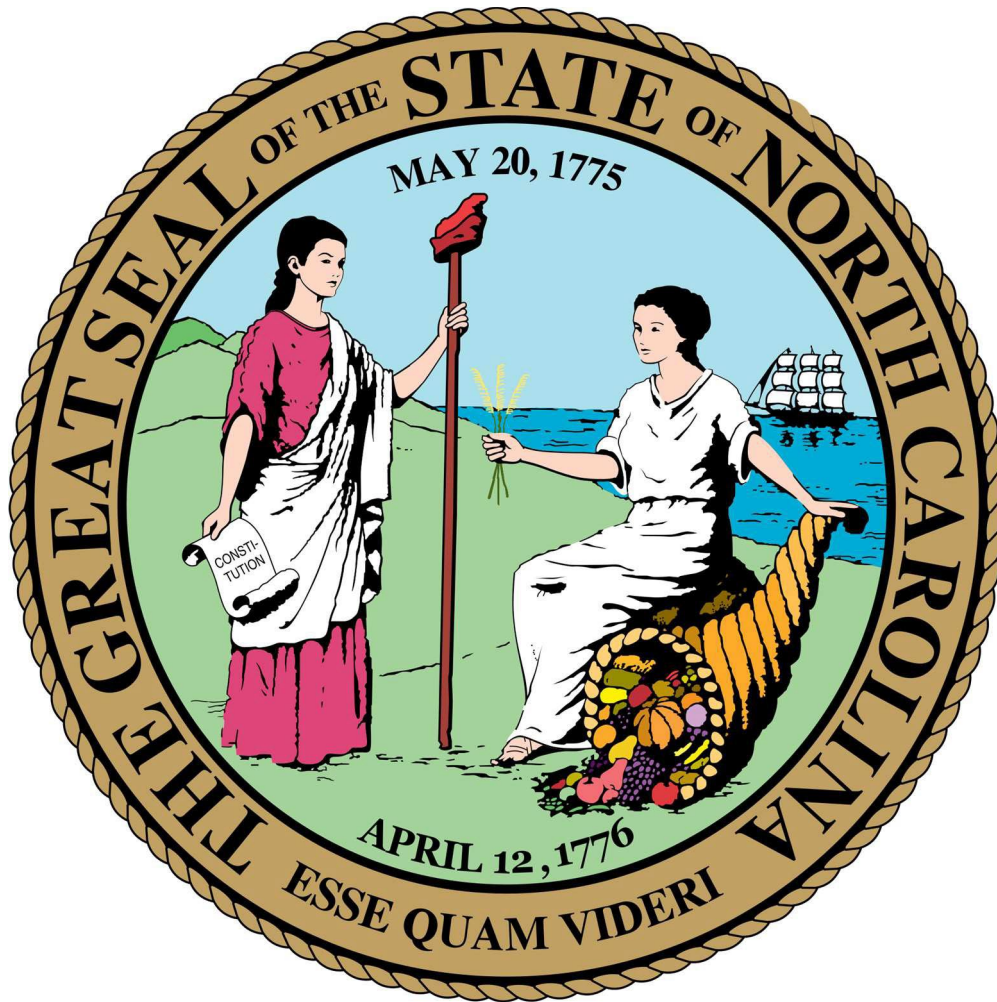
CWT	Clinical Education*
PT CWT #1 Effective prior to 1978	CLINICAL EDUCATION Note: Clinical education must include physical therapist-supervised application of physical therapy theory. The applicant must have a minimum of two-time clinical experiences of no less than 600 hours total that are supervised by a physical therapist. *Maximum number of full-time clinical education credits is 15.
PT CWT #2 Effective 1978-1991	CLINICAL EDUCATION Note: Clinical education must include physical therapist-supervised application of physical therapy theory. The applicant must have a minimum of two-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 20.
PT CWT #3 Effective 1991 - 1997	CLINICAL EDUCATION Note: Clinical education must include physical therapist-supervised application of physical therapy theory. The applicant must have a minimum of one 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.
PT CWT #4 Effective 1998 – 06-30-2009	Same as #3
PT CWT #5 Effective June 30, 2009 – Dec. 31, 2016	Same as #3
PT CWT #6 Effective January 1, 2017	Clinical experiences: 1. Deliver physical therapy services to patients/clients with a variety of diseases and conditions settings 2. Occur in at least 2 different types of practice settings 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 full-time clinical educational experiences (with a variety of patient populations, diagnoses, and acuity levels) of no less than 1050 hours. *Full time clinical education credits are to be 22 credits.
PTA CWT #1 Effective July 1, 2007	Clinical Education The clinical education component includes organized and sequential experiences coordinated with the didactic component of the curriculum, which may include integrated and full-time experiences. The applicant must have full-time clinical experiences with a minimum of two clinical areas of work, for no less than 520 hours total, which are supervised by a clinical supervisor who is a physical therapist or physical therapist assistant. The maximum number of full-time clinical education credits is 15.
PTA CWT #2 Begins 02-25- 2017	Clinical Education a. 520 hours b. Deliver physical therapy services to patients/clients with a variety of diseases/conditions. c. Experiences must occur in at least 2 different types of practice settings. The clinical education component includes organized and sequential experiences coordinated with the didactic component of the curriculum, which may include integrated and full-time experiences, which are supervised by a clinical supervisor who is a physical therapist or physical therapist assistant. The maximum number of full-time clinical education credits is 15. 48 clock hours equal 1 semester unit.

* 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.

In April, 2024 the credit hours and clock hours in the document above, we’re confirmed in use by FSBPT CWTs with acknowledgement of differences with CAPTE.

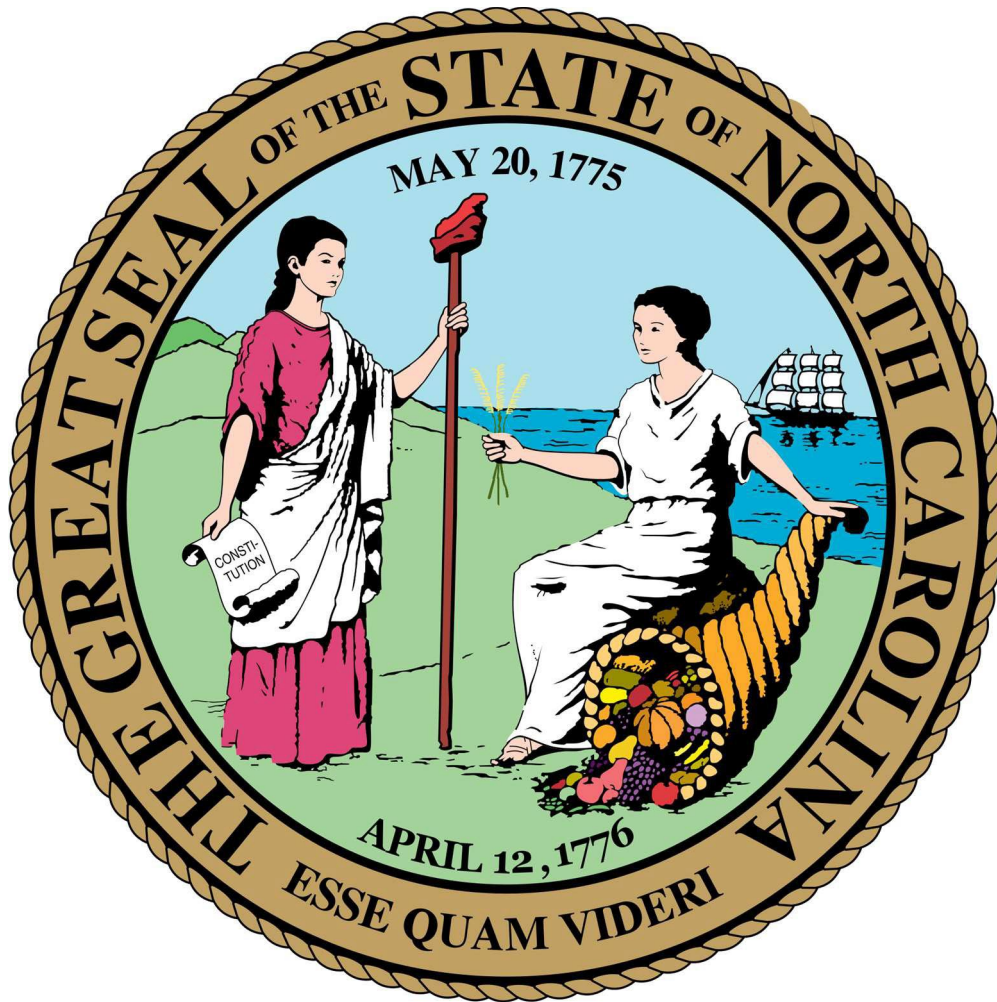
Addendum 3: Performance Evaluation Tool



Attachment VIII

**NC Board of PT Examiners
Balance Sheet as of June 30**

	FY 2023	FY 2024
Current Assets		
Bank Accounts	3,571,675	3,896,636
Prepaid Expense	19,130	17,946
Total Current Assets	3,590,805	3,914,582
Furniture & Equipment	267,472	260,379
Accumulated Depreciation	(215,369)	(229,494)
Total Fixed Assets	52,104	30,885
Lease Payment Asset	382,048	312,224
Total Assets	4,024,957	4,257,690
LIABILITIES AND EQUITY		
Liabilities		
Accounts Payable	89,386	78,575
Payroll Liability	(736)	(617)
Accrued Vacation Payable	86,107	84,602
Total Current Liabilities	174,756	162,560
Lease Liability	416,872	348,329
Total Liabilities	591,628	510,889
Reserve - Replacement Property and Equipment	200,000	200,000
Reserve - Unanticipated Litigation Cost	1,250,000	1,250,000
Reserve - Information Technology	425,000	425,000
Reserve - Continuing Education	50,000	25,000
Reserve - Payroll	600,000	900,000
Reserve - Office Expense	-	150,000
Unallocated Retained Earnings	908,329	796,801
Total Equity	3,433,329	3,746,801
Total Liabilities & Equity	4,024,957	4,257,690

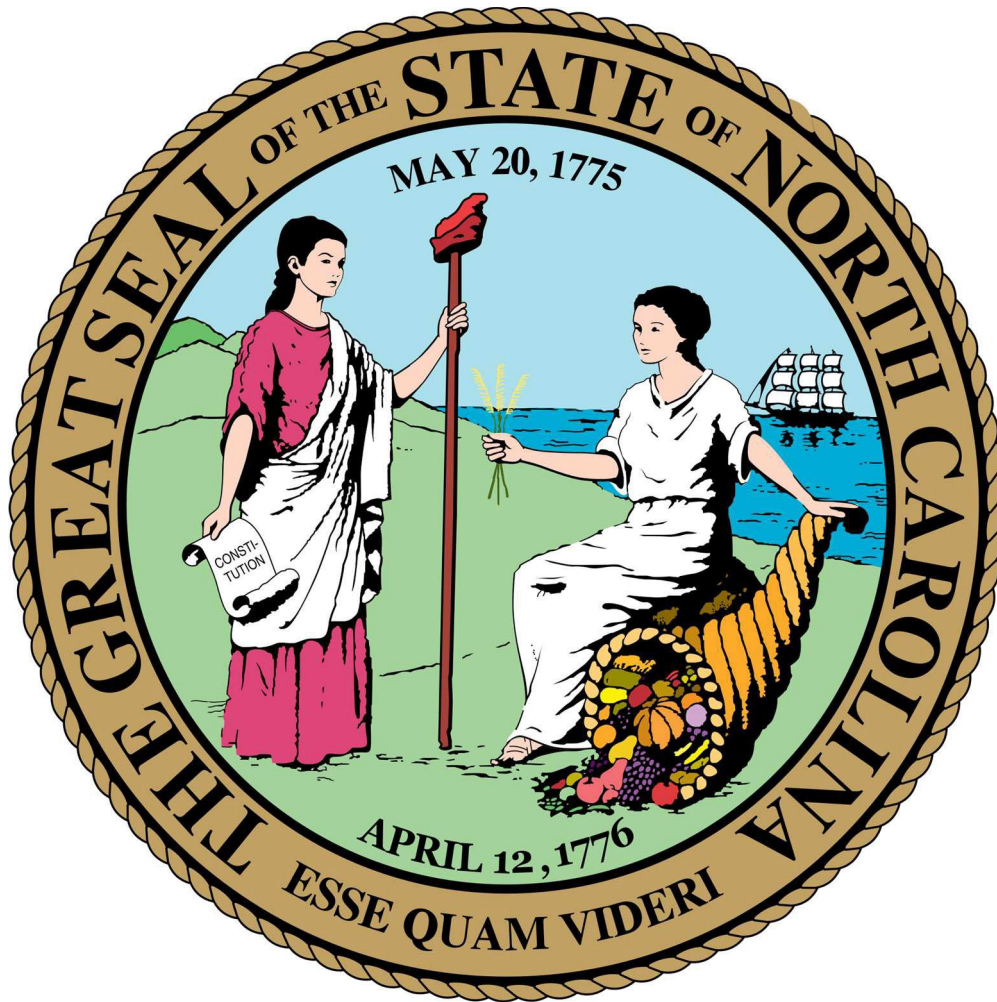


Attachment IX

NC Board of PT Examiners
P&L Comparison to Budget
2024 Fiscal Year Actual to Budget

Preliminary

	Actual	Budget	V Bud	Comments
Income:				
PT Compact	29,419	15,750	13,669	
PT Exam Fee	78,900	66,000	12,900	
PT Endorsement	66,000	77,200	(11,200)	2024 Budget based off of 2023 Actuals
PT Renewal	1,247,760	1,175,000	72,760	
PT Revival	15,300	22,800	(7,500)	
PT Income	1,437,379	1,356,750	80,629	
PTA Income:				
PTA Compact	5,061	2,500	2,561	
PTA Exam Fee	19,200	21,400	(2,200)	
PTA Endorsement	17,850	16,800	1,050	
PTA Renewal	503,760	485,000	18,760	2024 Budget based off of 2023 Actuals
PTA Revival	10,800	10,800	-	
PTA Income	556,671	536,500	20,171	
Background Check Cost	50,046	49,000	1,046	
Credit Card Fee	78,101	97,100	(18,999)	Changed CC Processing Company
Interest Income	112,503	14,000	98,503	Budgeted based on 2023 not current rates
Other Income	32,996	8,100	24,896	Planned on no LV
Total Income	2,267,696	2,061,450	206,246	
Expenses:				
Salaries	842,154	939,400	(97,246)	Lower part-time hours than planned. IT down 1 person for 6 months (expense in contractor),
Insurance	140,644	164,650	(24,006)	
Retirement	39,112	51,750	(12,638)	
Retirement Fee	3,442	4,050	(608)	
Payroll Taxes	65,351	70,455	(5,104)	
Other Employee Benefits	7,382	17,000	(9,618)	Lower travel than in plan
Total Employee Cost	1,098,084	1,247,305	(149,221)	
Board Expense	16,371	43,880	(27,509)	
Contractors	179,824	188,000	(8,176)	Plan included contractor support for Cloud conversion
Professional Fees	1,665	50,000	(48,335)	Planned for PT Professional Support
Professional Health Programs	0	0	-	
Payroll Fees	7,159	7,120	39	
Audit Fees	12,000	14,000	(2,000)	
Legal Fees	107,033	110,000	(2,967)	
Professional Expense	307,680	369,120	(61,440)	IT & PT Professional Support Planned
Investigation Expense	22,653	28,000	(5,347)	
Telephone	8,376	11,500	(3,124)	
DP Expense	207,858	223,000	(15,142)	Cloud Implementation Lower than Planned
Background Check Cost	51,338	49,000	2,338	
Office Space Expense	99,989	101,452	(1,463)	
Office Expenses	26,579	33,700	(7,121)	Lower Office Supplies & Postage than planned
Insurance	30,259	31,800	(1,541)	
Bank & Credit Card Fees	85,475	127,597	(42,122)	Planned for higher fees than actual
Total Expenses	1,954,663	2,266,354	(311,691)	
Gain / Loss on Sale of Assets	645		645	
Net Income	313,678	(204,904)	518,582	



Attachment X

Board Meeting – September 18, 2024

K. Report from Deputy Director

Submitted by Ellen Roeber, PT, DPT, NCBPTE Deputy Director

Each day continues to bring new challenges along with new opportunities. See below for a summary of DD work since the June 2024 Board meeting.

Continuing Competence:

- **Random audit** for CC reporting period Jan 1, 2022-Jan 31, 2024, is near completion. There are fewer than 7 licensees with outstanding needs. All have been in communication with DD, therefore expect 100% completion and compliance by the end of the 90-day period granted through Board rules to address deficits (as long as 10 points or fewer). Practical “takeaways” have already been communicated to licensees in the August 2024 edition of the Board newsletter.
- **Course audit(s)** to be addressed in the future. DD will research processes currently utilized by other Boards and/or credentialing bodies to create NCBPTE process.
- 26 total **course approvals** for CY 2024 and 1 pending approval. This compares to 22 total course approvals for CY 2023.

Upcoming periodic rule review with subsequent rule readoption should include rule changes concerning course approval, approved providers, and approved continuing competence activities.

DD inquiring about other state licensure Boards processes surrounding course approvals through FSBPT’s Council of Board Administrators group.

- There are 33 **active CC exemptions** for over 65 and no new hardship requests since the last meeting. Only 4 active exemptions with CC reporting period Jan 1, 2024-Jan 31, 2026. The remainder are in the Jan 1, 2023-Jan 31, 2025, reporting period.

DD regularly answers licensee questions concerning continuing competence exemptions. These questions are primarily coming from licensees who reach 65 or retirement age. There appears to be a better baseline understanding of a continuing competence exemption as far as the inability to clinically practice while the exemption is in place.

Communication:

- DD and IT development manager met with 2 staff from **UNC Sheps Center** to discuss workforce data. Meeting highlights included learning more about how the data is presented for public use, emphasizing the Board's ownership of the workforce data collected each renewal, and learning of the potential for the Board to answer workforce questions from the data collected. Here is the link to access Sheps Health Workforce data <https://nchealthworkforce.unc.edu/interactive/supply/> . Check out the 'Blog' and 'Briefs' from top of page to better appreciate other healthcare occupational licensure boards use of their data. Check out 'Interactives' to appreciate data comparisons. This may be a great tool to use in support of initiatives to address physical therapy workforce shortages and challenges in NC.
- Communicating with **APTA NC leadership** about NCBPTE being involved in Town Hall meeting at the Fall Chapter Meeting.
- Planning to attend APTA NC Chapter Meeting in October 2025.

Revivals:

- DD continues to shepherd all revivals in-office. Once the revival process becomes electronic, revivals will transition back into the hands of the licensing staff. This is a project in the 2025 IT Strategic Plan.
- Will be making minor changes to the application to include FSBPT ID number for applicant identification purposes and to make all application processes more consistent.
- Thus far, in CY 2024, there have been 110 revivals. In CY 2023 = 202 revivals total. Most revival applicants complete the process within a 2-week period. Since the Board began to retrieve license verifications for states who offer primary source license verification online, the process is less time consuming for those applicants to whom this change applies. Of note, there are still states who do not update and maintain their license database to meet the requirement of 'primary source' license verification.

Outreach and Education:

- Working with other Board staff (Kim Jackson and IT primarily) to produce monthly **Board newsletter** (see copies of June, July, and August newsletters in Board agenda) which are emailed to all licensees/interested parties and posted on Board website. Continue to receive positive feedback and other questions/clarifications that directly relate to newsletter content. If any Board member has ideas to share, email them to eroeber@ncptboard.org .
- **Webinars** will again be hosted in Fall 2024. If any Board member has ideas about future webinars, email them to eroeber@ncptboard.org .

- **Website** updates are continuously occurring. DD working with other Board staff (Joyce Tynes representing licensing, Kim Jackson with editing/content creation, and IT) to update content to match in-office processes and be easy to locate/user friendly.
- **Social media platforms** remain in the early development stages. Emily Smith has created a LinkedIn page for the NCBPTE which was successfully used earlier this year for job postings. The Board adopted an in-office process concerning social media at the June 2024 Board meeting. Regular postings have not yet begun but should be soon.
- **Final year student presentations** by DD along with at least one member of licensing staff to all interested DPT/PTA programs in NC. Some are done live, in person but most are done live, electronic. 12 done thus far in CY 2024. 3 more scheduled and PT will reach out to remainder to get on schedule should they choose. Spoke with one PTA program who took DD presentation and put into their curriculum therefore did not wish to schedule for this year. DD reached out and encouraged the program director to rethink this choice to allow interaction between Board staff and PTA students (to promote Board becoming profession-long resource).
- **Regulatory student presentations** upon request. These are lengthier presentations that include interactive exploration of the Practice Act, Board Rules, and guidance documents as well as working through case studies. Generally, is 2–3-hour guest lecture and done live, in person. HPU, Duke, and CCCC are the 3 completed in CY 2024 and another scheduled at ECU in October.

Public Protection Task Force:

- Full PPTF update in Board meeting agenda as a separate item.
- DD remains the primary contact and facilitator for the PPTF. 3 PPTF meetings have occurred thus far in CY 2024 and the next will take place early October 2024.
- DD interacting with other NC healthcare licensure boards, other PT state licensure boards, NC subject matter experts, APTA and APTA NC, FSBPT, and other members of the public for research and information gathering related to topics and agenda items.

IT Coach/Manager:

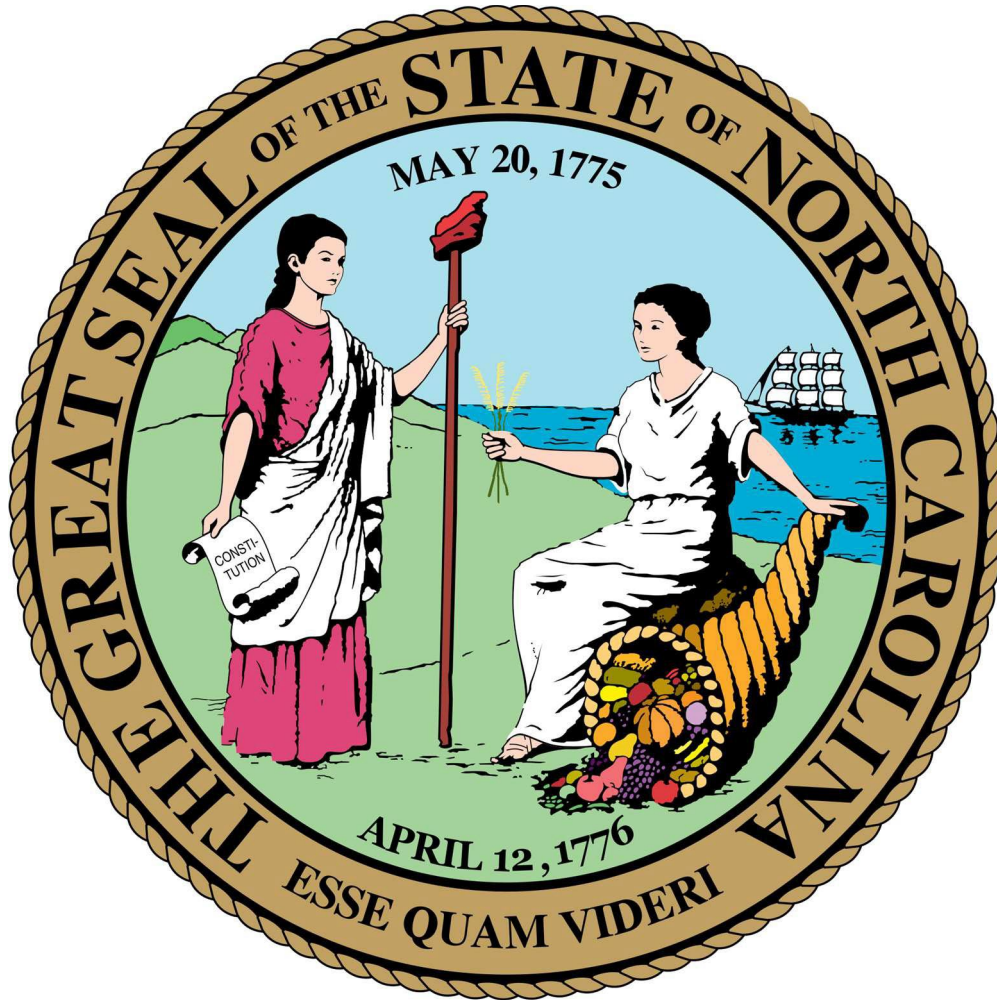
- Continuing to mentor Jim Ponder, Information Systems Manager, and manage numerous IT projects.
- Full IT update in Board meeting agenda as a separate item.

Rule-Making Coordinator:

- Periodic rule review materials received from RRC. DD acknowledged receipt and, along with ED and contractor (former DD who was previously rule-making coordinator), reviewed for errors.
- Viewed and took notes on recording of training on periodic review by RRC staff from June 2024. Prepared initial agency determination classifying each rule as (1) unnecessary or (2) necessary for Board review, discussion, and vote.
- Weekly meetings with ED and consultant to review each rule for potential technical changes and to identify rules that will need changes at time of readoption.
- More detailed information concerning rules in Board meeting agenda as a separate item.

Other Responsibilities:

- FSBPT membership and participation
 - Participating in an online forum for Board administrators to appreciate other states positions on regulatory topics.
 - Participating in webinars of educational topics throughout the year.
 - Utilizing FSBPT staff as resources for various facets of my job here at the Board.
 - Plan to return to annual FSBPT meeting October 2024.



Attachment XI

North Carolina Board of PT Examiners

IT Acceptable Use Policy

1. Purpose

This IT Acceptable Use Policy (the "Policy") outlines the rules and guidelines governing the use of North Carolina Board of Physical Therapy Examiner's (NCBPTE) information technology (IT) resources. IT resources are both valuable and critical to daily NCBPTE operations therefore should be treated and managed accordingly. The primary objective of this Policy is to ensure the secure and responsible use of IT resources while safeguarding the confidentiality, integrity, and availability of NCBPTE data.

2. Scope

This Policy applies to all employees, contractors, consultants, temporary workers, Board members and any other personnel granted access to NCBPTE's IT resources (herein referred to as authorized users).

3. Acceptable Use of IT Resources

3.1. Use of NCBPTE Email and Data: Authorized users are strictly prohibited from accessing, transmitting, storing, or using NCBPTE emails, programs, data, or any other proprietary information on personal devices, including but not limited to personal computers, smartphones, tablets, and external storage devices.

3.1a Exemptions: At the discretion of the Board, some authorized users may be exempt from the restrictions and mandates in Paragraphs 3.1 and 3.2 herein. Only those users who have job responsibilities that require after-hours decision-making and monitoring may be exempt. Should an exemption be granted, the authorized user may choose to access Board email and Teams communication via a personal device. The exempt, authorized user shall agree, and by using a personal device does agree, to submit to monitoring and enforcement as outlined in Paragraph 6. of this policy. Additionally, the authorized user shall and does accept full responsibility for their personal device and all personal data should it be compromised. A list of Authorized Users who have been granted an exemption will be kept on file as an addendum to this policy and will be updated at least annually at the Third Quarter Board Meeting.

3.2. Authorized Devices: NCBPTE-provided devices and equipment are the only authorized platforms for accessing and using NCBPTE emails, programs, and data. These devices shall be used solely for NCBPTE-related purposes.

3.3. Software Installation: Authorized users must not download, install, or distribute software to NCBPTE owned devices unless it has been approved by the NCBPTE IT Department. Authorized users must not make unauthorized copies of NCBPTE owned software.

An exemption is made for allowing some individuals to use their personal smartphones or other devices as an authorized device provided the following:

- 1) The device is onboarded with Intune/NCBPTE required security applications.
- 2) No Intune/NCBPTE security applications are removed with NCBPTE email or teams in on the device.

Last Updated: 08/28/2024

- 3) The authorized user acknowledges that in rare instances, if there is a security breach on their device, their personal data on the device could be erased to address the security breach.
- 4) The authorized user has approval of the Board (or the NCBPTE Executive Director) for the exemption to more efficiently perform their job duties.

3.4. Access Control: Authorized users must ensure that their NCBPTE-issued devices are password protected and should not share access credentials with unauthorized individuals.

3.5. Illegal/Explicit Activity: Authorized users must not purposely engage in activity that is illegal according to local, state, or federal law, or activity that may harass, threaten, or abuse others, or intentionally access, create, store, or transmit material which may be deemed to be offensive, indecent, or obscene such as racially or sexually explicit materials.

3.6. Cloud Services: Authorized users should not use unauthorized Cloud Services (ex. Google Cloud Services, Amazon Web Services, etc.) for sharing NCBPTE data.

3.6. Remote Work: Access to the Internet from NCBPTE-owned, home based, devices must adhere to all acceptable use policies. Authorized users must not allow family members or other unauthorized users to access NCBPTE data or equipment.

4. Responsibilities

4.1. Authorized Users: Authorized users are responsible for complying with this Policy, protecting NCBPTE data, and promptly reporting any suspected or actual violations to their supervisor or the IT department. Authorized users are responsible for promptly reporting theft, loss, or unauthorized disclosure of information or equipment.

4.1.a. Device Management: All IT resources assigned to authorized users must be returned to the Board upon termination of NCBPTE responsibilities unless a purchase is negotiated.

4.2. IT Department: The IT department shall enforce this Policy and provide guidance on secure access to NCBPTE IT resources.

4.2.a. Device Management: In the event of equipment purchase, all profiles and data must be wiped from the device by the Board IT department.

4.3 Record Retention: Authorized users agree to abide by record retention requirements, per the State Archives of North Carolina record retention schedule. This includes the archiving and retention of all authorized user profile data and communications upon termination of NCBPTE responsibilities.

5. Consequences of Violation

5.1. Violation of this Policy: Violation of this Policy may result in disciplinary actions, including termination of employment, as well as legal action if deemed necessary.

6. Monitoring and Enforcement

6.1. Monitoring: The NCBPTE IT Department in conjunction with Surya Technology may monitor IT resources and network traffic to ensure compliance with this Policy and protect against security threats.

6.2. Enforcement: Violations of this Policy will be investigated and may result in corrective actions, including disciplinary measures or legal action.

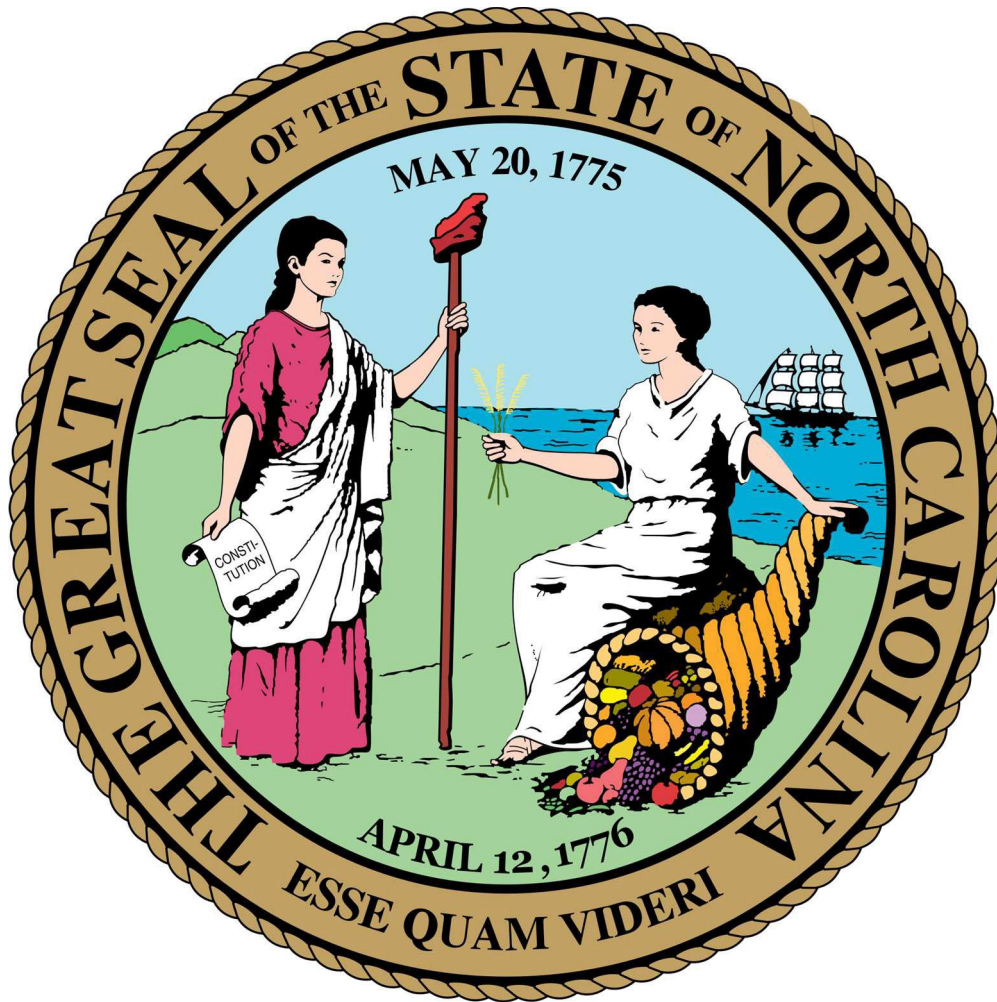
7. Review and Revision

7.1. Policy Review: This Policy will be reviewed periodically to ensure its effectiveness and relevance.

7.2. Policy Updates: The NCBPTE reserves the right to update and modify this Policy as necessary. All authorized users will be informed of any changes.

8. Conclusion

This IT Acceptable Use Policy is vital for safeguarding NCBPTE's digital assets, ensuring compliance with relevant laws and regulations, and promoting responsible and secure use of IT resources. It is the responsibility of all NCBPTE authorized users to understand and adhere to this Policy.



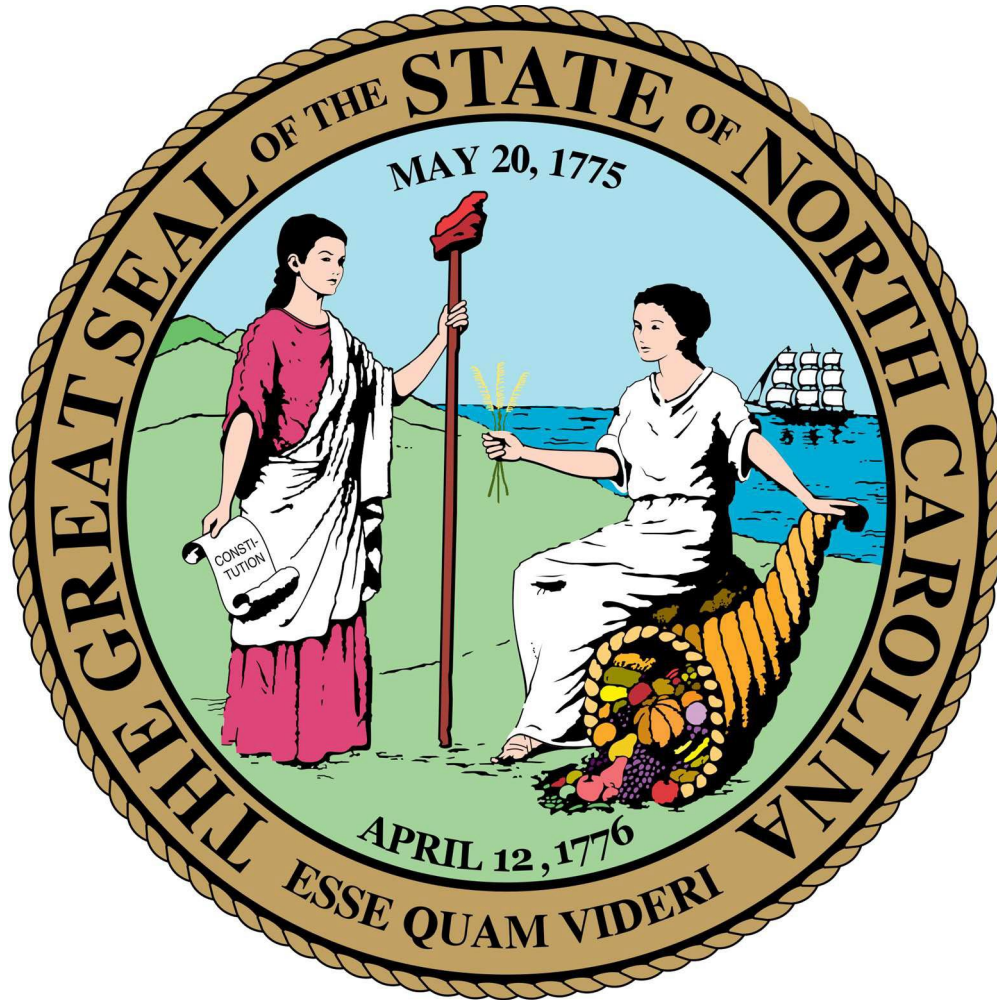
Attachment XII

Pass Rates by School for NORTH CAROLINA

Graduation Year: 2024

Report Date: Tuesday, August 27, 2024
Date Current as of: Monday, August 26, 2024
Page: 1 of 1

Program	Code	School	First Time Pass Rate	Ultimate Pass Rate	Total Candidates
PT					
	3411	Winston-Salem State University (PT)	0.00%	0.00%	0
	3414	Elon University (PT)	0.00%	0.00%	0
	3418	Campbell University (PT)	0.00%	0.00%	0
	3419	Wingate University (PT)	0.00%	0.00%	0
	3401	Duke University (PT)	93.62%	95.74%	94
	3402	East Carolina University (PT)	96.88%	96.88%	32
	3403	University of North Carolina at Chapel Hill (PT)	100.00%	100.00%	25
	3412	Western Carolina University (PT)	85.11%	85.11%	47
	3421	High Point University (PT)	80.95%	90.48%	63
	3422	Methodist University (PT)	71.43%	74.29%	35
		NORTH CAROLINA Total (PT)	87.84%	90.88%	296
		All U.S. Accredited Programs (PT)	88.91%		8675
PTA					
	3408	Stanly Community College (PTA) - Accred. Withdrawn	0.00%	0.00%	0
	3413	Guilford Technical Community College (PTA)	0.00%	0.00%	0
	3420	South University - High Point (PTA) - Accred. Withdrawn	0.00%	0.00%	0
	3423	Rowan-Carrabus Community College (PTA)	0.00%	0.00%	0
	3424	Central Carolina Community College (PTA)	0.00%	0.00%	0
	3404	Central Piedmont Community College (PTA)	73.33%	73.33%	15
	3405	Fayetteville Technical Community College (PTA)	72.73%	81.82%	11
	3406	Martin Community College (PTA)	66.67%	66.67%	6
	3407	Nash Community College (PTA)	93.33%	93.33%	15
	3409	Caldwell Community College and Technical Institute (PTA)	76.47%	82.35%	17
	3410	Southwestern Community College (PTA)	71.43%	71.43%	7
	3415	South College - Asheville (PTA)	100.00%	100.00%	3
	3416	Surry Community College (PTA)	85.71%	85.71%	7
	3417	Craven Community College (PTA)	86.67%	86.67%	15
		NORTH CAROLINA Total (PTA)	80.21%	82.29%	96
		All U.S. Accredited Programs (PTA)	76.94%		3204



Attachment XIII

Kathy Arney

From: FSBPT <communications@fsbpt.ccsend.com>
Sent: Tuesday, September 3, 2024 11:31 AM
To: Kathy Arney
Subject: Reminder: Faculty Newsletter Third Quarter 2024

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from communications@fsbpt.ccsend.com. [Learn why this is important](#)



Volume 21; No. 3 Third Quarter 2024

The mission of the Federation of State Boards of Physical Therapy (FSBPT) is to protect the public by providing service and leadership that promote safe and competent physical therapy practice.

The *Faculty Newsletter* is published by FSBPT on a quarterly basis as one mechanism to communicate with educators in PT and PTA programs. This effort to provide ongoing communication includes current information and updates on the National Physical Therapy Examination (NPTE) as well as information on other regulatory issues that might impact or be of interest to program educators.

Please share this newsletter with other PT or PTA educators. **Subscription to the newsletter is free.**

In this issue:

- PT Compact
- FSBPT is Partnering with STOPit
- This Quarter's Question: Do I have to purchase additional school reports when more students test or retest?
- What Students Need to Know: Upcoming Webinar: This Could NEVER Happen to Me! Protecting Yourself and Preventing Sexual Misconduct
- Get Involved
- Useful Pages
- Staff Contacts

PT Compact

The Physical Therapy Compact Commission (PTCC) newsletter provides updates on the PT Compact, which allows physical therapists to practice in multiple states. You can **read the latest updates** and also **sign up to ensure you don't miss future updates.**

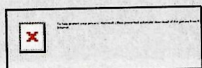
FSBPT is Partnering with STOPit Anonymously Report NPTE Cheating Concerns

FSBPT is taking preemptive steps to have the NPTE remain fair and secure for all. FSBPT is partnering with STOPit to stop potential candidates from cheating on their NPTE.

By implementing STOPit's Anonymous Reporting System, anyone can report issues directly and anonymously about suspected cases of candidates cheating on the NPTE. With STOPit Messenger, candidates are able to speak with someone from FSBPT about their concerns in real-time as their identity remains anonymous.

Please encourage students, licensees, candidates, and educators to speak up—reporting is 100% anonymous and **can be done from a desktop using this link** or the STOPit app with your **Apple** or **Android** devices. (Within the App, use the access code "NPTESecurity" or search for the organization, "National Physical Therapy Examination.")

Thank you for helping ensure that the NPTE remains fair and secure for everyone.



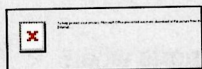
This Quarter's Question

Do I have to purchase additional school reports when more students test or retest?

No. The free pass rate report on your School Dashboard, as well as any purchased reports, will update automatically as students in the cohort test or retest.

Testing data and reports are updated eight times a year, after each NPTE administration. The schedule for these updates can be found on the home page of your School Dashboard. It is important to confirm your cohort rosters are correct prior to the exam administration. Changes to your cohort can be made at any time but will only be reflected in school reports after the next scheduled update.

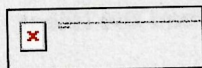
For more information on school reports go to [School Reports \(for Educators\) | FSBPT](#).



What Students Need to Know

**Upcoming Webinar: This Could NEVER Happen to Me!
Protecting Yourself and Preventing Sexual Misconduct**

As future healthcare professionals, it's a matter of when, not if, you will experience difficult or inappropriate situations. It's essential to understand the importance of maintaining ethical boundaries and preventing sexual misconduct in physical therapy. Attendees of this webinar learned about maintaining professional boundaries, understanding the consequences of misconduct, and discovering how you can contribute to a safer, more ethical healthcare environment. The speakers of this webinar are Stephen Curley, Samantha Mohn-Johnsen, and Sherri Paru. This webinar will take place on November 6th at 7 PM ET. Sign up [here!](#)



Get Involved

Learn, Grow, Write—Be an NPTE Item Writer!

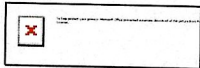
Item writing for the NPTE is a great way to gain expertise in crafting multiple-choice questions, share your knowledge of the profession, work with and learn from colleagues, and have fun!

The following workshops are scheduled for 2024:

Regional

- September 17–18, 2024, In-person. Pre-conference course at the **American Academy of Physical Therapy Conference (apply here)** (This workshop is for attendees of the conference).

If you or someone you know would like to participate in an Item Writing Workshop, **learn more and apply** or send an inquiry to volunteer@fsbpt.org.



Useful Pages

Visit the **FSBPT website** for information on a range of topics.

- **Candidate Handbook**
- **Educators' page**
- **Exam Candidates' page**
- **Licensing Authorities**
- **Licensure Reference Guide**
- **NPTE Content Outline**
- **Practice Exam and Assessment Tool (PEAT)**
- **NPTE Performance Feedback Report (PFR)**
- **Preparing Students for the NPTE**
- **School Interface**
- **Score Reports (free):**
 - For students to receive their score report after an exam they should click "**Customer Login**," in the top right corner.
 - Go to "Reports" and click "View All Reports" to view a free exam score report (available for 30 days starting 10 days after the exam date).
- **Top Services:**
 - **Status of My Request**
 - **Score Transfer Service**
 - **Exam Withdrawal Request**

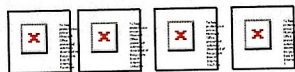
Staff Contacts

If you have questions, challenges, or ideas, we want to hear from you!
(703) 299-3100

Topics	Contact Person
FSBPT issues	William A. Hatherill, Chief Executive Officer, ext. 225

General questions and feedback; research questions	Susan Newman, Chief Operating Officer, ext. 224 Richard Woolf, Chief Professional Officer, ext. 232
Psychometrics, test development, and test construction	Lorin Mueller, Managing Director of Assessment, ext. 206
Exam administration issues, ADA	Christine Sousa, Managing Director of Exam Services, ext. 201
Foreign-educated graduates	Jaime Nolan, Managing Director of FCCPT, ext. 403
School Reports	schoolreports@fsbpt.org
Practice Exam and Assessment Tool (PEAT)	peat@fsbpt.org

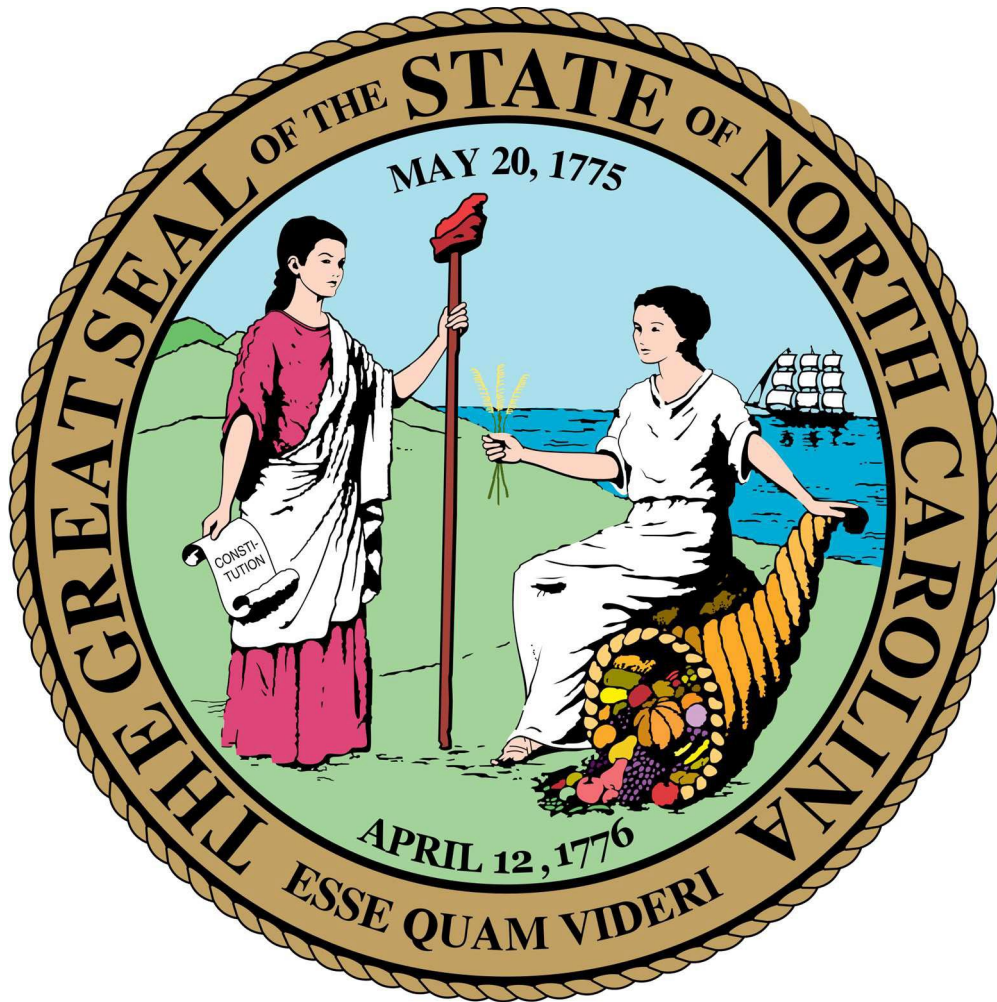
Do you have comments or feedback on the Faculty Newsletter? Please **let us know!**
Credits: Icons made by [prettycons](#), [Freepik](#), and [geotatah](#)



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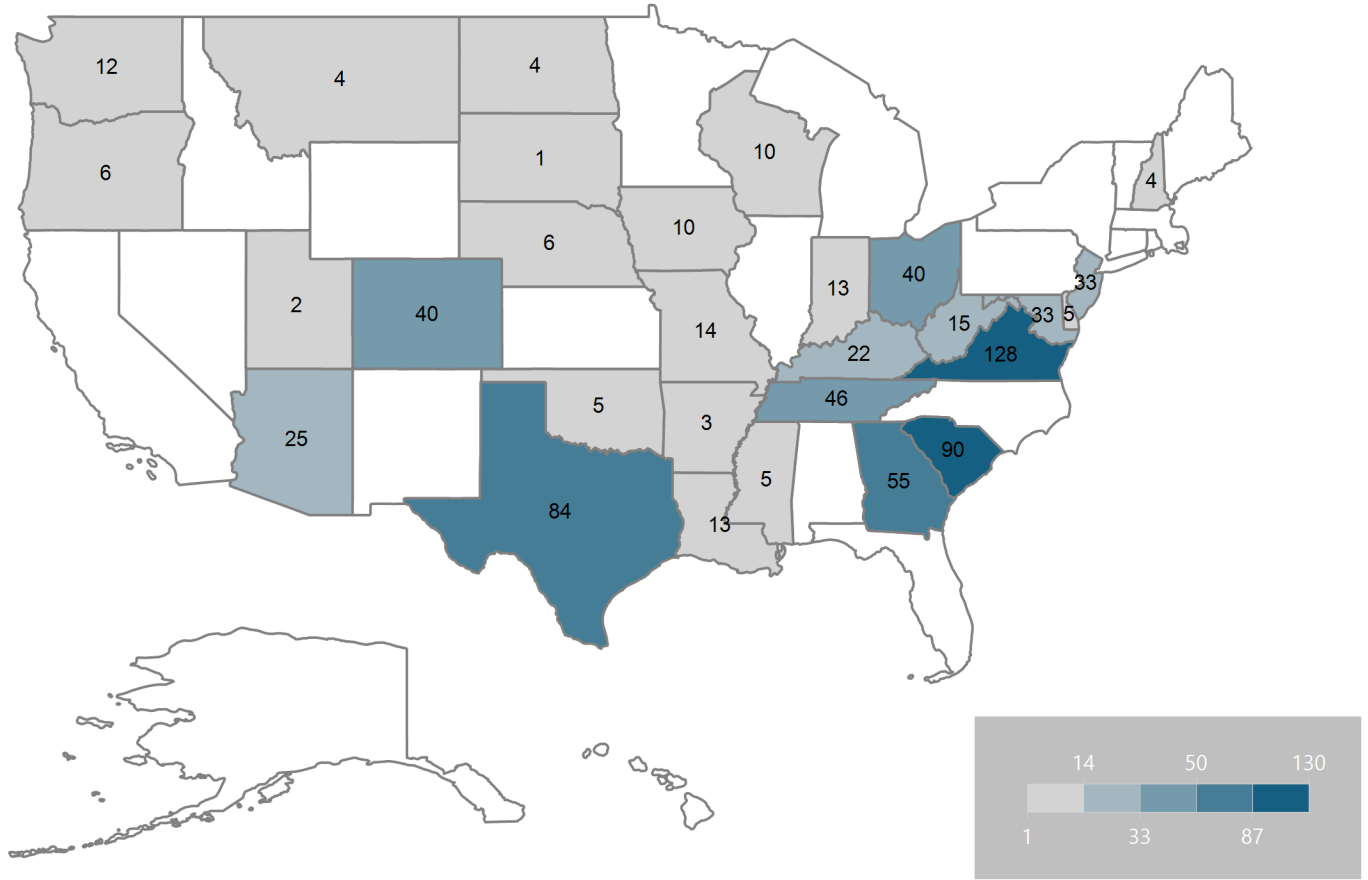


Attachment XIV

PT Compact NORTH CAROLINA Status Report

August 26, 2024

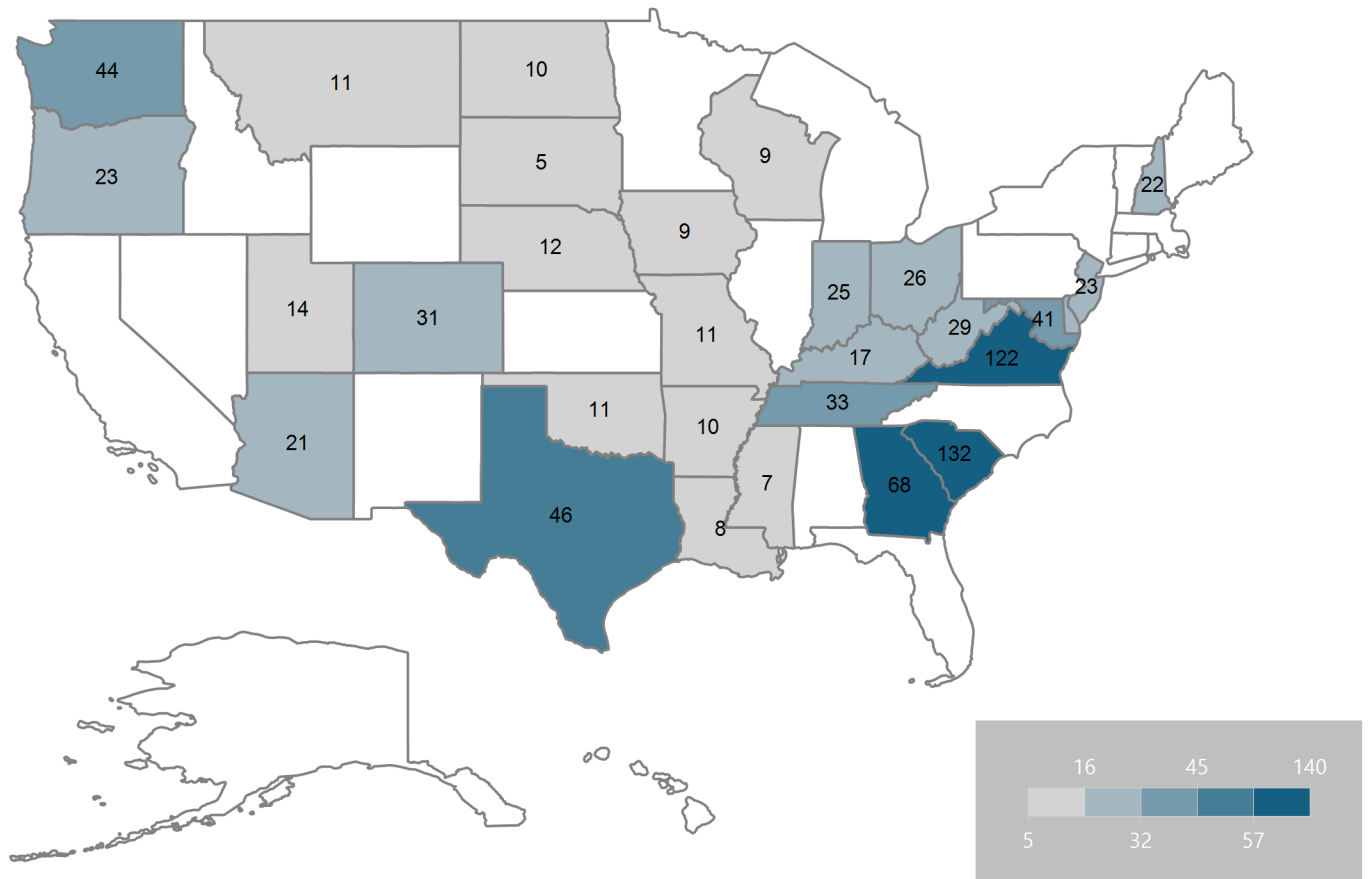
Where do individuals live that have a Compact Privilege for NORTH CAROLINA? (Coming From)



Home State	Privilege State	Privilege PTs	Privilege PTAs	Privilege Totals
VA	NC	95 (15.57%)	33 (27.97%)	128 (17.58%)
SC	NC	64 (10.49%)	26 (22.03%)	90 (12.36%)
TX	NC	80 (13.11%)	4 (3.39%)	84 (11.54%)
GA	NC	51 (8.36%)	4 (3.39%)	55 (7.55%)
TN	NC	38 (6.23%)	8 (6.78%)	46 (6.32%)
OH	NC	30 (4.92%)	10 (8.47%)	40 (5.49%)
CO	NC	35 (5.74%)	5 (4.24%)	40 (5.49%)
MD	NC	31 (5.08%)	2 (1.69%)	33 (4.53%)
NJ	NC	31 (5.08%)	2 (1.69%)	33 (4.53%)
AZ	NC	23 (3.77%)	2 (1.69%)	25 (3.43%)
KY	NC	18 (2.95%)	4 (3.39%)	22 (3.02%)
WV	NC	14 (2.30%)	1 (0.85%)	15 (2.06%)
MO	NC	14 (2.30%)	0 (0.00%)	14 (1.92%)
IN	NC	10 (1.64%)	3 (2.54%)	13 (1.79%)
LA	NC	12 (1.97%)	1 (0.85%)	13 (1.79%)

WA	NC	10 (1.64%)	2 (1.69%)	12 (1.65%)
WI	NC	10 (1.64%)	0 (0.00%)	10 (1.37%)
IA	NC	7 (1.15%)	3 (2.54%)	10 (1.37%)
NE	NC	5 (0.82%)	1 (0.85%)	6 (0.82%)
OR	NC	6 (0.98%)	0 (0.00%)	6 (0.82%)
OK	NC	4 (0.66%)	1 (0.85%)	5 (0.69%)
MS	NC	3 (0.49%)	2 (1.69%)	5 (0.69%)
DE	NC	4 (0.66%)	1 (0.85%)	5 (0.69%)
MT	NC	3 (0.49%)	1 (0.85%)	4 (0.55%)
ND	NC	4 (0.66%)	0 (0.00%)	4 (0.55%)
NH	NC	4 (0.66%)	0 (0.00%)	4 (0.55%)
AR	NC	3 (0.49%)	0 (0.00%)	3 (0.41%)
UT	NC	0 (0.00%)	2 (1.69%)	2 (0.27%)
SD	NC	1 (0.16%)	0 (0.00%)	1 (0.14%)
Totals		610	118	728

Where do NORTH CAROLINA Licensees purchase Compact Privileges for? (Going To)



Home State	Privilege State	Privilege PTs	Privilege PTAs	Privilege Totals
NC	SC	111 (14.86%)	21 (18.10%)	132 (15.30%)
NC	VA	106 (14.19%)	16 (13.79%)	122 (14.14%)
NC	GA	50 (6.69%)	18 (15.52%)	68 (7.88%)

NC	TX	39 (5.22%)	7 (6.03%)	46 (5.33%)
NC	WA	38 (5.09%)	6 (5.17%)	44 (5.10%)
NC	MD	35 (4.69%)	6 (5.17%)	41 (4.75%)
NC	TN	25 (3.35%)	8 (6.90%)	33 (3.82%)
NC	CO	27 (3.61%)	4 (3.45%)	31 (3.59%)
NC	WV	27 (3.61%)	2 (1.72%)	29 (3.36%)
NC	DE	25 (3.35%)	2 (1.72%)	27 (3.13%)
NC	OH	24 (3.21%)	2 (1.72%)	26 (3.01%)
NC	IN	23 (3.08%)	2 (1.72%)	25 (2.90%)
NC	NJ	22 (2.95%)	1 (0.86%)	23 (2.67%)
NC	OR	20 (2.68%)	3 (2.59%)	23 (2.67%)
NC	NH	21 (2.81%)	1 (0.86%)	22 (2.55%)
NC	AZ	21 (2.81%)	0 (0.00%)	21 (2.43%)
NC	KY	15 (2.01%)	2 (1.72%)	17 (1.97%)
NC	DC	16 (2.14%)	0 (0.00%)	16 (1.85%)
NC	UT	13 (1.74%)	1 (0.86%)	14 (1.62%)
NC	NE	11 (1.47%)	1 (0.86%)	12 (1.39%)
NC	MO	9 (1.20%)	2 (1.72%)	11 (1.27%)
NC	MT	9 (1.20%)	2 (1.72%)	11 (1.27%)
NC	OK	9 (1.20%)	2 (1.72%)	11 (1.27%)
NC	ND	9 (1.20%)	1 (0.86%)	10 (1.16%)
NC	AR	9 (1.20%)	1 (0.86%)	10 (1.16%)
NC	IA	7 (0.94%)	2 (1.72%)	9 (1.04%)
NC	WI	9 (1.20%)	0 (0.00%)	9 (1.04%)
NC	LA	7 (0.94%)	1 (0.86%)	8 (0.93%)
NC	MS	6 (0.80%)	1 (0.86%)	7 (0.81%)
NC	SD	4 (0.54%)	1 (0.86%)	5 (0.58%)
Total		747	116	863

NORTH CAROLINA Revenue Generated Through Compact Privilege Purchases Thru August 26, 2024

Purchase Year	Purchaser Count *	Privilege Count	Refund Count	Net Revenue
2019	42	43	0	\$2,000.00
2020	120	139	0	\$6,400.00
2021	188	197	0	\$9,300.00
2022	289	323	1	\$15,100.00
2023	434	458	3	\$25,501.00
2024	375	389	1	\$24,909.00

* Some individuals purchase their first Compact Privilege (CP) for a state and then renew the CP as they renew their home state license during the same year.