

1                   **PHYSICAL THERAPIST PRACTICE ACT AMENDMENTS**

2                                   2019 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: James A. Dunnigan**

5                                   Senate Sponsor: Curtis S. Bramble

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7   **LONG TITLE**

8   **General Description:**

9           This bill amends the Physical Therapy Practice Act.

10 **Highlighted Provisions:**

11       This bill:

12           ▶ permits an individual in the final term of a program of study in physical therapy to  
13 take a licensing exam before graduation.

14 **Money Appropriated in this Bill:**

15       None

16 **Other Special Clauses:**

17       None

18 **Utah Code Sections Affected:**

19 AMENDS:

20           **58-24b-302**, as last amended by Laws of Utah 2018, Chapter 318

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22 *Be it enacted by the Legislature of the state of Utah:*

23       Section 1. Section **58-24b-302** is amended to read:

24       **58-24b-302. Licensure.**

25       (1) An applicant for a license as a physical therapist shall:

26           (a) be of good moral character;

27           (b) complete the application process, including payment of fees;

28           (c) submit proof of graduation from a professional physical therapist education  
29 program that is accredited by a recognized accreditation agency;

- 30 (d) ~~[after complying with Subsection (1)(c),]~~ pass a licensing examination~~[;]~~;
- 31 (i) after complying with Subsection (1)(c); or
- 32 (ii) if the applicant is in the final term of a professional physical therapist education
- 33 program that is accredited by a recognized accreditation agency;
- 34 (e) be able to read, write, speak, understand, and be understood in the English language
- 35 and demonstrate proficiency to the satisfaction of the board if requested by the board;
- 36 (f) if the applicant is applying to participate in the Physical Therapy Licensure
- 37 Compact under Chapter 24c, Physical Therapy Licensure Compact, consent to a criminal
- 38 background check in accordance with Section 58-24b-302.1 and any requirements established
- 39 by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 40 and
- 41 (g) meet any other requirements established by the division, by rule made in
- 42 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 43 (2) An applicant for a license as a physical therapist assistant shall:
- 44 (a) be of good moral character;
- 45 (b) complete the application process, including payment of fees set by the division, in
- 46 accordance with Section 63J-1-504, to recover the costs of administering the licensing
- 47 requirements relating to physical therapist assistants;
- 48 (c) submit proof of graduation from a physical therapist assistant education program
- 49 that is accredited by a recognized accreditation agency;
- 50 (d) ~~[after complying with Subsection (2)(c),]~~ pass a licensing examination approved by
- 51 division rule made in collaboration with the board and in accordance with Title 63G, Chapter
- 52 3, Utah Administrative Rulemaking Act~~[;]~~;
- 53 (i) after the applicant complies with Subsection (2)(c); or
- 54 (ii) if the applicant is in the final term of a physical therapist assistant education
- 55 program that is accredited by a recognized accreditation agency;
- 56 (e) be able to read, write, speak, understand, and be understood in the English language
- 57 and demonstrate proficiency to the satisfaction of the board if requested by the board;

58 (f) submit to, and pass, a criminal background check, in accordance with Section  
59 58-24b-302.1 and standards established by rule made in accordance with Title 63G, Chapter 3,  
60 Utah Administrative Rulemaking Act; and

61 (g) meet any other requirements established by the division, by rule made in  
62 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

63 (3) An applicant for a license as a physical therapist who is educated outside of the  
64 United States shall:

65 (a) be of good moral character;

66 (b) complete the application process, including payment of fees;

67 (c) (i) provide satisfactory evidence that the applicant graduated from a professional  
68 physical therapist education program that is accredited by a recognized accreditation agency; or

69 (ii) (A) provide satisfactory evidence that the applicant graduated from a physical  
70 therapist education program that prepares the applicant to engage in the practice of physical  
71 therapy, without restriction;

72 (B) provide satisfactory evidence that the education program described in Subsection  
73 (3)(c)(ii)(A) is recognized by the government entity responsible for recognizing a physical  
74 therapist education program in the country where the program is located; and

75 (C) pass a credential evaluation to ensure that the applicant has satisfied uniform  
76 educational requirements;

77 (d) after complying with Subsection (3)(c), pass a licensing examination;

78 (e) be able to read, write, speak, understand, and be understood in the English language  
79 and demonstrate proficiency to the satisfaction of the board if requested by the board;

80 (f) if the applicant is applying to participate in the Physical Therapy Licensure  
81 Compact under Chapter 24c, Physical Therapy Licensure Compact, consent to a criminal  
82 background check in accordance with Section 58-24b-302.1 and any requirements established  
83 by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;  
84 and

85 (g) meet any other requirements established by the division, by rule made in

86 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

87 (4) The division shall issue a license to a person who holds a current unrestricted  
88 license to practice physical therapy in a state, district, or territory of the United States of  
89 America, other than Utah, if the person:

90 (a) is of good moral character;

91 (b) completes the application process, including payment of fees;

92 (c) is able to read, write, speak, understand, and be understood in the English language  
93 and demonstrate proficiency to the satisfaction of the board if requested by the board;

94 (d) if the applicant is applying to participate in the Physical Therapy Licensure  
95 Compact under Chapter 24c, Physical Therapy Licensure Compact, consents to a criminal  
96 background check in accordance with Section 58-24b-302.1 and any requirements established  
97 by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;  
98 and

99 (e) meets any other requirements established by the division, by rule made in  
100 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

101 (5) (a) Notwithstanding Subsection 58-1-307(1)(c), an individual may not engage in an  
102 internship in physical therapy, unless the person is:

103 (i) certified by the division; or

104 (ii) exempt from licensure under Section 58-24b-304.

105 (b) The provisions of Subsection (5)(a) apply, regardless of whether the individual is  
106 participating in the supervised clinical training program for the purpose of becoming a physical  
107 therapist or a physical therapist assistant.