

1 21 NCAC 48D .0107 is amended as published in 35:14 NCR 1582 as follows:

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3 21 NCAC 48D .0107 PERSONS REFUSED EXAMINATION PERMISSION

4 (a) The Board shall refuse permission to take the examination to any person who:

- 5 (1) Does not meet the requirements as set forth in the Physical Therapy Practice Act;  
6 (2) Furnishes false information to the Board on the application; or  
7 (3) Fails to furnish personal background information as required by these Rules.

8 ~~(b) The Board and Federation have authority to approve an applicant's exam eligibility. eligibility and may delegate~~  
9 ~~its authority to the Federation. Upon delegation of said authority, the~~ The Board shall approve exam eligibility for  
10 foreign-trained applicants. The Federation shall grant exam eligibility for all other applicants as set forth in National  
11 Physical Therapy Examination policies, which are available free of charge at the Board's office and at  
12 [www.fsbpt.org](http://www.fsbpt.org).

13 ~~(b)(c)~~ Any applicant who is refused permission to take the examination shall be entitled to petition the Board for a  
14 contested case hearing pursuant to Subchapter 48G, Section .0500 of this Chapter.

15 ~~(d) Any applicant who is refused permission to take the examination by the Federation has the option to appeal using~~  
16 ~~the policies set forth in Paragraph (b) of this Rule.~~

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18 History Note: Authority G.S. 90-270.92; 90-270.95; 90-270.97; 90-270.100; 90-270.103;

19 Eff. February 1, 1976;

20 Readopted Eff. September 30, 1977;

21 Amended Eff. December 1, 2006; August 1, 2002; December 30, 1985;

22 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1,  
23 2018;

24 Temporary Amendment Eff. September 25, ~~2020~~ 2020;

25 Amended Eff. August 1, 2021.

21 NCAC 48D .0109 is amended as published in 35:14 NCR 1582-1583 as follows:

**21 NCAC 48D .0109      RETAKING EXAMINATION**

(a) Arrangements for Retake. To retake the examination, the applicant shall notify the Board in writing, and pay the retake fee as specified in 21 NCAC 48F .0102. The examination cost as set forth by the Federation ([www.fsbpt.org](http://www.fsbpt.org)) is hereby incorporated by reference and includes subsequent amendments and editions. ~~A copy of the retake application may be obtained from the Board's website at no charge.~~ If the Federation approves exam eligibility, the Federation shall administer the retake process according to NPTE policies, which may be found at [www.fsbpt.org](http://www.fsbpt.org).

~~(b) Retake Examination. The Board shall administer a particular form of the examination to an applicant only one time.~~

~~(c)~~(b) Limitations. An applicant shall be limited to taking the examination the number of times allowed by the Federation as indicated on the Federation's website ([www.fsbpt.org](http://www.fsbpt.org)).

*History Note: Authority G.S. 90-270.92; 90-270.95; 90-270.97; 90-270.100;*

*Emergency Regulation Eff. July 23, 1979, for a period of 120 days to expire on November 20, 1979;*

*Made Permanent Eff. November 20, 1979;*

*Amended Eff. February 1, 2015; February 1, 1996; November 1, 1993; August 1, 1988; May 1, 1988;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;*

*Temporary Amendment Eff. September 25, 2020. 2020;*

*Amended Eff. August 1, 2021.*

1 21 NCAC 48D .0111 is amended as published in 35:14 NCR 1583 as follows:

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3 21 NCAC 48D .0111      **APPLICANTS WITH SPECIAL NEEDS**

4 Examination candidates who need special accommodations for the examination as a result of a medical or physical  
5 ~~dysfunction~~ disability shall file an Accommodation Request Form and supporting documentation with the ~~executive~~  
6 ~~director~~ Executive Director at least 60 days before the examination date in order for the request to be considered by  
7 the Board. If the Federation grants exam eligibility, the accommodation request shall be made pursuant to  
8 Federation testing accommodation policy, which may be found at [www.fsbpt.org](http://www.fsbpt.org).

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10 History Note:      Authority G.S. 90-270.92; P.L. 101-336;

11                      *Eff. October 1, 1995;*

12                      *Amended Eff. February 1, 1996;*

13                      *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1,*  
14                      *2018;*

15                      *Temporary Amendment Eff. September 25, 2020- 2020;*

16                      *Amended Eff. August 1, 2021.*

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48E .0101

**DEADLINE FOR RECEIPT: Friday, July 9, 2021**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In the Submission for Permanent Rule Form, Box 2, please insert the full new name of the Rule.*

*In the Rule, Paragraph (b), line 10, please correct the citation to G.S. 90-270.97.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder  
Commission Counsel  
Date submitted to agency: July 1, 2021

21 NCAC 48E .0101 is amended as published in 35:14 NCR 1583 as follows:

## SUBCHAPTER 48E - APPLICATION FOR LICENSURE

### SECTION .0100 – REQUIREMENTS

#### 21 NCAC 48E .0101      **FILING APPLICATION AND BOARD DETERMINATION OF EXAM** **ELIGIBILITY**

(a) An applicant for licensure shall ensure that his or her credentials are filed with the ~~executive director~~ Executive Director in accordance with the rules of this Subchapter.

(b) ~~To be considered for a desired examination date, the applicant~~ Applicants pursuant to G.S. 90-270-97 shall submit all application requirements to the ~~executive director~~ Executive Director at least 30 days prior to the examination.

(c) The Board shall not approve an application until the applicant has graduated as defined by 21 NCAC 48A .0105(6).

*History Note: Authority G.S. 90-270.92; 90-270.95; 90-270.98(b);*

*Eff. February 1, 1976;*

*Readopted Eff. September 30, 1977;*

*Amended Eff. May 1, 1988; December 30, 1985; October 28, 1979;*

*Recodified Paragraph (c) to 21 NCAC 48C .0501 Eff. January 25, 1989;*

*Amended Eff. July 1, 2013; August 1, 1998; February 1, 1996;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;*

*Amended Eff. May 1, 2020;*

*Temporary Amendment Eff. September 25, ~~2020~~ 2020;*

*Amended Eff. August 1, 2021.*