



# NCBPT E Updates

#8 | March 2024

THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS

PTBoard@NCPTBoard.org



## Regulatory Spotlight

### **Can physical therapists write a prescription for Durable Medical Equipment (DME), specifically, Vaginal Dilators?**

The Board previously determined that physical therapists who possess the advanced training, education, and competence to perform evaluations and interventions for pelvic health related conditions may utilize or recommend use of vaginal dilators.

Pelvic health physical therapy is considered within the scope of practice in North Carolina (see [NCBPT Position Statement on Pelvic Health in the NC PT Scope of Practice](#) on the website). Physical therapists routinely recommend, refer, or “prescribe” use of a variety of assistive devices in clinical practice.

At its meeting March 6, 2024, the NC Board of PT Examiners reviewed this question in response to

several inquiries and to FDA approval of a specific vaginal dilator requiring a prescription.

The Board determined it would not be a violation of NC PT Practice Act and Board rules for PTs to write a prescription for assistive devices that are within the PT scope of practice.

While the PT may write a prescription for a device, the Board does not have the authority to review or enforce payment issues related to the policies of the FDA, the State or Federal government, or other third-parties. Any payment issues for a prescribed device would be between the beneficiary (patient) and the payer.

### **PTs/DPTs are eligible to become Federal Motor Carrier Safety Administration (FMCSA) Certified Medical Examiners**

The Board received a request from Christine Hydock, Chief, Medical Programs Division of FMCSA, for the Board to review the criteria and physical qualification standards to help determine eligibility of a NC licensed Physical Therapist/Doctor of Physical Therapy to become a FMCSA Certified Medical Examiner. Since NC licensed PTs/DPTs were not yet recognized by US DOT as eligible, the Board response was critical.

After review, the Board determined it is within the scope of practice in NC for a PT/DPT to assess the qualification standards of drivers to determine if they are qualified to drive a commercial motor vehicle in interstate commerce. The physical therapist would be required to (1) conduct the testing and physical examination of body systems required on the Medical Examination Report, (2) determine whether the driver is physically qualified to drive a commercial motor vehicle in interstate commerce, and (3) complete the Medical Examiner’s certificate upon completion of the

requisite medical examiner training and certification as provided by FMCSA approved providers.

The requisite FMCSA medical examiner training and certification meets the Board definition of ‘advanced training’ for NC PT licensees who wish to become a FMCSA Certified Medical Examiner.

Following the March Board meeting, Kathy Arney, PT, MA, Executive Director, sent Christine Hydock a letter outlining the Board’s response supporting the eligibility of NC licensed PTs/DPTs.

Based on the Board response, the FMCSA made the determination that NC licensed physical therapists are eligible to pursue certification. PTs/DPTs in NC are now able to register, complete the required training, take/pass the exam, and become certified. Certification equates to authorization to conduct physical qualification examinations of interstate commercial motor vehicle drivers, and for the name of the PT to be placed on the National Registry. Interested licensees should visit the [FMCSA website](#).

## What are my next steps if I receive a Continuing Competence Audit Notice?

As an occupational licensing board created in 1952 by the NC General Assembly, the main responsibilities of the NC Board of Physical Therapy Examiners is to establish and maintain minimum standards for the practice of physical therapy to protect the safety and welfare of the citizens of North Carolina. One way of accomplishing this objective is through random audits of licensees conducted after each reporting period to ensure continuing competence compliance (Board Rule 21 NCAC 48G .0110).

Each PT licensee must accumulate 30 points and each PTA licensee must accumulate 20 points of continuing competence activities during the assigned reporting period to be eligible for license renewal. The points must include at least one mandatory point from a jurisprudence exercise. There is a 25-month period to complete the continuing competence requirement. The reporting period is determined by the date of licensure.

Points may be earned in ways described in Board Rule 21 NCAC 48G .0109. Suggestions and information are available under the Continuing Competence links on the website.

All licensees are required to keep documentation or "evidence of compliance" for each activity counted toward fulfilling the requirement. To comply with a possible audit, it is recommended that all licensees retain compliance evidence for a period of four (4) years following any reporting period (21 NCAC 48G .0110 (b)). Additional details on what information is needed to document continuing competence activities are found in Board Rule 21 NCAC 48G .0109.

### Did you know?

The step-by-step procedure for responding to a continuing competence audit are addressed in this short video.



If you receive an Audit Notice:

- Access your continuing competence report via your personal dashboard on the Board website.
- Collect the required documents (originals or copies of originals) to support each recorded continuing competence activity completed during the reporting period as well as any carry over points.
- Record clinical practice hours on the [Physical Therapy Licensee Clinical Practice Certification](#) form on the Board website to document hours worked. (Tax forms or payroll reports are not acceptable and contain too much personal information.)
- Mail all documents for the required reporting period to the Board office within 30 days of receiving the Audit Notice from the Board.

Contact the Board if you do not know how to define or document items, or with other questions. Special consideration for lengthy documents or confidential materials may be requested.

Failure to respond to the Board Audit Notice in a timely fashion and/or to provide the necessary documentation showing evidence of compliance subjects a licensee to disciplinary action pursuant to 21 NCAC 48G .0601(a) (10).

For circumstances beyond a licensee's control or for personal hardship, the Board Executive Director may grant an additional period of time (up to 30 days) to obtain the required points.

Additional information is available on the website or email [PTBoard@ncptboard.org](mailto:PTBoard@ncptboard.org) and include in the subject line: "Continuing Competence Question."

Remember, random audits occur for the safety of the public. Audits that are not completed in a reasonable period of time will be referred to the Board Investigative Committee and could result in disciplinary actions.



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