

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS
TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY CHAPTERS 490-2
AND 490-4, RULES 490-2-.01 AND 490-4-.01, AND NOTICE OF PUBLIC HEARING**

- 1) Board Rule 490-2-.01. Application For Licensure and Examination. Amended.**
- 2) Board Rule 490-4-.01. Renewal and Reinstatement of License and Penalties**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Physical Therapy (hereinafter “Board”) proposes amendments to Board Rules 490-2-.01 and 490-4-.01 (hereinafter “proposed rule amendments”).

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being disseminated to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board website <http://sos.ga.gov/index.php/licensing/plb/39>, or by contacting the Board office at 404-424-9966.

A public hearing is scheduled to begin at **9:30 a.m.** on **March 8, 2022**, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment. If the Board offices remain closed as a result of the public health emergency, the hearing will take place via Zoom at 1-312-626-6799, Meeting ID 944 8504 0765, then Passcode: 303894.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m. EDT) on **March 1, 2022**. Written comments should be addressed to Gabriel Sterling, Interim Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Physical Therapy, 237 Coliseum Drive, Macon, Georgia 31217; Fax (866) 888-7127.

The Board will consider the proposed rule amendment for adoption at its meeting scheduled to begin at **9:30 a.m. on March 8, 2022**, at the Georgia Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. If the Board offices remain closed as a result of the public health emergency, the hearing will take place via Zoom at 1-312-626-6799, Meeting ID 944 8504 0765, then Passcode: 303894. According to the Department of

Law, State of Georgia, the Board has the authority to adopt proposed rule amendments to Board Rule 490-2-.01 pursuant to authority contained in O.C.G.A. §§ 43-1-25 and 43-33-10(11); and, and 490-4-.01 pursuant to authority contained in O.C.G.A. §§ 43-1-4, 43-1-25, 43-33-10(11), and 43-33-16.

At its meeting on September 21, 2021, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee; and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-24, 43-1-25; 43-33-10(11); 43-33-10(11), and 43-33-16.

Additionally, at its meeting on September 21, 2021, the Board voted that it is not legal or feasible to meet the objectives of O§§ 43-1-24, 43-1-25; 43-33-10(11); 43-33-10(11), and 43-33-16. to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of physical therapy.

For further information, contact the Board office at (404) 424-9966.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 26th day of January 2022.



GABRIEL STERLING
Interim Director
Professional Licensing Boards

Posted: 1/26/2022

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF
PHYSICAL THERAPY RULE FOR CHAPTER 490-2,
RULE 490-2-.01 APPLICATION FOR LICENSURE AND EXAMINATION. AMENDED.**

Purpose/Main Features: To meet the policy objectives of the Board by ensuring that the renewal expiration dates and late renewal periods are aligned with the revisions to the Joint Secretary Rules and Policies by putting applicants and licensees on notice as to how long incomplete applications will remain open and pending with the Board before it is considered expired and withdrawn from consideration. As long as the licensee completes their applications timely within the timeframes designated in the Joint Secretary Rules and Policies the amendment affects all physical therapists, physical therapy assistants, employers and the general public equally. There are no new fees added or existing fees raised.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY
RULE FOR CHAPTER 490-2, RULE 490-2-.01 APPLICATION FOR LICENSURE AND
EXAMINATION. AMENDED.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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

- (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.
- (3) ~~Any applicant who does not submit required documentation within one year of initial filing date will not be given further consideration by the Board until submission of new application and payment of appropriate fees.~~ All applications for licensure must be complete within the timeframe indicated in the Joint Secretary Rules and/or policies. All applications not completed within this designated timeframe shall be considered expired and withdrawn. Following expiration of an application, a new application in its entirety, to include all required fees, shall be required for consideration of licensure.
- (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](#) and [43-33-10\(11\)](#).

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

- (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.
- (3) All applications for licensure must be complete within the timeframe indicated in the Joint Secretary Rules and/or policies. All applications not completed within this designated timeframe shall be considered expired and withdrawn. Following expiration of an application, a new application in its entirety, to include all required fees, shall be required for consideration of licensure.
- (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 and 43-33-10(11).

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF
PHYSICAL THERAPY RULE FOR CHAPTER 490-4,
RULE 490-4-.01 RENEWAL AND REINSTATEMENT OF LICENSE AND PENALTIES.**

Purpose/Main Features: To meet the policy objectives of the Board by ensuring that the renewal expiration dates and late renewal periods are aligned with the revisions to the Joint Secretary Rules and Policies by striking February 28th and changing it to February 1st of the year following the renewal year. As long as the licensee completes their renewal applications within the timeframes designated in the Joint Secretary Rules and Policies, the amendment will affect all physical therapists, physical therapy assistants, employers and the general public equally. There are no new fees added or existing fees raised.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY
RULE FOR CHAPTER 490-4, RULE 490-4-.01 RENEWAL AND REINSTATEMENT OF
LICENSE AND PENALTIES.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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. §§ 43-1-4, 43-1-25, 43-33-10(11), and 43-33-16.

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 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. §§ 43-1-4, 43-1-25, 43-33-10(11), and 43-33-16.