

# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF PHYSICAL THERAPY

[ 49 PA. CODE CH. 40 ]

#### Post-Act 38 Revisions

The State Board of Physical Therapy (Board) amends §§ 40.16, 40.17, 40.20, 40.63, 40.67, 40.69, 40.152, 40.161, 40.163, 40.164, 40.165, 40.181 and 40.192 to read as set forth in Annex A.

#### *Effective Date*

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

This final-form rulemaking is authorized under sections 3(a), 4(a), 6, 7.2, 9.1 and 11(a) of the Physical Therapy Practice Act (act) (63 P.S. §§ 1303(a), 1304(a), 1306, 1307.2, 1309.1 and 1311(a)).

#### *Description and Need for this Final-Form Rulemaking*

The act of July 4, 2008 (P.L. 293, No. 38) (Act 38) substantially amended the act, including qualifications for licensure as a physical therapist, continuing education for all physical therapists and physical therapist assistants, professional liability insurance for all physical therapists, physician referral, and supervision of physical therapist assistants by physical therapists on a basis that may be less than direct on-premises supervision. Due to the extensive nature and breadth of these amendments, the Board amended its regulations to implement Act 38 at 42 Pa.B. 7652 (December 22, 2012). After final promulgation, the Board discovered various typographical errors, necessary clarity edits and other items that were not, but could have been, addressed in the prior rulemaking. This final-form rulemaking addresses those items.

#### *Summary of Comments to the Proposed Rulemaking and the Board's Response*

Notice of proposed rulemaking was published at 46 Pa.B. 2417 (May 14, 2016), with a 30-day public comment period. The Board did not receive comments from the public. The Board received comments from the Independent Regulatory Review Commission (IRRC) as part of its review of the proposed rulemaking under the Regulatory Review Act (71 P.S. §§ 745.1—745.14). The Board did not receive comments from the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) or the House Professional Licensure Committee (HPLC).

Act 38 added section 6(i) of the act to require a foreign-educated applicant to apply, pay the appropriate fee and provide proof of holding an unrestricted license in the country where the applicant was educated, that the applicant's education is substantially equivalent to the education generally required for licensure and that the applicant passed the licensure examination. To implement these changes, the Board amended § 40.17 (relating to foreign-educated physical therapists applying to take the licensure examination and pursue a clinical experience). However, at that time, the Board did not amend § 40.17(3), which requires the applicant to provide written documentation of authorization to practice as a physical therapist without limitations in the country

where the professional education took place. In the proposed rulemaking, the Board explained its interpretation of section 6(i) of the act as requiring an applicant educated in a foreign country to have held an active, unrestricted license in the country where the applicant was educated, but not that the applicant shall continue to hold that license indefinitely. The Board explained that a foreign-educated physical therapist applying for licensure in this Commonwealth generally no longer has a need to retain current authorization to practice in the foreign country in which the physical therapist was educated. Moreover, it is not unreasonable to foresee that some foreign jurisdictions might rescind the professional authorization to practice of an individual who has immigrated to the United States.

Noting that it understands and agrees with the Board's explanation for the proposed amendments to § 40.17(3), IRRC suggested including language in the final-form rulemaking to clarify that if the unrestricted license in the country where the applicant was educated is not active at the time of application that the license was in good standing at the time its active status was terminated. In response to this comment, the Board revised § 40.17(3) to make clear that the foreign jurisdiction authorization to practice is either current or was in effect and to require that, if not current, the applicant's authorization to practice must have been in good standing immediately prior to expiring or being placed on inactive status.

#### *Summary of Other Amendments to this Final-Form Rulemaking*

Act 38 added sections 7.2 and 9.1(j) of the act to require physical therapists and physical therapist assistants to complete at least 30 hours of continuing physical therapy education during each 2-year renewal period. In 2012, the Board added §§ 40.67 and 40.192 (relating to continuing education for licensed physical therapist; and continuing education for certified physical therapist assistant) to implement this requirement. In addition to others, the regulations recognize the American Physical Therapy Association (APTA) and its components and the Federation of State Boards of Physical Therapy (FSBPT) and its jurisdictions as preapproved providers. Because FSBPT's affiliate ProCert reviews and certifies continuing education courses for FSBPT standards, the Board proposed to add §§ 40.67(d)(1)(i)(H) and 40.192(d)(1)(i)(E) to add to the list of preapproved providers "[a]ny provider whose course or program is certified by FSBPT's ProCert for those courses or programs so certified." In response to questions about processing applications for approval of continuing education courses when APTA and FSBPT are not the actual provider of the course, but instead have approved a course being provided by another entity as meeting their standards, the Board concluded that it should similarly add to the list of preapproved providers those providers whose courses are approved by FSBPT or its jurisdictions or are approved by APTA or its components.

#### *Fiscal Impact and Paperwork Requirements*

This final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. This final-form rulemaking will not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 15, 2016, the Board submitted a copy of the notice of proposed rulemaking, published at 46 Pa.B. 2417, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, the HPLC and the SCP/PLC copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on April 18, 2018, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 19, 2018, and approved the final-form rulemaking.

*Additional Information*

Further information may be obtained by contacting Michelle Roberts, Board Administrator, State Board of Physical Therapy, P.O. Box 2649, Harrisburg, PA 17105-2649, ra-physical@pa.gov.

*Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) The revisions to this final-form rulemaking do not enlarge the scope of proposed rulemaking published at 46 Pa.B. 2417.

(4) The final-form rulemaking adopted by this order is necessary and appropriate for the administration of the act.

*Order*

The Board, acting under its authorizing statute, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 40, are amended by amending §§ 40.16, 40.17, 40.20, 40.63, 40.67, 40.69, 40.152, 40.161, 40.163, 40.164, 40.165, 40.181 and 40.192 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Board shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall submit this order and Annex A to IRRC, the HPLC and the SCP/PLC as required by law.

(d) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(e) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

CYNTHIA L. POTTER, PT, DPT,  
Chairperson

(Editor's Note: See 48 Pa.B. 2731 (May 5, 2018) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 16A-6517 remains valid for the final adoption of the subject regulations.

**Annex A****TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS****PART I. DEPARTMENT OF STATE****Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS****CHAPTER 40. STATE BOARD OF PHYSICAL THERAPY****Subchapter A. PHYSICAL THERAPISTS LICENSURE****§ 40.16. Licensure by endorsement.**

(a) An applicant for licensure by endorsement who is educated in another state or territory of the United States is required to submit the professional credentials in § 40.11 (relating to educational requirements for licensure by examination), and comply with the following:

(1) Submit a written application on forms provided by the Board, together with evidence satisfactory to the Board that the applicant is licensed or otherwise registered as a physical therapist in another state or territory of the United States, or in the District of Columbia, if the requirements for licensure or registration in the state, territory or district were, at the date of licensure or registration, substantially equal to the requirements for licensure or registration in this Commonwealth under the act.

(2) A fee prescribed in § 40.5 (relating to fees) must accompany each application for licensure by endorsement.

(b) In addition to the requirements in subsection (a), an applicant for licensure by endorsement who received education in a country outside of the United States is required to meet the educational requirements as set forth in § 40.17(5) and (6) (relating to foreign-educated physical therapists applying to take the licensure examination and pursue a clinical experience).

**§ 40.17. Foreign-educated physical therapists applying to take the licensure examination and pursue a clinical experience.**

To be eligible to take the examination for licensure, foreign-educated applicants for licensure shall comply with the following conditions:

(1) The applicant shall submit evidence, satisfactory to the Board, indicating that the applicant has met the requirements in § 40.12(a)(1)–(3) and (b) (relating to application for licensure) and pay the fee in § 40.5 (relating to fees) for application for physical therapist licensure through foreign training.

(2) The applicant shall provide written documentation that the applicant has graduated from a physical therapist education program that prepares the applicant to engage without restriction in the practice of physical therapy and that the school of physical therapy is recognized by the authorizing agency or entity of the jurisdiction in which the school is situated.

(3) The applicant shall provide written documentation that the applicant holds or held legal authorization to practice as a physical therapist without limitations in the country where the professional education took place. If an applicant's authorization to practice in the foreign jurisdiction is not current at the time of applying to the

Board, that authorization must have been unrestricted immediately prior to expiring or being placed on inactive status.

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**§ 40.20. Inactive status of physical therapist license.**

(a) A physical therapist license will become inactive upon either of the following:

(1) The licensee in writing affirmatively requests the Board to place licensure on inactive status. Written confirmation of inactive status will be forwarded to the licensee.

(2) The licensee fails to renew the license by the expiration of the renewal period.

(b) A licensee whose license has expired or been placed on inactive status may not practice as a physical therapist in this Commonwealth until the license has been reactivated. A licensee who practices the profession in this Commonwealth after the license has expired and before it has been renewed or reactivated is subject to disciplinary action under sections 4(a) and 11(a)(6) of the act (63 P.S. §§ 1304(a) and 1311(a)(6)), as set forth in § 40.52(11) (relating to unprofessional conduct; physical therapists). A licensee who has engaged in practice during a period in which the license was not active may be subject to criminal prosecution under section 12 of the act (63 P.S. § 1312).

(c) To reactivate an inactive license, the licensee shall apply on forms supplied by the Board, answering all questions fully. The licensee shall:

(1) Include the documentation required under § 40.67(b) (relating to continuing education for licensed physical therapist) for the immediately preceding biennium, which may be completed during the current biennium. Unless waived by the Board under § 40.67(a)(4), the Board will not reactivate a license until the required continuing education for the preceding biennium has been successfully completed.

(2) Pay the current renewal fee and the reactivation application fee specified in § 40.5 (relating to fees).

(3) Verify that the licensee did not practice as a physical therapist in this Commonwealth while the license was inactive.

(d) A licensee who does not make the verification required under subsection (c)(3) shall also pay prior biennial renewal fees and late fees as required under this subsection. Unless previously paid, the licensee shall pay the renewal fee for each biennial renewal period after the license became inactive and during which the licensee practiced as a physical therapist in this Commonwealth. The licensee shall also pay a late fee of \$5 per month or part of the month from the first date the licensee practiced as a physical therapist in this Commonwealth after the license became inactive until the date the licensee files a fully-completed reactivation application. The applicant for license reactivation will not be assessed a fee or penalty for preceding biennial periods in which the licensee did not engage in practice as a physical therapist in this Commonwealth. Payment of a late fee does not preclude the Board from taking disciplinary action for practicing as a physical therapist without a current license.

(e) In addition to the other requirements of this section, a licensee whose license has been inactive for 5

years or more shall demonstrate current competence to practice as a physical therapist by at least one of the following:

(1) Successful completion of the licensure examination required under § 40.13 (relating to areas of examination) and section 6(b) of the act (63 P.S. § 1306(b)).

(2) Satisfaction of the requirements in § 40.16 (relating to licensure by endorsement) and proof of licensed practice of physical therapy in one or more other jurisdictions of the United States or Canada for at least 36 months of the 5 years immediately preceding application for reactivation.

**PRACTICE WITHOUT REFERRAL**

**§ 40.63. Continuing education for direct access certificateholder.**

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(c) *Reports to the Board.* A certificateholder shall certify compliance with the continuing education hours requirement at the time of biennial renewal of the certificate. A certificateholder shall retain proof of completion of continuing education for 5 years after completion of the continuing education or after the completion of the renewal period during which the continuing education was required or applied, whichever is later. These records are subject to audit by the Board.

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**CONTINUING EDUCATION**

**§ 40.67. Continuing education for licensed physical therapist.**

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(d) *Approval of continuing education courses and programs.* Continuing education courses and programs may be approved in accordance with this subsection.

(1) Provided that the course or program otherwise meets the requirements in subsection (c)(2) and the provider issues to each attending licensee a certificate of completion record in accordance with subsection (b)(1), a course or program of continuing education from a provider preapproved under this paragraph is approved by the Board.

(i) The following providers are preapproved:

(A) APTA or its components.

(B) FSBPT and its jurisdictions.

(C) A physical therapist or physical therapist assistant educational program accredited by CAPTE.

(D) The American Heart Association and the American Red Cross and their component organizations, only for purposes of providing continuing education in identifying and responding to emergency health conditions.

(E) An organization credentialed by APTA to confer a fellowship in a specialty, only for purposes of conferring the fellowship.

(F) An organization credentialed by APTA to offer a residency program, only for purposes of the residency program.

(G) The American Board of Physical Therapy Specialization or its successor organization, only for specialty certification.

(H) Any provider whose course or program is certified by FSBPT's ProCert, approved by FSBPT or its jurisdiction.

tions, or approved by APTA or its components, for those courses or programs so certified or approved.

(ii) Any other provider seeking preapproved provider status shall:

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### PROFESSIONAL LIABILITY INSURANCE

#### § 40.69. Professional liability insurance.

(a) *Professional liability insurance requirements.* As required under section 9(b)(4) of the act (63 P.S. § 1309(b)(4)), a licensed physical therapist shall maintain professional liability insurance in the minimum amount of \$1 million per occurrence or claims made as a condition of practicing as a physical therapist in this Commonwealth. Coverage may be provided through:

(1) A self-insurance plan that meets the standards and procedures established by the Insurance Department in 31 Pa. Code Chapter 243 (relating to medical malpractice and health-related self-insurance plans).

(2) Personally purchased professional liability insurance.

(3) Professional liability insurance, coverage provided by the licensee's employer.

(4) A similar type of coverage.

(b) *Proof of professional liability insurance coverage.* Proof of professional liability insurance coverage must include a certificate of insurance or copy of the declaration page from the insurance policy setting forth the effective date, expiration date and dollar amounts of coverage. A license that was issued in reliance upon a letter from the applicant's insurance carrier indicating that the applicant will be covered against professional liability effective upon the issuance of the applicant's license as permitted under section 9(b)(4)(iii.2) of the act will become inactive as a matter of law 30 days after issuance of the license if the licensee has not provided proof of professional liability insurance coverage and will remain inactive until the licensee provides proof of insurance coverage.

(c) *Disciplinary action.* Failure to maintain insurance coverage as required will subject the licensee to disciplinary action under section 11(a)(6) of the act (63 P.S. § 1311(a)(6)) as provided in § 40.52(11) (relating to unprofessional conduct; physical therapists).

### Subchapter C. PHYSICAL THERAPIST ASSISTANTS

#### GENERAL PROVISIONS

#### § 40.152. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*APTA*—The American Physical Therapy Association.

*Act*—The Physical Therapy Practice Act (63 P.S. §§ 1301—1313).

*CAPTE*—The Commission on Accreditation in Physical Therapy Education.

*FSBPT*—The Federation of State Boards of Physical Therapy.

*Indirect supervision*—Supervision of a physical therapist assistant by a licensed physical therapist that is not direct on-premises supervision, as authorized under section 9.1(c) of the act (63 P.S. § 1309.1(c)) and this

subchapter, including § 40.173 (relating to supervision of physical therapist assistant by licensed physical therapist).

*Physical therapist assistant*—A person who has been certified in accordance with the act and this subchapter to provide services as a physical therapist assistant.

*Physical therapist assistant certification examination*—An examination adopted by the Board and administered in accordance with section 812.1 of The Administrative Code of 1929 (71 P.S. § 279.3a). The term also includes an examination administered by another state, territory or the District of Columbia if it is the same examination adopted by the Board.

*Physical therapy independent private practice outpatient facility*—

(i) A practice owned and operated by a licensee under the act, or by a licensee under the act and a health care practitioner, licensed by the Commonwealth, as permitted by law.

(ii) The term does not include a practice owned or affiliated with a hospital or healthcare system.

### CERTIFICATION

#### § 40.161. Certification as physical therapist assistants; practice; exceptions.

(a) A person may not perform or hold himself out as being able to perform as a physical therapist assistant in this Commonwealth unless the person is certified by the Board under section 9.1 of the act (63 P.S. § 1309.1) and this subchapter or exempted under this section.

(b) A person or business entity may not use in connection with a business name or activity the words "physical therapist assistant," the letters "P.T.A." or similar words and related abbreviations to imply that physical therapist assistant services are being provided, unless the services are provided by a physical therapist assistant certified under the act and this subchapter.

(c) This subchapter does not prohibit physical therapist assistant students from assisting a physical therapist licensed to practice without restriction in this Commonwealth under the direct on-premises supervision of the physical therapist as is incidental to their course of study in a program which has been approved for the education and training for physical therapist assistants by CAPTE.

(d) Physical therapist assistants shall identify themselves to patients as physical therapist assistants.

#### § 40.163. Requirements for certification.

(a) Under section 9.1(a) of the act (63 P.S. § 1309.1(a)), an applicant for certification by examination shall submit evidence of the following:

(1) Graduation from a physical therapist assistant program which has been approved for the education and training of physical therapist assistants by CAPTE.

(2) A passing grade on the physical therapist assistant certification examination.

(b) Under section 6(d.1) of the act (63 P.S. § 1306(d.1)), an applicant for reciprocal certification shall submit evidence of a valid license, certificate or registration as a physical therapist assistant issued by another state, territory or the District of Columbia, where the requirements for licensure, certification or registration were on the date of issuance substantially the same as those required by this Commonwealth, and which accords simi-

lar privileges to persons certified as physical therapist assistants in this Commonwealth.

**§ 40.164. Physical therapist assistant certification examination.**

(a) *Application procedure.* An applicant applying for certification by examination shall take the physical therapist assistant certification examination. The applicant who is taking the examination in this Commonwealth shall comply with the following:

(1) The applicant shall complete application forms for admission to the examination obtained from the Board and return the completed form with a check or money order for the appropriate fee.

(2) The applicant shall present the required credentials of professional education at the time of application.

(b) *Failure and re-examination.* In the case of failure of examination, the following apply:

(1) After failing the first examination, the applicant has, after the expiration of 60 days and within 1 year of the date of the first failure, the privilege of a second examination upon the filing of a new application under subsection (a) and payment of the appropriate fee.

(2) After a second or successive failure to pass the examination, an applicant desiring to take a third or successive examination shall file a new application. The Board may require evidence of additional training prior to allowing a candidate to take a third or successive examination.

(3) The granting of permission to take a third or successive examination is subject to:

(i) Authorization by the Board at its discretion to include an oral or practical examination, or both, in connection with the written examination to further test the knowledge, skills and competence of the applicant.

(ii) The applicant otherwise qualifying under requirements in force at the time that permission to take the examination is sought.

**§ 40.165. Authorization to provide services as a physical therapist assistant under indirect supervision.**

(a) An applicant for a certificate of authority to provide services as a physical therapist assistant under indirect supervision by a licensed physical therapist shall submit to the Board on forms supplied by the Board a completed application, including all necessary supporting documents, and pay the fee in § 40.5 (relating to fees) for initial application for certification to provide services under indirect supervision.

(b) Unless there are grounds to deny the application under § 40.181 (relating to refusal, suspension or revocation of certification), the Board will grant a certificate of authority as described in this section to an applicant who:

(1) Demonstrates that the applicant satisfies the requirements in §§ 40.161—40.164.

(2) Demonstrates that the applicant satisfies the requirements of section 9.1(c)(4) of the act (63 P.S. § 1309.1(c)(4)) for certification to provide services as a physical therapist assistant under indirect supervision of a licensed physical therapist by either verifying that the applicant:

(i) Has at least 2,000 hours of experience providing patient-related acts and services while certified to do so under §§ 40.161—40.164 and this section or predecessor

registration or equivalent authorization in another jurisdiction under the supervision of one or more licensed physical therapists, as verified by those physical therapists.

(ii) Worked as a physical therapist assistant for at least 3 years between October 2, 2003, and October 2, 2008, the 5-year period immediately preceding the effective date of section 9.1(c)(4) of the act, and providing a detailed resume or other adequate documentation to corroborate the verification. Part-time work will be acceptable if it is at least equivalent to 3 years of full-time work.

**DISCIPLINE**

**§ 40.181. Refusal, suspension or revocation of certification.**

(a) Under section 9.1(f) of the act (63 P.S. § 1309.1(f)), the Board may refuse, suspend or revoke the certification of a person who has:

(1) Performed physical therapist assistant functions outside the scope of activities under § 40.171 (relating to functions of physical therapist assistants).

(2) Attempted to obtain or obtained registration by fraud or misrepresentation.

(3) Committed an act of gross negligence, or gross incompetence or repeated acts of negligence or incompetence in the providing of physical therapist assistant services.

(4) Been convicted of a felony or of a misdemeanor which relates to the person's suitability for registration as a physical therapist assistant in a Federal, state, territorial or foreign court of competent jurisdiction. Conviction as used in this paragraph includes a finding, or verdict of guilt, an admission of guilt or a plea of nolo contendere.

(5) Become addicted to alcohol or hallucinogenic, narcotic or other drugs which tend to impair judgment or coordination.

(6) Been found guilty of unprofessional conduct, which includes departure from or failure to conform to the minimal standards of acceptable and prevailing practice for physical therapist assistants in which proceeding actual injury to a patient need not be established.

(7) Been adjudged mentally incompetent by a court of competent jurisdiction.

(8) Had a certificate, license or registration to practice as a physical therapist assistant revoked, suspended or refused or otherwise been subjected to other disciplinary action taken by another state, territory, country or the District of Columbia.

(9) Made misleading, deceptive, untrue or fraudulent representations in violation of the act or otherwise in the rendering of physical therapist assistant services.

(10) Provided services as a physical therapist assistant under indirect supervision without having a current certificate of authorization to practice under indirect supervision issued under § 40.165 (relating to authorization to provide services as a physical therapist assistant under indirect supervision).

(11) Provided services as a physical therapist assistant under indirect supervision other than as authorized by section 9.1(c) of the act and § 40.173 (relating to supervision of physical therapist assistant by licensed physical therapist).

(12) Harassed, abused or intimidated a patient.

(13) Revealed information obtained as a result of the therapist-patient relationship to a third party who is not involved in the patient’s care, without the prior written consent of the patient, except as authorized or required by statute.

(14) Violated a provision of the act or this chapter that establishes a standard of conduct.

(b) Actions taken by the Board regarding the refusal, suspension or revocation of a registration are taken subject to the right of notice, hearing and adjudication, and the right of appeal therefrom under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

**CONTINUING EDUCATION**

**§ 40.192. Continuing education for certified physical therapist assistant.**

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(d) *Approval of continuing education courses.* Continuing education courses or programs may be approved in accordance with this subsection.

(1) Provided that the course or program otherwise meets the requirements in subsection (c)(2) and the course or program provider issues to each attending certified physical therapist assistant a certificate of

completion record in accordance with subsection (b)(1), a course or program of continuing education from a provider preapproved under this paragraph is approved by the Board.

(i) The following providers are preapproved:

(A) APTA or its components.

(B) FSBPT and its jurisdictions.

(C) A physical therapist or physical therapist assistant educational program accredited by CAPTE.

(D) The American Heart Association and the American Red Cross and their component organizations, only for purposes of providing continuing education in identifying and responding to emergency health conditions as required under subsection (a)(1).

(E) Any provider whose course or program is certified by FSBPT’s ProCert, approved by FSBPT or its jurisdictions, or approved by APTA or its components, for those courses or programs so certified or approved.

(ii) Any other provider seeking preapproved provider status shall:

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[Pa.B. Doc. No. 18-780. Filed for public inspection May 18, 2018, 9:00 a.m.]