

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Rules Committee WebEx Meeting Minutes
Tuesday, May 21, 2024 – 9:00 a.m.

The Rules Committee of the Georgia State Board of Physical Therapy met via WebEx meeting on Tuesday, May 21, 2024. The following Committee members were present:

Committee Members Present

Destiny Hebert, Committee Chair
Terri Burner, Committee Member

Committee Members Absent

Ashley Camoosa, Committee Member

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Meagan Doss, Licensing Analyst Supervisor
Donna Hammond, Licensing/Complaints Analyst

Attorney General's Office

No Attorney General present.

Visitors Present

Sandra Eskew-Capps, PT, DPT, American Physical Therapy Association-Georgia (APTA-GA)
Daniel Dale, PT, DPT, American Physical Therapy Association-Georgia (APTA-GA)
Viswanatha Mukkamalla
Call-In User 1
Call-In User 3
Guest User

Call to Order: Dr. Hebert called the Rules Committee meeting to order at 9:15 a.m.

OPEN SESSION

Agenda The Committee accepts the agenda as presented.

Discussion – Board Rules and Policy Statements

The Committee met for their annual review of all board rules and policies to ensure they are current with national standards, are the least restrictive for applicants and licensees, and best align to protect the health safety and welfare of all constituents in the State of Georgia. The Committee reviewed amendments recommended during the June 27, 2023, Board meeting and accepted all previous recommendations made on Board Rules and Policy Statements, with the exception of BR 490-2-.03 Licensure: Foreign-Educated Applicants, BR 490-13-.01. Licensure Compact, and Policy #4 – Renewal Applications which were further amended for consistency today. Board Rules 490-9-.02. Principles of Conduct for Physical Therapists, and 490-9-.03. Principles of Conduct for Physical Therapist Assistants were further amended to change the reference to the ‘Consumer Information and Awareness Act’ to ‘Healthcare Practitioners Truth and Transparency Act’ to align with the title change made in O.C.G.A. § 43-1-33.

1. BR 490-2-.03 Licensure: Foreign-Educated Applicants

The Committee determined the purpose for making the recommendation is to align this rule with other existing rules that have been amended. The policy purpose is to remove excessive burden from the applicant. This is accomplished by prohibiting and preventing unsafe practices for those foreign trained physical therapists and physical therapy assistants living in the United States for at least five years as it allows adequate time to learn English language proficiency. The amendments ensure competent practitioners by requiring adequate time to show their proficiency in the English language, and it expands care and services by decreasing excessive burden on applicants.

The rule amendment decreases required time constraints by lowering the burden of ten years down to five years of the verification of active physical therapy practice in the United States. The Committee considered multiple variations and determined that five years is adequate time to ensure English language proficiency. This amendment

is the least restrictive way to accomplish the State's policy and assists applicants with the speed of the licensure process.

The Committee considered independent support of how other states are handling this issue including examining the requirements for the states of Texas and Florida. The rule amendment will affect licensure requirements for foreign educated applicants and decrease their economic burden of having to take the TOEFL by demonstrating language proficiency with five years of active practice in the US.

The rule amendment will have a decreased economic impact on businesses in Georgia as the applicants will not be required to pay for the TOEFL if they can fulfill the requirement and they will be able to go to work sooner.

Rule 490-1-.02. Officers

- (1) The Board shall elect annually from its members a president and vice president, who shall have the privilege of re-election. Elections shall be held at the ~~regular December~~ last regularly scheduled meeting of the year, with officers to preside at the following meeting, unless otherwise determined by the Board.
- (2) The president shall call and preside at all meetings, except that four members may call a meeting, providing all members are adequately notified.
- (3) The vice president shall call and preside at all meetings in the absence of the president.

Cite as Ga. Comp. R. & Regs. R. 490-1-.02

Authority: O.C.G.A. Sec. 43-1-2.

History: Original Rule entitled "Officers" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. Apr. 20, 1973; eff. May 10, 1973.

Amended: F. Jan. 18, 1984; eff. Feb. 7, 1984.

Amended: F. Jan. 28, 1994; eff. Feb. 17, 1994.

Rule 490-2-.01. Application For Initial Licensure And Examination

- (1) A completed application for examination must be submitted and approved prior to taking the examination.
- (2) Any physical therapist or physical therapist assistant who plans to practice as a physical therapist or physical therapist assistant in the State of Georgia must be licensed by the Board or hold a Georgia Compact Privilege issued by the Physical Therapy Compact Commission prior to beginning said practice.
 - a) Any physical therapist who plans to perform dry needling in the state of Georgia must meet the requirements of Board Rule 490-9-.05 and must receive board approval prior to practicing dry needling in the state of Georgia.
 - b) On the application you must attest that you meet the requirements outlined in Board Rule 490-9-.05 and provide proof of education and training to perform dry needling to the Board.
 - c) If the education and training is determined to meet criteria, the dry needling designation will be reflected on the license upon issuance. If the education and training does not meet criteria, the applicant will be notified of the deficiency and given the opportunity to correct it in order to receive the designation at a later date.

- (3) Any applicant who does not submit required documentation within the timeframe indicated in the Joint Secretary rules and policies one year of initial filing date will not be given any further consideration by the Board until submission of a new application and payment of appropriate fees have been submitted.
- (4) All applicants for licensure and examination are also subject to the provisions of O.C.G.A. §§ 43-1-19 and 43-33-18.

Cite as Ga. Comp. R. & Regs. R. 490-2-.01

Authority: O.C.G.A. §§ 43-1-25; 43-33-10(11), (12); 43-33-14; 43-33-31.

History. Original Rule entitled "Application for Registration and Examination" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. May 1, 1973; eff. May 21, 1973.

Repealed: New Rule entitled "Application for Licensure and Examination" adopted. F. June 6, 1983; eff. June 26, 1983.

Repealed: New Rule of same title adopted. F. Mar. 22, 1989; eff. Apr. 11, 1989.

Amended: F. July 17, 1989; eff. Aug. 6, 1989.

Amended: F. May 26, 1993; eff. June 15, 1993.

Amended: F. Jan. 24, 1995; eff. Feb. 13, 1995.

Repealed: New Rule of same title adopted. F. Aug. 20, 2004; eff. Sept. 9, 2004.

Amended: F. Sep. 14, 2020; eff. Oct. 4, 2020.

Rule 490-2-.03. Licensure: Foreign-Educated Applicants

- (1) All applicants who are graduates of educational programs conducted in a foreign country that are not accredited by CAPTE and approved by the Board must submit credentials prescribed by the Board in order to be considered for approval to take the licensing examination.
 - (a) Transcripts must be evaluated by a credential evaluation agency approved by the Board to determine if the professional instruction is substantially equivalent to that of entry-level United States-educated therapists. The credentialing evaluation agency shall send its evaluation and a copy of the official transcript directly to the Board. A list of credentialing agencies approved by the Board shall be included in each application packet. Additional lists may be obtained from the Board office. The professional instruction shall also meet the standards of the most recent Coursework Tool (CWT) adopted by the Federation of State Boards of Physical Therapy.
 - (b) Proof of licensure/certification/registration, that is current and in good standing, to practice physical therapy, or proof of appropriate eligibility to practice physical therapy, in the country of education must be submitted.
 - (c) Verification of licensure/certification/registration in all jurisdictions in which the candidate holds or has ever held a license/certification/registration must be submitted.
 - (d) Applicants educated in a non-English speaking physical therapy program must take and receive a passing score of 89 on the IBT TOEFL to include: a passing score of 2422 on the writing section, a passing score of 2122 on the reading section, a passing score of 1821 on the listening section and a passing score of 2624 on the speaking section before being allowed to sit for the licensure examination. Official score results must be submitted to the Board.
 - (e) Applicants educated in an English speaking physical therapy program must have a school official submit an official letter to the Board attesting that the physical therapy curriculum was taught in English.

- (f) Once a completed application is on file and prior to initiation of a traineeship, all foreign educated applicants must take and pass the NPTE and the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy.
 - (g) All foreign-educated applicants must complete a Board-approved traineeship consisting of a minimum of 480 hours, which must be completed within three (3) months of the issuance of the traineeship permit. *This requirement may be waived at the discretion of the Board if the applicant has demonstrated clinical competency with a minimum of 5-2 years of continuous active practice and license in good standing within the United States. The Pre Examination Traineeship hours may be used toward the satisfaction this requirement (See Board Rule 490-2-.04).*
- (2) Applicants educated in a foreign physical therapy program that is accredited by CAPTE and approved by the Board, do not have to submit a credentials evaluation ~~and-but they~~ must meet the conditions of Board Rule 490-2-.02.

Cite as Ga. Comp. R. & Regs. R. 490-2-.03

Authority: O.C.G.A. §§ 43-1-25, 43-33-3, 43-33-10, 43-33-12, 43-33-15, and 43-33-17.

History. Original Rule entitled "Board Action Upon Application for Registration" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. May 1, 1973; eff. May 21, 1973.

Repealed: New Rule entitled "Licensure: Foreign-Educated Applicants" adopted. F. Jan. 19, 2005; eff. Feb. 8, 2005.

Repealed: New Rule of the same title adopted. F. May 12, 2010; eff. June 1, 2010.

Amended: F. May 23, 2013; eff. Jun. 12, 2013.

Amended: F. Aug. 26, 2015; eff. Sep. 15, 2015.

Rule 490-2-.04. Training Permits

A training permit may be issued pursuant to O.C.G.A. §§ 43-33-10 and 43-33-17 of the Georgia Physical Therapy Act to a qualified applicant following Board-approval of a properly submitted application.

- (a) Qualified applicants are:
 1. Graduates of entry-level programs for physical therapists or physical therapist assistants from either a CAPTE or a non-CAPTE-accredited school who have taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia; or,
 2. Applicants for reinstatement, who have not practiced for two (2) and up to five (5) years; or,
 3. Applicants for reinstatement who have not practiced for more than five (5) years and who have successfully taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia; or,
 4. Applicants for endorsement, who have not practiced for two (2) and up to five (5) years; or,
 5. Applicants for endorsement who have not practiced for more than five (5) years and who have successfully taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia.
- (b) Initial Applications and Reinstatement Applications.
 1. A notarized training permit application form must be submitted by the trainee's Primary supervisor specifying:

- (i) The name and license number of the trainee supervisor who will be responsible for the conduct of the traineeship as defined under section (e) of this rule; and,
- (ii) The name, address, phone, fax number and e-mail address of all sites where the trainee and supervisors may be working during the course of the traineeship; and,
- (iii) The effective dates of the traineeship; and,
- (iv) Acceptance of responsibility for trainee supervision and completion of the performance evaluation; and,
- (v) Termination of the traineeship as defined herein; and,
- (vi) Type of facility.

(c) Renewal.

1. A training permit may be renewed one time, for no more than six (6) months, upon written request and with approval of the Board, and only for one good and exceptional reason as determined by the Board. For purposes of this rule, good and exceptional reasons include but are not limited to:
 - (i) Death of an immediate family member; or
 - (ii) Illness or incapacitation of the applicant or immediate family member (a physician's statement is required); or
 - (iii) Jury duty (proof required).

(d) Validity of Permit.

1. Training permits are subject to the following conditions:
 - (i) Able to be initiated in the State of Georgia within three months of issuance of such permit.
 - (ii) Must be returned to the Board by the trainee with a brief explanation of why it was not used.
 - (iii) A 480 hour traineeship must be completed within three (3) months of initiation. A 1000 hour traineeship must be completed in no less than 6 months or no more than 1 year if approved by the Board;
 - (iv) A training permit shall become invalid and must be immediately returned to the Board office by the trainee if:
 - (I) The trainee fails to complete the traineeship within the above prescribed time frames; or,
 - (II) If the trainee does not exhibit performance satisfactory to the Primary supervisor.

(e) Supervision.

1. Applicants may name both a primary and a secondary supervisor on the training permit application. The ~~Primary supervisor or alternate~~ supervisors named on the training permit application holds full responsibility under their license for direct, continuous, on-site supervision of the trainee at all times. The named supervisors ~~must assure~~ are responsible for assuring that the trainee does not perform any patient care activities ~~in his/her absence~~ unless the supervisor is physically present.
2. If for some reason the primary supervisor cannot fulfill their duties as supervisor, a new application requesting a new supervisor must be approved by the Board ~~the secondary supervisor~~. ~~The trainee may not participate in direct patient care until a new supervisor is approved by the Board.~~ The new supervisor will assure compliance with all terms and obligations outlined in this rule. If for some reason the primary

and secondary supervisor cannot fulfill their duties, a new training permit application must be submitted for approval by the Board.

3. The ~~supervisor and alternate~~primary and secondary supervisors must hold a Georgia license in good standing under O.C.G.A. Title 43, Chapter 33, and have practiced full time for not less than one continuous year.
4. ~~A named~~The supervisor must regularly evaluate trainee performance in all areas as specified by the Board to include cosigning any documentation provided by the trainee. At the end of the traineeship period, the supervisor must submit a performance evaluation on the board approved traineeship performance evaluation reporting form.
5. ~~The Primary~~A named supervisor must notify the Board of unsatisfactory performance at which time the training permit becomes null and void.
6. The supervising therapist will supervise no more than two (2) trainees at one time.
7. The named supervisor must notify the Board within ten (10) business days when the trainee satisfactorily completes the traineeship.

Cite as Ga. Comp. R. & Regs. R. 490-2-.04

Authority: O.C.G.A. §§ 43-1-25, 43-33-3, 43-33-10, 43-33-12, 43-33-17.

History. Original Rule entitled "Temporary Registration" adopted. F. and eff. June 30, 1965.

Repealed: F. Mar. 8, 1971; eff. Mar. 28, 1971.

Amended: New Rule entitled "Temporary Registration" adopted. F. May 1, 1973; eff. May 21, 1973.

Repealed: New Rule of same title adopted. F. May 31, 1974; eff. June 20, 1974.

Repealed: New Rule of same title adopted. F. Nov. 27, 1984; eff. Dec. 17, 1984.

Repealed: New Rule entitled "Temporary License" adopted. F. Feb. 28, 1986; eff. Mar. 20, 1986.

Amended: F. Jan. 28, 1987; eff. Feb. 17, 1987.

Amended: F. Dec. 30, 1987; eff. Jan. 19, 1988.

Repealed: New Rule entitled "Training Permits" adopted. F. May 26, 1993; eff. June 15, 1993.

Repealed: New Rule of same title adopted. F. Nov. 22, 1996; eff. Dec. 12, 1996.

Repealed: New Rule of same title adopted. F. June 19, 1998; eff. July 9, 1998.

Repealed: New Rule of same title adopted. F. May 26, 2005; eff. June 15, 2005.

Repealed: New Rule of the same title adopted. F. Sept. 24, 2010; eff. Oct. 14, 2010.

Repealed: New Rule of the same title adopted. F. May 25, 2012; eff. Jun. 14, 2012.

Amended: F. Aug. 28, 2019; eff. Sep. 17, 2019.

Rule 490-2-.10. Licensure - Endorsement/Reciprocity for Military Spouses and Transitioning Service Members

- (1) The Board may, in its discretion register a physical therapist or physical therapist assistant without an examination as set forth in Official Code of Georgia Annotated Section 43-33-15 upon receipt of a complete application and payment of applicable fees. (Refer to fee schedule)
- (2) A military spouse or transitioning service member, as defined in O.C.G.A. § 43-1-34, is deemed eligible to apply for licensure pursuant to O.C.G.A. 43-33-15 if the applicant is a holder of a valid physical therapy or physical therapist assistant license in another State for which the training, experience and testing substantially meet or exceed the requirements under this state to obtain a license; and,
 - (a) The military spouse or transitioning service member must be a graduate of a physical therapy or physical therapist assistant program accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE) approved by the Board, and must provide:

1. Verification of an active license in good standing from another state board; and,
 2. Within six (6) months of the issuance of a license, submit a verification of licensure in good standing from the state board of all states in which the applicant has held a license to actively practice; and,
 3. Verification of active continued competence in physical therapy in the two years immediately preceding the date of this application which may include a verification of employment or 26 hours of acceptable continuing education coursework pursuant to the requirements in Board Rule [490-4-.02\(1\)\(2\)\(4\)\(7\) and \(8\)](#); and,
 4. Official transcript from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation; and,
 5. Passing scores from the national licensing examination.
 6. Passing scores from the Georgia State Board of Physical Therapy ethics and jurisprudence examination.
 7. [Has satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board.](#)
- (b) Any military spouse or transitioning service member applying for licensure pursuant to O.C.G.A. [43-33-15](#) who is a graduate of a physical therapy or physical therapist assistant program not accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE) or approved by the Board, must provide:
1. Verification of an active license in good standing from another state; and,
 2. Within six (6) months of the issuance of a license, submit verification of licensure in good standing from the state board of all states in which the applicant has actively practiced in the two years immediately preceding the date of this application; and,
 3. Verification of active continued competence in physical therapy in the two years immediately preceding the date of this application which may include a verification of employment or 26 hours of acceptable continuing education coursework pursuant to the requirements in Board Rule [490-4-.02\(1\)\(2\)\(4\)\(7\) and \(8\)](#); and,
 4. Official evaluation and transcript from a credential evaluation organization approved by the Board which shall meet the standards of the Federation of State Boards of Physical Therapy Coursework Tool (CWT) that was in effect at the time the applicant graduated from their physical therapy or physical therapist assistant educational program; and,
 5. Passing scores from the national licensing examination.
 6. Passing scores from the Georgia State Board of Physical Therapy ethics and jurisprudence examination.
 7. [Has satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board.](#)

- (3) Proof of graduation from an accredited physical therapy or physical therapist assistant program or credential evaluations deemed substantially equivalent to the professional degree, and satisfactory completion of the licensing examination shall be deemed to be prima facie evidence of compliance with Code Section [43-33-15](#). The Board, however, may request further verification of any credential submitted if deemed necessary to evaluate the application.

Cite as Ga. Comp. R. & Regs. R. 490-2-.10

Authority: O.C.G.A. §§ [43-1-25](#); [43-1-34\(b\)](#), [43-33-2](#), [43-33-10\(1\), \(2\), \(3\), \(11\)](#); [43-33-14](#); [43-33-15](#).

History. Original Rule entitled "Practical and Oral Examinations" adopted. F. and eff. June 30, 1965.

Repealed: F. May 1, 1973; eff. May 21, 1973.

Adopted: New Rule entitled "Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members." F. Oct. 13, 2017; eff. Nov. 2, 2017.

Amended: F. Sep. 14, 2020; eff. Oct. 4, 2020.

Rule 490-4-.01. Renewal and Reinstatement of License and Penalties

- (1) Every licensed physical therapist and physical therapist assistant shall biennially apply to the Board for renewal of his/her license, submit proof of continuing competency requirements and pay a renewal fee by December 31st of odd years. Refer to fee schedule and Rule [490-4-.02](#).
- (2) A license that is not renewed on or before December 31st shall be assessed a late fee. Refer to fee schedule for penalty fee.
- (3) A license that is not renewed on or before February ~~28th~~ 1st of the year following the renewal year shall lapse and be of no force and effect and shall by operation of the law be revoked.
- (4) A physical therapist or physical therapist assistant that has been previously licensed in this State who has allowed his/her license to become revoked due to failure to renew, shall be required to submit an application for reinstatement, pay appropriate fee (refer to fee schedule), and shall also be required to meet requirements as provided below:
 - (a) An applicant who is able to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years shall be required to submit proof of continuing competence requirements as established by the Board;
 - (b) An applicant who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years but is able to document such practice within 5 years shall be required to submit proof of continuing competence (Refer to [490-4-.02](#)), and shall be required to work under the supervision of a physical therapist licensed in this state for 480 hours of continuous supervised practice to be completed within 3 months with specific stipulations as deemed necessary by the Board, and shall be required to take and pass the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy; or
 - (c) An applicant who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 5 years shall be required to work under the supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no less than 6 months or no more than 1 year if approved by the Board with specific stipulations as deemed necessary by the Board and shall be required to take and pass the following examinations: the licensing examination, and the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy.
- (5) Applicants subject to Rule 490-4-.01(4)(a) may at the discretion of the Board be exempted from continuing competence requirements if such person holds a current license in good standing in another state or if such person is currently employed as a physical therapist or physical therapist assistant by the United States

Government if such person provides physical therapy services under the direction or control of the employing organization.

Cite as Ga. Comp. R. & Regs. R. 490-4-.01

Authority: O.C.G.A. Secs. [43-1-4](#), [43-1-7](#), [43-1-10](#), [43-1-19](#), [43-1-2443-1-25](#), [43-1-31](#), [43-33-10](#), [43-33-14](#), [43-33-16](#), [43-33-17](#), [43-33-18](#).

History. Original Rule entitled "Renewal of Registration and Penalties" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. Apr. 20, 1973; eff. May 10, 1973.

Amended: F. Oct. 17, 1975; eff. Nov. 6, 1975.

Repealed: New Rule of same title adopted. F. Nov. 27, 1984; eff. Dec. 17, 1984.

Amended: F. July 19, 1985; eff. Aug. 8, 1985.

Amended: F. Nov. 25, 1985; eff. Dec. 15, 1985.

Repealed: New Rule entitled "Renewal of License and Penalties" adopted. F. Aug. 25, 1986; eff. Sept. 14, 1986.

Repealed: New Rule of same title adopted. F. Jan. 28, 1987; eff. Feb. 17, 1987.

Amended: F. Mar. 14, 1988; eff. Apr. 3, 1988.

Amended: F. July 20, 1988; eff. Aug. 9, 1988.

Amended: F. Mar. 22, 1989; eff. Apr. 11, 1989.

Repealed: New Rule of same title adopted. F. Aug. 24, 1989; eff. Sept. 13, 1989.

Repealed: New Rule of same title adopted. F. Jan. 13, 1992; eff. Feb. 2, 1992.

Repealed: New Rule of same title adopted. F. July 22, 1999; eff. Aug. 11, 1999.

Amended: F. Nov. 7, 2003; eff. Nov. 27, 2003.

Repealed: New Rule entitled "Renewal and Reinstatement of License and Penalties" adopted. F. Aug. 17, 2005; eff. Sept. 6, 2005.

Repealed: New Rule entitled "Renewal of License and Penalties" adopted. F. Oct. 31, 2007; eff. Nov. 20, 2007.

Repealed: New Rule entitled "Renewal and Reinstatement of License and Penalties" adopted. F. Sept. 29, 2008; eff. Oct. 19, 2008.

Amended: F. Jan. 28, 2011; eff. Feb. 17, 2011.

Repealed: New Rule of same title adopted. F. May 25, 2012; eff. Jun. 14, 2012.

Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant

- (1) A licensed physical therapist shall at all times be responsible for providing adequate supervision of the physical therapists assistant, as defined in Rule [490-5-.02](#) and may meet, supervise, and be readily available to the physical therapist assistant as required in person or via audio and video technology as appropriate.
- (2) The licensed physical therapist shall be present in the same institutional setting, as defined in paragraph (3) of this section, 25 percent of any work week, Monday through Friday, and shall be readily available to the assistant at all other times, including weekend coverage, for advice, assistance and instruction.
- (3) "Institutional setting" means any nursing home, acute hospital, convalescent hospital, rehabilitation center, other inpatient facility by any other name and outpatient clinic which would include private office.
- (4) The licensed physical therapist in the home health setting responsible for the patient shall supervise the physical therapist assistant working with the patient and shall:
 - (a) perform the initial patient evaluation to establish a physical therapy diagnosis, treatment goals, frequency, duration, and plan of care;
 - (b) meet with the assistant no less than once weekly to review all patients being treated;
 - (c) document all meetings with the assistant and subsequent decisions;

- (d) be available to the assistant at all times for advice, assistance, and instructions.
- (5) A licensed physical therapist shall be designated as the physical therapist assistant's supervisor in the school setting and shall:
 - (a) perform all physical therapy evaluations to develop or amend physical therapy interventions stated on the student's Individual Educational Plan (IEP) for the purpose of assisting with the achievement of educational goals and objectives, including frequency and duration of physical therapy services.
 - (b) make an on-site visit to each student scheduled for direct weekly services from the physical therapist assistant no less than every two (2) months, and no less than once every five (5) months for students who are scheduled with the physical therapist assistant once monthly or less. The on-site visit shall include, but not be limited to, a case review, reassessment of the program and physical therapy services and review of documentation pre-pared by the physical therapist assistant.
 - (c) document the on-site visit including status of case(s), program or services status or change and indicate instructions given to the physical therapist assistant.
 - (d) interact with the physical therapist assistant in appropriate ways specific to the goals and objectives stated in the IEP of the student who is scheduled for sessions with the physical therapist assistant.
 - (e) be available to the physical therapist assistant at all times for advice, assistance and instructions.

Cite as Ga. Comp. R. & Regs. R. 490-5-.01

Authority: O.C.G.A. §§ [43-1-24](#); [43-1-25](#); [43-33-3\(6\)](#); [43-33-10\(11\)](#).

History. Original Rule entitled "Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapy Assistant" was filed on April 7, 1978; effective April 27, 1978.

Amended: Filed November 27, 1984; effective December 17, 1984.

Amended: F. May 26, 1993; eff. Jun. 15, 1993.

Amended: F. Nov. 22, 1996; eff. Dec. 12, 1996.

Amended: F. Feb. 27, 1998; eff. Mar. 19, 1998.

Amended: F. Feb. 25, 2015; eff. Mar. 17, 2015.

Amended: F. Sep. 14, 2020; eff. Oct. 4, 2020.

Rule 490-9-.02. ~~Principles of Conduct~~Code of Ethics for Physical Therapists

Any individual who is licensed as a physical therapist shall abide by the following ethical standard:

- (1) Act with consideration, within the scope of physical therapy, for the rights and dignity of all individuals.
 - (a) The physical therapist shall hold as confidential information obtained while acting in a professional capacity.
 - (b) The physical therapist shall provide optimal physical therapy care for all patients regardless of patient race, gender, age, religion, disability or sexual preference.
 - (c) The physical therapist should balance considerations of the patient's physical, psychological and socioeconomic welfare in professional decisions and actions and document these considerations in the patient's record of care.
 - (d) The physical therapist shall communicate and interact with patients and all persons encountered in a professional capacity with courteous regard and timeliness.

~~(e) The physical therapist shall not engage in any behavior that constitutes harassment or abuse of a patient, professional colleague or associate.~~

(2) Comply with the laws and regulations governing the practice of physical therapy in the State of Georgia.

~~(a) Physical therapists are to practice (consultation, evaluations, treatment, research, education, administration and preventive care) in accordance with the state practice act.~~

(3) Accept responsibility for the exercise of sound judgment.

(a) When implementing treatment, physical therapists shall assume the responsibility for evaluating that individual; planning, implementing, and supervising the therapeutic program; reevaluating and changing the program; and maintaining adequate records of the case, including progress reports.

(b) When performing wellness and preventative services, physical therapists shall assume responsibility for providing optimal patient care.

(c) When the individual's needs are beyond the scope of the physical therapist's expertise, the physical therapist shall so inform and assist the individual in identifying a qualified person to provide the necessary services.

(d) When the physical therapists judge that benefit can no longer be obtained from their services, they shall so inform the individual receiving the services. It is unethical to initiate or continue services that, in the therapist's judgment, either cannot result in beneficial outcome or are contraindicated.

(e) The physical therapist's ability to make independent judgment must not be limited or compromised by professional affiliations, including employment relationships.

(f) Physical therapists are not to delegate to a less qualified person any activity ~~which that~~ requires the unique skills, knowledge, and judgment of a physical therapist.

(g) The primary responsibility for physical therapy care assisted by supportive personnel rests with the supervising physical therapist. Adequate supervision requires, at a minimum, that a supervising physical therapist perform the following activities:

1. Establish effective channels of written and oral communication;

2. Interpret and communicate critical information about the patient to the supportive personnel;

3. Perform an initial evaluation of the patient;

4. Develop a plan of care, including short and long-term goals;

5. Delegate appropriate tasks to supportive personnel;

6. Assess the supportive personnel's competence to perform assigned tasks;

7. Provide supervision in accordance with the law, the patient's condition, and the specific situation;

8. Identify and document precautions, special programs, contraindications, goals, anticipated progress, and plans for re-evaluation;

9. Re-evaluate the patient, modify the plan of care when necessary, perform the final evaluation, and establish a follow-up plan.

(h) Physical therapists are obligated to advise their employer(s) of any practice ~~which that~~ causes a physical therapist to be in conflict with the ethical principles of this section. Physical therapists are to attempt to rectify any aspect(s) of their employment ~~which that~~ is in conflict with the principles of this section.

~~(4) Seek remuneration for their services that is deserved and reasonable. Fees for physical therapy services should be reasonable for the service performed, considering the setting in which it is provided, practice costs in the geographic area, judgment of other organizations, and other relevant factors.~~

~~(a) Fees for physical therapy services should be reasonable for the service performed, considering the setting in which it is provided, practice costs in the geographic area, judgment of other organizations, and other relevant factors.~~

~~(b) Physical therapists shall not:~~

~~1. directly or indirectly request, receive, or participate in the dividing, transferring, assigning, or rebating of an unearned fee;~~

~~2. profit by means of a credit or other valuable consideration, such as an unearned commission, discount, or gratuity in connection with furnishing of physical therapy services;~~

~~3. use influence upon individuals, or families of individuals under their care for utilization of any product or service based upon the direct or indirect financial interest of the physical therapist.~~

(45) Provide accurate information to the consumer about the profession and the services provided.

(a) Physical therapists are not to use, or participate in the use of, any form of communication containing false, plagiarized, fraudulent, misleading, deceptive, or unfair statements.

(56) Accept the responsibility to protect the public and the profession from unethical, incompetent, or illegal acts to include but not limited to reporting any activity that appears to be unethical, incompetent, or illegal to the proper authorities.

(a) Physical therapists shall report any activity which appears to be unethical, incompetent, or illegal to the proper authorities.

(b) Physical therapists shall not participate in any arrangement in which patients are exploited due to the referring sources enhancing their personal incomes as a result of referring, prescribing, or recommending physical therapy or a specific physical therapy practice.

(c) If a physical therapist is involved in an arrangement with a referring source in which income is derived from the services, the physical therapist has an obligation to disclose to the patient, within the scope of the state law, the nature of the income.

(67) Demonstrate integrity in all professional relationships that are directly related to physical therapy.

Cite as Ga. Comp. R. & Regs. R. 490-9-.02

Authority: O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-13.1, 43-33-18.

History: Original Rule entitled "Principles of Conduct for Licensed Physical Therapists" adopted. F. Jan. 29, 1997; eff. Feb. 18, 1997.

Repealed: New Rule of same title adopted. F. Jan. 19, 2005; eff. Feb. 8, 2005.

Repealed: New Rule title "Principles of Conduct for Physical Therapists" adopted. No change in Rule text. F. Jan. 25, 2007; eff. Feb. 14, 2007.

Rule 490-9-.03. Principles of Conduct for Physical Therapist Assistants

Any individual who is licensed as a physical therapist assistant shall abide by the following ethical standards:

(1) Act with consideration, within the scope of physical therapy, for the rights and dignity of all individuals.

(a) The physical therapist assistant shall hold as confidential information obtained while functioning as a physical therapist assistant.

- (b) The physical therapist assistant shall provide optimal physical therapy care for all patients delegated by the physical therapist regardless of patient race, gender, age, religion, disability or sexual preference.
 - (c) The physical therapist assistant should be aware of the patient's physical, psychological and socioeconomic welfare in decisions and actions taken while rendering treatment.
 - (d) The physical therapist assistant shall communicate and interact with patients and all persons encountered with courteous regard and timeliness.
 - ~~(e) The physical therapist assistant shall not engage in any behavior that constitutes harassment or abuse of a patient, professional colleague or associate.~~
- (2) Comply with the laws and regulations governing the practice of physical therapy in the State of Georgia.
- (a) Physical therapist assistants are to practice only under the supervision of a licensed physical therapist.
- (3) Accept responsibility for the exercise of sound judgement.
- (a) Upon accepting delegation from a physical therapist, the physical therapist assistant shall provide services within the plan of care established by the physical therapist.
 - (b) When the individual's needs are beyond the scope of the physical therapist assistant's expertise, the physical therapist assistant shall inform the supervising physical therapist.
 - (c) When the physical therapist assistant determines that a change in the plan of care is needed, the assistant will contact the supervising physical therapist and request reevaluation of the patient's status.
 - (d) When the physical therapist assistant determines that the patient has received maximum benefits from physical therapy, he/she shall so inform the supervising physical therapist.
 - ~~(e) Physical therapist assistants are not to delegate to a less qualified person any activity which requires the unique skills, knowledge, and judgement of a physical therapist assistant.~~
 - (f) The primary responsibility for physical therapy care assisted by supportive personnel rests with the supervising physical therapist. Adequate supervision is the responsibility of both the physical therapist and the physical therapist assistant. To insure appropriate supervision, the physical therapist assistant is expected to:
 1. Maintain effective channels of written and oral communication.
 2. Communicate critical information about the patient to the supervising physical therapist in a timely manner.
 3. Function within the established plan of care.
 4. Identify and document treatment activities and all special occurrences.
 5. Request re-evaluation of the patient and/or modification of the plan of care when necessary.
 - (g) Physical therapist assistants are obligated to advise their employer(s) of any practice ~~which that~~ causes a physical therapist or a physical therapist assistant to be in conflict with the ethical principles of this section. Physical therapist assistants are to attempt to rectify any aspect(s) of their employment ~~which that~~ is in conflict with the principles of this section.
- ~~(4). Seek remuneration for their services that is deserved and reasonable.~~
- ~~(a) Physical therapist assistants shall not:

 1. Directly or indirectly request, receive, or participate in the dividing, transferring, assigning, or rebating of an unearned fee;~~

- ~~2. Profit by means of a credit or other valuable consideration, such as an unearned commission, discount, or gratuity in connection with furnishing of physical therapy services;~~
- ~~3. Use influence upon individuals, or families of individuals under their care for utilization of any product or service based upon the direct or indirect financial interest of the physical therapist assistant;~~

(45) Provide accurate information to the consumer about the profession and the services provided.

- ~~(a) Physical therapist assistants are not to use, or participate in the use of, any form of communication containing false, plagiarized, fraudulent, misleading, deceptive, or unfair statements.~~

(65) Accept the responsibility to protect the public and the profession from unethical, incompetent, or illegal acts to include but not limited to -reporting any activity that appears to be unethical, incompetent, or illegal to the proper authorities.

- ~~(a) Physical therapist assistants shall report any activity which appears to be unethical, incompetent, or illegal to the proper authorities.~~
- ~~(b) Physical therapist assistants shall not participate in any arrangement in which patients are exploited due to the referring sources enhancing their personal incomes as a result of referring, prescribing, or recommending physical therapy or a specific physical therapy practice.~~
- ~~(c) If a physical therapist assistant is involved in an arrangement with a referring source in which income is derived from the services, the physical therapist assistant has an obligation to disclose to the patient, within the scope of the State Law, the nature of the income.~~

(6) Demonstrate integrity in all their relationships that are directly related to physical therapy.

Cite as Ga. Comp. R. & Regs. R. 490-9-.03

Authority: O.C.G.A. Section **43-33-10**.

History: Original Rule entitled "Principles of Conduct for Licensed Physical Therapists Assistants" adopted. F. Feb. 27, 1998; eff. Mar. 19, 1998.

Repealed: New Rule title "Principles of Conduct for Physical Therapist Assistants" adopted. No change in Rule text. F. Jan. 25, 2007; eff. Feb. 14, 2007.

Rule 490-9-.04. Disciplinary Sanctions

~~(1) When providing physical therapy treatment following appropriate consultation, un~~professional and unethical conduct shall include but is not limited to the following:

- (a) Failing to adhere to the laws and rules governing the practice of physical therapy to include Code of Ethics for Physical Therapists and Physical Therapists Assistants, as codified in Rules 490-9-.01 through 490-9-.03.
- (b) Delegating to an aide or unlicensed person any physical therapy task other than those codified in Chapter 490-8.
- (c) Failing to provide continuous, immediate and physically present supervision of the aide or unlicensed person when designated tasks are performed.
- (d) Performing the technique of dry needling without having met the training and competency requirements as codified in Rule 490-9-.05.

- (e) Failing to adhere to the requirements of the ~~Health Care Practitioners Truth and Transparency Act~~'~~Consumer Information and Awareness Act~~' as codified in (O.C.G.A. § 43-1-33), which sets forth the type of licensee information that must be included on the name badges, facility notices and advertisements. ~~in relation to conspicuously posting and affirmatively communicating your type of regulatory designator (PT, PTA), level of education, and training to all current and prospective patients by way of a name badge, facility notices and advertisements.~~
- (f) Failing to provide an evaluation on each patient and establishing a physical therapy diagnosis.
- (g) Failing to formulate and record in the patient's record a treatment program based upon the evaluation and any other information available.
- (h) Failing to perform periodic evaluation of the patient and documenting the evaluations in the patient's record and to make adjustments to the patient's treatment program as progress warrants.
- (i) Failing to maintain an accurate medical record or providing false information to any third party in the provision of physical therapy.~~formulate and record a patient's discharge plan.~~
- (j) Directly or indirectly requesting, receiving or participating in the division, transferring, assigning, rebating or refunding of fees or remuneration earned, in cash or kind, for bringing or referring a patient. For purposes of this Rule:
 1. No physical therapist, physical therapy assistant, employee or agent thereof acting on his behalf, shall enter into or engage in any agreement or arrangement with any individual, entity, or an employee or agent thereof acting on his behalf, for the payment or acceptance or compensation in any form for the referral or recommending of the professional services of either. This prohibition includes any form of fee division or charging of fees solely for referral of a patient.
 2. This prohibition shall include a rebate or percentage of rental agreement or any arrangement or agreement whereby the amount received in payment for furnishing space, facilities, equipment or personnel services.
 3. Provided further, that this Rule shall not preclude a discount, waiver of co-payment or other reduction in price of services by a physical therapist if the reduction in price is properly disclosed to the consumer and third party payers and appropriately reflected in the costs claimed or charges made.
 4. Violating the Patient Self-Referral Act, O.C.G.A. § 43-1B1 et seq., with respect to referral a patient to a provider of a designated health care service in which the physical therapist has an investment interest.
- (k) Failing to comply with the continuing competence requirements as set forth in Rule 490-4-.02.
- (l) Committing an act of sexual intimacy, abuse, misconduct, or exploitation related to the licensee's practice of physical therapy, regardless of consent.
- (m) Failing to obey an investigative subpoena.
- (n) Engaging in any behavior that constitutes harassment or abuse of a patient. The physical therapist or physical therapist assistant shall not engage in any behavior that constitutes harassment or abuse of a professional colleague or associate while engaged in the practice of physical therapy.
- (k) ~~Should it be determined that a licensee is in violation of this rule and the statutes referenced herein, the Board may impose any disciplinary or corrective measure allowed by law.~~
- (2) Should it be determined that a licensee is in violation of this rule and the statutes referenced herein, the Board may impose any disciplinary or corrective measure allowed by law.

Cite as Ga. Comp. R. & Regs. R. 490-9-.04

Authority: O.C.G.A. §§ 43-1-19, 43-1-20.1, 43-1-24, 43-1-25, 43-1-33, 43-33-3, 43-33-10, 43-33-11, 43-33-18, 43-33-19.

History. Original Rule entitled "Disciplinary Sanctions" adopted. F. Jan. 25, 2007; eff. Feb. 14, 2007.

Repealed: Rule entitled "Disciplinary Sanctions" adopted. F. Mar. 21, 2012; eff. Apr. 10, 2012.

Amended: F. Apr. 18, 2016; eff. May 8, 2016.

2. SB 370

The Committee referred making compliance recommendations for provisions of SB 370 to the full Board to determine how best to post the Human trafficking poster and to refer the recommendations to APTA-GA to share with their membership once established.

The Committee meeting was adjourned at 11:04 a.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist

Minutes reviewed and edited by: Meagan Doss, Licensing Supervisor & Adrienne Price, Executive Director

Minutes approved on: July 23, 2024

DESTINY HEBERT
COMMITTEE CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR

ANNE THOMPSON
BOARD CHAIR