

FISCAL NOTE
Requested by Legislative Council
01/05/2017

Bill/Resolution No.: HB 1157

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Fiscal neutral

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Fiscal neutral

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Fiscal neutral

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Fiscal neutral

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Fiscal neutral

Name: Jeanne DeKrey

Agency: NDBOPT

Telephone: 7015308115

Date Prepared: 01/08/2017

2017 HOUSE HUMAN SERVICES

HB 1157

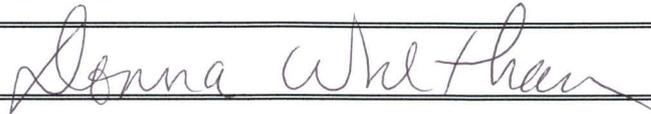
2017 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB 1157
1/11/2017
26980

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to the physical therapy licensure compact

Minutes:

Attachments 1, 2, 3,

Chairman Weisz: called the committee to order. Opened the hearing on HB 1157
Testimony in favor of HB 1157?

Rep. B. Koppelman: introduced this bill at the request of the board of Physical Therapy. It was developed by a task force of Physical Therapy professionals and State Legislators with technical assistance for the Council of State Governments. This bill will allow Physical Therapists to practice in other compact states and in turn will allow those other therapists to practice in North Dakota without having to have individual state licenses. I urge a do pass for HB 1157.

Representative Westlind: How many states are in this compact?

Rep. B. Koppelman: I would like to defer that question to the people testifying after me.

Jeanne DeKrey, President of the ND Board of Physical Therapy: 2:20-7:57) Written testimony and explanation of handouts. (See Attachments 1, 2, 3).

Chairman Weisz: The remote state has the authority to discipline and encumber licensee compact privilege but it doesn't encumber their license in their home state, correct?

J. DeKrey: It does not but the discipline comes back to the compact and is shared with all of the compact states and the home state should be looking for that and it may encumber their license depending on what happens there. It would affect their ability to practice in any other compact state.

Chairman Weisz: Why does there have to be 10 states before they enact the compact, where did the 10 states come from?

J. DeKrey: It was something CSG recommended. A minimum of 8 and a maximum of 15 and we chose 10. Montana is in the process right now. It gives it credibility and is more attractive to other states.

Representative Porter: There is a borrowing ability tied to this bill and I want to know what happens if they don't pay the loan off. What obligation is to the ND taxpayers? Who gets it?

J. DeKrey: The initial start-up cost is being born by the Federation of State Boards of Physical Therapy, realizing there is not a lot of money there. As far as our board I don't think we could obligate ourselves past what our board resources could be.

Representative Porter: It concerns me that we don't have any rules about borrowing money—how much, how do you pay it back, etc. We are saying it is alright for this commission to borrow money. So that the citizens of ND don't end up paying it back if you default. We need to protect the taxpayers from these types of compacts.

J. DeKrey: I'm sorry I don't have the answer to that.

Chairman Weisz: How many physical therapists are licensed in ND?

J. DeKrey: There are about 900 physical therapists and 1100 physical therapy assistants. Not all are practicing in North Dakota.

Representative McWilliams: In this compact you have the ability to borrow money and if we removed that would the compact still be valid in the other states?

J. DeKrey: If we substantially change this language we won't be part of the compact. It needs to be almost all the same numbers between the states. 15:19

Representative Schneider: I would call the committees attention to section 6, subsection d, on the bottom of page 11 where the commission may not incur obligations of any kind before securing the funds adequate to meet the same, nor may the commission pledge the credit of any of the member states, except by and with the authority of the member state.

Chairman Weisz: I don't see the language that was in the nursing compact having to do with the board. This doesn't allow the board to do anything they can't do now?

J. DeKrey: Maybe it would allow a few things to be more stringent than ours. One of the provisions of compact states is to provide criminal background checks and we don't do that at this time. If the other states do background checks, then we must too. It is not like lowering the standard for everybody it is raising the standard.

Representative Skroch: On page 11, number 6 c of the bill, the commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of its staff. Do we have an idea what those typical costs are?

J. DeKrey: The whole concept is that the commission will be self-supporting with the fees that are charged to the individual applicants and this is a fall-back position.

Chairman Weisz: If we join the compact will all the therapists in the state have to join?

J. DeKrey: No, they have the choice of joining or not. Only the therapists that may be moving across state lines.

Chairman Weisz: More questions? Further testimony in support of HB 1157?

Mary Dockter, Chairman of Dept. of Physical Therapy at U of Mary: I am representing the 3 physical therapy academic programs in the state. I am also a delegate for the North Dakota Physical Therapy Association. There is no opposition at this point. Seeing an increase in travelers and sometimes the licensure restrictions can make it takes 3-4 months to get a license and make them ineligible to work. This will make it faster.

Representative P. Anderson: What is the general state of Physical Therapists, are we able to cover the demand for them or does this help us?

M. Dockter: We have adequate Physical Therapists and we put out 150 graduates a year and are very well staffed in ND.

Chairman Weisz: Further questions or further testimony in support for HB 1157? 22:56

Dan Hannaher, HPC: Physical Therapy is not as dire a workforce issue as nursing, however we still advocate in favor of maintaining strict licensure standards while streamlining the process and making the additional workforce available to the providers in the State of North Dakota. In support of HB1157.

Chairman Weisz: More support, opposition, or neutral testimony? Seeing none. Closed the hearing on HB 1157.

Discussion: 24:15

Chairman Weisz: Are you comfortable with the language of the bill on page 11.

Representative Porter: On page 11 line 31 "except by and with the authority of the member state" so if the member state votes to exceed that, the one person who is there could technically put their board at risk and put the taxpayers on the hook. It is the same in the other 2 compacts we passed this morning too. I just wanted to bring that language to everyone's attention. If something happens to the board it could end up costing the taxpayer's money. It is the taxpayer's responsibility to pay if the board has something happen.

Chairman Weisz: Yes, it could cost the taxpayers

Representative Porter: The other fix is to leave the compacts as they are, but add language to all three of those bills that tells the boards that they can't agree as a member of a compact state to borrow money in excess of their ability to pay.

Chairman Weisz: Could add an amendment to all three of the compact bills to limit the amount they could agree to borrow. So we would have some assurance a board wouldn't just vote yes on a loan without understanding the loan they are voting on. We will table this for the time being. I do like the idea of language for all compacts that says they can't encumber themselves greater than they can afford to pay. Committee adjourned

2017 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB 1157
1/17/2017
26974

- Subcommittee
 Conference Committee

Committee Clerk Signature

Donna Whetham

Explanation or reason for introduction of bill/resolution:

Relating to physical therapy licensure compact.

Minutes:

Chairman Weisz: Opened the hearing on HB 1157. We did get a memo on the compact for the individual states from Rick Masters, special counsel for the National Center for Interstate Compact. According to him the compact is severely limited in the debt it can accumulate. The only way the state could be obligated for any debt is if the State Legislature authorized it. This answers my concerns.

Representative Porter: Motion for a do pass on HB 1157.

Representative Seibel: Seconded.

Chairman Weisz: called for a Roll Call Vote. **Yes** 13 **No** 0 **Absent** 1.

Representative P. Anderson: will carry the bill.

Closed the hearing.

Date: 1-17-17
Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1157

House Human Services Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Rep Porter Seconded By Rep Seibel

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. P. Anderson	✓	
Vice Chairman Rohr	A		Rep. Schneider	✓	
Rep. B. Anderson	✓				
Rep. D. Anderson	✓				
Rep. Damschen	✓				
Rep. Devlin	✓				
Rep. Kiefert	✓				
Rep. McWilliams	✓				
Rep. Porter	✓				
Rep. Seibel	✓				
Rep. Skroch	✓				
Rep. Westlind	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. P. Anderson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1157: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1157 was placed on the Eleventh order on the calendar.

2017 SENATE HUMAN SERVICES

HB 1157

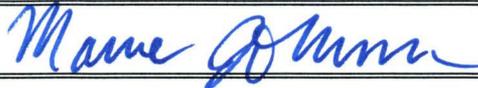
2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

HB 1157
3/6/2017
Job Number 28732

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to the physical therapy licensure compact.

Minutes:

1 attachment.

Chair J. Lee: Brought the hearing to order, all members were present.

Rep. Ben Koppelman District 16 (0:25-1:55) introduced the bill. Developed by a task force of physical therapy professionals, and state legislators, with technical assistance from the Council of State Governments (CSG). This will allow North Dakota physical therapists to practice in other compact states and allow those other therapists to practice in North Dakota, without having to obtain individual state licenses. This legislation will provide greater consumer access to physical therapy and address portability issues; the Board has a representative here who can address this more fully.

Dr. Jeanne DeKrey, President, North Dakota Board of Physical Therapy (2:10-6:15) testified in support, please see attachment #1.

Senator Anderson: In looking at the language, it has in the legislation has more to do with the requirements the state has to do to comply with the compact commission, for example it says "comply with rules of commission", that means that North Dakota is giving up their regulatory authority to the commission with a statement like that.

Dr. DeKrey: It doesn't change our practice of our regulation of the practice of physical therapy, what it does do is give some common ground to anyone who is part of the compact has some uniformity, in terms of what the regulations would be to allow that practice to go back and forth between the states. Right now, there are several states who are not eligible to join the commission because they don't have criminal background checks as part of their initial licensure, this would be for those privileged to practice, folks who are coming in and out, but it does not take away any of what our initial statutory language for our practice act and licensing our physical therapists.

Senator Anderson: On page 4, line 26, this is language I haven't seen before. It says somebody is planning on coming to North Dakota, they have to notify the commission that

they're seeking compact privileges in the remote state. Is that something that CSG suggested?

Dr. DeKrey: I believe that the compact language that CSG is putting forward is using this more commonly, but it may be new, the nursing compact has been in effect for a long time, I think there's been some changes, but the idea that we'll flow through the commission to expedite communication, the commission notifies the jurisdiction so that everybody knows where individuals are from a practice standpoint.

Chair J. Lee: Wouldn't it be quicker the individual to talk to the state, and have the state talk to the commission.

Dr. DeKrey: With today's electronic communication, it will be pretty instantaneous, the commission would still be that central clearing house. My comment about the discipline, relying on a licensee to report their discipline within 30 days is a long length of time. The jurisdiction should be notifying the commission as soon as it happens, who will then notify everybody in that compact.

Senator Piepkorn: There could be a lot of paperwork and follow up, who pays for that?

Dr. DeKrey: The initial startup cost will be borne by the Federation of State Boards of Physical Therapy, which has been true of most of the compacts. The cost for the privilege to practice will be up to each state, as to what they need to cover their costs within their jurisdiction. That may be the Jurisprudence exam, the criminal background check will be required at the outset for any licensee, this will be going forward, there's not going to be a big lookback, each individual licensee will bear the cost of the criminal background check.

Senator Piepkorn: Who's going to benefit most? Is there a lack of physical therapists in North Dakota, or therapist that want to leave?

Dr. DeKrey: It's going to be beneficial in all directions, we have a lot of snowbirds, we have therapists doing telehealth consulting, the tenant of telehealth is that the practice happens where the patient is located, it would be a patient access issue, it will be beneficial for North Dakota therapists looking for more flexibility and for therapists looking to come into North Dakota.

Dr. Mary Dockter, Chair of Department of Physical Therapy, University of Mary; and on behalf of North Dakota Physical Therapy Association. To answer your question Senator Piepkorn, certainly the students, many are unsure where they're going to practice, there's a lot of our students going into traveling situations, this will expedite the process as well, so they are in favor of this. There's no opposition from the academic side, from students or professional associations.

V-Chair Larsen: What is the cost of licensing through the state?

Dr. Dockter: Here its \$100, it will vary from state to state, every state has some different requirements, which they would still have to adhere to but it will be an easier process, it's not uniform across the nation.

Chair J. Lee: The cost will be less, and the time will be significantly less.

Senator Anderson: I see on page 9, it's strange to me, we've established this commission in a multistate venue with North Dakota law. But one of the things on line 7, this commission can borrow money; who pays it back if the commission can't?

Dr. DeKrey: We prepared a brief, we will get it for you. Looking at the language that goes past there, there are some safeguards built in, some case law. The liability wouldn't be borne by anybody other than the commission and the licensees. I don't have all the technical experience, but Jack Macdonald is our board attorney, he is here.

Chair J. Lee: The other bills like this weren't laying out all the detail about how the commission is being assembled. Why are we putting everything in North Dakota statute about the development and responsibilities of the commission itself?

Dr. DeKrey: We'll have to ask Jack about that. With the nursing compact it was a revision of something that was in place, CSG representatives wanted it to be as comprehensive as possible.

Chair J. Lee: So the other states that have passed this have done it the same way?

Jack MacDonald, Attorney North Dakota Board of Physical Therapy: If you look on page 11, line 17, it talks about the financing of the commission; the key thing is line 29, page 11 the commission may not incur obligations before securing the funds adequate to meet the same, nor may the commission pledge the credit of any member states, except by authority of member states. North Dakota couldn't be obligated in any way unless the legislators specifically authorized the obligation.

Chair J. Lee: What seems odd, this is in every state's statute, if the commission finds something they want to change, all of us have to go back and change the statutes.

Mr. MacDonald: I understand what you're saying; at the same time, the state agencies are becoming a part of this, that's why you need to see what your state agency is getting involved with, so that's why they put it in the statutes. If you go back to the commission on agriculture, commission on military parents, the commission of families it's the same language.

Jerry Jurena, President North Dakota Hospital Association (20:05) testified in favor, He wanted to reiterate the NDHA last year did a 10-month study on workforce. It consisted of 53 individuals, we had multiple organizations, from universities to department of commerce, hospitals; one of our recommendations was to support the compact in nursing, medical licensure and physical therapy.

No opposition or neutral testimony.

Chair J. Lee: Closed the Public hearing.

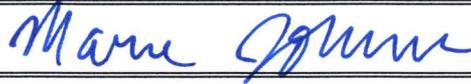
2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

HB 1157
3/6/2017
Job Number 28746

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to the physical therapy licensure compact.

Minutes:

No attachments

Chair J. Lee: Brought the hearing on 1157 to order for committee action. All members were present.

Senator Anderson: I move Do Pass on 1157.

V-Chair Larsen: Second.

Senator Anderson: You probably heard from my questions in the committee, I think that these compacts, written this way will face some litigation down the road. I'm not opposed to us going ahead with it; I'm all in favor of us working together in the compacts and so forth. The way this is written, I can't think we won't have issues, I have confidence in our boards in North Dakota.

Senator Heckaman: I support Senator Anderson said, and also, we don't have an opportunity to start amending these, because once we do it throws everybody out. As it goes through, if it's going to be beneficial to our licensure, I think it's good. I sit on the international Legislators forum, we've actually talked about doing licensure between the US and Canada. Anything we can do to make this universal, I think is important.

V-Chair Larsen: Looking at numbers, this is in it's infancy, North Dakota may be the 5th state, to let it move forward to being a compact. Speaking about cross borders, insurance has that now with Canada.

Roll call vote taken.

Motion passes 7-0-0.

Senator Anderson will carry.

Senator Piepkorn: A question for Senator Heckaman; when you said that you're interested in the international cooperation because of the problems up there, what do you mean?

Senator Heckaman: It has to do with issues, if you're licensed in North Dakota as a plumber, and you go across into Manitoba, you have to license according to Manitoba and meet all their criteria. They have trouble in Canada between provinces, That's one of their bigger issues, they're trying to work on similar language with universal compacts we'll eventually get there, but we're not close yet.

Chair J. Lee: Closed the hearing.

Date: 3/6 2017

Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 1157

Senate Human Services Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar

Other Actions: Reconsider _____

Motion Made By Sen. Anderson Seconded By Sen. Larsen

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	X		Senator Joan Heckaman	X	
Senator Oley Larsen (Vice-Chair)	X		Senator Merrill Piepkorn	X	
Senator Howard C. Anderson, Jr.	X				
Senator David A. Clemens	X				
Senator Curt Kreun	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Anderson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1157: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1157 was placed on the
Fourteenth order on the calendar.

2017 TESTIMONY

HB 1157

HB 1157
1-11-17
A.H. 1

January 11, 2017

House Human Services Committee

HB 1157

REPRESENTATIVE WEISZ AND MEMBERS OF THE COMMITTEE

My name is Jeanne DeKrey and I am appearing today as President of the North Dakota Board of Physical of Physical Therapy in support of HB 1157.

Knowing that you are all well versed in Regulatory Compacts I want to simply give you some information specific to the proposed Physical Therapy Licensure Compact.

The Compact Advisory Task Force included Physical Therapists, Physical Therapist Assistants, Public members, Administrators, a State Senator from TN who is also a Physical Therapist, American Physical Therapy Association (APTA) Board of Directors & Staff, APTA Health Policy and Administration Section, Council of State Governments (CSG) Consultants and the Federation of State Boards of Physical Therapy Board of Directors & Staff.

In the model developed and presented for your consideration, the licensee participant must:

- Hold one valid, current, unrestricted license in his or her primary state of residence
- Notify any remote states in which s/he will be practicing
- Notification of the licensee participant and the payment of a fee (if required) gives the "Privilege to Practice" in the remote state

Under the Compact, a licensee can work or practice in any member state if they maintain a valid license or certificate in their home state, and:

- They have not been disciplined in the last two years; and
- There is no encumbrance on their license/certificate.

PT 1157
A.H. 1

A licensee who is active military or a spouse of active military may designate one of the following as their home state:

- Home of record;
- Permanent Change of Station (PCS);
- State of current residence, if different than home of record or PCS.
-

A licensee working under a compact privilege in a remote state must:

- Notify the Compact Commission of intent to seek the compact privilege;
- Take the Jurisprudence Exam for the remote state they intend to practice/work in;
- Pay all applicable fees associated with the compact privilege;
- Adhere to all standards of practice and ethical requirements of the remote state when providing physical therapy services;
- Notify the Compact Commission of any disciplinary action within 30 days.

If a licensee is disciplined or has their license encumbered, the licensee will lose the compact privilege for all member states for two years, or whenever the encumbrance is lifted, whichever is longer.

- Remote state has authority to discipline and encumber licensee's compact privilege.
- Loss of compact privilege does not prevent the licensee from obtaining a license in the remote state under normal licensure procedures.
- Home state retains authority to discipline licensee for any action.

Thank you for your consideration and I hope I can answer any questions or concerns to you may have in support of HB 1157



AH 2
HB 1157
1-11-19

Physical Therapy Interstate Licensure Compact:

- ✓ Improve Consumer Access
- ✓ Promote Public Safety
- ✓ Retain State Authority
- ✓ Improve Licensure Portability

What is the Physical Therapy Licensure Compact?

The Physical Therapy Licensure Compact (PTLC) is a state-based solution to the challenges of interstate licensure portability for physical therapists (PTs) and physical therapist assistants (PTAs). It will improve patient access to physical therapy services by giving eligible licensees in participating states a faster, less expensive alternative to traditional licensure.

What Impact Does the PTLC have on Current Scope of Practice?

The PTLC is separate legislation from the Physical Therapy Practice Act and does not change the scope of practice of PTs and PTAs. Any PT or PTA must abide by the practice act in the state where he/she is practicing.

Why is the PTLC needed?

The PTLC is needed to meet workforce needs, provide greater consumer access to physical therapy care, and address licensure portability issues for military spouses that are PTs and PTAs. By creating a streamlined mechanism for licensed PTs and PTAs to practice across state lines, the Compact will help connect consumers with the physical therapy services they need.

How does the PTLC positively impact military spouses?

Military spouses move A LOT and all moves are not planned with advanced notice. These moves often result in un- and underemployment of military spouses. In the PTLC, a military spouse is given the option to use the home-of-record, permanent change of station, or state where currently residing as the home state. This increased flexibility allows three chances to get a PTLC member state. The PTLC means the military spouse will not incur long delays waiting for licensure and can resume working almost immediately after a duty-required move.

How will the PTLC work?

Eligible PTs and PTAs in PTLC states will have the option of obtaining a "Compact Privilege" in other participating states. To do so, the licensee participant must:

- Hold one valid, current, unrestricted license in his or her primary state of residence (home state)
- Be free of disciplinary action for at least two years

The PTLC Commission will verify eligibility, accept and remit any fees to the state, and finally notify the state of the licensee's authorization to practice in the remote state- receiving the Compact Privilege.

Is there any expected opposition to the PTLC?

Both the professional association and the regulatory board support the PTLC. The impact on other professions is minimal as the current scope of practice for PTs and PTAs is unchanged.



Vision

The North Dakota Hospital Association will take an active leadership role in major Healthcare issues.

Mission

The North Dakota Hospital Association exists to advance the health status of persons served by the membership.

November 21, 2016

Ms. Jeanne DeKrey, PT
Vice President
North Dakota Board of Physical Therapy
P.O. Box 69
Grafton, ND 58237

Dear Ms. DeKrey:

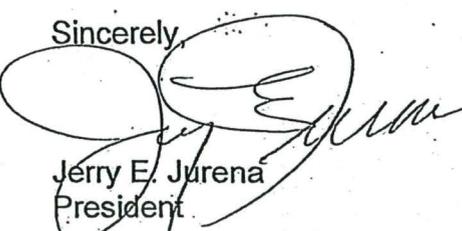
On behalf of the North Dakota Hospital Association (NDHA) Workforce Committee, we would like to formally express our thanks for your support for the Physical Therapy Licensure Compact (PLTC). The NDHA Workforce Committee is committed to ensuring patient access to health care services and has determined that the compact significantly benefits the workforce related to physical therapy in North Dakota.

Like the Nurse Licensure Compact (NLC) and the Interstate Medical Licensure Compact (IMLC), the PLTC offers a common sense solution to the interstate licensure portability for physical therapists and the physical therapist assistants that will prove to be transformative for patients and providers.

The PLTC will have a positive impact in assuring that patients can access needed physical therapy services while ensuring greater patient protection and provider accountability, and foster a 21st century model for the delivery of care that will transformative for current and future generations of providers.

The NDHA Workforce Committee again would like to thank you for your support of the compact and we stand ready to lend our voice to urge state policymakers to support state legislation enacting it in North Dakota.

Sincerely,


Jerry E. Jurena
President

HB 1157
AH #3
1-11-17



February 24, 2016

William Hatherill, CEO
Federation of State Boards of Physical Therapy
124 West Street South
Suite 300
Alexandria, VA 22314

Dear Bill:

The Citizen Advocacy Center (CAC) is pleased to enthusiastically support the new Physical Therapy Licensure Compact (PTLC). We believe this interstate licensing agreement will meet the needs of patients and licensees while preserving the regulatory authority of the individual states. The compact will benefit patients by promoting improved access to physical therapy services.

We are pleased to see that the Physical Therapy Compact Commission will seek public comment as it develops rules and regulations for the promulgation of the compact. CAC looks forward to participating in this rule development process.

We urge the Federation to include at least one public member on the new commission and its executive board.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Swankin".

David A. Swankin
President and CEO

A handwritten signature in black ink, appearing to read "Rebecca LeBuhn".

Rebecca LeBuhn
Board Chair

CITIZEN ADVOCACY CENTER
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TELEPHONE (202) 462-1174 • FAX (202) 354-5372
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(OVER)



NATIONAL
MILITARY FAMILY
ASSOCIATION

Together we're stronger

April 27, 2016

William A. Hatherill
Chief Executive Officer
Federation of State Boards of Physical Therapy
124 West Street South #300
Alexandria, VA 22314

Dear Mr. Hatherill:

The National Military Family Association applauds the efforts of the Federation of State Boards of Physical Therapy (FSBPT), and their partners, the American Physical Therapy Association (APTA) and the Council of State Governments, on the development and introduction of the Physical Therapy Licensure Compact (PTLC). **We strongly support the adoption and passage of the PTLC in all fifty states and the District of Columbia.**

While military spouses as a group are more educated than their civilian counterparts and many are actively pursuing careers, they often struggle to find work.¹ This is due in large part to the challenges of military life, including frequent military-ordered moves. The average military spouse will move six to nine times over the course of his or her service member's career. Many military spouses respond to this reality by seeking out portable careers in the health care field such as physical therapy. However, these portable careers often are accompanied by a new obstacle: the need to obtain and renew a state-issued license or certification. More than half of military spouses work in a career field that requires licensure or certification and more than 72% of those licenses must be reissued upon every government-ordered move to a new state.² The PTLC will greatly assist military spouses pursuing physical therapy careers by reducing licensure barriers while also improving access to physical therapy services and maintaining a high level of public protection.

The PTLC eases the process of obtaining a new state license, allowing military spouses to integrate into their new community and become employed right away. We appreciate your support of military families. If you have any questions or need further information, please contact Katie Savant, Government Relations Issue Strategist at ksavant@militaryfamily.org or 703.931.6632.

The National Military Family Association is the leading nonprofit dedicated to serving the families who stand behind the uniform. Since 1969, NMFA has worked to strengthen and protect millions of families through its advocacy and programs. We provide spouse scholarships, camps for military kids, and retreats for families reconnecting after deployment and for the families of the wounded, ill, or injured. NMFA serves the families of the currently serving, retired, wounded, or fallen members of the Army, Navy, Marine Corps, Air Force, Coast Guard, and Commissioned Corps of the Public Health Service and National Oceanic and Atmospheric Administration.

Sincerely,

Joyce Wessel Raezer, Executive Director

¹ RAND (2015), *Evaluation of the Military Spouse Employment Partnership*. Retrieved from: http://www.rand.org/pubs/research_reports/RR1349.html

² Military Spouse Employment Survey, <http://vets.syr.edu/research/research-highlights/milspouse-survey/>

HB 1157
#1
3/6
Pg.1

March 6, 2017

Senate Human Services Committee

HB 1157

CHAIRMAN LEE AND MEMBERS OF THE COMMITTEE

My name is Jeanne DeKrey and I am appearing today as President of the North Dakota Board of Physical of Physical Therapy in support of HB 1157.

Knowing that you are all well versed in Regulatory Compacts I would like to give you some information specific to the proposed Physical Therapy Licensure Compact.

The Compact Advisory Task Force included Physical Therapists, Physical Therapist Assistants, Public members, Administrators, a State Senator from TN who is also a Physical Therapist, American Physical Therapy Association (APTA) Board of Directors & Staff, APTA Health Policy and Administration Section, Council of State Governments (CSG) Consultants and the Federation of State Boards of Physical Therapy Board of Directors & Staff.

In the model developed and presented for your consideration, the licensee participant must:

- Hold one valid, current, unrestricted license in his or her primary state of residence
- Notify any remote states in which s/he will be practicing
- Notification of the licensee participant and the payment of a fee (if required) gives the "Privilege to Practice" in the remote state

Under the Compact, a licensee can work or practice in any member state if they maintain a valid license or certificate in their home state, and:

- They have not been disciplined in the last two years; and
- There is no encumbrance on their license/certificate.

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1157
#1
3/6
Pg. 2

A licensee who is active military or a spouse of active military may designate one of the following as their home state:

- Home of record;
- Permanent Change of Station (PCS);
- State of current residence, if different than home of record or PCS.

A licensee working under a compact privilege in a remote state must:

- Notify the Compact Commission of intent to seek the compact privilege;
- Take the Jurisprudence Exam for the remote state they intend to practice/work in;
- Pay all applicable fees associated with the compact privilege;
- Adhere to all standards of practice and ethical requirements of the remote state when providing physical therapy services;
- Notify the Compact Commission of any disciplinary action within 30 days.

If a licensee is disciplined or has their license encumbered, the licensee will lose the compact privilege for all member states for two years, or whenever the encumbrance is lifted, whichever is longer.

- Remote state has authority to discipline and encumber licensee's compact privilege.
- Loss of compact privilege does not prevent the licensee from obtaining a license in the remote state under normal licensure procedures.
- Home state retains authority to discipline licensee for any action.

Thank you for your consideration and I hope I can answer any questions or concerns to you may have in support of HB 1157



1157
#1
3/6
Pg. 3

Physical Therapy Interstate Licensure Compact:

- ✓ Improve Consumer Access
- ✓ Promote Public Safety
- ✓ Retain State Authority
- ✓ Improve Licensure Portability

What is the Physical Therapy Licensure Compact?

The Physical Therapy Licensure Compact (PTLC) is a state-based solution to the challenges of interstate licensure portability for physical therapists (PTs) and physical therapist assistants (PTAs). It will improve patient access to physical therapy services by giving eligible licensees in participating states a faster, less expensive alternative to traditional licensure.

What Impact Does the PTLC have on Current Scope of Practice?

The PTLC is separate legislation from the Physical Therapy Practice Act and does not change the scope of practice of PTs and PTAs. Any PT or PTA must abide by the practice act in the state where he/she is practicing.

Why is the PTLC needed?

The PTLC is needed to meet workforce needs, provide greater consumer access to physical therapy care, and address licensure portability issues for military spouses that are PTs and PTAs. By creating a streamlined mechanism for licensed PTs and PTAs to practice across state lines, the Compact will help connect consumers with the physical therapy services they need.

How does the PTLC positively impact military spouses?

Military spouses move A LOT and all moves are not planned with advanced notice. These moves often result in un- and underemployment of military spouses. In the PTLC, a military spouse is given the option to use the home-of-record, permanent change of station, or state where currently residing as the home state. This increased flexibility allows three chances to get a PTLC member state. The PTLC means the military spouse will not incur long delays waiting for licensure and can resume working almost immediately after a duty-required move.

How will the PTLC work?

Eligible PTs and PTAs in PTLC states will have the option of obtaining a "Compact Privilege" in other participating states. To do so, the licensee participant must:

- Hold one valid, current, unrestricted license in his or her primary state of residence (home state)
- Be free of disciplinary action for at least two years

The PTLC Commission will verify eligibility, accept and remit any fees to the state, and finally notify the state of the licensee's authorization to practice in the remote state- receiving the Compact Privilege.

Is there any expected opposition to the PTLC?

Both the professional association and the regulatory board support the PTLC. The impact on other professions is minimal as the current scope of practice for PTs and PTAs is unchanged.

1157
#1
3/6
Pg. 4

April 27, 2016



NATIONAL
MILITARY FAMILY
ASSOCIATION

Together we're stronger

William A. Hatherill
Chief Executive Officer
Federation of State Boards of Physical Therapy
124 West Street South #300
Alexandria, VA 22314

Dear Mr. Hatherill:

The National Military Family Association applauds the efforts of the Federation of State Boards of Physical Therapy (FSBPT), and their partners, the American Physical Therapy Association (APTA) and the Council of State Governments, on the development and introduction of the Physical Therapy Licensure Compact (PTLC). **We strongly support the adoption and passage of the PTLC in all fifty states and the District of Columbia.**

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Sincerely,

Joyce Wessel Raezer, Executive Director

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1157
#1
3/6
Pg. 5

Citizen Advocacy Center

Providing Training and Support for Public Members and for the Health Oversight Boards on Which They Serve

February 24, 2016

William Hatherill, CEO
Federation of State Boards of Physical Therapy
124 West Street South
Suite 300
Alexandria, VA 22314

Dear Bill:

The Citizen Advocacy Center (CAC) is pleased to enthusiastically support the new Physical Therapy Licensure Compact (PTLC). We believe this interstate licensing agreement will meet the needs of patients and licensees while preserving the regulatory authority of the individual states. The compact will benefit patients by promoting improved access to physical therapy services.

We are pleased to see that the Physical Therapy Compact Commission will seek public comment as it develops rules and regulations for the promulgation of the compact. CAC looks forward to participating in this rule development process.

We urge the Federation to include at least one public member on the new commission and its executive board.

Sincerely,



David A. Swankin
President and CEO



Rebecca LeBuhn
Board Chair

CITIZEN ADVOCACY CENTER

1400 SIXTEENTH STREET NW • SUITE #101 • WASHINGTON, DC 20036
TELEPHONE (202) 462-1174 • FAX (202) 354-5372
www.cacenter.org • cac@cacenter.org

1157
#1
3/6
Pg. 6



Vision

The North Dakota Hospital Association will take an active leadership role in major Healthcare issues.

Mission

The North Dakota Hospital Association exists to advance the health status of persons served by the membership.

November 21, 2016

Ms. Jeanne DeKrey, PT
Vice President
North Dakota Board of Physical Therapy
P.O. Box 69
Grafton, ND 58237

Dear Ms. DeKrey:

On behalf of the North Dakota Hospital Association (NDHA) Workforce Committee, we would like to formally express our thanks for your support for the Physical Therapy Licensure Compact (PLTC). The NDHA Workforce Committee is committed to ensuring patient access to health care services and has determined that the compact significantly benefits the workforce related to physical therapy in North Dakota.

Like the Nurse Licensure Compact (NLC) and the Interstate Medical Licensure Compact (IMLC), the PLTC offers a common sense solution to the interstate licensure portability for physical therapists and the physical therapist assistants that will prove to be transformative for patients and providers.

The PLTC will have a positive impact in assuring that patients can access needed physical therapy services while ensuring greater patient protection and provider accountability, and foster a 21st century model for the delivery of care that will be transformative for current and future generations of providers.

The NDHA Workforce Committee again would like to thank you for your support of the compact and we stand ready to lend our voice to urge state policymakers to support state legislation enacting it in North Dakota.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jerry E. Jurena', is written over a circular stamp area.

Jerry E. Jurena
President

1157
#1
3/6
Pg. 7

federation News Briefs

February 2017

Volume 19, Number 2

Federation of State Boards of Physical Therapy

Montana Becomes First State to Enact PT Licensure Compact in 2017! PTLC Legislation Updates + Correction

On February 21st, **Montana** became the first state to join the Physical Therapy Licensure Compact (PTLC) in 2017 with Governor Bullock's signature. The 2017 legislative session has been very busy for PTLC legislation. A PTLC bill has been introduced in ten states to-date. The bills have been received in the initial committees with overwhelming positive votes to move them to full chamber votes. Many PT Board members, with testimonies at these committee hearings, have been instrumental in the success of the bills.

Washington, North Dakota, Mississippi, and New Hampshire have passed the bill in one chamber. Additionally, **Colorado, Kentucky, New Jersey, North Carolina,** and **Utah** have introduced bills this session. There is still time this year in many state legislative calendars to introduce new legislation.

Correction to the January 2017 News Briefs: Texas is also actively pursuing PTLC in 2017 in their Sunset language.

For the most current information on the PTLC, go to www.fsbpt.org/compact. [Back...](#)

In This Issue

- [Montana Becomes First State to Enact PT Licensure Compact in 2017! PTLC Legislation Updates + Correction](#)
- [Updated Regulatory Resources](#)
- [Three Topics for Your Next Board Meeting](#)
- [INPTRA and WCPT announce a formal collaboration](#)
- [North Carolina PT Scope of Practice Case](#)
- [Our Gratitude for Volunteers Hard at Work](#)
- [Spotlight on Member Resources: The status of the PTLC is available on the website!](#)
- [Board of Directors Report](#)
- [In the News](#)
- [Board Liaisons to Jurisdictions](#)
- [Staff Contact Information](#)

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- [Print-Friendly](#)