

3. The appropriate documentation of the analysis of the data acquired from the testing, relevant to the patient impairment, functional limitation and/or disability, is recorded in the patient's record; and

4. Any repeat or subsequent testing shall be for the purpose of substantiating the effectiveness of the physical therapy intervention. Testing intervals shall be determined by the licensed physical therapist and shall be consistent with the patient's diagnosis, disability and impairment.

(d) A licensed physical therapist shall not bill a patient or third party for diagnostic testing that lacks demonstrated medical value and a level of general acceptance by the relevant provider community and which fails to provide sufficient clinical data to alter the plan of care.

(e) The following acts and practices shall be among those deemed to be outside the scope of physical therapy and upon proof that a licensee is engaging in such conduct he or she may be subject to disciplinary action:

1. The conducting of a breast examination;
2. The conducting of a pelvic internal examination, except internal evaluation of the pelvic floor musculature;
3. The taking of radiological studies; or
4. The representation of physical therapy treatment to be a cure or remedy for disease or organic condition unrelated to physical disability for which physical therapy services have been sought.

New Rule, R.1987 d.256, effective July 6, 1987.

See: 18 N.J.R. 1177(b), 19 N.J.R. 1227(c).

Amended by R.1996 d.325, effective July 15, 1996.

See: 28 N.J.R. 1925(b), 28 N.J.R. 3598(b).

Amended by R.1999 d.75, effective March 1, 1999.

See: 30 N.J.R. 3755(a), 31 N.J.R. 661(a).

Inserted new (b) and (c); and recodified former (b) as (d).

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

In (a), rewrote 1 and 3; added a new (b), recodified former (b) as (c), and substituted "licensed physical therapist" for "licensee" in (c); recodified former (c) and (d) as (d) and (e).

Amended by R.2006 d.42, effective January 17, 2006.

See: 37 N.J.R. 947(a), 38 N.J.R. 819(b).

Rewrote (a); in (d), deleted "treatment" and added "of care"; in (e)2, deleted ", upon specific direction from the referring licensed health care provider."

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

In (c) and (d), inserted "licensed"; and in (c)1, deleted ", and is consistent with physician direction" following "disability".

Case Notes

Regulation allowing physical therapists to practice physical therapy within statutory authority was valid. Medical Soc. of New Jersey v. New Jersey Dept. of Law and Public Safety, Div. of Consumer Affairs, 120 N.J. 18, 575 A.2d 1348 (1990).

Regulation allowing physical therapists to examine patients did not exceed statutory authority. Medical Soc. of New Jersey v. New Jersey Dept. of Law and Public Safety, Div. of Consumer Affairs, 120 N.J. 18, 575 A.2d 1348 (1990).

Rule not exceeding statutory authority was valid. Medical Soc. of New Jersey v. New Jersey Dept. of Law and Public Safety, Div. of Consumer Affairs, 120 N.J. 18, 575 A.2d 1348 (1990).

Group instruction rule did not exceed statutory authority. Medical Soc. of New Jersey v. New Jersey Dept. of Law and Public Safety, Div. of Consumer Affairs, 120 N.J. 18, 575 A.2d 1348 (1990).

Regulations exceeding statutory authority were invalid. Medical Soc. of New Jersey v. New Jersey Dept. of Law and Public Safety, Div. of Consumer Affairs, 229 N.J.Super. 128, 550 A.2d 1272 (A.D.1988), certification granted 117 N.J. 46, 563 A.2d 815, reversed 120 N.J. 18, 575 A.2d 1348.

13:39A-2.3 Authorized role of a licensed physical therapist assistant

(a) A licensed physical therapist assistant may initiate physical therapy treatment only at the direction of and under the direct supervision of a licensed physical therapist. A licensed physical therapist assistant shall not initiate physical therapy treatment upon the direction of a physician or other authorized health care provider without the direct supervision of a licensed physical therapist.

(b) A licensed physical therapist assistant shall document treatments in the patient record. The supervising licensed physical therapist shall review and cosign contemporaneously the licensed physical therapist assistant's entries into the patient record.

(c) The licensed physical therapist assistant may participate in collecting data for the examination of the patient; however, any interpretation of the data or assessment shall be made by the supervising licensed physical therapist.

(d) A licensed physical therapist assistant shall not perform a physical therapy examination, evaluation, diagnosis or prognosis, develop a plan of care, modify a plan of care, or independently engage in physical therapy instruction, including, but not limited to, the recommendation of assistive devices and modifications of the patient's physical environment.

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

In (a), substituted "shall" for "may" in the second sentence; rewrote (b); added a new (c); recodified former (c) as (d), substituted "shall" for "may" preceding "not perform", inserted "evaluation or diagnosis" preceding "develop a treatment plan", and inserted "independently" preceding "engage".

Amended by R.2006 d.42, effective January 17, 2006.

See: 37 N.J.R. 947(a), 38 N.J.R. 819(b).

Section was "Authorized practice by a licensed physical therapist assistant"; rewrote (a) and (d).

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

In (a) and (c), inserted "licensed" preceding the last occurrence of "physical therapist"; and in (b), inserted "licensed" preceding the second occurrence of "physical therapist".

13:39A-2.4 Delegation by a licensed physical therapist to unlicensed persons

(a) Licensed physical therapists may delegate to unlicensed persons routine tasks relating to the cleanliness and

maintenance of equipment and the physical plant and the management of the business aspects of the practice and such other assignments with respect to patient care as may be specifically made by the licensed physical therapist, including transporting the patient, positioning of the patient and assisting with the undressing and dressing of the patient.

(b) A licensed physical therapist shall not authorize or permit an unlicensed person to engage in the following activities:

1. Advise, teach, or instruct patients concerning their condition or disability;
2. Carry out testing or evaluation procedures;
3. Make notations in the patient's record in relation to clinical treatment;
4. Place electrodes of any kind on the skin;
5. Administer any modalities.
6. Instruct and/or perform therapeutic exercise(s) and/or therapeutic activity(s); and
7. Provide therapeutic massage.

Amended by R.1996 d.325, effective July 15, 1996.

See: 28 N.J.R. 1925(b), 28 N.J.R. 3598(b).

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

Rewrote the section.

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Section was "Delegation by a physical therapist to unlicensed persons". In (a) and (b), inserted "licensed" preceding "physical therapist".

13:39A-2.5 Referral of patients and consultation standards for licensed physical therapists

(a) A licensed physical therapist shall refer a patient to a health care professional licensed to practice dentistry, podiatry or medicine and surgery in this State, or other appropriate licensed health care professional:

1. When the licensed physical therapist during the examination, evaluation or intervention has reason to believe that physical therapy is contraindicated or symptoms or conditions are present that require services outside the scope of practice of the licensed physical therapist; or
2. When the patient has failed to demonstrate reasonable progress within 30 days of the date of the initial treatment.

(b) Not more than 30 days from the date of initial treatment of functional limitation or pain, a licensed physical therapist shall inform the patient's licensed health care professional of record regarding the patient's plan of care. In the event there is no identified licensed health care professional of record, the licensed physical therapist shall recommend that the patient consult with a licensed health care professional of the patient's choice. In a school setting, the schedule of physical therapy services shall be reported to the

child study team by the licensed physical therapist within 30 days of the date of initial treatment.

(c) A violation of this section shall be deemed professional misconduct pursuant to N.J.A.C. 13:39A-3.8.

New Rule, R.1993 d.642, effective December 6, 1993.

See: 25 N.J.R. 3938(a), 25 N.J.R. 5488(a).

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

Rewrote (a)4; in (b), substituted "writing" for "written form".

New Rule, R.2006 d.42, effective January 17, 2006.

See: 37 N.J.R. 947(a), 38 N.J.R. 819(b).

Former N.J.A.C. 13:39A-2.5, Referral of patients by chiropractors, repealed.

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Section was "Referral of patients and consultation standards for physical therapists". In the introductory paragraph of (a) and in (b), inserted "licensed" preceding "physical therapist" throughout.

13:39A-2.6 (Reserved)

SUBCHAPTER 3. BUSINESS PRACTICES; PROFESSIONAL CONDUCT

13:39A-3.1 Patient records

(a) A licensed physical therapist shall prepare and maintain for each patient a contemporaneous, permanent patient record that accurately reflects the patient contact with the licensed physical therapist whether in an office, hospital or other treatment, evaluation or consultation setting.

(b) A licensed physical therapist shall not falsify a patient's record.

(c) The patient record shall include, in addition to personal identifying information, consents and disclosures, at least the following information:

1. The full name, as it appears on the license, of the licensee who rendered care, identification of licensure status (PT or PTA), and license number. This information shall be legible and shall appear at least once on each page of the patient record;
2. Dates of all examinations, evaluations, physical therapy diagnoses, prognoses including the established plans of care, and interventions;
3. The findings of the examination including test results;
4. The conclusion of the evaluation;
5. The determination of the physical therapy diagnosis and prognosis;
6. Documentation of health care practitioner referrals, if any;

7. A plan of care establishing measurable goals of the intervention with stated time frames, the type of intervention, and the frequency and expected duration of intervention;

8. A contemporaneous note that accurately represents the services rendered during the treatment sessions including, but not limited to, the components of intervention, the patient's response to intervention and current status;

9. Progress notes in accordance with stated goals at a frequency consistent with physical therapy diagnosis, evaluative findings, prognosis and changes in the patient's conditions;

10. The signature or initials and license number of the licensee who rendered care. If the licensee chooses to sign by means of initials, his or her complete signature and license number shall appear at least once on every page;

11. Changes in the plan of care which shall be documented contemporaneously;

12. Communication with other health professionals relative to the patient's care;

13. A discharge summary which includes the reason for discharge from and outcome of physical therapy intervention relative to established goals at the time of discharge; and

14. Pertinent legal document(s).

(d) Patient records shall be maintained for at least seven years from the date of the last entry, unless another agency or entity requires the records to be kept for a longer time.

Administrative change to (a)10.

See: 25 N.J.R. 1516(b).

Amended by R.1996 d.325, effective July 15, 1996.

See: 28 N.J.R. 1925(b), 28 N.J.R. 3598(b).

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

Rewrote the section.

Amended by R.2006 d.42, effective January 17, 2006.

See: 37 N.J.R. 947(a), 38 N.J.R. 819(b).

Rewrote (c)2, 6, 9 and 11.

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

In (a), substituted "the licensed physical therapist" for "the physical therapist"; and in (c)8, substituted "the patient's response to intervention and current status" for "and the patient's response to intervention".

13:39A-3.2 Use of personal or other computer to prepare patient records

(a) A licensee who prepares a patient record maintained solely on a personal or other computer shall use a write-protected program which:

1. Contains an internal permanently activated date and time recordation for all entries;
2. Automatically prepares a back-up copy of the file; and

3. Is designed in such manner that, after the licensee "signs" by means of a confidential personal code ("CPC"), the entry cannot be changed in any manner.

(b) The licensee shall include in the patient record at least two forms of identification; for example, name and record number of the patient or any other specific identifying information.

(c) The licensee shall finalize or "sign" the entry by means of a CPC. Where more than one individual is authorized to make entries into the computer file of any patient record, the licensee responsible for the entity shall assure that each such person obtains a CPC and uses the program in the same manner.

(d) The licensee shall generate a hard copy of the complete patient record upon request.

New Rule, R.1996 d.325, effective July 15, 1996.

See: 28 N.J.R. 1925(b), 28 N.J.R. 3598 (b).

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

In (c), substituted "entity" for "practice"; rewrote (d).

13:39A-3.3 Release of patient record

(a) A licensed physical therapist shall provide one copy of the patient's record of physical therapy treatment within 15 days of a written request by the patient or any person whom the patient has designated to receive that record.

(b) Licensed physical therapists may require a record request to be in writing and may charge a fee for the reproduction of records, which shall be no greater than \$1.00 per page or \$100.00 for the entire record, whichever is less. (If the record requested is less than 10 pages, the licensee may charge up to \$10.00 to cover postage and the miscellaneous costs associated with retrieval of the record.) If the patient requests a summary in lieu of the actual record, the charge for the summary shall not exceed the cost that would be charged for the actual record.

(c) If the patient or a subsequent treating health care professional is unable to read the treatment record, either because it is illegible or prepared in a language other than English, the licensed physical therapist shall provide a transcription at no cost to the patient or the person requesting the record.

(d) Where the patient has requested the release of a professional treatment record or a portion thereof to a specified individual or entity, in order to protect the confidentiality of the records, the licensed physical therapist shall:

1. Secure and maintain a current written authorization, bearing the signature of the patient or an authorized representative;
2. Assure that the scope of the release is consistent with the request; and

3. Forward the records to the attention of the specific individual or entity identified and mark the material "Confidential."

(e) A licensed physical therapist shall not withhold or delay providing a record because the patient failed to pay for services rendered.

New Rule, R.1987 d.255, effective July 6, 1987.

See: 18 N.J.R. 1178(a), 19 N.J.R. 1228(a).

Repeal and New Rule, R.1996 d.325, effective July 15, 1996.

See: 28 N.J.R. 1925(b), 28 N.J.R. 3598(b).

Section was "Scope of physical therapy".

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

Substituted references to licensed physical therapists for references to licensees throughout; in (c), inserted "or the person requesting the record" following "at no cost to the patient"; in (d)3, inserted "or entity" following "specific individual".

13:39A-3.4 Financial arrangements with clients and third party payors

(a) Fees for physical therapy services shall be reasonable and commensurate with fees of licensed physical therapists offering like services or intervention in the geographic area and shall be in accordance with the provisions of N.J.A.C. 13:39A-3.6 prohibiting excessive fees.

(b) Prior to the initiation of physical therapy, the licensed physical therapist or the licensed physical therapist's designee shall explain to the patient in an understandable manner the financial arrangements. The information provided to the patient shall include, but not be limited to:

1. The fee for services or the basis for determining the fee to be charged;
2. Whether the licensee will accept installment payments or assignment of benefits from a third party payor;
3. That insurance coverage may not be available in all circumstances; and
4. The financial consequences, if any, of missed sessions.

(c) A licensed physical therapist shall not require a patient or a third party payor to pay:

1. A fee for preparing an insurance claim form;
2. Interest on an unpaid account unless the patient has been notified of this policy, in writing, prior to the initiation of physical therapy treatment;
3. A full or partial fee for unkept appointments unless the patient has been notified of this policy, in writing, prior to the initiation of physical therapy treatment;
4. A fee for any physical therapy examination, evaluation, intervention or other services not documented in a patient's permanent record in a manner consistent with N.J.A.C. 13:39A-3.1(a); or

5. A fee for any free services offered pursuant to N.J.A.C. 13:39A-7.2.

(d) A licensed physical therapist shall provide a copy of a written fee schedule to any interested person upon request.

(e) A licensed physical therapist shall include on all bills submitted to a patient or third party payor the licensee's license number.

New Rule, R.1996 d.325, effective July 15, 1996.

See: 28 N.J.R. 1925(b), 28 N.J.R. 3598(b).

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

Rewrote (a); in (b), deleted "treatment" following "therapy", inserted "licensed" preceding "physical therapist" and inserted "or the licensed physical therapist's degree" preceding "shall explain" in the introductory paragraph; in (c), inserted "licensed" preceding "physical therapist" in the introductory paragraph and rewrote 4; in (d), substituted "licensed physical therapist" for "licensee"; in (e), substituted "licensed physical therapist" for "licensee" and deleted "current" preceding "license number".

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

In (a), inserted "licensed".

13:39A-3.5 Display of notice of licensure; notification of availability of fee information

(a) Every licensee shall conspicuously display his or her original, current certificate of registration and the following notices in a public area in all offices and health care facilities at which the licensee practices physical therapy:

1. "Physical therapists and physical therapist assistants are licensed by the State Board of Physical Therapy Examiners, an agency of the Division of Consumer Affairs. Any member of the public may notify the Board of any complaint relative to the practice conducted by a physical therapist or physical therapist assistant. The Board address is: Division of Consumer Affairs, State Board of Physical Therapy Examiners, Post Office Box 45014, 124 Halsey Street, Newark, New Jersey 07101, Tel: (973) 504-6455."

2. "INFORMATION ON PROFESSIONAL FEES IS AVAILABLE TO YOU ON REQUEST."

(b) A licensee shall not alter, deface or obscure the information on the certificate of registration in any manner including, but not limited to, the licensee's address.

New Rule, R.1996 d.325, effective July 15, 1996.

See: 28 N.J.R. 1925(b), 28 N.J.R. 3598(b).

Amended by R.2001 d.239, effective July 16, 2001.

See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

Amended by R.2006 d.42, effective January 17, 2006.

See: 37 N.J.R. 947(a), 38 N.J.R. 819(b).

In (a)1, substituted "State Board of Physical Therapy Examiners" for "Board of Physical Therapy".

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Rewrote the introductory paragraph of (a); and in (b), substituted "certificate of registration" for "biennial renewal certificate".

13:39A-8.4 Minimum content

(a) A licensee shall include the following in all advertisements and professional representations (other than an office entry sign), including advertisements in a classified directory, business cards and professional stationery:

1. The name, identification of licensure and license number of at least one principal of the corporation; and
2. The street address and telephone number of the practice.

13:39A-8.5 Use of professional credentials and certifications

(a) A licensee shall accurately and objectively represent his or her competence, education, training and experience.

(b) A licensee shall use the designation "physical therapist" or "physical therapist assistant" or the abbreviation "PT" or "PTA" in conjunction with the use of his or her name and license number. Academic degree designations may be placed after the name and the title.

(c) An advertisement that includes information on professional credentials shall contain the academic degrees attained related to the practice of physical therapy and shall refer only to degrees obtained from accredited academic institutions.

Amended by R.2001 d.239, effective July 16, 2001.
See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

In (b), substituted "placed after" for "interposed between".

13:39A-8.6 Advertising by a business entity offering physical therapy services

(a) A licensee who uses or participates in the use of any form of public communication relating to a business entity offering physical therapy services shall include in that communication the name of the person holding an ownership interest in the advertising entity and the professional license held by that person. If the entity is owned by more than four persons, the notice need only include the names of officers in that entity and the licenses they hold.

(b) The responsibility for the form and content of any advertisement offering services or goods by a licensee shall be jointly and severally that of each licensed physical therapist who is a principal, partner or officer of the firm or entity identified in the advertisement.

13:39A-8.7 Advertising record retention

(a) The licensee shall retain, for a period of three years from the date of initial publication or dissemination, a copy of every advertisement appearing in print media as well as a video or audio tape of every advertisement communicated by electronic media. The licensee shall indicate on all advertisements in his or her possession the date and place of publication.

(b) Documentation relating to the use of testimonials shall be retained for a period of three years from the date of last use of the testimonial. Documentation shall include, but not be limited to, the name, address and telephone number of the testimonial giver and the type and amount or value of compensation, if any.

SUBCHAPTER 9. CONTINUING EDUCATION**13:39A-9.1 Licensure renewal: continuing education requirement**

(a) Effective February 1, 2006, a licensee shall complete the continuing education requirement as specified in N.J.A.C. 13:39A-9.2 by January 31, 2008, for the biennial licensure period beginning February 1, 2008.

(b) A licensee applying for biennial licensure renewal shall complete, during the preceding biennial period, the continuing education requirement as specified in N.J.A.C. 13:39A-9.2.

(c) Upon biennial license renewal, a licensee shall attest that he or she has completed the continuing education requirement of the types and number of credits specified in N.J.A.C. 13:39A-9.3. Falsification of any information submitted on the renewal application may require an appearance before the Board and may result in disciplinary action.

Amended by R.2007 d.21, effective January 16, 2007.
See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Section was "Licensure renewal: continuing professional education requirement". In (a) and (c), deleted "professional" preceding "education"; and in (c), substituted "credits" for "hours".

13:39A-9.2 Credit hour requirements

(a) Except as provided in (b) below, each applicant for biennial license renewal as a licensed physical therapist and as a licensed physical therapist assistant shall complete during the preceding biennial period a minimum of 30 credits of continuing education, which shall include four credits of jurisprudence and professional ethics.

(b) An applicant for biennial license renewal as a licensed physical therapist or as a licensed physical therapist assistant who receives an initial license in the first year of a biennial period shall complete a minimum of 15 of the 30 required credits of continuing education for that biennial renewal period. An applicant for biennial license renewal as a licensed physical therapist or as a licensed physical therapist assistant who receives an initial license in the second year of a biennial period shall be exempt from completing continuing education credits for that biennial renewal period.

(c) For the purposes of this subchapter, an hour of continuing education means 60 minutes of time spent in learning activities exclusive of breaks, meals or vendor exhibits.

(d) Any continuing education courses, programs or seminars directed or ordered by the Board to be taken by a licensee as all or part of a disciplinary or remedial measure or to remediate a deficiency in continuing education credits for a prior biennial renewal period shall not qualify to fulfill the mandatory continuing education requirements required for biennial renewal.

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Rewrote (a); deleted "professional" preceding "education" throughout; in (b), inserted "licensed" four times; and in (c), substituted "an" for "a credit" and "60" for "50".

13:39A-9.3 Acceptable course offerings; credit hour calculation

(a) The Board shall grant continuing education credit, at a rate of one credit for each hour of attendance unless otherwise specified in this section, only for courses, programs or seminars that have been successfully completed and have significant educational or practical content which deal with matters related to the practice of physical therapy or with the professional responsibilities or ethical obligations of licensees, such as the following:

1. Patient/client management;
2. Appropriate standard of physical therapy care;
3. Patient safety;
4. Application of new technology to physical therapy practice;
5. Patient communication;
6. Promotion of ethical practices;
7. Knowledge of the changing health care system;
8. Clinical instructor credentialing; and
9. Physical therapy practice management, administration and professional issues.

(b) All courses, programs or seminars offered by the following sources and providers shall be pre-approved, and a licensee shall be allowed the number of credits as follows:

1. Successful completion of a post-graduate course in a physical therapy program leading to a Doctor of Physical Therapy (DPT) degree for the licensed physical therapist or a three-credit course in an entry level physical therapy program for the licensed physical therapist assistant. Such programs must be in institutions of higher learning which are accredited by the United States Department of Education or the Council on Postsecondary Accreditation or their approved agencies: three credits for each course credit awarded; or
2. Successful completion of a course in an academic master's or doctoral program related to the practice of physical therapy provided that such course is not part of the

physical therapy program completed by the licensee to meet the educational requirements for initial licensure under N.J.A.C. 13:39A-5.1: three credits for each course credit awarded.

(c) The Board shall grant a maximum of 10 of the mandatory 30 continuing education credits required in a biennial renewal period of licensed physical therapists and licensed physical therapist assistants from any or all of the following:

1. Successful completion of videotape, audiotape, computer media, Internet, journal, or correspondence courses, programs or seminars: a maximum of two credits per course, program or seminar. The course, program or seminar shall include an examination at its end. Credit for correspondence and other individual study courses or programs shall be provided only in the renewal period in which the course is completed with a successful final examination;

2. Successful completion of courses, programs or seminars consisting of hands-on demonstrations of instrumentation when accompanied by didactic lectures: one-half credit for each hour of attendance;

3. Preparation and presentation of a Board-approved continuing professional education course, program or seminar: two credits for each hour of a new presentation up to a maximum of 12 credits. For purposes of this subsection, "new" means a course, program or seminar that the licensee has not taught previously in any educational setting. One credit for each hour of a presentation shall be given for subsequent sessions involving substantially identical subject matter up to a maximum of 12 credits, provided the original material has been updated and subject to the credit limits of N.J.A.C. 13:39A-9.3;

4. Preparation of an educational or scientific article authored and published in a professional refereed journal: three credits per article as approved by the Board; or

5. Courses, programs or seminars in physical therapy practice management: one credit for each hour of attendance.

(d) A licensed physical therapist who is certified or re-certified in a clinical specialty by the American Board of Physical Therapy Specialties shall receive 15 continuing education credits for the biennial licensure period in which it takes place.

(e) A licensed physical therapist who successfully completes a residency approved by the American Physical Therapy Association (APTA) shall receive 15 continuing education credits for the biennial licensure period in which the residency takes place.

(f) The Board shall maintain a list of Board-approved courses, programs and seminars submitted for approval pursuant to N.J.A.C. 13:39A-9.6.

(g) The Board may review and approve courses, programs and seminars, which are not pre-approved pursuant to (b) above nor approved pursuant to (e) above, when such courses, programs and seminars are submitted for approval by a licensee for continuing professional education credit. The licensee shall submit on a form approved by the Board the title, date and location of the course, program or seminar for which approval is being sought and the information required of a continuing professional education provider pursuant to N.J.A.C. 13:39A-9.6(a)1.

(h) Continuing education courses, programs and seminars shall be offered on a nondiscriminatory basis. Membership organizations may discount the cost of attending continuing education courses, programs and seminars for dues-paying members.

Amended by R.2007 d.21, effective January 16, 2007.
See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Deleted "professional" preceding "education" throughout; inserted "licensed" throughout; and rewrote (d) and (e).

13:39A-9.4 Documentation of continuing education credit

(a) Each licensee shall maintain a record of all continuing education activity completed and shall submit evidence of completion of the credit requirements to the Board upon request. Each licensee shall obtain from the continuing education course, program or seminar provider and retain for a period of at least four years following the license renewal a record of attendance which shall include, at a minimum, the following:

1. The participant's name and State Board of Physical Therapy Examiners' license number;
2. The title and, if the title does not adequately describe the educational content, subject matter of the course, program or seminar;
3. The name of the instructor;
4. The course, program or seminar provider;
5. The date and location of the course, program or seminar;
6. The number of continuing education credits awarded; and
7. The signature of a course, program or seminar official or other verification of successful completion by the course, program or seminar provider.

(b) A licensee shall verify completion of academic course work by an official transcript from the educational institution.

(c) A licensee who completes a videotape, audiotape, computer media, Internet, journal or correspondence course or program shall retain the certification of the successful final examination completed at the end of the course, program or seminar;

(d) The Board shall monitor compliance with the mandatory continuing education requirement by conducting a random audit of licensees, who, upon request, shall provide proof of successful completion of continuing education credits.

(e) During the audit performed pursuant to (d) above, the Board shall review any course that has not been pre-approved pursuant to N.J.A.C. 13:39A-9.3(b) and shall approve the course if it meets the requirements of N.J.A.C. 13:39A-9.3(a) and the provider meets the requirements of N.J.A.C. 13:39A-9.6.

Amended by R.2007 d.21, effective January 16, 2007.
See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Section was "Documentation of continuing professional education credit". In the introductory paragraph of (a), (a)6, and (d), deleted "professional" preceding "education"; in (a)6, deleted "hours and" preceding "credits"; and added (e).

13:39A-9.5 Waiver of continuing education requirements

(a) The Board may waive, extend or otherwise modify the time period for completion of the continuing education requirements on an individual basis for reasons of hardship, such as illness, disability or active service in the military.

(b) A licensee who seeks a waiver, extension or modification of the time period for the completion of the continuing education requirements shall provide to the Board in writing, no less than two months prior to the end of the licensure period, the specific reasons for requesting the waiver, extension or modification and such additional information as the Board may require in support of the request.

Amended by R.2007 d.21, effective January 16, 2007.
See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Section was "Waiver of continuing professional education requirements". In (a) and (b), deleted "professional" preceding "education".

13:39A-9.6 Responsibilities of continuing education providers

(a) All providers of continuing education not included in N.J.A.C. 13:39A-9.3(b) shall:

1. At least 45 days prior to the date of the course, submit the following for each course, program or seminar offered for evaluation by the Board:
 - i. A detailed descriptive outline of course content and estimated hours of instruction; and
 - ii. The curriculum vitae of each lecturer, including specific background which qualifies the individual as a lecturer in the area of instruction;
2. Obtain Board approval prior to representing that any course, program or seminar fulfills the requirements of N.J.A.C. 13:39A-9.1;
3. Monitor the attendance at each approved course, program or seminar and furnish to each enrollee a verifi-

cation of attendance, which shall include at least the following information:

- i. The title, date and location of the course, program or seminar offering;
- ii. The name and license number of the attendee;
- iii. The number of credits awarded;
- iv. The name and signature of the sponsor and the seal of the organization;

4. Evaluate course offerings. Evaluations shall be solicited from both the attendees and the instructors; and

5. Submit a fee pursuant to N.J.A.C. 13:39A-1.3 for each submission of new courses, programs or seminars reviewed by the Board during the biennial licensing period.

Amended by R.2007 d.21, effective January 16, 2007.

See: 38 N.J.R. 2990(a), 39 N.J.R. 222(a).

Section was "Responsibilities of continuing professional education providers". In the introductory paragraph of (a), deleted "professional" preceding "education".