

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48E .0110

**DEADLINE FOR RECEIPT: Tuesday, October 9, 2018**

**PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.**

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 that the following technical changes be made:

*Submission for Permanent Rule form – add the required dates in Box 6*

*Line 5 – replace “applies” with “shall apply”*

*Line 6 – delete the comma after “(CAPTE)”*

*Line 7 – add a comma after “90-279(2)”*

*Line 7 – do not capitalize “state” or “territory”*

*Line 11 – replace “under” with “pursuant to”*

*Lines 18-22 – revise as follows:*

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.

*Line 24 – delete the comma*

*Line 24 – replace “a service” with “an equivalent service”*

*Lines 24-25 – delete “that is determined by the Board to be equivalent”*

*Line 25 – replace “may make its own review of” with shall review”*

*Lines 25-26 – replace “is not bound by” with “shall consider”*

*Line 29 – replace the semicolon with a period*

Jason Thomas  
Commission Counsel

Date submitted to agency: Tuesday, September 25, 2018

*Line 30 – replace “The instrument” with “This test”*

*Lines 28-34 – revise as follows:*

- (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. The TOEFL is an examination that is owned by ETS and is not available for public review;

*Line 36 – replace “as per USCIS” with “pursuant to 8”*

*Line 36 – replace “This instrument” with “8 CFR 212.15”*

*Line 37 – replace “reference and includes subsequent editions” with “reference, including subsequent amendments and editions”*

*Line 37 – replace “purchase” with “obtain”*

*Page 2, line 1 – add “at no cost” after “copy”*

*Page 2, lines 2-3 – delete the sentence that begins “The cost...”*

*Page 2, line 3 – replace “this instrument” with “8 CFR 212.15”*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: Tuesday, September 25, 2018

21 NCAC 48E .0110 is amended without notice pursuant to G.S. 150B-21.5(4) and (5) as follows:

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

(a) This Rule applies 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. 90-279(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 in English or accompanied by an English translation.

(c) For the applicant's educational background to be determined substantially equivalent to that obtained by an applicant for licensure under G.S. 90-270.29(2), the applicant shall meet the standards of the Federation's most recent Coursework Tool (CWT) for Physical Therapists at ~~([http://www.fsbpt.org/Portals/0/documents/free-resources/CWT5\\_Rev20141101.pdf](http://www.fsbpt.org/Portals/0/documents/free-resources/CWT5_Rev20141101.pdf))~~

[https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools\(CWT\).aspx](https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools(CWT).aspx)

and for Physical Therapy Therapist Assistants at ~~<http://www.fsbpt.org/Portals/0/documents/free-resources/PTATool2007.pdf>~~

[https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools\(CWT\).aspx](https://www.fsbpt.org/FreeResources/RegulatoryResources/CourseworkTools(CWT).aspx).

This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call the Federation at 703-299-3100 or download a copy from the Federation's website noted in this Paragraph. The cost of this document in February 2015 is zero dollars (\$0.00). A copy of this instrument is on file at the Division located at ~~18 West Colony Place, Suite 140, Durham, NC 27705~~ 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 FCCPT (Foreign Credentialing Commission on Physical Therapy, Inc.), or a service with a physical therapist consultant on its staff that is determined by the Board to be equivalent. The Board may make its own review of an applicant's educational program and is not bound by 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; The instrument is incorporated by reference and includes subsequent editions. Individuals wishing to register for the TOEFL should contact Examination Testing Service (<http://www.ets.org/toefl>). The cost of this examination in February 2015 is posted on the ETS website and noted in this Paragraph. The TOEFL is an examination that is owned by ETS and is not available for public review.
- (2) proof that coursework was taught in the English language; or
- (3) documentation for exemption as per USCIS CFR 212.15 (<http://www.uscis.gov/>). This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a

1 copy may call the United States Citizenship and Immigration Service National Customer Service  
2 Center at 1-800-375-5283 or 1-800-767-1833 (TDD) toll free. The cost of this document in February  
3 2015 is zero dollars (\$0.00). A copy of this instrument is on file at the Division located at ~~48 West~~  
4 ~~Colony Place, Suite 140, Durham, NC 27705~~ 8300 Health Park Suite 233, Raleigh, NC 27615 and  
5 is available for public inspection during regular business hours.

6  
7 *History Note:* Authority G.S. 90-270.26; 90-270.29; 90-270.30; 90-270.31; 150B-21.6(2);  
8 Eff. December 30, 1985;  
9 Amended Eff. November 1, 1991; August 1, 1991;  
10 Temporary Amendment Eff. July 21, 1995, for a period of 180 days or until the permanent Rule  
11 becomes effective, whichever is sooner;  
12 Amended Eff. February 1, 2015; December 1, 2006; November 1, 2004; August 1, 2002; August 1,  
13 1998; February 1, 1996; October 1, 1995;  
14 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, ~~2018~~.  
15 2018;  
16 Amended Eff. November 1, 2018.

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48E .0111

**DEADLINE FOR RECEIPT: Tuesday, October 9, 2018**

**PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.**

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 that the following technical changes be made:

*Submission for Permanent Rule form – add the required dates in Box 6*

*Line 5 – replace “applies” with “shall apply”*

*Line 6 – delete the comma after “(CAPTE)”*

*Line 7 – add a comma after “90-279(2)”*

*Line 7 – do not capitalize “state” or “territory”*

*Line 11 – replace “under” with “pursuant to”*

*Lines 12-17 – revise as follows:*

(CWT)(www.fsbpt.org) 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.

*Line 19 – delete the comma*

*Line 19 – replace “a service” with “an equivalent service”*

*Lines 19-20 – delete “that is determined by the Board to be equivalent”*

*Line 20 – replace “may make its own review of” with shall review”*

*Lines 20-21 – replace “is not bound by” with “shall consider”*

*Lines 23-30 – are Subparagraphs (c)(1) and (c)(2) still needed?*

Jason Thomas  
Commission Counsel

Date submitted to agency: Tuesday, September 25, 2018

*Line 25 – replace the colon with a semicolon*

*Line 30 – replace the period with a semicolon*

*Page 2, line 2 – replace the period with a semicolon*

*Page 2, line 4 – replace “as per USCIS” with “pursuant to 8”*

*Page 2, line 4 – replace “This instrument” with “8 CFR 212.15”*

*Page 2, line 5 – replace “reference and includes subsequent editions” with “reference, including subsequent amendments and editions”*

*Page 2, line 5 – replace “purchase” with “obtain”*

*Page 2, line 6 – add “at no cost” after “copy”*

*Page 2, lines 7-8 – delete the sentence that begins “The cost...”*

*Page 2, line 8 – replace “this instrument” with “8 CFR 212.15”*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: Tuesday, September 25, 2018

1   **21 NCAC 48E .0111 is amended without notice pursuant to G.S. 150B-21.5(4) as follows:**

2  
3   **21 NCAC 48E .0111       FOREIGN-TRAINED       PHYSICAL       THERAPIST       APPLICANT       BY**  
4                                   **ENDORSEMENT**

5   (a) This Rule applies to a physical therapist who has graduated from a program located outside the United States that  
6   has not been accredited by the Commission of Accreditation of Physical Therapy Education (CAPTE), or its successor,  
7   in accordance with G.S. 90-279(2) and holds an active physical therapist license in another State or Territory of the  
8   United States.

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

10   (c) For the applicant's educational background to be determined substantially equivalent to an educational program  
11   accredited under G.S. 90-270.29(2), the applicant shall meet the standards of the Federation's Coursework Tool  
12   (CWT)([www.fspt.org](http://www.fspt.org)) for the applicant's year of graduation. This instrument is incorporated by reference and  
13   includes subsequent editions. Individuals wishing to purchase a copy may call the Federation at 703-299-3100 or  
14   download a copy from the Federation's website noted in the Paragraph. The cost of this document in February 2015 is  
15   zero dollars (\$0.00). A copy of this instrument is on file at the Division located at ~~18 West Colony Place, Suite, 140,~~  
16   ~~Durham NC 27705~~ 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during  
17   regular business hours.

18   (d) The applicant shall make arrangements to have the credentials evaluated by FCCPT (Foreign Credentialing  
19   Commission on Physical Therapy, Inc.), or a service with a physical therapist consultant on its staff that is determined  
20   by the Board to be equivalent. The Board may make its own review of an applicant's educational program and is not  
21   bound by the findings of the credentialing service.

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

- 23           (1)       for examinations administered prior to August 1, 1998, proof that a score of 210 on the TSE (Test  
24                      of Spoken English) or the SPEAK (Speaking Proficiency English Assessment Kit) examination was  
25                      obtained ([www.ets.org/toefl/ibt/](http://www.ets.org/toefl/ibt/)):
- 26           (2)       for examinations administered on or after August 1, 1998, and prior to January 1, 2007, the  
27                      following proof shall be provided:
- 28                      (a)       minimum score of 50 on the TSE examination or the SPEAK examination;
- 29                      (b)       minimum score on the Test of Written English (TWE) of 4.5; and
- 30                      (c)       minimum score of 560 on the Test of English as a Foreign Language (TOEFL).
- 31           (3)       for examinations administered on or after January 1, 2007, proof shall be provided that the applicant  
32                      obtained the following minimum standard scale scores in each of the four scoring domains  
33                      (Listening, Reading, Writing, and Speaking), and the total score of the iBT/Next Generation  
34                      TOEFL:
- 35                      (a)       Writing: 24;
- 36                      (b)       Speaking: 26;
- 37                      (c)       Reading Comprehension: 21;

(d) Listening Comprehension: 18; and

(e) Total Score: 89.

(4) proof that coursework was taught in the English language; or

(5) documentation for exemption as per USCIS CFR 212.15 (<http://www.uscis.gov/>). This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy 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. The cost of this document in February 2015 is zero dollars (\$0.00). A copy of this instrument is on file at the Division located at ~~18 West Colony Place, Suite, 140, Durham NC 27705~~ 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business hours.

*History Note: Authority G.S. 90-270.26; 90-270.29; 90-270.29(2); 90-270.30; 90-270.31; 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.*  
2018;  
Amended Eff. November 1, 2018.



## REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48E .0112

**DEADLINE FOR RECEIPT: Tuesday, October 9, 2018**

**PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.**

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 that the following technical changes be made:

*Submission for Permanent Rule form – add the required dates in Box 6*

*Line 5 – replace “applies” with “shall apply”*

*Line 6 – delete the comma after “(CAPTE)”*

*Lines 10-16 – revise as follows:*

educational program accredited pursuant to G.S. 90-270.29(2) and meets the requirements of the Federation’s most recent Coursework Tool (CWT) for Physical Therapist Assistants. 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 this instrument 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.

*Line 18 – replace “a service” with “an equivalent service”*

*Lines 18-19 – delete “that is determined by the Board to be equivalent”*

*Line 19 – replace “may make its own review of” with “shall review”*

*Lines 19-20 – replace “is not bound by” with “shall consider”*

*Line 23 – replace the semicolon with a period*

*Line 23 – replace “The instrument” with “This test”*

*Lines 22-27 – revise as follows:*

- (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

Jason Thomas  
Commission Counsel

Date submitted to agency: Tuesday, September 25, 2018

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. The TOEFL is an examination that is owned by ETS and is not available for public review;

*Line 29 – replace “as per USCIS” with “pursuant to 8”*

*Line 29 – replace “This instrument” with “8 CFR 212.15”*

*Line 30 – replace “reference and includes subsequent editions” with “reference, including subsequent amendments and editions”*

*Line 30 – replace “purchase” with “obtain”*

*Line 31 – add “at no cost” after “copy”*

*Lines 32-33 – delete the sentence that begins “The cost...”*

*Line 33 – replace “this instrument” with “8 CFR 212.15”*

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

Jason Thomas  
Commission Counsel  
Date submitted to agency: Tuesday, September 25, 2018

1 **21 NCAC 48E .0112 is amended without notice pursuant to G.S. 150B-21.5(4) as follows:**

2  
3 **21 NCAC 48E .0112 FOREIGN-TRAINED PHYSICAL THERAPIST ASSISTANT APPLICANT**

4 (a) This Rule applies to a physical therapist assistant who has graduated from a program located outside the United  
5 States that has not been accredited by the Commission of Accreditation of Physical Therapy Education (CAPTE), or  
6 its successor, in accordance with G.S. 90-279(2).

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

8 (c) If the applicant does not meet the requirements of G.S. 90-270.29(3), the Board shall examine the applicant's  
9 educational background to determine if the general and professional education is substantially equivalent to an  
10 educational program accredited under G.S. 90-270.29(2), who shall satisfy the requirements as determined by the  
11 Coursework Tool (CWT) developed by the Federation. This instrument is incorporated by reference and includes  
12 subsequent editions. Individuals wishing to purchase a copy may call the Federation at 703-299-3100 or download a  
13 copy from the Federation's website noted in this Paragraph. The cost of this document in February 2015 is zero dollars  
14 (\$0.00). A copy of this instrument is on file at the Division located at ~~18 West Colony Place, Suite, 140, Durham NC~~  
15 27705 8300 Health Park Suite 233, Raleigh, NC 27615 and is available for public inspection during regular business  
16 hours.

17 (d) The applicant shall make arrangements to have the credentials evaluated by FCCPT (Foreign Credentialing  
18 Commission on Physical Therapy, Inc.), or a service with a physical therapist consultant on its staff that is determined  
19 by the Board to be equivalent. The Board may make its own review of an applicant's educational program and is not  
20 bound by the findings of the credentialing service.

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

22 (1) proof that the applicant has demonstrated English language proficiency by meeting the most recent  
23 Test of English as a Foreign Language TOEFL score requirement as defined by the Federation; The  
24 instrument is incorporated by reference and includes subsequent editions. Individuals wishing to  
25 register for the TOEFL should contact Examination Testing Service (<http://www.ets.org/toefl/>). The  
26 cost of this examination in February 2015 is posted on the ETS website and noted in this Paragraph.  
27 The TOEFL is an examination that is owned by ETS and is not available for public review.

28 (2) proof that coursework was taught in the English language; or

29 (3) documentation for exemption as per USCIS CFR 212.15 (<http://www.uscis.gov/>). This instrument  
30 is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a  
31 copy may call the United States Citizenship and Immigration Service national Customer Service  
32 Center at 1-800-375-5283 or 1-800-767-1833 (TDD) toll free. The cost of this document in February  
33 2015 is zero dollars (\$0.00). A copy of this instrument is on file at the ~~Division located at 18 West~~  
34 Colony Place, Suite, 140, Durham NC 27705 8300 Health Park Suite 233, Raleigh, NC 27615 and  
35 is available for public inspection during regular business hours.  
36  
37

1    *History Note:*    *Authority G.S. 90-270.26; 90-270.26(2); 90-270.29; 90-270.30; 90-270.31; 150B-21.6(2);*  
2                    *Eff. February 1, 2015;*  
3                    *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, ~~2018~~.*  
4                    *2018;*  
5                    *Amended Eff. November 1, 2018.*