

CHAPTER 39A

STATE BOARD OF PHYSICAL THERAPY

Authority

N.J.S.A. 45:1-32 and 45:9-37.18.

Source and Effective Date

R.2001 d.239, effective June 20, 2001.
See: 33 N.J.R. 1309(a), 33 N.J.R. 2483(a).

Chapter Expiration Date

Chapter 39A, State Board of Physical Therapy, expires on June 20, 2006.

Chapter Historical Note

Chapter 39A, State Board of Physical Therapy, Subchapter 1, Agency Organization and Administration, Subchapter 2, Authorized Practice, Subchapter 3, Unlawful Practices by Licensees, Subchapter 4, Unlicensed Practice, Subchapter 5, Credentialing of Applicants, were adopted as R.1986 d.265, d.266, d.267, d.268 and d.270, effective July 7, 1986. See: 17 N.J.R. 2355(a), 18 N.J.R. 1394(b); 17 N.J.R. 2356(a), 18 N.J.R. 1395(a); 17 N.J.R. 2358(a), 18 N.J.R. 1397(a); 17 N.J.R. 2361(a), 18 N.J.R. 1399(a); 17 N.J.R. 2362(a), 18 N.J.R. 1399(b).

Subchapter 6, Temporary Licenses for Physical Therapists, became effective February 2, 1987 as R.1987 d.83. See: 18 N.J.R. 1179(b), 19 N.J.R. 298(a).

Pursuant to Executive Order No. 66, Chapter 39A, State Board of Physical Therapy, was readopted as R.1991 d.366, effective June 21, 1991. See: 23 N.J.R. 1065(a), 23 N.J.R. 2162(a).

Pursuant to Executive Order No. 66, Chapter 39A, State Board of Physical Therapy, was readopted as R.1996 d.325, effective June 20, 1996. See: 28 N.J.R. 1925(b), 28 N.J.R. 3598(b). As part of R.1996 d.325, Subchapter 7, Supervision of Physical Therapist Assistants; Subchapter 7A, Supervision of Temporary Licensed Physical Therapists and Physical Therapist Assistants; Subchapter 7B, Reserved; and Subchapter 8, Advertising, were adopted as new rules effective July 15, 1996.

Pursuant to Executive Order No. 66, Chapter 39A, State Board of Physical Therapy, was readopted as R.2001 d.239, effective June 20, 2001. See: Source and Effective Date. See, also, section annotations.

Subchapter 5A, License Renewal, was adopted as new rules; Subchapter 6, Temporary Licenses for Physical Therapists, was renamed Temporary Licenses for Visiting Physical Therapists and Physical Therapist Assistants; Subchapter 7A, Supervision of Temporary Licensed Physical Therapists and Physical Therapist Assistants, was repealed; Subchapter 9, Continuing Professional Education, was readopted as new rules by R.2006 d.42, effective January 17, 2006. See: 37 N.J.R. 947(a), 38 N.J.R. 819(b).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. AGENCY ORGANIZATION AND ADMINISTRATION

- 13:39A-1.1 Election of officers
- 13:39A-1.2 Delegation of authority to act on emergent applications
- 13:39A-1.3 Fees and charges
- 13:39A-1.4 (Reserved)

SUBCHAPTER 2. PRACTICE AS A PHYSICAL THERAPIST AND PHYSICAL THERAPIST ASSISTANT

- 13:39A-2.1 Definitions
- 13:39A-2.2 Authorized practice by a licensed physical therapist

- 13:39A-2.3 Authorized role of a licensed physical therapist assistant
- 13:39A-2.4 Delegation by a physical therapist to unlicensed persons
- 13:39A-2.5 Referral of patients and consultation standards for physical therapists
- 13:39A-2.6 (Reserved)

SUBCHAPTER 3. BUSINESS PRACTICES; PROFESSIONAL CONDUCT

- 13:39A-3.1 Patient records
- 13:39A-3.2 Use of personal or other computer to prepare patient records
- 13:39A-3.3 Release of patient record
- 13:39A-3.4 Financial arrangements with clients and third party payors
- 13:39A-3.5 Display of notice of licensure; notification of availability of fee information
- 13:39A-3.6 Prohibition on excessive fees; overutilization
- 13:39A-3.7 Notification of change of address; service of process
- 13:39A-3.8 Violative acts; professional misconduct
- 13:39A-3.9 Identification of licensees
- 13:39A-3.10 Sexual misconduct

SUBCHAPTER 4. UNLICENSED PRACTICE

- 13:39A-4.1 Acts amounting to unlicensed practice
- 13:39A-4.2 Aiding and abetting unlicensed practice

SUBCHAPTER 5. CREDENTIALING OF APPLICANTS

- 13:39A-5.1 Licensing requirements for a physical therapist
- 13:39A-5.2 Examination standards for applicants for licensure as physical therapists and physical therapist assistants
- 13:39A-5.3 Licensing requirements for a physical therapist assistant
- 13:39A-5.4 (Reserved)
- 13:39A-5.5 Endorsement
- 13:39A-5.6 Recognition of scores on standardized examinations administered in other states
- 13:39A-5.7 Language comprehension requirements
- 13:39A-5.8 Re-examination of applicants for licensure as physical therapists and physical therapist assistants
- 13:39A-5.9 Non-appearance at examination

SUBCHAPTER 5A. LICENSE RENEWAL

- 13:39A-5A.1 Biennial license renewal; inactive status
- 13:39A-5A.2 Change of licensure status: inactive to active
- 13:39A-5A.3 Reinstatement of suspended license

SUBCHAPTER 6. TEMPORARY LICENSES FOR VISITING PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS

- 13:39A-6.1 Temporary visiting licensed physical therapists and temporary visiting licensed physical therapist assistants
- 13:39A-6.2 Responsibilities of a temporary visiting licensed physical therapist assistant
- 13:39A-6.3 through 13:39A-6.4 (Reserved)

SUBCHAPTER 7. SUPERVISION OF PHYSICAL THERAPIST ASSISTANTS

- 13:39A-7.1 Supervision requirement; physical therapist assistant
- 13:39A-7.2 Responsibilities of designated physical therapist supervisor
- 13:39A-7.3 Responsibilities of physical therapist assistant

SUBCHAPTER 7A. THROUGH 7B. (RESERVED)

SUBCHAPTER 8. ADVERTISING

- 13:39A-8.1 Advertising and solicitation practices
- 13:39A-8.2 Advertising free or discounted services; required disclosures
- 13:39A-8.3 Testimonial advertising
- 13:39A-8.4 Minimum content
- 13:39A-8.5 Use of professional credentials and certifications
- 13:39A-8.6 Advertising by a business entity offering physical therapy services
- 13:39A-8.7 Advertising record retention

SUBCHAPTER 9. CONTINUING PROFESSIONAL EDUCATION

- 13:39A-9.1 Licensure renewal: continuing professional education requirement
- 13:39A-9.2 Credit hour requirements
- 13:39A-9.3 Acceptable course offerings; credit hour calculation
- 13:39A-9.4 Documentation of continuing professional education credit
- 13:39A-9.5 Waiver of continuing professional education requirements
- 13:39A-9.6 Responsibilities of continuing professional education providers

SUBCHAPTER 1. AGENCY ORGANIZATION AND ADMINISTRATION

13:39A-1.1 Election of officers

The membership of the State Board of Physical Therapy Examiners shall once each year elect a chairperson, vice chairperson and a secretary. The chairperson shall have the responsibility to conduct all meetings unless, in his or her discretion, a delegation of that responsibility is made. In the absence of the chairperson and an express delegation of responsibility, the vice chairperson shall assume all of the duties of chairperson.

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

Amended by R.2006 d.42, effective January 17, 2006.
See: 37 N.J.R. 947(a), 38 N.J.R. 819(b).
Substituted "State" for "New Jersey" and added "Examiners."

13:39A-1.2 Delegation of authority to act on emergent applications

The chairperson shall be authorized to hear and decide emergent applications by the Attorney General made pursuant to N.J.S.A. 45:1-22 for the temporary suspension of any license. The chairperson may also undertake such other interim action as may be required by circumstances arising prior to the next meeting date of the Board, provided that said action is subsequently presented to the Board for its review and action. Any decision made by the chairperson pursuant to this rule shall be placed on the agenda of the Board at its next regularly scheduled meeting for the purpose of its review. Insofar as it is practicable, the Board shall be provided with a transcript of the record made before the chairperson and the

parties will be permitted to supplement the record with written submissions.

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

Substituted "chairperson" for "chairman" throughout and rewrote the second sentence.

13:39A-1.3 Fees and charges

(a) The following fees shall be charged by the State Board of Physical Therapy Examiners:

1. Application fee for Physical Therapist and Physical Therapist Assistant \$125.00
2. Initial licensure fee, Physical Therapist:
 - If paid during first year of biennial renewal period: \$110.00
 - If paid during second year of biennial renewal period: \$55.00
- Initial licensure fee, Physical Therapist Assistant:
 - If paid during first year of biennial renewal period: \$100.00
 - If paid during second year of biennial renewal period: \$50.00
3. Biennial renewal fee:
 - Physical Therapist \$110.00
 - Physical Therapist Assistant \$100.00
4. Late renewal fee: \$100.00
5. Reinstatement fee \$150.00
6. Temporary visiting license pursuant to N.J.S.A. 45:9-37.29(b) to practice on a temporary basis to assist in a medical emergency or to engage in a special project or teaching assignment \$100.00
7. Duplicate license \$25.00
8. Duplicate wall certificate \$40.00
9. Certification of eligibility for examination (for persons not yet seeking the issuance of a temporary license) \$25.00
10. Certification of licensure status \$40.00
11. Change of address fee \$25.00
12. Continuing professional education provider submission fee \$100.00
13. Inactive license fee (to be established by Director by rule)

New Rule, R.1987 d.238, effective June 1, 1987.

See: 18 N.J.R. 1177(a), 19 N.J.R. 986(b).

Amended by R.1991 d.240, effective May 6, 1991.

See: 23 N.J.R. 388(a), 23 N.J.R. 1418(c).

Increase in fee or charge in 1 through 6 of (a).

Amended by R.1994 d.101, effective February 22, 1994.

See: 25 N.J.R. 5446(a), 26 N.J.R. 1105(b).

Recodified from 13:39A-1.4 and amended by R.1996 d.325, effective July 15, 1996.

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

Former section, "Examination review procedure", repealed.

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

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

Deleted (a)2; recodified (a)3-12 as (a)2-11; added (a)12 and 13.