REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48A .0105

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

***NOTE WELL: This request when viewed on computer extends 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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*There is no need to underline the language in line 4, as it is not new language. However, I recommend removing the word “will”.*

*Is the term “credentials” listed in Item 2 fleshed out elsewhere? If not, this term is ambiguous and needs additional information.*

*Should Item 4 say that “granting a license in this State based upon the applicant possessing* *an active license in another State.”?*

*There is no need to reserve Item 15 (formerly Item 6). Just delete it.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48A .0106

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*The first sentence should be broken into two sentences. Place the period after “licenses” on line 5. Remove the “and” and have the second sentence begin, “All fees tendered”*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48A .0107

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

 *Change the authority in the history note to simply G.S. 90-640.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48B .0103

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In Paragraph (a), remove the “or” on line 4. Change the reference on lines 4 and 5 to “Rule 48B .0102 of this Section”. Please insert a reference to the examination in Subchapter 48D after “computer-based examination” on line 5.*

*The wording in (b) is awkward. It would read much better in the active voice. For example: “The applicant shall take the examination within one year following the Board’s approval of his or her application. If the applicant does not do so, the applicant must submit his or her credentials to the Board for review before he or she can take the exam.”*

*In Paragraph (c), it seems that the language on line 10, regarding applicants “not previously licensed” is not necessary as this rule presumes if an applicant is licensed, they will seek licensure by endorsement. Please insert a reference to Rule 48D .0105 of this Chapter, which sets the passing scores after “level” on line 12. Is the language in lines 12 and 13, “in effect at the time of the application” necessary?*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48C .0102

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Paragraph (c) is a bit confusing, as the first sentence refers to delegation of responsibilities to licensed PT assistants. The second sentence refers to a supervising PT determining that a student is working under supervision at all times. These two sentences do not appear to belong together in one paragraph.*

*In Paragraph (e), is the intent to state that during treatment of a patient, the PT must establish and maintain a discharge plan, with a summary following the discharge of that patient?*

*Paragraph (f)’s language in 15 and 16 is confusing. Do you intend to state that the PT must provide all therapeutic interventions that will require the PT’s expertise, and may delegate to other assistive personnel the delivery of service to the patient when it is safe and effective for that patient? If not, then I do not understand the language. Either way, the language should be rewritten and the intent clarified. Is the term “assistive personnel” defined somewhere?*

*Does the reference to “status” of each patient in line 18 only apply to the healthcare status relating to physical therapy, or is it overall health?*

*In Paragraph (i), change “must” to “shall”. Who will make the determination regarding the appropriate number of individuals that can be supervised?*

*On line 26, the phrase “no less frequently than” seems unnecessary.*

*Paragraph (h) states that a physical therapist assistant may supervise a physical therapist aide or student engaging in patient care and the PT must be available for the PTA to contact. Paragraph (k) requires that a PT be in the same facility if supervising a physical therapy aid or student if patient care is being provided. I take it this is because Rule 48C .0201 requires the PTA to be onsite when supervising the student or aid? If so, you may want to put in that reference in (h). I think the Rule would read better if (h) and (k) were moved so they were immediately next to each other in the rule.*

*In Subparagraph (l)(7), there appears to be an extra space before “Equipment”. Please remove it. Also, when is an individual a client, not a patient, since the rule refers to patient throughout?*

*In Subparagraph (m)(2), is this the patient’s progress, the physical therapist’s progress, or both?*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48D .0112

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*What do you mean by “recognized” by the Federation of the State Boards of Physical Therapy?*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48E .0101

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), how are the credentials filed with the Executive Director? The rule language indicates the applicant will not be the one doing so, so how does this work?*

*Again, what are the credentials being referred to within the Rule?*

*How does one file the application with the Director? You don’t have any rules with contact information, so how does an applicant know where to file this?*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48E .0104

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*I am not sure I understand the process set forth in this rule. Is it that the applicant will contact the Board they are licensed by and request the Board to send the examination scores to the NC Board?*

*In the Submission for Permanent Rule Form, you indicate this process will allow for electronic verification. I am not sure the use of the word “authenticate” conveys this intention. To that end, please delete or define the phrase “authenticated by the reporting Board.”*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48E .0105

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Since this Rule appears to apply to applicants for licensure by endorsement, I think you should specify this in the first sentence, especially given the organization of this Subchapter. “An applicant for licensure by endorsement must submit…”*

*You are missing a word in line 4; I think you mean to insert “which” after “state.” However, I think it would be better to end the sentence with “state” and begin a new sentence, “The verification must bear…”.*

*I think you need to insert a “be” before “authenticated” on line 5.*

*Please define “official electronic document”.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48F .0102

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

 *On lines 10 and 11, “there-of” should be one word*

*The language in (c) does raise the question of what is an acceptable payment method for the items in Subparagraphs (a)(3) through (12).*

*Amend your History Note. There is no G.S. 25-3-512, so please remove the reference. I believe you meant to refer to 25-3-506. In addition, I think you should include a reference to G.S. 90-270.29, which is the explicit authority for (b).*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0105

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Is the term “Position Statement” on line 18 defined somewhere? If not, please delete or define.*

*Is the final sentence in (12) intended to state that the points earned cannot be reused during subsequent reporting periods? Otherwise, this seems to conflict with Rule .0106(c), which allows points to be carried over. The language within this sentence needs clarification.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0106

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On line 9, should “activities” be inserted after “continuing competence”?*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0108

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b)(6), did you intend to exclude any providers approved or accredited by IACET?*

*In (e), I think the sentence beginning on line 31 would read better if stated, “The application shall include…” Further, I assume that the Board will use Rule .0107 of the Section to determine whether to approve the application. Is that correct?*

*In Paragraphs (e) and (f), where the Rule refers to the activity being approved if the Board does not object, you may wish to insert “deemed” in front of “approved”. Further, will the Board not send affirmative notice that the application is accepted?*

*In (f), will a licensee who is seeking pre-approval of a course or activity have access to the written materials required in line 4?*

*In (g), please delete the first “assigned” on line 9 or re-write it to state “the providers shall furnish to the Board the Board assigned activity code number and a list of all licensees…”*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0109

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(1), please break up the first sentence into two, so that it reads, “A registered attendee at course or conferences offered live, in real time by approved providers earns one point for each contact hour. The maximum number of points allowed during any reporting period is 29.” Please make conforming changes throughout the rule.*

*In (a)(2), is a post-baccalaureate program (such as a graduate school) required to become an approved provider?*

*In (a)(4), where will the certificate of completion come from?*

*In (a)(5), delete or define “involved”*

*In (b), is there a reason that “Advanced Training” is capitalized? If not, please re-write with lower case letters.*

*In (b)(1), there is no need to spell out what APTA means, as it’s defined in Rule .0108. However, if you wish to spell it out in this Rule, please do so in (a)(7), where the acronym is first used.*

*In (b)(4), I do not think you need to insert (“PTA”), as this is included in the general definitions for the Rules.*

*In (c) on line 27, insert a space between “earns” and “10”.*

*In (d) on line 30, please make “Activities” lowercase.*

*For (d)(1) and (2), are you attempting to say that there will be no repeat credit given for completing the same course? You may wish to clarify the language by stating the same, or “Credit for completing the course shall be given only once.”*

*In (d)(3), line 4, delete or define “direct supervision”.*

*In (e), I believe you are saying that the licensee cannot earn points for teaching or presenting on the subject matter within the reporting period. If that is so, please re-write the sentence to clarify.*

*In (f)(3), does this mean that a Grants Reviewer cannot review several grants during a renewal period and attempt to get points for each review? (For instance, if a reviewer works in March on one grant, June on another, and December on a third, he cannot receive points for the June and December reviews, even if he only earned two points from the March review?)*

*In (f)(4) and (5), if the book or chapter must be published, I recommend inserting “published” before “book” on lines 30 and 33. Also, please be mindful that “published” can include may things, including website and self-publication. If you wish to exclude these types of publication, then I recommend defining the term.*

*In (i), I read “in-service session” to mean educational opportunities held at the office/worksite. If this is not correct, please define the term within the Rule.*

*In (j)(1) through (4), delete the language “for at least one year”. This seems unnecessary, given that the points are awarded for a full year of participation.*

*In (j)(8), insert “the” before “Federation”. Delete or define “item writer”.*

*(j)(9) seems to be a better fit for Paragraph (f). How will the Board determine to grant less than 4 points? Those guidelines need to be in the Rule.*

*In (k), please include the Board’s web address on line 19. Further, please note that the Rule language does not require passing the jurisprudence exercise, but rather, completing it. If this is not your intent, you may wish to amend the language.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0110

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), where can a licensee procure this form?*

*In (e), line 23, it appears that the request for extension shall be made to and granted by the Executive Director. Please amend the language accordingly. If that is not the case, please state in the Rule to whom should a licensee direct the request.*

*Define or give examples of “circumstances beyond the control of the licensee” and “personal hardship”.*

*In line 25, is the Board or the Executive Director that will grant the additional time?*

*In (f), what will happen to a licensee who needs more than 10 points?*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0111

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*The first sentence of Paragraph (b) repeats the language in 48G .0104, which expressly states that the active duty military is not subject to renewal requirements. If you feel its necessary to include here, why not just state “A member of the United States Armed Services is exempt pursuant to Rule .0104 of this Section”?*

*Throughout the Rule, whenever the Board can grant “up to” a certain additional time, please tell how the Board will grant a lesser amount. Alternatively, you may just strike “up to” and give the set amount of time.*

*Please delete or define “emergencies” on line 12.*

*Please delete or define “hardships or circumstances beyond the control of the licensee” on line 17. Further, what will the Board consider in determining whether to grant this request? How long can the exemption last?*

*Please include a reference to 93B-15 in your history note.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0112

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*I think the Rule would be much better if you re-write the Paragraphs to make it clear that the Board shall or shall not assess the fees. I suggest “The Board shall not assess a cost”, etc.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0404

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*With the amendment in Paragraph (b), doesn’t it now just repeat what is in (a)? If so, then delete all of (b) and remove the (a) from the beginning of the language on line 4.*

*In line 5, I assume the opportunity for the informal meeting upon request of the licensee. However, since it is not in the Rule, please state how this informal meeting is set up (upon request of the licensee or set up by the Board).*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0504

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a)(1) through (3), please insert an article at the beginning of the sentence. I believe there should be “the” inserted before “Physical Therapy Practice Act” on line 5. Please insert “and” at the end of (a)(2).*

*What would be the source of confirmation of a violation of the Physical therapy Practice Act referenced in (b), line 9? Further, would the committee in (c) investigate that as well? Paragraph (d) only refers to investigation of the complaint.*

*Replace “such” with “the” on line 10.*

*In (c), lines 11 and 12, the Rule refers to “a probable cause or investigating committee”. Are there two committees, or are you trying to state that the probable cause committee will do the investigation? As the rule really only speaks to what the probable cause committee will do, I am assuming there are not two committees. As such, strike “investigating” and add “to investigate the matter” or some such language at the end of the sentence on line 12.*

*Beginning on line 12, the Rule lists several individuals who may assist in the investigation. I believe the Rule would read better if broken down into subparagraphs. For example:*

*This committee may be assisted by:*

1. *The Board’s attorney;*
2. *An investigator;*
3. *A former member of the Board; or*
4. *A consultant retained by the committee who possess expertise that will assist the committee in its investigation.*

*Please change the reference on line 17 to “Rule .0512 of this Section.”*

*Within the Rule, please be consistent when capitalizing “committee” and “executive director.” It appears they should be in lower case throughout the Rule based upon the usage, but they are not consistently so in the language.*

*In the same vein, please capitalize “board’ on line 18.*

*Please delete “such” on line 23. I believe you are missing a “to” following “shall offer” on that line, as well.*

*In (f), what guidelines will the committee use in determining that the license suspension or revocation is not warranted?*

*Does the licensee have any recourse to dispute the finding of probable cause, or just recommendations regarding licensure after the finding?*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0601

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*On line 14, replace “which” with “that”*

*On line 16, delete or define “inappropriately touching”*

*In (a)(8), who will determine the device, product, etc. is “unnecessary”?*

*Delete or define “directly or indirectly” in (a)(9).*

*In (a)(23), please delete the period and insert a semicolon*

*In (b), what guidelines will the Board use to determine lesser disciplinary actions?*

*In (c), the Rule seems to be missing crucial steps within the statute that if the Board makes a finding pursuant to 150B-3(c) and incorporates the same in the order, then it may order the summary suspension. The language in this Paragraph must be rewritten to clarify that the Rule does not require this to simply be inserted into any Order issued by the Board. Without rewritten language, then I believe the Rule is not consistent with the statute.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Board of Physical Therapy Examiners

RULE CITATION: 21 NCAC 48G .0602

**DEADLINE FOR RECEIPT: FRIDAY, APRIL 12, 2013**

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Is “accepting the voluntary surrender of a license” really a sanction imposed by the Board?*

*I am not sure the language on line 14 is necessary. I think the Paragraph could just begin with “The Board may also impose restrictions and conditions on a license, including scope of practice…”*

*On line 16, I interpret a licensee working “alone” meaning without supervision. However, it could also mean working in a solo practice. You should probably clarify this language.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.