

G.S. 150B-21.3A Report for 21 NCAC 48, BOARD OF PHYSICAL THERAPY EXAMINERS									
Agency - Board of Physical Therapy Examiners									
Comment Period - 06/23/2017 through 10/02/2017									
Date Submitted to APO - Filled in by RRC staff									
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
SUBCHAPTER 48A - ORGANIZATION		21 NCAC 48A .0103	MEMBERSHIP OF BOARD	Amended Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48A .0105	DEFINITIONS	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48A .0106	SUSPENSION OF AUTHORITY TO EXPEND FUNDS	Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48A .0107	IDENTIFICATION REQUIREMENTS	Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 48B - TYPES OF LICENSES		21 NCAC 48B .0102	LICENSES BY ENDORSEMENT	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48B .0103	LICENSES BY EXAMINATION	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48B .0104	EXEMPTIONS	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 48C - SCOPE OF PHYSICAL THERAPY PRACTICE	SECTION .0100 - PHYSICAL THERAPISTS	21 NCAC 48C .0101	PERMITTED PRACTICE	Amended Eff. December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48C .0102	RESPONSIBILITIES	Amended Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48C .0103	PROHIBITED PRACTICE	Amended Eff. December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0200 – PHYSICAL THERAPIST ASSISTANTS	21 NCAC 48C .0201	SUPERVISION BY PHYSICAL THERAPIST	Amended Eff. December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48C .0202	PROHIBITED PRACTICE	Eff. December 30, 1985	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0400 - PHYSICAL THERAPY AIDES	21 NCAC 48C .0401	DEFINITION	Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		21 NCAC 48C .0402	FUNCTION	Amended Eff. December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0500 - PHYSICAL THERAPY STUDENTS	21 NCAC 48C .0501	EXEMPTION FOR STUDENTS	Amended Eff. January 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0600 – OTHER ASSISTIVE PERSONNEL	21 NCAC 48C .0601	RESPONSIBILITIES	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48D .0102	SCHEDULE AND LOCATION OF EXAMINATION	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 48D - EXAMINATIONS		21 NCAC 48D .0105	EXAMINATION SCORES	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48D .0106	NOTIFICATION OF EXAMINATION RESULTS	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48D .0107	PERSONS REFUSED EXAMINATION PERMISSION	Amended Eff. December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48D .0109	RETAKING EXAMINATION	Amended Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48D .0110	ADMINISTRATION OF EXAMINATION	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48D .0111	APPLICANTS WITH SPECIAL NEEDS	Amended Eff. February 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48D .0112	COMPUTER EXAMINATION	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 48E - APPLICATION FOR LICENSURE	SECTION .0100 - REQUIREMENTS	21 NCAC 48E .0101	FILING APPLICATION	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48E .0103	REFERENCES	Amended Eff. December 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48E .0104	EXAMINATION SCORES	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48E .0105	VERIFICATION OF LICENSURE	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		21 NCAC 48E .0110	FOREIGN-TRAINED PHYSICAL THERAPIST APPLICANT BY EXAMINATION	Amended Eff. February 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	USCIS CFR § 212.15	No	Necessary without substantive public interest
		21 NCAC 48E .0111	FOREIGN-TRAINED PHYSICAL THERAPIST APPLICANT BY ENDORSEMENT	Eff. February 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	USCIS CFR § 212.15	No	Necessary without substantive public interest
		21 NCAC 48E .0112	FOREIGN-TRAINED PHYSICAL THERAPIST ASSISTANT APPLICANT	Eff. February 1, 2015	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	USCIS CFR § 212.15	No	Necessary without substantive public interest
		21 NCAC 48E .0113	CRIMINAL HISTORY	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 48F - CERTIFICATES: FEES: INVESTIGATIONS: RECORD OF LICENSEES	SECTION .0100 - CERTIFICATES: FEES: INVESTIGATIONS: RECORD OF LICENSEES	21 NCAC 48F .0101	LICENSURE CERTIFICATE	Amended Eff. May 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48F .0102	FEES	Amended Eff. July 1, 2013	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		21 NCAC 48F .0103	INVESTIGATIONS	Amended Eff. December 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		21 NCAC 48F .0105	CHANGE OF NAME AND ADDRESS	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 48G - RETENTION OF LICENSE	SECTION .0100 - LICENSURE RENEWAL	21 NCAC 48G .0103	RENEWAL FEE	Amended Eff. April 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0104	RENEWAL	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0105	DEFINITIONS	Amended Eff. January 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0106	CONTINUING COMPETENCE REQUIREMENT	Amended Eff. January 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0107	STANDARDS FOR CONTINUING COMPETENCE ACTIVITIES	Eff. January 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0108	APPROVAL OF PROVIDERS AND ACTIVITIES	Amended Eff. January 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0109	CONTINUING COMPETENCE ACTIVITIES	Amended Eff. April 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0110	EVIDENCE OF COMPLIANCE	Amended Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0111	EXEMPTIONS	Amended Eff. January 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0112	COSTS	Amended Eff. January 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0200 - LAPSED LICENSES	21 NCAC 48G .0201	DATE LICENSE LAPSES	Amended Eff. October 28, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		21 NCAC 48G .0202	NOTIFICATION	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0203	REVIVAL OF LAPSED LICENSE	Amended Eff. January 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0204	RESTRICTED LICENSE	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0300 - REFUSAL TO RENEW OR GRANT LICENSE: SUSPENSION OR REVOCATION	21 NCAC 48G .0306	CONDITIONS ON RENEWAL	Eff. December 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0400 - PROBATION OR WARNING	21 NCAC 48G .0401	GROUND S FOR PROBATION	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0402	GROUND S FOR WARNING	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0403	CONDITION S FOR PROBATION OR WARNING	Amended Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0404	NOTIFICATION AND HEARING	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0500 - CONTESTED CASE HEARINGS	21 NCAC 48G .0501	RIGHT TO HEARING	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0502	REQUEST FOR HEARING	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0503	GRANTING OR DENYING HEARING REQUEST	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0504	COMPLAINTS AND INVESTIGATIONS	Amended Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary with substantive public interest
		21 NCAC 48G .0505	NOTICE OF HEARING	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0506	WRITTEN RESPONSE TO THE NOTICE OF HEARING	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0507	WHO SHALL HEAR CONTESTED CASES	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0508	PRE-HEARING CONFERENCE	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0509	PETITION FOR INTERVENTION	Amended Eff. February 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0510	TYPES OF INTERVENTION	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0511	DISQUALIFICATION OF BOARD MEMBERS	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0512	SUBPOENAS	Amended Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0513	WITNESSES	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		21 NCAC 48G .0514	CONTINUANCES	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0515	FINAL DECISION	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0516	PROPOSALS FOR DECISION	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0517	MODIFICATION OF DECISION	Eff. August 1, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0600 - DISCIPLINARY ACTION	21 NCAC 48G .0601	PROHIBITED ACTIONS	Amended Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0602	SANCTIONS; REAPPLICATION	Amended Eff. July 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0700 – IMPAIRED LICENSEE	21 NCAC 48G .0701	DEFINITIONS	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0702	PROGRAMS	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0703	INFORMATION OF IMPAIRMENT	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0704	CONFIDENTIALITY	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0705	REPORTS	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48G .0706	PROGRAM STANDARDS	Eff. February 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 48H - RULEMAKING AND ADMINISTRATIVE HEARING PROCEDURES	SECTION .0700 - ADOPTION OF RULES	21 NCAC 48H .0701	PETITIONS	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48H .0702	MAILING LIST	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48H .0703	HEARINGS	Eff. October 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		21 NCAC 48H .0704	DECLARATORY RULINGS	Amended Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest



Agency	Rule	Name	Type of Comment	Comment	Agency Response
Copy all columns in this row to the right of this yellow cell and paste in new rows					
NC Board of PT Examiners	21 NCAC 48F .0102	Fees	Select One		
			Other Statement	<p><b>From:</b> David Edwards  <b>Sent:</b> Wednesday, July 5, 2017 5:30 PM  <b>To:</b> Kathy Arney  <b>Subject:</b> Re: NCBPTE Periodic Review of Existing Rules</p> <p>I support the rules change and increased dues to help compensate for additional costs. With the increased number of icensees and recent increase in legal fees, this increased in justified and appropriate.</p>	This rule was determined as Necessary with Substantive Public Interest
			Other Statement	<p><b>From:</b> Mekeia Stevenson  <b>Sent:</b> Thursday, August 3, 2017 4:12 PM  <b>To:</b> Kathy Arney  <b>Subject:</b> Re: NCBPTE Periodic Review of Existing Rules Update- Technical correction regarding Rule 21 NCAC 48D .0102</p> <p>I'm unsure the reason for receiving this email, as I do not hold any office on the PT Board. Thank you in advance.  Mekeia Stevenson PT, MPT</p>	It is a notification required by law regarding the Board's rules.
			Other Statement	<p>From: Leinonen, Mary  Sent: Thursday, August 3, 2017 9:01 AM  To: Kathy Arney  Subject: Re: NCBPTE Periodic Review of Existing Rules Update- Technical correction regarding Rule 21 NCAC 48D .0102</p> <p>I do not comprehend this legal jargon. I wish that the NC PT Board would focus on matters that HELP patients. One thing I would LOVE a PhD) to write orders for appropriate DME for a pt. We SEE the home environment DME options. This would eliminate the ridiculous wait time patients are suffering for the Medicare required documentation from MD!</p>	Thank you for your comments. Related to your wish below for Medicare and DME, I need to direct you to share your concerns with NCPTA or APTA as they are the entities that can advocate for these concerns. Payment and reimbursement policy fall outside the jurisdiction of the Board.
			Other Statement	<p><b>From:</b> MaryEllen Axner [<a href="mailto:kitherapy@hotmail.com">mailto:kitherapy@hotmail.com</a>]  <b>Sent:</b> Monday, August 7, 2017 11:12 AM  <b>To:</b> Kathy Arney &lt;<a href="mailto:karney@ncptboard.org">karney@ncptboard.org</a>&gt;  <b>Subject:</b> Re: NCBPTE Periodic Review of Existing Rules Update- Technical correction regarding Rule 21 NCAC 48D .0102</p> <p>Dear Kathy,  Thank you for the information on rules update. I am interested in introducing legislation to protect the "PT" initials in NC. This is in line with the APTA's stance.  Given this interesting phase of healthcare and out of pocket expense greater for the consumer, it is important to avoid misrepresentation.  Is this something I initiate with your office?</p>	Thank you for your comments and I will share them with the Board. In terms of legislation, the Board does not introduce legislation and I would refer you to the NCPTA, contact Nancy J. Garland, JD, Executive Director, 919-841-0268, <a href="mailto:ncpta@ncpt.org">ncpta@ncpt.org</a> . Please let me know if you need further assistance