

## Comments of the Independent Regulatory Review Commission



### State Board of Physical Therapy Regulation #16A-6517 (IRRC #3148)

#### Post-Act 38 Revisions

**July 13, 2016**

We submit for your consideration the following comments on the proposed rulemaking published in the May 14, 2016 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Physical Therapy (Board) to respond to all comments received from us or any other source.

**Section 40.17. Foreign-educated physical therapists applying to take the licensure examination and pursue a clinical experience. - Protection of the public health, safety and welfare; Clarity.**

Under paragraph (3), the Board proposes to amend the existing language to require a foreign-educated applicant to provide documentation of “having held legal authorization” to practice in the country of professional education. This language is being added to implement Act 38 of 2008 amendments made to the Physical Therapy Practice Act (63 P.S. § 1306 (i)(2)) which requires an applicant for licensure who has been educated outside the United States to provide proof of “holding” an unrestricted license in the country where the applicant was educated.

We understand and agree with the Board’s explanation for the proposed changes as stated in the Preamble to the proposed regulation. However, the Board should include 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 such license was in good standing at the time its active status was terminated.