



Alaska Board of Physical Therapy and Occupational Therapy Board Meeting - May 22, 2026

Alaska Division of Corporations, Business and Professional Licensing

Zoom

2026-05-22 13:00 - 13:30 AKDT

Table of Contents

1. Call to Order/Roll Call.....4

PHY - Board Meeting - 05-22-2026 - Public Notice.pdf.....4

A. Roll Call

Board members:

- Valerie Phelps, Chair
- Victoria "Tori" Daugherty, Secretary
- Jonathan Gates
- Michelle Scott-Weber
- Eliza Ellsworth
- Vacant - Public Member
- Vacant - OT/OTA

Staff members:

- Reid Bowman, Program Coordinator 2
- Shane Bannarbie, Program Coordinator I
- Sheri Ryan, Licensing Examiner 3

Alaska State Physical Therapy and Occupational Therapy Mission Statement

The mission of the Alaska State Physical and Occupational Therapy Board is to promote healthy, independent, productive Alaskans. The board strives to do this by:

1. Adopting regulations necessary for the safe and efficient practice of Physical Therapy and Occupational Therapy in the State of Alaska.
2. Reviewing and approving the qualification of applicants to ensure a competent and effective work force of therapists and assistants.
3. Issuing temporary permits and licenses to qualified persons.
4. Monitoring compliance with continuing education requirements.
5. Reviewing and acting on any report or documentation of any unsafe, unethical or unlawful actions of a licensee.

B. Ethics Reporting

Ethics Report

C. Review/Approval Agenda.....5

PHY Statutes and Regulations - March 2025

Principles of Practice - March 2015

PHY_Agenda_2026_05_22 amended.pdf.....5

2. Public Comment

3. Application - Gregory Kaganovsky - 252346 - Application by Credentials.....7

PHY - Gregory Kaganovsky - 252346 - PT - Application by Credentials.pdf.....7

4. Regulations Project - HB173.....37

HB0173D.pdf.....37

5. Regulations Project - Priority 1 Items - AO360 Reform Plan.....70

PHY - AO360 - Priority 1 Regulation Language DRAFT.docx.....70

PHY - AO360 - Priority 2 Regulation Language DRAFT - Dry Needling.docx.....102

PHY - AO360 - Priority 3 Regulation Language DRAFT - Telerehab.docx.....106

PHY - AO360 - Priority 4 Regulation Language DRAFT - Active Practice Renewal
Requirements.docx.....110

PHY - AO360 - Priority 6 Regulation Language DRAFT - General.docx.....115

PHY - AO360 Regulatory Reform Plan - April 2026.pdf.....	123
6. Board Correspondence.....	134
Certificates T McLean - 04-23-2026_redacted.pdf.....	134
PTA Scope of Practice - Supervision and Discharge - 05-04-2026_redacted.pdf.....	138
7. Meeting Summary - Action Items	
8. Adjourn	



Alaska Board of Physical Therapy and Occupational Therapy Board Meeting - May 22, 2026

Alaska Division of Corporations, Business and Professional Licensing
Friday, May 22, 2026 at 1:00 PM AKDT to 1:30 PM AKDT
Zoom

Meeting Details: <https://us02web.zoom.us/meeting/register/VNDOT2riQ1SQkpeuh8DrGA>

Additional Meeting Details: Registration Required

Agenda

1. Call to Order/Roll Call

1:00 PM

A. Roll Call

Board members:

- Valerie Phelps, Chair
- Victoria "Tori" Daugherty, Secretary
- Jonathan Gates
- Michelle Scott-Weber
- Eliza Ellsworth
- Vacant - Public Member
- Vacant - OT/OTA

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5. Reviewing and acting on any report or documentation of any unsafe, unethical or unlawful actions of a licensee.

B. Ethics Reporting

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[PHY Statutes and Regulations - March 2025](#)

[Principles of Practice - March 2015](#)

- | | |
|--|----------------|
| 2. Public Comment | 1:05 PM |
| 3. Application - Gregory Kaganovsky - 252346 - Application by Credentials | 1:10 PM |
| 4. Regulations Project - HB173 | 1:15 PM |
| 5. Regulations Project - Priority 1 Items - AO360 Reform Plan | 1:20 PM |
| 6. Board Correspondence | 1:25 PM |
| 7. Meeting Summary - Action Items | 1:30 PM |
| 8. Adjourn | 1:30 PM |

SENATE CS FOR CS FOR HOUSE BILL NO. 173(FIN) am S

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 5/19/26

Offered: 5/12/26

Sponsor(s): REPRESENTATIVES JIMMIE, Prax, Stutes, D.Nelson, Schwanke, Bynum, Himschoot, Mina, Josephson, Burke, Story, Johnson, Galvin, Gray, Schrage

SENATOR Myers

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to occupational therapist licensure; relating to occupational therapy
2 assistant licensure; relating to an occupational therapist licensure compact; relating to
3 an executive administrator for the State Physical Therapy and Occupational Therapy
4 Board; relating to physical therapist licensure; relating to physical therapist assistant
5 licensure; relating to audiologist licensure; relating to speech-language pathologist
6 licensure; and relating to national criminal history record checks."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** AS 08.11 is amended by adding a new section to read:

9 **Sec. 08.11.310. Compact privilege applications.** A licensee applying for a
10 compact privilege under AS 08.11.300 shall submit, along with the application, the
11 applicant's fingerprints and the fees required by the Department of Public Safety under
12 AS 12.62.160 for criminal justice information and a national criminal history record
13 check. The board shall forward the fingerprints and fees to the Department of Public

1 Safety to obtain a report of criminal justice information under AS 12.62 and a national
 2 criminal history record check under AS 12.62.400. Criminal justice information and
 3 criminal history record information obtained under this section may only be used by
 4 the department for the purpose of determining an applicant's qualifications and fitness
 5 for the compact privilege.

6 * **Sec. 2.** AS 08.84.010(b) is amended to read:

7 (b) The board shall control all matters pertaining to the licensing of physical
 8 therapists, physical therapist assistants, occupational therapists, and occupational
 9 therapy assistants and the practice of physical therapy and the practice of occupational
 10 therapy. The board shall

11 (1) pass upon the qualifications of applicants;

12 (2) provide for the examination of applicants;

13 (3) issue temporary permits and licenses to persons qualified under this
 14 chapter;

15 (4) suspend, revoke, or refuse to issue or renew a license under
 16 AS 08.84.120;

17 (5) keep a current register listing the name, business address, date, and
 18 number of the license of each person who is licensed to practice under this chapter;

19 (6) adopt regulations under AS 44.62 (Administrative Procedure Act)
 20 necessary to carry out the purposes of this chapter, including regulations establishing
 21 qualifications for licensure and renewal of licensure under this chapter;

22 (7) implement the Interstate Physical Therapy Licensure Compact
 23 **enacted by [UNDER] AS 08.84.188 and the Occupational Therapy Licensure**
 24 **Compact enacted by AS 08.84.189.**

25 * **Sec. 3.** AS 08.84 is amended by adding a new section to article 1 to read:

26 **Sec. 08.84.025. Executive administrator.** The board shall employ an
 27 executive administrator who shall perform duties as prescribed by the board. The
 28 executive administrator is the principal executive officer of the board and is in the
 29 partially exempt service under AS 39.25.120.

30 * **Sec. 4.** AS 08.84.030(a) is amended to read:

31 (a) To be eligible for licensure by the board as a physical therapist or physical

1 therapist assistant, an applicant, unless a graduate of a foreign school of physical
2 therapy located outside the United States, shall

3 (1) have graduated from a professional physical therapy education
4 program that includes supervised field work and is accredited by a national
5 accreditation agency approved by the board;

6 (2) pass, to the satisfaction of the board, an examination prepared by a
7 national testing service approved by the board to determine the applicant's fitness for
8 practice as a physical therapist or physical therapist assistant, or be entitled to
9 licensure without examination as provided in AS 08.84.060;

10 (3) meet qualifications for licensure established in regulations adopted
11 by the board under AS 08.84.010(b); and

12 (4) have been fingerprinted and have provided the fees required by the
13 Department of Public Safety under AS 12.62.160 for criminal justice information and
14 a national criminal history record check; the fingerprints and fees shall be forwarded
15 to the Department of Public Safety to obtain a report of criminal justice information
16 under AS 12.62 and a national criminal history record check under AS 12.62.400;
17 **criminal justice information and criminal history record information obtained**
18 **under this paragraph may only be used by the board for the purpose of**
19 **determining an applicant's qualifications and fitness for the license or a compact**
20 **privilege under AS 08.84.188.**

21 * **Sec. 5.** AS 08.84.040 is amended by adding a new subsection to read:

22 (b) A licensee applying for a compact privilege under AS 08.84.189 shall
23 submit, along with the application, the applicant's fingerprints and the fees required by
24 the Department of Public Safety under AS 12.62.160 for criminal justice information
25 and a national criminal history record check. The board shall forward the fingerprints
26 and fees to the Department of Public Safety to obtain a report of criminal justice
27 information under AS 12.62 and a national criminal history record check under
28 AS 12.62.400. Criminal justice information and criminal history record information
29 obtained under this subsection may only be used by the board for the purpose of
30 determining an applicant's qualifications and fitness for the compact privilege.

31 * **Sec. 6.** AS 08.84 is amended by adding a new section to read:

1 **Sec. 08.84.095. Scope of practice for occupational therapists and**
2 **occupational therapy assistants.** (a) An occupational therapist may provide
3 occupational therapy to a person whose ability or opportunity to participate in
4 activities of daily living, play, leisure, or an occupation is or may be limited or
5 restricted because the person has or is at risk of having an injury, disorder,
6 impairment, or disability that limits or restricts the person's ability to engage in an
7 occupation or other goal-oriented task or activity. The therapist may evaluate, analyze,
8 and diagnose the cause of the limitation or restriction and intervene with occupational
9 therapy to decrease or eliminate the cause, help the person recover from or adjust to
10 the limitation or restriction, and restore the person's ability to engage in an occupation
11 or other goal-oriented task or activity.

12 (b) An occupational therapist may initiate and provide occupational therapy,
13 including therapy under (c) of this section, without a referral from another provider of
14 health care services.

15 (c) The services an occupational therapist may provide to a person include

16 (1) treating a person's pain;

17 (2) habilitating, rehabilitating, and working with a person to adjust
18 physical, neuromusculoskeletal, cognitive, psychosocial, sensory-perceptive, visual, or
19 other aspects of performance in a variety of contexts to improve or maintain the
20 person's ability to engage in an occupation or other goal-oriented task or activity,
21 regardless of the person's ability-related needs;

22 (3) evaluating and treating a person to promote, enhance, or restore the
23 person's ability to safely perform activities of daily living and instrumental activities
24 of daily living and safely engage in sleep, rest, education, work, play, leisure, health
25 management, and social participation;

26 (4) administering, evaluating, and interpreting tests and measurements
27 of a person's bodily functions and structures;

28 (5) establishing, remediating, preventing, or compensating for a barrier
29 to a person's performance skills; in this paragraph, a barrier to a person's performance
30 skills may include the person's bodily structures and functions, habits, routines, roles,
31 environmental and personal factors, and physical, neuromusculoskeletal, cognitive,

1 psychosocial, sensory perception, communication, interaction, and pain management
2 skills;

3 (6) managing a person's ability to eat, feed themselves, or swallow to
4 improve or maintain eating and feeding performance;

5 (7) designing, fabricating, applying, or fitting assistive technology or
6 an adaptive or orthotic device;

7 (8) training a person to

8 (A) use assistive technology or an adaptive, orthotic, or
9 prosthetic device; and

10 (B) manage the person's seating and positioning;

11 (9) adapting environments and assessing, recommending, and training
12 a person on the techniques the person may use to enhance the person's functional and
13 community mobility;

14 (10) preventing pain and dysfunction, restoring function, or reversing
15 or arresting the progression of a pathology;

16 (11) applying an adjunctive intervention or therapeutic procedure to
17 prepare for or use with occupation-based activities; in this paragraph, "adjunctive
18 intervention or therapeutic procedure" includes a thermal, mechanical, electrophysical,
19 or instrument-assisted treatment modality, wound care, and manual therapy; and

20 (12) promoting a person's good physical and mental health and
21 wellness, regardless of the person's ability-related needs.

22 (d) An occupational therapist may allow an occupational therapy assistant to
23 assist with or administer occupational therapy that the occupational therapy assistant is
24 professionally competent to assist with or administer, including assessing a patient in
25 an evaluation delegated to the occupational therapy assistant and preparing reports on
26 the assessment for the occupational therapist. The occupational therapist shall
27 supervise the occupational therapy assistant when acting under this subsection.

28 (e) In this section, "health" means a person's physical or mental health.

29 * **Sec. 7.** AS 08.84.150(b) is amended to read:

30 (b) A person may not provide services that the person describes as
31 occupational therapy without being licensed under this chapter unless the person is

1 (1) a student in an accredited occupational therapy program or in a
2 supervised field work program;

3 (2) a graduate of a foreign school of occupational therapy fulfilling the
4 internship requirement of AS 08.84.032, and then only unless under the continuous
5 direction and immediate supervision of an occupational therapist;

6 (3) an occupational therapist or occupational therapy assistant
7 employed by the United States government while in the discharge of official duties;

8 (4) granted a limited permit under AS 08.84.075;

9 (5) licensed under this title and uses occupational therapy skills in the
10 practice of the profession for which the license is issued; [OR]

11 (6) employed as a teacher or teacher's aide by an educational
12 institution and is required to use occupational therapy skills during the course of
13 employment, if

14 (A) the occupational therapy skills are used under a program
15 implemented by the employer and developed by a licensed occupational
16 therapist;

17 (B) the employer maintains direct supervision of the person's
18 use of occupational therapy skills; and

19 (C) the person does not represent to

20 (i) be an occupational therapist or occupational therapy
21 assistant; and

22 (ii) practice occupational therapy; **or**

23 **(7) granted a compact privilege under AS 08.84.189.**

24 * **Sec. 8.** AS 08.84 is amended by adding a new section to read:

25 **Article 4A. Occupational Therapy Licensure Compact.**

26 **Sec. 08.84.189. Compact enacted.** The Occupational Therapy Licensure
27 Compact as contained in this section is enacted into law and entered into on behalf of
28 the state with all other states and jurisdictions legally joining it in a form substantially
29 as follows:

30 SECTION 1. PURPOSE

31 The purpose of this Compact is to facilitate interstate practice of Occupational

1 Therapy with the goal of improving public access to Occupational Therapy services.
 2 The Practice of Occupational Therapy occurs in the State where the patient/client is
 3 located at the time of the patient/client encounter. The Compact preserves the
 4 regulatory authority of States to protect public health and safety through the current
 5 system of State licensure.

6 This Compact is designed to achieve the following objectives:

7 (A) Increase public access to Occupational Therapy services by providing for
 8 the mutual recognition of other Member State licenses;

9 (B) Enhance the States' ability to protect the public's health and safety;

10 (C) Encourage the cooperation of Member States in regulating multi-State
 11 Occupational Therapy Practice;

12 (D) Support spouses of relocating military members;

13 (E) Enhance the exchange of licensure, investigative, and disciplinary
 14 information between Member States;

15 (F) Allow a Remote State to hold a provider of services with a Compact
 16 Privilege in that State accountable to that State's practice standards; and

17 (G) Facilitate the use of Telehealth technology in order to increase access to
 18 Occupational Therapy services.

19 SECTION 2. DEFINITIONS

20 As used in this Compact, and except as otherwise provided, the following
 21 definitions shall apply:

22 (A) "Active Duty Military" means full-time duty status in the active
 23 uniformed service of the United States, including members of the National Guard and
 24 Reserve on active duty orders pursuant to 10 U.S.C. Chapter 1209 and 10 U.S.C.
 25 Chapter 1211.

26 (B) "Adverse Action" means any administrative, civil, equitable, or criminal
 27 action permitted by a State's laws which is imposed by a Licensing Board or other
 28 authority against an Occupational Therapist or Occupational Therapy Assistant,
 29 including actions against an individual's license or Compact Privilege such as censure,
 30 revocation, suspension, probation, monitoring of the Licensee, or restriction on the
 31 Licensee's practice.

1 (C) "Alternative Program" means a non-disciplinary monitoring process
2 approved by an Occupational Therapy Licensing Board.

3 (D) "Compact Privilege" means the authorization, which is equivalent to a
4 license, granted by a Remote State to allow a Licensee from another Member State to
5 practice as an Occupational Therapist or practice as an Occupational Therapy
6 Assistant in the Remote State under its laws and rules. The Practice of Occupational
7 Therapy occurs in the Member State where the patient/client is located at the time of
8 the patient/client encounter.

9 (E) "Continuing Competence/Education" means a requirement, as a condition
10 of license renewal, to provide evidence of participation in, and/or completion of,
11 educational and professional activities relevant to practice or area of work.

12 (F) "Current Significant Investigative Information" means Investigative
13 Information that a Licensing Board, after an inquiry or investigation that includes
14 notification and an opportunity for the Occupational Therapist or Occupational
15 Therapy Assistant to respond, if required by State law, has reason to believe is not
16 groundless and, if proved true, would indicate more than a minor infraction.

17 (G) "Data System" means a repository of information about Licensees,
18 including but not limited to license status, Investigative Information, Compact
19 Privileges, and Adverse Actions.

20 (H) "Encumbered License" means a license in which an Adverse Action
21 restricts the Practice of Occupational Therapy by the Licensee or said Adverse Action
22 has been reported to the National Practitioner Data Bank (NPDB).

23 (I) "Executive Committee" means a group of directors elected or appointed to
24 act on behalf of, and within the powers granted to them by, the Commission.

25 (J) "Home State" means the Member State that is the Licensee's Primary State
26 of Residence.

27 (K) "Impaired Practitioner" means individuals whose professional practice is
28 adversely affected by substance abuse, addiction, or other health-related conditions.

29 (L) "Investigative Information" means information, records, and/or documents
30 received or generated by an Occupational Therapy Licensing Board pursuant to an
31 investigation.

1 (M) "Jurisprudence Requirement" means the assessment of an individual's
2 knowledge of the laws and rules governing the Practice of Occupational Therapy in a
3 State.

4 (N) "Licensee" means an individual who currently holds an authorization from
5 the State to practice as an Occupational Therapist or as an Occupational Therapy
6 Assistant.

7 (O) "Member State" means a State that has enacted the Compact.

8 (P) "Occupational Therapist" means an individual who is licensed by a State
9 to practice Occupational Therapy.

10 (Q) "Occupational Therapy Assistant" means an individual who is licensed by
11 a State to assist in the Practice of Occupational Therapy.

12 (R) "Occupational Therapy," "Occupational Therapy Practice," and the
13 "Practice of Occupational Therapy" mean the care and services provided by an
14 Occupational Therapist or an Occupational Therapy Assistant as set forth in the
15 Member State's statutes and regulations.

16 (S) "Occupational Therapy Compact Commission" or "Commission" means
17 the national administrative body whose membership consists of all States that have
18 enacted the Compact.

19 (T) "Occupational Therapy Licensing Board" or "Licensing Board" means the
20 agency of a State that is authorized to license and regulate Occupational Therapists
21 and Occupational Therapy Assistants.

22 (U) "Primary State of Residence" means the state (also known as the Home
23 State) in which an Occupational Therapist or Occupational Therapy Assistant who is
24 not Active Duty Military declares a primary residence for legal purposes as verified
25 by: driver's license, federal income tax return, lease, deed, mortgage or voter
26 registration or other verifying documentation as further defined by Commission Rules.

27 (V) "Remote State" means a Member State other than the Home State, where a
28 Licensee is exercising or seeking to exercise the Compact Privilege.

29 (W) "Rule" means a regulation promulgated by the Commission that has the
30 force of law.

31 (X) "State" means any state, commonwealth, district, or territory of the United

1 States of America that regulates the Practice of Occupational Therapy.

2 (Y) "Single-State License" means an Occupational Therapist or Occupational
3 Therapy Assistant license issued by a Member State that authorizes practice only
4 within the issuing State and does not include a Compact Privilege in any other
5 Member State.

6 (Z) "Telehealth" means the application of telecommunication technology to
7 deliver Occupational Therapy services for assessment, intervention and/or
8 consultation.

9 SECTION 3. STATE PARTICIPATION IN THE COMPACT

10 (A) To participate in the Compact, a Member State shall:

11 (1) License Occupational Therapists and Occupational Therapy
12 Assistants;

13 (2) Participate fully in the Commission's Data System, including but
14 not limited to using the Commission's unique identifier as defined in Rules of the
15 Commission;

16 (3) Have a mechanism in place for receiving and investigating
17 complaints about Licensees;

18 (4) Notify the Commission, in compliance with the terms of the
19 Compact and Rules, of any Adverse Action or the availability of Investigative
20 Information regarding a Licensee;

21 (5) Implement or utilize procedures for considering the criminal
22 history records of applicants for an initial Compact Privilege. These procedures shall
23 include the submission of fingerprints or other biometric-based information by
24 applicants for the purpose of obtaining an applicant's criminal history record
25 information from the Federal Bureau of Investigation and the agency responsible for
26 retaining that State's criminal records;

27 (a) A Member State shall, within a time frame established by
28 the Commission, require a criminal background check for a Licensee
29 seeking/applying for a Compact Privilege whose Primary State of Residence is
30 that Member State, by receiving the results of the Federal Bureau of
31 Investigation criminal record search, and shall use the results in making

1 licensure decisions.

2 (b) Communication between a Member State, the Commission
3 and among Member States regarding the verification of eligibility for licensure
4 through the Compact shall not include any information received from the
5 Federal Bureau of Investigation relating to a federal criminal records check
6 performed by a Member State under Public Law 92-544.

7 (6) Comply with the Rules of the Commission;

8 (7) Utilize only a recognized national examination as a requirement for
9 licensure pursuant to the Rules of the Commission; and

10 (8) Have Continuing Competence/Education requirements as a
11 condition for license renewal.

12 (B) A Member State shall grant the Compact Privilege to a Licensee holding a
13 valid unencumbered license in another Member State in accordance with the terms of
14 the Compact and Rules.

15 (C) Member States may charge a fee for granting a Compact Privilege.

16 (D) A Member State shall provide for the State's delegate to attend all
17 Occupational Therapy Compact Commission meetings.

18 (E) Individuals not residing in a Member State shall continue to be able to
19 apply for a Member State's Single-State License as provided under the laws of each
20 Member State. However, the Single-State License granted to these individuals shall
21 not be recognized as granting the Compact Privilege in any other Member State.

22 (F) Nothing in this Compact shall affect the requirements established by a
23 Member State for the issuance of a Single-State License.

24 SECTION 4. COMPACT PRIVILEGE

25 (A) To exercise the Compact Privilege under the terms and provisions of the
26 Compact, the Licensee shall:

27 (1) Hold a license in the Home State;

28 (2) Have a valid United States Social Security Number or National
29 Practitioner Identification number;

30 (3) Have no encumbrance on any State license;

31 (4) Be eligible for a Compact Privilege in any Member State in

1 accordance with Section 4D, F, G, and H;

2 (5) Have paid all fines and completed all requirements resulting from
3 any Adverse Action against any license or Compact Privilege, and two years have
4 elapsed from the date of such completion;

5 (6) Notify the Commission that the Licensee is seeking the Compact
6 Privilege within a Remote State(s);

7 (7) Pay any applicable fees, including any State fee, for the Compact
8 Privilege;

9 (8) Complete a criminal background check in accordance with Section
10 3A(5);

11 (a) The Licensee shall be responsible for the payment of any
12 fee associated with the completion of a criminal background check.

13 (9) Meet any Jurisprudence Requirements established by the Remote
14 State(s) in which the Licensee is seeking a Compact Privilege; and

15 (10) Report to the Commission Adverse Action taken by any non-
16 Member State within 30 days from the date the Adverse Action is taken.

17 (B) The Compact Privilege is valid until the expiration date of the Home State
18 license. The Licensee must comply with the requirements of Section 4A to maintain
19 the Compact Privilege in the Remote State.

20 (C) A Licensee providing Occupational Therapy in a Remote State under the
21 Compact Privilege shall function within the laws and regulations of the Remote State.

22 (D) Occupational Therapy Assistants practicing in a Remote State shall be
23 supervised by an Occupational Therapist licensed or holding a Compact Privilege in
24 that Remote State.

25 (E) A Licensee providing Occupational Therapy in a Remote State is subject
26 to that State's regulatory authority. A Remote State may, in accordance with due
27 process and that State's laws, remove a Licensee's Compact Privilege in the Remote
28 State for a specific period of time, impose fines, and/or take any other necessary
29 actions to protect the health and safety of its citizens. The Licensee may be ineligible
30 for a Compact Privilege in any State until the specific time for removal has passed and
31 all fines are paid.

1 (F) If a Home State license is encumbered, the Licensee shall lose the
2 Compact Privilege in any Remote State until the following occur:

3 (1) The Home State license is no longer encumbered; and

4 (2) Two years have elapsed from the date on which the Home State
5 license is no longer encumbered in accordance with Section 4F(1).

6 (G) Once an Encumbered License in the Home State is restored to good
7 standing, the Licensee must meet the requirements of Section 4A to obtain a Compact
8 Privilege in any Remote State.

9 (H) If a Licensee's Compact Privilege in any Remote State is removed, the
10 individual may lose the Compact Privilege in any other Remote State until the
11 following occur:

12 (1) The specific period of time for which the Compact Privilege was
13 removed has ended;

14 (2) All fines have been paid and all conditions have been met;

15 (3) Two years have elapsed from the date of completing requirements
16 for Section 4H(1) and (2); and

17 (4) The Compact Privileges are reinstated by the Commission, and the
18 compact Data System is updated to reflect reinstatement.

19 (I) If a Licensee's Compact Privilege in any Remote State is removed due to
20 an erroneous charge, privileges shall be restored through the compact Data System.

21 (J) Once the requirements of Section 4H have been met, the Licensee must
22 meet the requirements in Section 4A to obtain a Compact Privilege in a Remote State.

23 SECTION 5. OBTAINING A NEW HOME STATE LICENSE BY VIRTUE OF
24 COMPACT PRIVILEGE

25 (A) An Occupational Therapist or Occupational Therapy Assistant may hold a
26 Home State license, which allows for Compact Privileges in Member States, in only
27 one Member State at a time.

28 (B) If an Occupational Therapist or Occupational Therapy Assistant changes
29 Primary State of Residence by moving between two Member States:

30 (1) The Occupational Therapist or Occupational Therapy Assistant
31 shall file an application for obtaining a new Home State license by virtue of a

1 Compact Privilege, pay all applicable fees, and notify the current and new Home State
2 in accordance with applicable Rules adopted by the Commission.

3 (2) Upon receipt of an application for obtaining a new Home State
4 license by virtue of compact privilege, the new Home State shall verify that the
5 Occupational Therapist or Occupational Therapy Assistant meets the pertinent criteria
6 outlined in Section 4 via the Data System, without need for primary source
7 verification except for:

8 (a) an FBI fingerprint based criminal background check if not
9 previously performed or updated pursuant to applicable Rules adopted by the
10 Commission in accordance with Public Law 92-544;

11 (b) other criminal background check as required by the new
12 Home State; and

13 (c) submission of any requisite Jurisprudence Requirements of
14 the new Home State.

15 (3) The former Home State shall convert the former Home State
16 license into a Compact Privilege once the new Home State has activated the new
17 Home State license in accordance with applicable Rules adopted by the Commission.

18 (4) Notwithstanding any other provision of this Compact, if the
19 Occupational Therapist or Occupational Therapy Assistant cannot meet the criteria in
20 Section 4, the new Home State shall apply its requirements for issuing a new Single-
21 State License.

22 (5) The Occupational Therapist or the Occupational Therapy Assistant
23 shall pay all applicable fees to the new Home State in order to be issued a new Home
24 State license.

25 (C) If an Occupational Therapist or Occupational Therapy Assistant changes
26 Primary State of Residence by moving from a Member State to a non-Member State,
27 or from a non-Member State to a Member State, the State criteria shall apply for
28 issuance of a Single-State License in the new State.

29 (D) Nothing in this compact shall interfere with a Licensee's ability to hold a
30 Single-State License in multiple States; however, for the purposes of this compact, a
31 Licensee shall have only one Home State license.

1 (E) Nothing in this Compact shall affect the requirements established by a
2 Member State for the issuance of a Single-State License.

3 SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

4 (A) Active Duty Military personnel, or their spouses, shall designate a Home
5 State where the individual has a current license in good standing. The individual may
6 retain the Home State designation during the period the service member is on active
7 duty. Subsequent to designating a Home State, the individual shall only change their
8 Home State through application for licensure in the new State or through the process
9 described in Section 5.

10 SECTION 7. ADVERSE ACTIONS

11 (A) A Home State shall have exclusive power to impose Adverse Action
12 against an Occupational Therapist's or Occupational Therapy Assistant's license issued
13 by the Home State.

14 (B) In addition to the other powers conferred by State law, a Remote State
15 shall have the authority, in accordance with existing State due process law, to:

16 (1) Take Adverse Action against an Occupational Therapist's or
17 Occupational Therapy Assistant's Compact Privilege within that Member State.

18 (2) Issue subpoenas for both hearings and investigations that require
19 the attendance and testimony of witnesses as well as the production of evidence.
20 Subpoenas issued by a Licensing Board in a Member State for the attendance and
21 testimony of witnesses or the production of evidence from another Member State shall
22 be enforced in the latter State by any court of competent jurisdiction, according to the
23 practice and procedure of that court applicable to subpoenas issued in proceedings
24 pending before it. The issuing authority shall pay any witness fees, travel expenses,
25 mileage and other fees required by the service statutes of the State in which the
26 witnesses or evidence are located.

27 (C) For purposes of taking Adverse Action, the Home State shall give the
28 same priority and effect to reported conduct received from a Member State as it would
29 if the conduct had occurred within the Home State. In so doing, the Home State shall
30 apply its own State laws to determine appropriate action.

31 (D) The Home State shall complete any pending investigations of an

1 Occupational Therapist or Occupational Therapy Assistant who changes Primary State
2 of Residence during the course of the investigations. The Home State, where the
3 investigations were initiated, shall also have the authority to take appropriate action(s)
4 and shall promptly report the conclusions of the investigations to the OT Compact
5 Commission Data System. The Occupational Therapy Compact Commission Data
6 System administrator shall promptly notify the new Home State of any Adverse
7 Actions.

8 (E) A Member State, if otherwise permitted by State law, may recover from
9 the affected Occupational Therapist or Occupational Therapy Assistant the costs of
10 investigations and disposition of cases resulting from any Adverse Action taken
11 against that Occupational Therapist or Occupational Therapy Assistant.

12 (F) A Member State may take Adverse Action based on the factual findings of
13 the Remote State, provided that the Member State follows its own procedures for
14 taking the Adverse Action.

15 (G) Joint Investigations

16 (1) In addition to the authority granted to a Member State by its
17 respective State Occupational Therapy laws and regulations or other applicable State
18 law, any Member State may participate with other Member States in joint
19 investigations of Licensees.

20 (2) Member States shall share any investigative, litigation, or
21 compliance materials in furtherance of any joint or individual investigation initiated
22 under the Compact.

23 (H) If an Adverse Action is taken by the Home State against an Occupational
24 Therapist's or Occupational Therapy Assistant's license, the Occupational Therapist's
25 or Occupational Therapy Assistant's Compact Privilege in all other Member States
26 shall be deactivated until all encumbrances have been removed from the State license.
27 All Home State disciplinary orders that impose Adverse Action against an
28 Occupational Therapist's or Occupational Therapy Assistant's license shall include a
29 Statement that the Occupational Therapist's or Occupational Therapy Assistant's
30 Compact Privilege is deactivated in all Member States during the pendency of the
31 order.

1 (I) If a Member State takes Adverse Action, it shall promptly notify the
 2 administrator of the Data System. The administrator of the Data System shall promptly
 3 notify the Home State of any Adverse Actions by Remote States.

4 (J) Nothing in this Compact shall override a Member State's decision that
 5 participation in an Alternative Program may be used in lieu of Adverse Action.

6 SECTION 8. ESTABLISHMENT OF THE OCCUPATIONAL THERAPY
 7 COMPACT COMMISSION

8 (A) The Compact Member States hereby create and establish a joint public
 9 agency known as the Occupational Therapy Compact Commission:

10 (1) The Commission is an instrumentality of the Compact States.

11 (2) Venue is proper and judicial proceedings by or against the
 12 Commission shall be brought solely and exclusively in a court of competent
 13 jurisdiction where the principal office of the Commission is located. The Commission
 14 may waive venue and jurisdictional defenses to the extent it adopts or consents to
 15 participate in alternative dispute resolution proceedings.

16 (3) Nothing in this Compact shall be construed to be a waiver of
 17 sovereign immunity.

18 (B) Membership, Voting, and Meetings

19 (1) Each Member State shall have and be limited to one (1) delegate
 20 selected by that Member State's Licensing Board.

21 (2) The delegate shall be either:

22 (a) A current member of the Licensing Board, who is an
 23 Occupational Therapist, Occupational Therapy Assistant, or public member; or

24 (b) An administrator of the Licensing Board.

25 (3) Any delegate may be removed or suspended from office as
 26 provided by the law of the State from which the delegate is appointed.

27 (4) The Member State board shall fill any vacancy occurring in the
 28 Commission within 90 days.

29 (5) Each delegate shall be entitled to one (1) vote with regard to the
 30 promulgation of Rules and creation of bylaws and shall otherwise have an opportunity
 31 to participate in the business and affairs of the Commission. A delegate shall vote in

1 person or by such other means as provided in the bylaws. The bylaws may provide for
2 delegates' participation in meetings by telephone or other means of communication.

3 (6) The Commission shall meet at least once during each calendar
4 year. Additional meetings shall be held as set forth in the bylaws.

5 (7) The Commission shall establish by Rule a term of office for
6 delegates.

7 (C) The Commission shall have the following powers and duties:

8 (1) Establish a Code of Ethics for the Commission;

9 (2) Establish the fiscal year of the Commission;

10 (3) Establish bylaws;

11 (4) Maintain its financial records in accordance with the bylaws;

12 (5) Meet and take such actions as are consistent with the provisions of
13 this Compact and the bylaws;

14 (6) Promulgate uniform Rules to facilitate and coordinate
15 implementation and administration of this Compact. The Rules shall have the force
16 and effect of law and shall be binding in all Member States;

17 (7) Bring and prosecute legal proceedings or actions in the name of the
18 Commission, provided that the standing of any State Occupational Therapy Licensing
19 Board to sue or be sued under applicable law shall not be affected;

20 (8) Purchase and maintain insurance and bonds;

21 (9) Borrow, accept, or contract for services of personnel, including, but
22 not limited to, employees of a Member State;

23 (10) Hire employees, elect or appoint officers, fix compensation,
24 define duties, grant such individuals appropriate authority to carry out the purposes of
25 the Compact, and establish the Commission's personnel policies and programs relating
26 to conflicts of interest, qualifications of personnel, and other related personnel matters;

27 (11) Accept any and all appropriate donations and grants of money,
28 equipment, supplies, materials and services, and receive, utilize and dispose of the
29 same; provided that at all times the Commission shall avoid any appearance of
30 impropriety and/or conflict of interest;

31 (12) Lease, purchase, accept appropriate gifts or donations of, or

1 otherwise own, hold, improve or use, any property, real, personal or mixed; provided
2 that at all times the Commission shall avoid any appearance of impropriety;

3 (13) Sell, convey, mortgage, pledge, lease, exchange, abandon, or
4 otherwise dispose of any property real, personal, or mixed;

5 (14) Establish a budget and make expenditures;

6 (15) Borrow money;

7 (16) Appoint committees, including standing committees composed of
8 members, State regulators, State legislators or their representatives, and consumer
9 representatives, and such other interested persons as may be designated in this
10 Compact and the bylaws;

11 (17) Provide and receive information from, and cooperate with, law
12 enforcement agencies;

13 (18) Establish and elect an Executive Committee; and

14 (19) Perform such other functions as may be necessary or appropriate
15 to achieve the purposes of this Compact consistent with the State regulation of
16 Occupational Therapy licensure and practice.

17 (D) The Executive Committee

18 The Executive Committee shall have the power to act on behalf of the
19 Commission according to the terms of this Compact.

20 (1) The Executive Committee shall be composed of nine members:

21 (a) Seven voting members who are elected by the Commission
22 from the current membership of the Commission;

23 (b) One ex-officio, nonvoting member from a recognized
24 national Occupational Therapy professional association; and

25 (c) One ex-officio, nonvoting member from a recognized
26 national Occupational Therapy certification organization.

27 (2) The ex-officio members will be selected by their respective
28 organizations.

29 (3) The Commission may remove any member of the Executive
30 Committee as provided in bylaws.

31 (4) The Executive Committee shall meet at least annually.

1 (5) The Executive Committee shall have the following Duties and
2 responsibilities:

3 (a) Recommend to the entire Commission changes to the Rules
4 or bylaws, changes to this Compact legislation, fees paid by Compact Member
5 States such as annual dues, and any Commission Compact fee charged to
6 Licensees for the Compact Privilege;

7 (b) Ensure Compact administration services are appropriately
8 provided, contractual or otherwise;

9 (c) Prepare and recommend the budget;

10 (d) Maintain financial records on behalf of the Commission;

11 (e) Monitor Compact compliance of Member States and
12 provide compliance reports to the Commission;

13 (f) Establish additional committees as necessary; and

14 (g) Perform other duties as provided in Rules or bylaws.

15 (E) Meetings of the Commission

16 (1) All meetings shall be open to the public, and public notice of
17 meetings shall be given in the same manner as required under the Rulemaking
18 provisions in Section 10.

19 (2) The Commission or the Executive Committee or other committees
20 of the Commission may convene in a closed, non-public meeting if the Commission or
21 Executive Committee or other committees of the Commission must discuss:

22 (a) Non-compliance of a Member State with its obligations
23 under the Compact;

24 (b) The employment, compensation, discipline or other matters,
25 practices or procedures related to specific employees or other matters related to
26 the Commission's internal personnel practices and procedures;

27 (c) Current, threatened, or reasonably anticipated litigation;

28 (d) Negotiation of contracts for the purchase, lease, or sale of
29 goods, services, or real estate;

30 (e) Accusing any person of a crime or formally censuring any
31 person;

1 (f) Disclosure of trade secrets or commercial or financial
2 information that is privileged or confidential;

3 (g) Disclosure of information of a personal nature where
4 disclosure would constitute a clearly unwarranted invasion of personal privacy;

5 (h) Disclosure of investigative records compiled for law
6 enforcement purposes;

7 (i) Disclosure of information related to any investigative
8 reports prepared by or on behalf of or for use of the Commission or other
9 committee charged with responsibility of investigation or determination of
10 compliance issues pursuant to the Compact; or

11 (j) Matters specifically exempted from disclosure by federal or
12 Member State statute.

13 (3) If a meeting, or portion of a meeting, is closed pursuant to this
14 provision, the Commission's legal counsel or designee shall certify that the meeting
15 may be closed and shall reference each relevant exempting provision.

16 (4) The Commission shall keep minutes that fully and clearly describe
17 all matters discussed in a meeting and shall provide a full and accurate summary of
18 actions taken, and the reasons therefore, including a description of the views
19 expressed. All documents considered in connection with an action shall be identified
20 in such minutes. All minutes and documents of a closed meeting shall remain under
21 seal, subject to release by a majority vote of the Commission or order of a court of
22 competent jurisdiction.

23 (F) Financing of the Commission

24 (1) The Commission shall pay, or provide for the payment of, the
25 reasonable expenses of its establishment, organization, and ongoing activities.

26 (2) The Commission may accept any and all appropriate revenue
27 sources, donations, and grants of money, equipment, supplies, materials, and services.

28 (3) The Commission may levy on and collect an annual assessment
29 from each Member State or impose fees on other parties to cover the cost of the
30 operations and activities of the Commission and its staff, which must be in a total
31 amount sufficient to cover its annual budget as approved by the Commission each year

1 for which revenue is not provided by other sources. The aggregate annual assessment
2 amount shall be allocated based upon a formula to be determined by the Commission,
3 which shall promulgate a Rule binding upon all Member States.

4 (4) The Commission shall not incur obligations of any kind prior to
5 securing the funds adequate to meet the same; nor shall the Commission pledge the
6 credit of any of the Member States, except by and with the authority of the Member
7 State.

8 (5) The Commission shall keep accurate accounts of all receipts and
9 disbursements. The receipts and disbursements of the Commission shall be subject to
10 the audit and accounting procedures established under its bylaws. However, all
11 receipts and disbursements of funds handled by the Commission shall be audited
12 yearly by a certified or licensed public accountant, and the report of the audit shall be
13 included in and become part of the annual report of the Commission.

14 (G) Qualified Immunity, Defense, and Indemnification

15 (1) The members, officers, executive director, employees and
16 representatives of the Commission shall be immune from suit and liability, either
17 personally or in their official capacity, for any claim for damage to or loss of property
18 or personal injury or other civil liability caused by or arising out of any actual or
19 alleged act, error or omission that occurred, or that the person against whom the claim
20 is made had a reasonable basis for believing occurred within the scope of Commission
21 employment, duties or responsibilities; provided that nothing in this paragraph shall be
22 construed to protect any such person from suit and/or liability for any damage, loss,
23 injury, or liability caused by the intentional or willful or wanton misconduct of that
24 person.

25 (2) The Commission shall defend any member, officer, executive
26 director, employee, or representative of the Commission in any civil action seeking to
27 impose liability arising out of any actual or alleged act, error, or omission that
28 occurred within the scope of Commission employment, duties, or responsibilities, or
29 that the person against whom the claim is made had a reasonable basis for believing
30 occurred within the scope of Commission employment, duties, or responsibilities;
31 provided that nothing herein shall be construed to prohibit that person from retaining

1 his or her own counsel; and provided further, that the actual or alleged act, error, or
 2 omission did not result from that person's intentional or willful or wanton misconduct.

3 (3) The Commission shall indemnify and hold harmless any member,
 4 officer, executive director, employee, or representative of the Commission for the
 5 amount of any settlement or judgment obtained against that person arising out of any
 6 actual or alleged act, error or omission that occurred within the scope of Commission
 7 employment, duties, or responsibilities, or that such person had a reasonable basis for
 8 believing occurred within the scope of Commission employment, duties, or
 9 responsibilities, provided that the actual or alleged act, error, or omission did not result
 10 from the intentional or willful or wanton misconduct of that person.

11 SECTION 9. DATA SYSTEM

12 (A) The Commission shall provide for the development, maintenance, and
 13 utilization of a coordinated database and reporting system containing licensure,
 14 Adverse Action, and Investigative Information on all licensed individuals in Member
 15 States.

16 (B) A Member State shall submit a uniform data set to the Data System on all
 17 individuals to whom this Compact is applicable (utilizing a unique identifier) as
 18 required by the Rules of the Commission, including:

- 19 (1) Identifying information;
- 20 (2) Licensure data;
- 21 (3) Adverse Actions against a license or Compact Privilege;
- 22 (4) Non-confidential information related to Alternative Program
 23 participation;
- 24 (5) Any denial of application for licensure, and the reason(s) for such
 25 denial;
- 26 (6) Other information that may facilitate the administration of this
 27 Compact, as determined by the Rules of the Commission; and
- 28 (7) Current Significant Investigative Information.

29 (C) Current Significant Investigative Information and other Investigative
 30 Information pertaining to a Licensee in any Member State will only be available to
 31 other Member States.

1 (D) The Commission shall promptly notify all Member States of any Adverse
2 Action taken against a Licensee or an individual applying for a license. Adverse
3 Action information pertaining to a Licensee in any Member State will be available to
4 any other Member State.

5 (E) Member States contributing information to the Data System may designate
6 information that may not be shared with the public without the express permission of
7 the contributing State.

8 (F) Any information submitted to the Data System that is subsequently
9 required to be expunged by the laws of the Member State contributing the information
10 shall be removed from the Data System.

11 SECTION 10. RULEMAKING

12 (A) The Commission shall exercise its Rulemaking powers pursuant to the
13 criteria set forth in this Section and the Rules adopted thereunder. Rules and
14 amendments shall become binding as of the date specified in each Rule or amendment.

15 (B) The Commission shall promulgate reasonable rules in order to effectively
16 and efficiently achieve the purposes of the Compact. Notwithstanding the foregoing,
17 in the event the Commission exercises its rulemaking authority in a manner that is
18 beyond the scope of the purposes of the Compact, or the powers granted hereunder,
19 then such an action by the Commission shall be invalid and have no force and effect.

20 (C) If a majority of the legislatures of the Member States rejects a Rule, by
21 enactment of a statute or resolution in the same manner used to adopt the Compact
22 within 4 years of the date of adoption of the Rule, then such Rule shall have no further
23 force and effect in any Member State.

24 (D) Rules or amendments to the Rules shall be adopted at a regular or special
25 meeting of the Commission.

26 (E) Prior to promulgation and adoption of a final Rule or Rules by the
27 Commission, and at least thirty (30) days in advance of the meeting at which the Rule
28 will be considered and voted upon, the Commission shall file a Notice of Proposed
29 Rulemaking:

30 (1) On the website of the Commission or other publicly accessible
31 platform; and

1 (2) On the website of each Member State Occupational Therapy
2 Licensing Board or other publicly accessible platform or the publication in which each
3 State would otherwise publish proposed Rules.

4 (F) The Notice of Proposed Rulemaking shall include:

5 (1) The proposed time, date, and location of the meeting in which the
6 Rule will be considered and voted upon;

7 (2) The text of the proposed Rule or amendment and the reason for the
8 proposed Rule;

9 (3) A request for comments on the proposed Rule from any interested
10 person; and

11 (4) The manner in which interested persons may submit notice to the
12 Commission of their intention to attend the public hearing and any written comments.

13 (G) Prior to adoption of a proposed Rule, the Commission shall allow persons
14 to submit written data, facts, opinions, and arguments, which shall be made available
15 to the public.

16 (H) The Commission shall grant an opportunity for a public hearing before it
17 adopts a Rule or amendment if a hearing is requested by:

18 (1) At least twenty five (25) persons;

19 (2) A State or federal governmental subdivision or agency; or

20 (3) An association or organization having at least twenty five (25)
21 members.

22 (I) If a hearing is held on the proposed Rule or amendment, the Commission
23 shall publish the place, time, and date of the scheduled public hearing. If the hearing is
24 held via electronic means, the Commission shall publish the mechanism for access to
25 the electronic hearing.

26 (1) All persons wishing to be heard at the hearing shall notify the
27 executive director of the Commission or other designated member in writing of their
28 desire to appear and testify at the hearing not less than five (5) business days before
29 the scheduled date of the hearing.

30 (2) Hearings shall be conducted in a manner providing each person
31 who wishes to comment a fair and reasonable opportunity to comment orally or in

1 writing.

2 (3) All hearings will be recorded. A copy of the recording will be made
3 available on request.

4 (4) Nothing in this section shall be construed as requiring a separate
5 hearing on each Rule. Rules may be grouped for the convenience of the Commission
6 at hearings required by this section.

7 (J) Following the scheduled hearing date, or by the close of business on the
8 scheduled hearing date if the hearing was not held, the Commission shall consider all
9 written and oral comments received.

10 (K) If no written notice of intent to attend the public hearing by interested
11 parties is received, the Commission may proceed with promulgation of the proposed
12 Rule without a public hearing.

13 (L) The Commission shall, by majority vote of all members, take final action
14 on the proposed Rule and shall determine the effective date of the Rule, if any, based
15 on the Rulemaking record and the full text of the Rule.

16 (M) Upon determination that an emergency exists, the Commission may
17 consider and adopt an emergency Rule without prior notice, opportunity for comment,
18 or hearing, provided that the usual Rulemaking procedures provided in the Compact
19 and in this section shall be retroactively applied to the Rule as soon as reasonably
20 possible, in no event later than ninety (90) days after the effective date of the Rule. For
21 the purposes of this provision, an emergency Rule is one that must be adopted
22 immediately in order to:

23 (1) Meet an imminent threat to public health, safety, or welfare;

24 (2) Prevent a loss of Commission or Member State funds;

25 (3) Meet a deadline for the promulgation of an administrative Rule that
26 is established by federal law or Rule; or

27 (4) Protect public health and safety.

28 (N) The Commission or an authorized committee of the Commission may
29 direct revisions to a previously adopted Rule or amendment for purposes of correcting
30 typographical errors, errors in format, errors in consistency, or grammatical errors.
31 Public notice of any revisions shall be posted on the website of the Commission. The

1 revision shall be subject to challenge by any person for a period of thirty (30) days
2 after posting. The revision may be challenged only on grounds that the revision results
3 in a material change to a Rule. A challenge shall be made in writing and delivered to
4 the chair of the Commission prior to the end of the notice period. If no challenge is
5 made, the revision will take effect without further action. If the revision is challenged,
6 the revision may not take effect without the approval of the Commission.

7 SECTION 11. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

8 (A) Oversight

9 (1) The executive, legislative, and judicial branches of State
10 government in each Member State shall enforce this Compact and take all actions
11 necessary and appropriate to effectuate the Compact's purposes and intent. The
12 provisions of this Compact and the Rules promulgated hereunder shall have standing
13 as statutory law.

14 (2) All courts shall take judicial notice of the Compact and the Rules in
15 any judicial or administrative proceeding in a Member State pertaining to the subject
16 matter of this Compact which may affect the powers, responsibilities, or actions of the
17 Commission.

18 (3) The Commission shall be entitled to receive service of process in
19 any such proceeding, and shall have standing to intervene in such a proceeding for all
20 purposes. Failure to provide service of process to the Commission shall render a
21 judgment or order void as to the Commission, this Compact, or promulgated Rules.

22 (B) Default, Technical Assistance, and Termination

23 (1) If the Commission determines that a Member State has defaulted in
24 the performance of its obligations or responsibilities under this Compact or the
25 promulgated Rules, the Commission shall:

26 (a) Provide written notice to the defaulting State and other
27 Member States of the nature of the default, the proposed means of curing the
28 default and/or any other action to be taken by the Commission; and

29 (b) Provide remedial training and specific technical assistance
30 regarding the default.

31 (2) If a State in default fails to cure the default, the defaulting State

1 may be terminated from the Compact upon an affirmative vote of a majority of the
2 Member States, and all rights, privileges and benefits conferred by this Compact may
3 be terminated on the effective date of termination. A cure of the default does not
4 relieve the offending State of obligations or liabilities incurred during the period of
5 default.

6 (3) Termination of membership in the Compact shall be imposed only
7 after all other means of securing compliance have been exhausted. Notice of intent to
8 suspend or terminate shall be given by the Commission to the governor, the majority
9 and minority leaders of the defaulting State's legislature, and each of the Member
10 States.

11 (4) A State that has been terminated is responsible for all assessments,
12 obligations, and liabilities incurred through the effective date of termination, including
13 obligations that extend beyond the effective date of termination.

14 (5) The Commission shall not bear any costs related to a State that is
15 found to be in default or that has been terminated from the Compact, unless agreed
16 upon in writing between the Commission and the defaulting State.

17 (6) The defaulting State may appeal the action of the Commission by
18 petitioning the U.S. District Court for the District of Columbia or the federal district
19 where the Commission has its principal offices. The prevailing member shall be
20 awarded all costs of such litigation, including reasonable attorney's fees.

21 (C) Dispute Resolution

22 (1) Upon request by a Member State, the Commission shall attempt to
23 resolve disputes related to the Compact that arise among Member States and between
24 member and non-Member States.

25 (2) The Commission shall promulgate a Rule providing for both
26 mediation and binding dispute resolution for disputes as appropriate.

27 (D) Enforcement

28 (1) The Commission, in the reasonable exercise of its discretion, shall
29 enforce the provisions and Rules of this Compact.

30 (2) By majority vote, the Commission may initiate legal action in the
31 United States District Court for the District of Columbia or the federal district where

1 the Commission has its principal offices against a Member State in default to enforce
 2 compliance with the provisions of the Compact and its promulgated Rules and bylaws.
 3 The relief sought may include both injunctive relief and damages. In the event judicial
 4 enforcement is necessary, the prevailing member shall be awarded all costs of such
 5 litigation, including reasonable attorney's fees.

6 (3) The remedies herein shall not be the exclusive remedies of the
 7 Commission. The Commission may pursue any other remedies available under federal
 8 or State law.

9 SECTION 12. DATE OF IMPLEMENTATION OF THE INTERSTATE
 10 COMMISSION FOR OCCUPATIONAL THERAPY PRACTICE AND ASSOCIATED
 11 RULES, WITHDRAWAL, AND AMENDMENT

12 (A) The Compact shall come into effect on the date on which the Compact
 13 statute is enacted into law in the tenth Member State. The provisions, which become
 14 effective at that time, shall be limited to the powers granted to the Commission
 15 relating to assembly and the promulgation of Rules. Thereafter, the Commission shall
 16 meet and exercise Rulemaking powers necessary to the implementation and
 17 administration of the Compact.

18 (B) Any State that joins the Compact subsequent to the Commission's initial
 19 adoption of the Rules shall be subject to the Rules as they exist on the date on which
 20 the Compact becomes law in that State. Any Rule that has been previously adopted by
 21 the Commission shall have the full force and effect of law on the day the Compact
 22 becomes law in that State.

23 (C) Any Member State may withdraw from this Compact by enacting a statute
 24 repealing the same.

25 (1) A Member State's withdrawal shall not take effect until six (6)
 26 months after enactment of the repealing statute.

27 (2) Withdrawal shall not affect the continuing requirement of the
 28 withdrawing State's Occupational Therapy Licensing Board to comply with the
 29 investigative and Adverse Action reporting requirements of this act prior to the
 30 effective date of withdrawal.

31 (D) Nothing contained in this Compact shall be construed to invalidate or

1 prevent any Occupational Therapy licensure agreement or other cooperative
 2 arrangement between a Member State and a non-Member State that does not conflict
 3 with the provisions of this Compact.

4 (E) This Compact may be amended by the Member States. No amendment to
 5 this Compact shall become effective and binding upon any Member State until it is
 6 enacted into the laws of all Member States.

7 SECTION 13. CONSTRUCTION AND SEVERABILITY

8 This Compact shall be liberally construed so as to effectuate the purposes
 9 thereof. The provisions of this Compact shall be severable and if any phrase, clause,
 10 sentence or provision of this Compact is declared to be contrary to the constitution of
 11 any Member State or of the United States or the applicability thereof to any
 12 government, agency, person, or circumstance is held invalid, the validity of the
 13 remainder of this Compact and the applicability thereof to any government, agency,
 14 person, or circumstance shall not be affected thereby. If this Compact shall be held
 15 contrary to the constitution of any Member State, the Compact shall remain in full
 16 force and effect as to the remaining Member States and in full force and effect as to
 17 the Member State affected as to all severable matters.

18 SECTION 14. BINDING EFFECT OF COMPACT AND OTHER LAWS

19 (A) A Licensee providing Occupational Therapy in a Remote State under the
 20 Compact Privilege shall function within the laws and regulations of the Remote State.

21 (B) Nothing herein prevents the enforcement of any other law of a Member
 22 State that is not inconsistent with the Compact.

23 (C) Any laws in a Member State in conflict with the Compact are superseded
 24 to the extent of the conflict.

25 (D) Any lawful actions of the Commission, including all Rules and bylaws
 26 promulgated by the Commission, are binding upon the Member States.

27 (E) All agreements between the Commission and the Member States are
 28 binding in accordance with their terms.

29 (F) In the event any provision of the Compact exceeds the constitutional limits
 30 imposed on the legislature of any Member State, the provision shall be ineffective to
 31 the extent of the conflict with the constitutional provision in question in that Member

1 State.

2 * **Sec. 9.** AS 08.84.190(3) is amended to read:

3 (3) "occupational therapy" means [, FOR COMPENSATION,] the use
 4 of purposeful activity, evaluation, treatment, and consultation with **persons** [HUMAN
 5 BEINGS] whose ability to cope with the tasks of daily living are threatened with [,] or
 6 impaired by developmental deficits, learning disabilities, aging, poverty, cultural
 7 differences, physical injury or illness, or psychological and social disabilities to
 8 maximize independence, prevent disability, and maintain health; ["OCCUPATIONAL
 9 THERAPY" INCLUDES

10 (A) DEVELOPING DAILY LIVING, PLAY, LEISURE,
 11 SOCIAL, AND DEVELOPMENTAL SKILLS;

12 (B) FACILITATING PERCEPTUAL-MOTOR AND
 13 SENSORY INTERGRATIVE FUNCTIONING;

14 (C) ENHANCING FUNCTIONAL PERFORMANCE,
 15 PREVOCAIONAL SKILLS, AND WORK CAPABILITIES USING
 16 SPECIFICALLY DESIGNED EXERCISES, THERAPEUTIC ACTIVITIES
 17 AND MEASURES, MANUAL INTERVENTION, AND APPLIANCES;

18 (D) DESIGN, FABRICATION, AND APPLICATION OF
 19 SPLINTS OR SELECTIVE ADAPTIVE EQUIPMENT;

20 (E) ADMINISTERING AND INTERPRETING
 21 STANDARDIZED AND NONSTANDARDIZED ASSESSMENTS,
 22 INCLUDING SENSORY, MANUAL MUSCLE, AND RANGE OF MOTION
 23 ASSESSMENTS, NECESSARY FOR PLANNING EFFECTIVE
 24 TREATMENT; AND

25 (F) ADAPTING ENVIRONMENTS FOR THE DISABLED;]

26 * **Sec. 10.** AS 08.84.190(4) is amended to read:

27 (4) "occupational therapy assistant" means a person who, [ASSISTS
 28 IN THE PRACTICE OF OCCUPATIONAL THERAPY] under the supervision of **a**
 29 **licensed** [AN] occupational therapist, **administers or assists with administering**
 30 **occupational therapy**;

31 * **Sec. 11.** AS 08.84.190 is amended by adding a new paragraph to read:

1 (8) "test and measurement" includes imaging, electrodiagnostic and
 2 electrophysiological methods or techniques, and other methods or techniques
 3 generally accepted by the physical therapist or occupational therapist professions in
 4 the state for use in obtaining information about a patient in order to administer
 5 therapy.

6 * **Sec. 12.** AS 12.62.400(a)(4) is amended to read:

7 (4) licensure to practice audiology or speech-language pathology under
 8 AS 08.11, **including a compact privilege to practice as an audiologist or speech-**
 9 **language pathologist under AS 08.11.300;**

10 * **Sec. 13.** AS 12.62.400(a)(10) is amended to read:

11 (10) licensure as a physical therapist, physical therapist assistant,
 12 occupational therapist, or occupational therapy assistant under AS 08.84, **including a**
 13 **compact privilege to practice as a physical therapist or physical therapist**
 14 **assistant under AS 08.84.188 or an occupational therapist or occupational**
 15 **therapy assistant under AS 08.84.189;**

16 * **Sec. 14.** AS 39.25.120(c)(7) is amended to read:

17 (7) the principal executive officer of the following boards, councils, or
 18 commissions:

- 19 (A) Alaska Public Broadcasting Commission;
- 20 (B) Professional Teaching Practices Commission;
- 21 (C) Parole Board;
- 22 (D) Board of Nursing;
- 23 (E) Real Estate Commission;
- 24 (F) Alaska Royalty Oil and Gas Development Advisory Board;
- 25 (G) Alaska State Council on the Arts;
- 26 (H) Alaska Police Standards Council;
- 27 (I) Alaska Commission on Aging;
- 28 (J) Alaska Mental Health Board;
- 29 (K) State Medical Board;
- 30 (L) Governor's Council on Disabilities and Special Education;
- 31 (M) Advisory Board on Alcoholism and Drug Abuse;

- 1 (N) Statewide Suicide Prevention Council;
- 2 (O) State Board of Registration for Architects, Engineers, and
- 3 Land Surveyors;
- 4 (P) Alaska Health Care Commission;
- 5 (Q) Board of Pharmacy;
- 6 **(R) State Physical Therapy and Occupational Therapy**
- 7 **Board;**

Chapter 54. State Physical Therapy and Occupational Therapy Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 54.030(a)(3) and (a)(4) are repealed:

[(3) A SIGNED LETTER OF PROFESSIONAL REFERENCE SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM

(A) THE HEAD OF THE PHYSICAL THERAPY SCHOOL; OR

(B) AN INSTRUCTOR, PHYSICIAN, SUPERVISING PHYSICAL THERAPIST, OR SUPERVISOR;

(4) THE JURISPRUDENCE QUESTIONNAIRE PREPARED BY THE BOARD COVERING THE PROVISIONS OF AS 08.84 AND THIS CHAPTER; AND]

12 AAC 54.030(a) is amended by adding a new paragraph to read:

(6) the applicant's fingerprint information, as set out under 12 AAC 54.905, required under AS 08.030(a)(4).

12 AAC 54.040(a)(1) is amended to read:

(1) substantially equivalent to a professional physical therapy education program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) **that includes supervised field work, as defined under 12 AAC 54.070,**

Commented [SD1]: Sheri - is this change only made for the 'supervised service delivery' change? If so, I will delete

Commented [SR2R1]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

documented completion of which demonstrates complete compliance with the requirements of AS 08.84.032(a)(2); and

Commented [AO3]: I added this wording to connect the internship requirements under statute to the relevant portion of the applicant's education which the board accept as being sufficient for the purposes of an internship; the definition of "supervised field work" at 54.070 has been updated so it covers each statutorily required element of AS 08.84.032(a)(2). The only difference between regs is the citation to which relevant statute under which fingerprints are required in different situations.

12 AAC 54.040(b)(3) and (b)(4) are repealed:

[(3) A PROFESSIONAL REFERENCE LETTER ON A FORM PROVIDED BY THE DEPARTMENT; THE FORM MUST BE SIGNED AND SENT DIRECTLY TO THE DEPARTMENT FROM

(A) THE HEAD OF THE APPLICANT'S PHYSICAL THERAPY SCHOOL; OR

(B) A PROFESSIONAL WHO HAS KNOWLEDGE OF THE APPLICANT'S COMPETENCY, INCLUDING A CURRENT OR FORMER INSTRUCTOR, SUPERVISING PHYSICIAN OR PHYSICAL THERAPIST, OR OTHER SUPERVISING PROFESSIONAL;

(4) THE JURISPRUDENCE QUESTIONNAIRE COVERING THE PROVISIONS OF AS 08.84 AND THIS CHAPTER AS PREPARED BY THE BOARD;

12 AAC 54.040(b)(5) is amended to read:

(5) Verification that the applicant

[(A) COMPLETED THE INTERNSHIP REQUIREMENTS UNDER (C) OF THIS SECTION; AND]

[(B)] passed the National Physical Therapy Examination; the applicant's passing scores must be sent directly to the department from the Federation of State Boards of Physical Therapy (FSBPT).

12 AAC 54.040(b) is amended by adding a new paragraph to read:

(6) the applicant’s fingerprint information, as set out under 12 AAC 54.905, required under AS 08.84.032(a)(8).

12 AAC 54.040(c) is repealed:

(c) Repealed. [A FOREIGN-EDUCATED PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT APPLICANT SHALL COMPLETE AN INTERNSHIP UNDER THE ON-SITE SUPERVISION OF A CURRENTLY LICENSED PHYSICAL THERAPIST IN AN INSTITUTION THAT MEETS THE REQUIREMENTS OF (d) OF THIS SECTION AND AS 08.84.032(a)(2). THE BOARD WILL NOT CONSIDER INTERNSHIP HOURS CLAIMED BEFORE THE DATE THE BOARD PRE-APPROVES THE INTERNSHIP. A FOREIGN-EDUCATED PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT APPLICANT SHALL COMPLETE AN INTERNSHIP BASED ON

(1) A MINIMUM OF SIX MONTHS OF FULL-TIME WORK, AVERAGING NOT LESS THAN 35 HOURS PER WEEK; OR

(2) PART-TIME WORK AVERAGING LESS THAN 35 HOURS PER WEEK, BUT EQUIVALENT TO THE TOTAL MINIMUM NUMBER OF HOURS REQUIRED UNDER (1) OF THIS SUBSECTION.]

12 AAC 54.040(d) is repealed:

Commented [SD4]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR5R4]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

Commented [SD6]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR7R6]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

(d) Repealed. [AN INSTITUTION USED FOR AN INTERNSHIP MUST HAVE AT LEAST TWO FULL-TIME PHYSICAL THERAPISTS ON THE STAFF LICENSED UNDER THIS CHAPTER AND BE IN A CLINIC SETTING PROVIDING A VARIED CASE LOAD TO BE APPROVED BY THE BOARD. A GOVERNMENT SERVICE HOSPITAL MAY BE USED IF THE HOSPITAL MEETS THE REQUIREMENTS OF THIS SUBSECTION.]

12 AAC 54.040(e) is repealed:

(e) Repealed. [A LICENSED PHYSICAL THERAPIST WHO SERVES AS A PRECEPTOR TO A FOREIGN-EDUCATED INTERN APPLICANT SHALL ASSUME RESPONSIBILITY FOR THE INTERN'S EXPERIENCE AND THE SAFETY AND WELFARE OF THE PATIENT.]

12 AAC 54.040(f) is repealed:

(f) Repealed. [A LICENSED PHYSICAL THERAPIST WHO SERVES AS A PRECEPTOR UNDER THIS SECTION SHALL DIRECTLY SUBMIT A NATIONAL PERFORMANCE EVALUATION TOOL THAT IS RECOGNIZED BY THE BOARD TO THE DEPARTMENT. ON THE TOOL, THE PRECEPTOR SHALL ATTEST TO THE APPLICANT'S

(1) SATISFACTORY OR UNSATISFACTORY COMPLETION OF THE INTERNSHIP; AND

Commented [SD8]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR9R8]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

(2) LEVEL OF SKILL IN COMPLETION OF EVALUATION, PROGRAM PLANNING, THERAPEUTIC PRACTICE, POTENTIAL ABILITY TO PRACTICE SAFELY WHILE UNSUPERVISED WITH SOUND PROFESSIONAL JUDGMENT, AND ETHICS RELATED TO THE PRACTICE OF PHYSICAL THERAPY.]

12 AAC 54.040(g) is repealed:

(g) Repealed [IF A LICENSED PHYSICAL THERAPIST WHO SERVES AS A PRECEPTOR WILL NOT RECOMMEND TO THE BOARD THAT THE APPLICANT IS QUALIFIED TO WORK UNSUPERVISED AT THE END OF AN INTERNSHIP UNDER (c) OF THIS SECTION, THE BOARD MAY REQUIRE THE APPLICANT TO ARRANGE FOR ANOTHER INTERNSHIP EQUIVALENT TO SIX MONTHS OR LESS. THE BOARD MUST APPROVE ANY CHANGE IN A PRECEPTOR BEFORE THE CHANGE TAKES EFFECT. IF THE APPLICANT IS NOT RECOMMENDED BY A PRECEPTOR AS QUALIFIED TO WORK INDEPENDENTLY AT THE END OF A SECOND INTERNSHIP, THE BOARD MAY DENY LICENSURE.]

Commented [SD10]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR11R10]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

12 AAC 54.040(h) is repealed:

(h) Repealed. [IF A LICENSED PHYSICAL THERAPIST WHO SERVES AS A PRECEPTOR DETERMINES THAT AN APPLICANT IS UNQUALIFIED TO CONTINUE THE INTERNSHIP, NOTHING IN THIS SECTION OBLIGATES THE PRECEPTOR OR THE PRECEPTOR'S FACILITY TO EITHER COMPLETE A SIX-MONTH INTERNSHIP OR PROVIDE A SECOND INTERNSHIP FOR THAT APPLICANT. A PRECEPTOR WHO TERMINATES THE INTERNSHIP OF AN APPLICANT BEFORE THE SCHEDULED

Commented [SD12]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR13R12]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

COMPLETION DATE MUST NOTIFY THE BOARD IN WRITING AND STATE THE REASON FOR THE TERMINATION. EITHER AN INTERN OR A PRECEPTOR MAY REQUEST AN ADVISORY REVIEW OF THE INTERNSHIP BY THE BOARD.]

12 AAC 54.040(i) is amended to read:

(i) An applicant [AFTER A] **who meets the requirements of this section** [HAS SATISFACTORILY COMPLETED AN INTERNSHIP] and has been scheduled for the national physical therapy examination, [THE APPLICANT] may apply for a temporary permit under AS 08.84.065 and 12 AAC 54.050.

Commented [AO14]: 54.040(i) was initially slated for repeal. However, I have retained it to retain the ability for an applicant to apply for a temp permit if he/she meets the requirements and scheduled for the exam. I didn't think the board intended to do away with this but may be mistaken. For the board's consideration.

Commented [SD15R14]: Sheri - Alison marked this as resolved, but I want to make sure the board considered this. Please confirm and I will re-resolve this comment 🙏

Commented [SD16]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR17R16]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

Commented [SD18]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR19R18]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

12 AAC 54.040(j) is repealed:

(j) Repealed. [TO RECEIVE CREDIT FOR AN INTERNSHIP, AN APPLICANT MUST TAKE AND PASS THE NATIONAL PHYSICAL THERAPY EXAMINATION EITHER BEFORE COMPLETING THE INTERNSHIP OR NOT LATER THAN ONE YEAR AFTER COMPLETING THE INTERNSHIP.]

Commented [SD20]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR21R20]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

12 AAC 54.040(l) is repealed:

(l) Repealed. [IN THIS SECTION, "PRECEPTOR" MEANS A CURRENTLY LICENSED PHYSICAL THERAPIST UNDER THIS CHAPTER WHO PROVIDES ON-SITE SUPERVISION FOR AN INDIVIDUAL WHO IS COMPLETING AN INTERNSHIP UNDER THIS SECTION.]

12 AAC 54.050(b)(3) is amended to read:

(b) Except where (d) below applies, the board or department will issue a temporary permit to an applicant for a physical therapist or physical therapist assistant license by credentials, other than an applicant who is a graduate of a school of physical therapy that is located outside the United States, if the following are on file with the department:

- (1) a complete application on a form provided by the department;
- (2) the temporary permit fee established in 12 AAC 02.320;
- (3) all items required under 12 AAC 54.100 **except for the applicant's**

fingerprint information, as set out under 12 AAC 54.905, required under AS 08.84.030(a)(4). Applicant must provide fingerprint information within 30 days of temporary permit issuance.

12 AAC 54.050(c)(2)(B) is repealed:

(B) Repealed. [TRANSCRIPT INDICATING COMPLIANCE WITH AS 08.84.032(A)(1) IF THE DEGREE WAS OBTAINED FROM A FOREIGN PROGRAM ACCREDITED BY A BOARD-APPROVED ACCREDITING AGENCY;]

12 AAC 54.050(c)(3) is repealed:

Commented [SR22]: FP and background checks are not statutorily required for temporary permits to be issued AS 08.84.065.

Commented [SR23]: When SB74 was passed to enact the PT Compact, the board does not feel it was the legislature's intent to allow therapists to practice for 8 months without ever following through with their permanent license application. Temporary permits are issued while the applicant waits for the administrative process to occur. Applicants should have to provide ALL information for their permanent license application to be processed which would include a fingerprint card.

Commented [SR24]: Should have been removed when the HB99 regulations passed. See 12 AAC 54.040(a)(2) and 12 AAC 54.110(1).

(3) Repealed. [A SIGNED LETTER OF PROFESSIONAL REFERENCE ON A FORM PROVIDED BY THE DEPARTMENT AND SENT DIRECTLY TO THE DEPARTMENT FROM

(A) THE HEAD OF A PHYSICAL THERAPY SCHOOL; OR

(B) AN INSTRUCTOR, PHYSICIAN, SUPERVISING PHYSICAL THERAPIST, OR SUPERVISOR,]

12 AAC 54.050(c)(6) is repealed:

(6) Repealed. [A SIGNED LETTER OF VERIFICATION SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM THE PRECEPTOR ATTESTING TO THE APPLICANT'S SATISFACTORY COMPLETION OF THE [INTERNSHIP];]

12 AAC 54.050(d)(3) is amended to read:

(d) The board or department will issue a temporary permit to an applicant for a physical therapist or physical therapist assistant license by credentials who is a graduate of a school of physical therapy that is located outside the United States if the following are on file with the department:

- (1) a complete application on a form provided by the department;
- (2) the temporary permit fee established in 12 AAC 02.320;
- (3) all items required under 12 AAC 54.110 **except for the applicant's**

fingerprint information, as set out under 12 AAC 54.905, required under AS

Commented [SD25]: Sheri - I see that this change to (c)(6) should likely be removed with the removal of supervised service delivery. Should the change to (e) below this also be removed?

Commented [SR26R25]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

Commented [AO27]: Removed this proposed (9) from .050(b) as unnecessary when deleting "internship" requirements under (h). - all such requirements are now found in one place .540

Commented [SR28]: FP and background checks are not statutorily required for temporary permits to be issued AS 08.84.065.

08.84.032(a)(8). Applicant must provide fingerprint information within 30 days of temporary permit issuance.

Commented [SR29]: When SB74 was passed to enact the PT Compact, the board does not feel it was the legislature's intent to allow therapists to practice for 8 months without ever following through with their permanent license application. Temporary permits are issued while the applicant waits for the administrative process to occur. Applicants should have to provide ALL information for their permanent license application to be processed which would include a fingerprint card.

12 AAC 54.070 is amended to read:

12 AAC 54.070. Supervised field work. [AS USED IN AS 08.84.030(a)(1),]

"Supervised field work" means the clinical education experience portion of a CAPTE-accredited educational program to be completed **in a setting that ordinarily provides physical therapy** under the **continuous direction and** supervision of a licensed physical therapist **or a physical therapist practicing under a valid compact privilege issued in accordance with AS 08.84.188.**

12 AAC 54.100(1) is repealed:

(1) Repealed. [ALL ITEMS REQUIRED UNDER 12 AAC 54.030(a);]

12 AAC 54.100(5) is repealed:

(5) Repealed. [VERIFICATION SENT DIRECTLY TO THE DEPARTMENT FROM THE SOURCE THAT THE APPLICANT HAS

(A) BEEN EMPLOYED IN PHYSICAL THERAPY AT LEAST 60 HOURS WITHIN THE 24 MONTHS IMMEDIATELY PRECEDING THE DATE THE APPLICATION IS RECEIVED;

(B) PASSED THE NATIONAL PHYSICAL THERAPY EXAMINATION WITHIN THE 24-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE APPLICATION IS RECEIVED; OR

(C) SATISFACTORILY COMPLETED AN INTERNSHIP OF 150 HOURS APPROVED BY THE BOARD.]

12 AAC 54.100 is amended by adding new paragraphs to read:

(6) the applicant's fingerprint information, as set out under 12 AAC 54.905, required under AS 08.84.030(a)(4);

(7) payment of the fees established in 12 AAC 02.320;

(8) requirement of a certified transcript sent directly to the department from a physical therapy school meeting the requirements of AS 08.84.030(a)(1);

12 AAC 54.110(4) is repealed:

(4) repealed. [SATISFACTORY EVIDENCE SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM A SUPERVISING THERAPIST OF

(A) A MINIMUM SIX MONTHS OF SUPERVISED WORK EXPERIENCE WHILE LICENSED AS A PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT IN ANOTHER STATE, ANOTHER TERRITORY, OR THE DISTRICT OF COLUMBIA; OR

Commented [SD30]: Sheri - does this have to do with supervised service delivery? If so, I will remove repeal

Commented [SR31R30]: No, this change is not for 'supervised service delivery' but to assist in the elimination of the 6-month post graduate foreign educated internship required in 12 AAC 54.040, 54.050, and 54.110.

(B) SATISFACTORY COMPLETION OF AN INTERNSHIP THAT MEETS THE REQUIREMENTS OF 12 AAC 54.040(c), (e), AND (f);]

Commented [AO32]: Original proposed language was drafted to retain this (4)(B); however it is no longer relevant following the revisions made to 54.040.

12 AAC 54.110(5) is amended to read:

Commented [AO33]: The changes I made here relate back to the statutory requirements for “internship” without using the word “internship” but retaining the underlying concept; the result of which ensures a foreign educated applicant will meet the statutory requirements as part of their educational program. A program that must include supervised field work, the definition of which is also changed to meet the individual criteria required under AS 08.84.032(a)(2)

(5) other evidence determined necessary by the board to determine if the applicant’s out-of-state license is substantially equal to the license requirements of this state that includes supervised field work, as defined under 12 AAC 54.070, documented completion of which demonstrates complete compliance with the requirements of AS 08.84.032(a)(2);

12 AAC 54.110(7) is repealed:

(7) Repealed. [A SIGNED LETTER OF PROFESSIONAL REFERENCE SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM

(A) THE HEAD OF THE PHYSICAL THERAPY SCHOOL FROM WHICH THE APPLICANT GRADUATED; OR

(B) AN INSTRUCTOR, PHYSICIAN, OR PHYSICAL THERAPIST OTHER THAN THE PHYSICAL THERAPIST PRECEPTOR DESCRIBED IN 12 AAC 54.040(E) AND (F); AND]

12 AAC 54.110(8) is repealed:

(8) Repealed. [VERIFICATION SENT DIRECTLY TO THE DEPARTMENT FROM THE SOURCE THAT THE APPLICANT HAS

(A) BEEN EMPLOYED IN PHYSICAL THERAPY AT LEAST 60 HOURS DURING THE 24 MONTHS IMMEDIATELY PRECEDING THE DATE THE APPLICATION IS RECEIVED; OR

(B) PASSED THE NATIONAL PHYSICAL THERAPY EXAMINATION DURING THE 24-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE APPLICATION IS RECEIVED.]

12 AAC 54.110 is amended by adding a new paragraph to read:

(9) the applicant's fingerprint information as set out under 12 AAC 54.905 and required under AS 08.84.032(a)(8).

12 AAC 54.130(b)(2) is amended to read

(2) must pay the temporary license application fee, [AND] fee for a temporary license, **and fingerprint processing fee** set out under 12 AAC 02.105;

12 AAC 54.130(b) is amended by adding a new paragraph to read:

(7) must submit the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(a)(4).

12 AAC 54 is amended by adding a new section to read:

12 AAC 54.150. Compact privilege applicants and scope of practice. (a) A physical therapist or physical therapist assistant licensed in another member state under the Interstate Physical Therapy Licensure Compact must meet the requirements of AS 08.84.188 Section (4)(a) to obtain a compact privilege in this state.

(b) A compact privilege in this state is valid until the expiration of the license issued in the physical therapist's or physical therapist assistant's home state.

(c) A physical therapist or physical therapist assistant practicing in this state under an active compact privilege shall

(1) consent to the personal and subject matter jurisdiction and disciplinary authority of the board;

(2) comply with AS 08.84 and this chapter;

(3) be bound by the rules of the Interstate Physical Therapy Licensure Compact as enacted under AS 08.84.188; and

(4) acknowledge the board's authority to take adverse action against a compact privilege in this state in accordance with AS 08.84.188 Section 6.

12 AAC 54.405(a) is amended to read:

12 AAC 54.405. PHYSICAL THERAPY CONTINUING PROFESSIONAL PRACTICE REQUIREMENTS AND ALTERNATIVES TO THOSE REQUIREMENTS. (a) An applicant for renewal of a physical therapist or physical therapist assistant license shall document [COMPLETION OF THE JURISPRUDENCE QUESTIONNAIRE PREPARED BY THE

BOARD, COVERING THE PROVISIONS OF AS 08.84 AND THIS CHAPTER, AND SHALL ALSO DOCUMENT]

12 AAC 54.410(a) is amended to read:

(a) Except as provided in 12 AAC 54.435, an applicant for renewal of a physical therapist or physical therapist assistant license who has been licensed for 12 months or more of the concluding licensing period shall have completed 24 contact hours of continuing education [DURING THAT PERIOD] **completed between the beginning of the concluding licensing period and the time of application.** An applicant for renewal of a physical therapist or physical therapist assistant license who has been licensed for less than 12 months of the concluding licensing period shall have

12 AAC 54.410(a)(1) is amended to read:

(1) completed [DURING THAT PERIOD] **between the beginning of the concluding licensing period and the time of application** 12 contact hours of continuing education; or

12 AAC 54.410(b) is repealed:

(b) Repealed. [AN APPLICANT SHALL COMPLETE AT LEAST ONE-HALF OF THE REQUIRED CONTACT HOURS IN COURSES OR PROGRAMS OFFERED BY AN ACCREDITED ACADEMIC INSTITUTION OR A PROFESSIONAL ORGANIZATION APPROVED BY THE BOARD UNDER 12 AAC 54.420(A).]

12 AAC 54.410(d) is amended to read:

(d) An applicant for renewal is responsible for maintaining adequate and detailed records of all continuing education contact hours claimed and shall make the records available to the board upon request under 12 AAC 54.430. Records must be retained for **four [THREE]** years from the date the contact hours were obtained.

Commented [SD34]: Sheri - I see in the board POQ for this edit that the board wants to change this so that it is in line with the centralized regulations. Centralized regulations and board specific regulations can differ. Centralized regs are only to be referenced when there is not specific information in the board regs. Since this board notes a 3 year retention schedule, the centralized regs would not apply to these licensees. Would the board/board chair still want to change this to match? If so, we may just end up deleting this entire sentence so that the centralized regs would apply. Alternatively, we could point back to the retention schedule information in centralized regs (similar to how the proposed change for 12 AAC 54.920 for name changes points back to centralized reg information)

12 AAC 54.420 is amended to read:

(a) The following continuing education activities are approved for continuing education credit if they meet the requirements of (c) of this section:

(1) courses **are** recognized by

[(A) THE ALASKA PHYSICAL THERAPY ASSOCIATION;

(B) THE AMERICAN PHYSICAL THERAPY ASSOCIATION (APTA);

(C) THE FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT);

(D) OTHER STATE PHYSICAL THERAPY ASSOCIATIONS; OR

(E) OTHER STATE PHYSICAL THERAPY LICENSING BOARDS;]

(A) Any state or national professional healthcare association or state licensing entity;

(B) Accredited hospital or related healthcare institution;

(C) Accredited college or university health care programs; or

(D) local/state educational entity

Commented [SR35]: example: elementary or secondary school environment provides educational opportunity within the school setting for autistic children on managing emotional regulation

12 AAC 54.420(a)(2) and (a)(3) are repealed:

(2) Repealed. [AMERICAN MEDICAL ASSOCIATION CATEGORY ONE AND TWO CONTINUING EDUCATION COURSES THAT INVOLVE PHYSICAL THERAPY;

(3) Repealed. CONTINUING EDUCATION ACTIVITIES SPONSORED BY A PROFESSIONAL ORGANIZATION OR UNIVERSITY APPROVED BY THE ALASKA PHYSICAL THERAPY ASSOCIATION OR THE AMERICAN PHYSICAL THERAPY ASSOCIATION.]

(b) Repealed 9/29/2019.

12 AAC 54.420(c) is amended to read:

(c) ~~To be accepted by the board, a continuing education course or activity must contribute directly to the professional competency of a physical therapist or physical therapist assistant and must be directly related to the skills and knowledge required to implement the principles and methods of physical therapy within the meaning given in AS 08.84.190.~~

Commented [SR36]: intent of board to broaden categories of CE courses and activities to include professional contribution (clinical instructor, attending board meetings, publications, teaching, mentoring/supervision); Professional advancement (residency, board certification, fellowship, PhD, ScD), Professional Administration (documentation/coding, risk/practice/financial management); Professional Workplace Wellness (stress management, avoiding burnout, practice culture, patient culture, effective communication and difficult conversations); and special topics (ethics and boundaries, informed consent, cultural, sexual misconduct/trafficking, understanding addiction).

12 AAC 54.435(e)(1) is amended to read:

(1) active duty personnel in the United States Army, Navy, Air Force, Marine Corps, **Space Force**, or Coast Guard; and

12 AAC 54.535 is repealed

Commented [SD37]: Sheri - can you confirm that this should not be repealed, now that we are removing the supervised service delivery info? It looks like this is the only reason this was to be repealed

12 AAC 54.535. Physical therapy internship standards. Repealed [(a)

THIS SECTION ESTABLISHES THE STANDARDS FOR A PHYSICAL THERAPY INTERNSHIP REQUIRED UNDER 12 AAC 54.100(5)(C), 12 AAC 54.405(a)(2)(D), OR 12 AAC 54.950(e).

(b) AN INTERNSHIP MUST BE SERVED

(1) UNDER THE CONTINUAL ON-SITE SUPERVISION OF A PHYSICAL THERAPIST LICENSED UNDER THIS CHAPTER; AND

(2) IN AN INSTITUTION THAT ORDINARILY PROVIDES PHYSICAL THERAPY, HAS A VARIED CASELOAD, AND HAS ON STAFF AT LEAST ONE PHYSICAL THERAPIST LICENSED UNDER THIS CHAPTER.

(c) A LICENSED PHYSICAL THERAPIST SERVING AS A PRECEPTOR TO AN INTERN IS RESPONSIBLE FOR THE INTERN'S EXPERIENCE AND FOR THE SAFETY AND WELFARE OF THE PATIENT.

(d) UPON AN INTERN'S COMPLETION OF THE INTERNSHIP, THE PRECEPTOR SHALL SUBMIT, ON A FORM PROVIDED BY THE BOARD, A STATEMENT ATTESTING TO THE INTERN'S

(1) SATISFACTORY OR UNSATISFACTORY COMPLETION OF THE INTERNSHIP; AND

(2) LEVEL OF SKILL IN

- (A) COMPLETION OF EVALUATION;
- (B) PROGRAM PLANNING;
- (C) THERAPEUTIC PRACTICE;
- (D) POTENTIAL ABILITY TO PRACTICE SAFELY WHILE UNSUPERVISED WITH SOUND PROFESSIONAL JUDGMENT; AND
- (E) ETHICS RELATED TO THE PRACTICE OF PHYSICAL THERAPY.

(e) THE BOARD WILL NOT ACCEPT INTERNSHIP HOURS CLAIMED BEFORE THE DATE THAT THE INTERNSHIP WAS APPROVED BY THE BOARD. TO BE APPROVED BY THE BOARD, INTERNSHIP HOURS MUST BE COMPLETED NO MORE THAN SIX MONTHS AFTER THE DATE THE INTERNSHIP BEGINS.

(f) IN THIS SECTION, "PRECEPTOR" MEANS A PHYSICAL THERAPIST LICENSED UNDER THIS CHAPTER WHO PROVIDES ON-SITE SUPERVISION FOR AN INTERN SERVING AN INTERNSHIP.]

12 AAC 54.590(a)(2) is repealed:

(2) repealed. [POSTGRADUATE ON-THE-JOB TRAINING OF A PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT, APPROVED BY THE BOARD];

Commented [SD38]: Sheri - was this only being repealed due to the 'supervised service delivery' addition? If so, I will remove this repeat

Commented [SR39R38]: No. This was being repealed because "internship" is being removed across all regulations which is unrelated to the scrapped 'supervised service delivery' addition.

12 AAC 54.600 is amended to read:

Commented [AO40]: Repealing all of 54.600 is not necessary as it can be easily amended so that it relates solely to licensure by examination. Licensure by credentials is set out under the new 54.605

12 AAC 54.600. Requirements for Occupational Therapy Licensure by Examination [LICENSE REQUIREMENTS]. An applicant for an occupational therapist license or occupational therapy assistant license **by examination**, other than an applicant who is a graduate of a school of occupational therapy that is located outside the United States, shall submit

(1) a completed application on the form prescribed by the board;

(2) the fees established in 12 AAC 02.320;

(3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy, **if applicable** [ONE OF WHICH MUST INDICATE A CURRENT LICENSE IN GOOD STANDING]; each verification [FROM EACH JURISDICTION WHERE THE APPLICANT HOLDS OR HAS EVER HELD A LICENSE] must include an explanation of any disciplinary actions taken against the licensee;

(4) Repealed. [A SIGNED LETTER OF PROFESSIONAL REFERENCE SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM [A PHYSICIAN, INSTRUCTOR, SUPERVISOR, OR OFFICIAL OF THE APPLICANT'S OCCUPATIONAL THERAPY SCHOOL]

(5) proof of initial certification sent directly to the department from the National Board for Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.030(b) **during the 24 months immediately before the date the application is received by the department; and**

~~(6) Repealed. [VERIFICATION THAT, DURING THE 24 MONTHS IMMEDIATELY BEFORE THE DATE THE APPLICATION IS RECEIVED BY THE DEPARTMENT, THE APPLICANT~~

Commented [SD41]: Sheri - should this section be retained with the removal of supervised service delivery?

Commented [SR42R41]: No, do not retain. This is unrelated to supervised service delivery

(A) PERFORMED AT LEAST 60 HOURS OF OCCUPATIONAL THERAPY SERVICE; THE VERIFICATION OF AT LEAST 60 HOURS OF OCCUPATIONAL THERAPY SERVICE MUST BE SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM THE AGENCY OR SOURCE;

(B) PASSED THE NBCOT EXAMINATION; OR

(C) SATISFACTORILY COMPLETED AN INTERNSHIP OF 150 HOURS APPROVED BY THE BOARD; THE VERIFICATION MUST BE SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM THE AGENCY OR SOURCE; AND]

~~(7) Repealed. [THE JURISPRUDENCE QUESTIONNAIRE PREPARED BY THE BOARD COVERING THE PROVISIONS OF AS 08.84 AND THIS CHAPTER.]~~

(8) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(b)(4).

12 AAC 54. is amended by adding a new section to Article 5 to read:

12 AAC 54.605. Application for occupational therapy licensure by credentials. An applicant for an occupational therapist license or occupational therapy assistant license, other than an applicant who is a graduate of a school of occupational therapy that is located outside the United States, must submit a completed application on a form prescribed by the board and

(1) payment fees established in 12 AAC 02.320;

(2) proof of initial certification sent directly to the department from the National Board for Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.030(b);

(3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy; one of which must indicate a current license in good standing; each verification must include an explanation of any disciplinary actions taken against the license; and

(4) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(b)(4).

12 AAC 54.610 is amended to read:

12 AAC 54.610. FOREIGN-EDUCATED OCCUPATIONAL THERAPY APPLICANTS.

(a) A foreign educated occupational therapist or occupational therapy assistant applicant must have graduated from a resident course of study and professional instruction substantially equivalent to a professional occupational therapy education

program that is accredited by the Accreditation Council for Occupational Therapy Education (ACOTE). A foreign-educated occupational therapist or occupational therapy assistant applicant **applying by examination** shall submit

- (1) a completed application on the form prescribed by the board;
- (2) the fees established in 12 AAC 02.320;
- (3) verification of licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license **to practice occupational therapy, if applicable**; [ONE OF WHICH MUST INDICATE A CURRENT LICENSE IN GOOD STANDING]; each verification [FROM EACH JURISDICTION WHERE THE APPLICANT HOLDS OR HAS EVER HELD A LICENSE] must include an explanation of any disciplinary actions taken against the licensee;
- (4) repealed. [A SIGNED LETTER OF PROFESSIONAL REFERENCE SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM
 - A. AN OFFICIAL OF THE APPLICANT'S OCCUPATIONAL THERAPY SCHOOL; OR
 - b. AN INSTRUCTOR, PHYSICIAN, OR SUPERVISOR]
- (5) evidence of meeting each of the requirements of AS 08.84.032(b);
- (6) **proof of initial certification sent directly to the department from the National Board of Certification in Occupational Therapy (NBCOT) as evidence of having**

met the requirements of AS 08.84.032(b) [VERIFICATION THAT, WITHIN] **during**
the 24 months immediately before the date the application is received by the
department; **and**[, THE APPLICANT]

[(A) performed at least 60 hours of occupational therapy service; the verification of
at least 60 hours of occupational therapy service must be sent directly to the
department on a form provided by the department from the agency or source; or
(B) passed the NBCOT examination; and]

12 AAC 54.610(a)(7) is repealed:

(7) repealed. [THE JURISPRUDENCE QUESTIONNAIRE PREPARED BY THE BOARD
COVERING THE PROVISIONS OF AS 08.84 AND THIS CHAPTER.]

12 AAC 54.610(a) is amended by adding a new paragraph to read:

(8) the applicant's fingerprint information as set out under 12 AAC 54.905
required under AS 08.84.032(b)(8).

12 AAC 54.610 is amended by adding a new paragraph to read:

(d) A foreign-educated occupational therapist or occupational therapy assistant
applicant applying by credentials shall submit

- (1) a completed application on the form prescribed by the board;
- (2) the fees established in 12 AAC 02.320;

(3) verification of licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy; one of which must indicate a current license in good standing; each verification must include an explanation of any disciplinary actions taken against the licensee;

(4) evidence of meeting each of the requirements of AS 08.84.032(b);

(5) proof of initial certification sent directly to the department from the National Board of Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.032(b); and

(6) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.032(b)(8).

12 AAC 54.640(a)(2) is repealed:

(2) repealed [A SIGNED PROFESSIONAL REFERENCE LETTER SENT DIRECTLY TO THE DEPARTMENT ON A FORM PROVIDED BY THE DEPARTMENT FROM A PHYSICIAN, INSTRUCTOR, SUPERVISOR, OR OFFICIAL OF THE APPLICANT'S OCCUPATIONAL THERAPY SCHOOL;]

12 AAC 54.640(b)(1) is repealed:

(b) An applicant for an occupational therapist or occupational therapy assistant license who is or was initially certified with the NBCOT may qualify for a temporary permit by

(1) repealed. [MEETING THE REQUIREMENTS OF (A)(1), (2), (5), (6), AND (7) OF THIS SECTION;]

12 AAC 54.640(b)(4) is repealed:

(4) repealed. [PROVIDING VERIFICATION THAT, DURING THE 24 MONTHS IMMEDIATELY BEFORE THE DATE THE APPLICATION IS RECEIVED BY THE DEPARTMENT, THE APPLICANT

[(A) PERFORMED AT LEAST 60 HOURS OF OCCUPATIONAL THERAPY SERVICE; THE VERIFICATION OF AT LEAST 60 HOURS OF OCCUPATIONAL THERAPY SERVICE MUST BE ON A FORM PROVIDED BY THE DEPARTMENT; OR]

(B) PASSED THE NBCOT EXAMINATION.]

12 AAC 64.640 is amended by adding a new paragraph:

- (5) a complete application on a form provided by the department;
- (6) an application fee established in 12 AAC 02.320;
- (7) the license fee established in 12 AAC 12 AAC 02.320;
- (8) the temporary permit fee established in 12 AAC 02.320

12 AAC 54.660(b)(2) is amended to read:

(2) must pay the temporary license application fee, [AND]fee for a temporary license set out under 12 AAC 02.105; **and fingerprint processing fee set out under 12 AAC 02.105;**

12 AAC 54.660(b) is amended by adding a new paragraph to read:

(7) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(b)(4).

12 AAC 54.700(4) is repealed:

(4) repealed. [A COMPLETED JURISPRUDENCE QUESTIONNAIRE PREPARED BY THE BOARD COVERING THE PROVISIONS OF AS 08.84 AND THIS CHAPTER.]

12 AAC 54.710(a)(1) is amended to read:

(1) completed **between the beginning of the concluding licensing period and the time of application**, [DURING THAT PERIOD,] 24 contact hours of continuing education;
or

12 AAC 54.710(b)((1) is amended to read:

(1) completed **between the beginning of the concluding licensing period and the time of application**, [DURING THAT PERIOD,] 12 contact hours of continuing education;

12 AAC 54.710(c) is repealed:

(c) repealed. [AN APPLICANT SHALL COMPLETE AT LEAST ONE-HALF OF THE REQUIRED CONTACT HOURS IN COURSES OR PROGRAMS OFFERED BY AN ACCREDITED ACADEMIC INSTITUTION OR A PROFESSIONAL ORGANIZATION APPROVED BY THE BOARD UNDER 12 AAC 54.715(A).]

12 AAC 54.710(d)(5) is amended by adding a new paragraph to read:

(5) 1.25 professional development unit (PDU) equals 1 contact hours for courses that contain a post-assessment component.

12 AAC 54.710(e) is amended to read:

(e) An applicant for renewal is responsible for maintaining adequate and detailed records of all continuing education contact hours claimed and shall make the records available to the board upon request under 12 AAC 54.720. Records must be retained for **four [THREE]** years from the date the contact hours were obtained.

Commented [SD43]: Sheri - same question here as above for the centralized regs retention schedule

12 AAC 54.710(h) is amended to read:

(h) To document current certification with the NBCOT, the applicant shall submit **verification** [A PHOTOCOPY OF THE FRONT AND BACK] of the applicant's current NBCOT **OTR or COTA status** [CERTIFICATE].

Commented [AO44]: These acronyms will need to be defined or written out in long form

12 AAC 54.715(a)(1) is amended to read:

12 AAC 54.715. APPROVED OCCUPATIONAL THERAPY COURSES AND ACTIVITIES. (a) The following continuing education activities are approved for

continuing education credit if they meet the requirements of (c) of this section:

(1) courses **are** recognized by

[(A) THE ALASKA OCCUPATIONAL THERAPY ASSOCIATION;

(B) THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION;

(C) THE WORLD FEDERATION OF OCCUPATIONAL THERAPY;

(D) THE NATIONAL BOARD FOR CERTIFICATION IN OCCUPATIONAL THERAPY (NBCOT);

(E) OTHER STATE OCCUPATIONAL THERAPY ASSOCIATIONS; OR

(F) OTHER STATE OCCUPATIONAL THERAPY LICENSING BOARDS;]

(G) Any state or national professional healthcare association or state licensing entity;

(H) Accredited hospital or related healthcare institution;

(I) Accredited college or university health care programs; or

(J) local/state educational entity

Commented [SR45]: example: elementary or secondary school environment provides educational opportunity within the school setting for autistic children on managing emotional regulation

12 AAC 54.715(a)(2) is repealed:

(2) repealed. [CONTINUING EDUCATION ACTIVITIES SPONSORED BY A PROFESSIONAL ORGANIZATION OR UNIVERSITY APPROVED BY THE ALASKA OCCUPATIONAL THERAPY ASSOCIATION OR THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION.]

12 AAC 54.715(c) is amended to read:

~~(c) To be accepted by the board, a continuing education course or activity must contribute directly to the professional competency of an occupational therapist or occupational therapy assistant and must be directly related to the skills and knowledge required to implement the principles and methods of occupational therapy.~~

Commented [SR46]: intent of board to broaden categories of CE courses and activities to include professional contribution (clinical instructor, attending board meetings, publications, teaching, mentoring/supervision); Professional advancement (residency, board certification, fellowship, PhD, ScD), Professional Administration (documentation/coding, risk/practice/financial management); Professional Workplace Wellness (stress management, avoiding burnout, practice culture, patient culture, effective communication and difficult conversations); and special topics (ethics and boundaries, informed consent, cultural, sexual misconduct/trafficking, understanding addiction).

12 AAC 54.725(e)(1) is amended to read:

(1) active duty personnel in the United States Army, Navy, Air Force, Marine Corps, **Space Force**, or Coast Guard; and

12 AAC 54.830 is repealed:

12 AAC 54.830. Occupational therapy internship standards. Repealed. [(a)

THIS SECTION ESTABLISHES THE STANDARDS FOR AN OCCUPATIONAL THERAPY INTERNSHIP REQUIRED UNDER 12 AAC 54.600(6)(C), 12 AAC 54.705(a)(2)(D), OR 12 AAC 54.950(e).

Commented [SD47]: Sheri - was this to be repealed for the supervised service delivery changes? If so, I will remove this repeal!

Commented [SR48R47]: No, this has nothing to do with the proposed supervised service delivery changes. Internship is being removed across all regulations.

(b) AN INTERNSHIP MUST BE SERVED

(1) UNDER THE CONTINUAL ON-SITE SUPERVISION OF AN OCCUPATIONAL THERAPIST LICENSED UNDER THIS CHAPTER; AND

(2) IN AN INSTITUTION THAT ORDINARILY PROVIDES OCCUPATIONAL THERAPY, HAS A VARIED CASELOAD, AND HAS ON STAFF AT LEAST ONE OCCUPATIONAL THERAPIST LICENSED UNDER THIS CHAPTER.

(c) A LICENSED OCCUPATIONAL THERAPIST SERVING AS A

PRECEPTOR TO AN INTERN IS RESPONSIBLE FOR THE INTERN'S EXPERIENCE AND FOR THE SAFETY AND WELFARE OF THE PATIENT.

(d) UPON AN INTERN'S COMPLETION OF THE INTERNSHIP, THE PRECEPTOR SHALL SUBMIT, ON A FORM PROVIDED BY THE BOARD, A STATEMENT ATTESTING TO THE INTERN'S

(1) SATISFACTORY OR UNSATISFACTORY COMPLETION OF THE INTERNSHIP; AND

(2) LEVEL OF SKILL IN

(A) COMPLETION OF EVALUATION; PROGRAM PLANNING;

(B) THERAPEUTIC PRACTICE;

(C) POTENTIAL ABILITY TO PRACTICE SAFELY WHILE UNSUPERVISED WITH SOUND PROFESSIONAL JUDGMENT; AND

(E) ETHICS RELATED TO THE PRACTICE OF OCCUPATIONAL THERAPY.

(e) THE BOARD WILL NOT ACCEPT INTERNSHIP HOURS CLAIMED BEFORE THE DATE THAT THE INTERNSHIP WAS APPROVED BY THE BOARD. TO BE APPROVED BY THE BOARD, INTERNSHIP HOURS MUST BE COMPLETED NO MORE THAN SIX MONTHS AFTER THE DATE THE INTERNSHIP BEGINS.

(f) IN THIS SECTION, "PRECEPTOR" MEANS AN OCCUPATIONAL THERAPIST LICENSED UNDER THIS CHAPTER WHO PROVIDES ON-SITE SUPERVISION FOR AN INTERN SERVING AN INTERNSHIP.]

12AAC 54.890(a)(2) is repealed:

(2) ["INTERNSHIP" MEANS POSTGRADUATE ON-THE-JOB TRAINING OF OCCUPATIONAL THERAPISTS OR OCCUPATIONAL THERAPY ASSISTANTS, APPROVED BY THE BOARD;]

Commented [SD49]: Sheri - was this repeal for supervised service delivery? If so, I will remove

Commented [SR50R49]: No, this has nothing to do with the proposed supervised service delivery option. Internship is being removed across all regulations.

12 AAC 54 is amended by adding a new section to read:

12 AAC 54.905. Criminal justice information. (a) An applicant for licensure under this chapter must submit with the application the applicant's fingerprints and the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check.

(b) The board shall forward the fingerprints and fees to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400 and request the Department of Public Safety to

- (1) submit the fingerprints to the Federal Bureau of Investigation for a report on national criminal justice information;
- (2) perform a check for state criminal justice information; and
- (3) report to the board the results of the criminal justice information checks under (1) and (2) of this subsection.

12 AAC 54 is amended by adding a new section to Article 8 to read:

12 AAC 54.940. Review of interstate licensure compact. The board shall review all interstate licensure compacts, including bylaws, rules, and policies and procedures, as

often as necessary to ensure effectiveness in this state. If the board determines that any interstate licensure compact no longer provides a benefit to the state, the board shall notify the legislature.

12 AAC 54.950(e) is repealed

(e) repealed. [AN APPLICANT FOR A NEW LICENSE WHOSE ORIGINAL LICENSE IN THIS STATE WAS LAPSED FOR FIVE YEARS OR MORE AND WHO HAS NOT BEEN ACTIVELY PRACTICING IN ANOTHER STATE DURING THAT TIME SHALL SATISFACTORILY COMPLETE AN INTERNSHIP APPROVED BY THE BOARD CONSISTING OF 150 HOURS OF TRAINING.]

Commented [SR51]: Internship has been removed throughout regulations. no exemption from licensure exists in AS 08.84.150 or ability to issue temporary permit in AS 08.84.065 to perform internship

DRAFT

Chapter 54. State Physical Therapy and Occupational Therapy Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 54 is amended by adding a new section to Article 4 to read:

12 AAC 54.505 Standards of practice for dry needling for physical

therapists. (a) To perform dry needling, a licensed physical therapist shall

(1) be able to demonstrate to the board that the physical therapist has completed graduate or post graduate training in dry needling that must meet either the American Physical Therapy Association (APTA) Guidelines, the Federation of State Boards of Physical Therapy (FSBPT) Standards or other state physical therapy board guidelines and must include

(A) didactic instructions and courses in indications, contraindications, emergency preparedness and response, potential risks, proper hygiene, proper use and disposal of needles, and appropriate selection of patients;

(B) a written examination; and

(C) supervised, face-to-face, hands-on training and a practical examination;

(2) **perform** a physical therapy evaluation, assessment, and reassessment of the patient with a diagnosis pertinent for each dry needling session; and

(3) obtain and document informed consent from the patient or the patient's representative as set out in Principle 2 of the *State Physical Therapy and Occupational Therapy Board Principles of Practice*, dated March 2015. The informed consent shall

Commented [SR1]: It is the intent of the board that a physical therapist not be able to delegate this service to a PTA to be performed. The board's intent is that a PTA should not be able to perform dry needling.

Commented [SD2R1]: Sheri, I am leaving this note here so that Law can see the board's intent

include the risks and benefits of the dry needling intervention, alternative treatment options, and the patient's understanding and acceptance of the intervention.

(b) A licensed physical therapist performing dry needling must be able to provide written documentation which substantiates the appropriate training as required by this section upon request by the board. Failure to provide written documentation may result in disciplinary action.

(c) A licensed physical therapist shall not perform dry needling beyond the scope of the highest level of the physical therapist's training. (Eff. ____/____/____, Register ____)

Authority: AS 08.84.010 AS 08.84.160 AS 08.84.190
AS 08.84.120

Editor's note: A copy of the *State Physical Therapy and Occupational Therapy Board Principles of Practice* described in 12 AAC 54.505 may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, State Physical Therapy and Occupational Therapy Board, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska 99801; telephone (907) 465-2580; website at <http://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/PhysicalTherapyOccupationalTherapy.aspx>.

12 AAC 54 is amended by adding a new section to Article 7 to read:

12 AAC 54.805 Scope of practice relating to dry needling for occupational therapists. (a) To perform dry needling, a licensed occupational therapist shall

Commented [SD3]: To LRLR: Unsure if this should be added as an authority, I just wanted to add this in as this section clarifies what occupational therapy and physical therapy does mean.

Commented [SD4]: To LRLR: this is already adopted by reference in 12 AAC 54.800. I am referencing here without noting it is adopted by reference - as it currently is in 12 AAC 54.500.

Commented [SD5]: Sheri - can you confirm this is still the phone number to use? If not, please let me know the correct number and I will need to edit this and a few more sections

Commented [SR6R5]: It is not - it should be (907) 465-2550. Also, I think the standard address for Juneau per the Publications Team is always PO Box 110806, Juneau, AK 99811. Is that the case for regulations also?

Commented [SR7]: This can't be section 54.805 as it already exists - Posting of a License or Permit

Commented [SD8]: Sheri - do we want the two titles to match? This one differs from the new section being added above and I want to make sure I verify that is how it should be! Thank you

Commented [SR9R8]: I would LOVE LOVE LOVE if the two titles matched!! Thanks for the option.

(1) have obtained a graduate or post graduate didactic education specializing in dry needling that must include

(A) training courses approved by the American Occupational Therapy Association (AOTA) and designated as AOTA approved provider programs, or the American Physical Therapy Association (APTA) guidelines, or the Federation of State Boards of Physical Therapists (FSBPT) Standards, or other state physical therapy boards or state physical therapy association guidelines, or occupational therapy state boards or state occupational therapy associations guidelines, and must include

(B) didactic instructions and courses in indications, contraindications, emergency preparedness and response, potential risks, proper hygiene, proper use and disposal of needles, and appropriate selection of patients;

(C) a written examination; and

(D) supervised, face-to-face, hands-on training and a practical examination;

(2) independently perform an occupational therapy evaluation, assessment and reassessment, and develop the intervention the treatment plan of the patient for each dry needling session; and

(3) obtain and document informed consent from the patient or the patient's representative as set out in Principle 2 of the *State Physical Therapy and Occupational Therapy Board Principles of Practice*, dated March 2015. The informed consent shall

Commented [SD10]: Sheri - also verifying that we should leave in this language that references physical therapy guidelines and associations

Commented [SR11R10]: Yes, this is correct. The occupational therapy profession currently has very few dry needling courses developed while the PT profession has many. It was the OT National Association that brought this to our attention and wanted to make sure that there would be enough required courses available throughout the region for occupational therapists to take.

Commented [SD12]: Sheri -I am deleting this, as the lead in line already states 'and must include' - therefore this is not needed before the next requirement

Commented [SR13R12]: When writing, the committee was trying to describe what the training course in (A) must include. Does the "must include" in (1) provide for that appropriately?

Commented [SR14]: It is the intent of the board that a occupational therapist not be able to delegate this service to an OTA to be performed. The board's intent is that an OTA should not be able to perform dry needling.

The board is wondering if this section would have the same capacity for enforcement if the word was "or" versus "and" before the word "reassessment".

Commented [SD15R14]: I am going to pose this question regarding 'and' vs 'or' to law

Commented [SR16R14]: Thank you. This was the final pinching point.

Commented [VP17]: The regulations committee felt that this word had to go in to keep OTA's from dry needling, as an OTA is allowed to evaluate, assess, and reassess under the guidance of an OT. Based on our statutes, and the AOTA scope of practice statements

include the risks and benefits of the dry needling intervention, alternative treatment options, and the patient's understanding and acceptance of the intervention.

(b) A licensed occupational therapist performing dry needling must be able to provide written documentation which substantiates appropriate training as required by this section upon request by the board. Failure to provide written documentation may result in disciplinary action.

(c) A licensed occupational therapist shall not perform dry needling beyond the scope of the highest level of the occupational therapist's training. (Eff.

___/___/___, Register ___)

Authority: AS 08.84.010 AS 08.84.160 AS 08.84.190
AS 08.84.120

Editor's note: A copy of the *State Physical Therapy and Occupational Therapy Board Principles of Practice* described in 12 AAC 54.505 may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, State Physical Therapy and Occupational Therapy Board, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska 99801; telephone (907) 465-2580; website at <http://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/PhysicalTherapyOccupationalTherapy.aspx>.

Commented [SD18]: To LRLR: this is already adopted by reference in 12 AAC 54.800. I am referencing here without noting it is adopted by reference - as it currently is in 12 AAC 54.500.

Commented [SD19]: Sheri - can you confirm this is still the phone number to use? If not, please let me know the correct number and I will need to edit this and a few more sections

Commented [SR20R19]: It is not - it should be (907) 465-2550. Also, I think the standard address for Juneau per the Publications Team is always PO Box 110806, Juneau, AK 99811. Is that the case for regulations also?

**Chapter 54. State Physical Therapy and Occupational
Therapy Board.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 54.530 is repealed:

**[12 AAC 54.530. STANDARDS FOR PRACTICE OF TELEREHABILITATION
BY PHYSICAL THERAPIST.** (A) THE PURPOSE OF THIS SECTION IS TO
ESTABLISH STANDARDS FOR THE PRACTICE OF TELEREHABILITATION BY
MEANS OF AN INTERACTIVE TELECOMMUNICATION SYSTEM BY A PHYSICAL
THERAPIST LICENSED UNDER AS 08.84 AND THIS CHAPTER IN ORDER TO
PROVIDE PHYSICAL THERAPY TO PATIENTS WHO ARE LOCATED IN THIS STATE
AND DO NOT HAVE ACCESS TO A PHYSICAL THERAPIST IN PERSON DUE TO
GEOGRAPHIC CONSTRAINTS OR HEALTH AND SAFETY CONSTRAINTS.
(B) A PHYSICAL THERAPIST LICENSED UNDER AS 08.84 AND THIS CHAPTER
CONDUCTING TELEREHABILITATION BY MEANS OF AN INTERACTIVE
TELECOMMUNICATION SYSTEM

- (1) REPEALED 9/29/2019;
- (2) MUST INTERACT WITH THE PATIENT MAINTAINING THE SAME ETHICAL
CONDUCT AND INTEGRITY REQUIRED UNDER 12 AAC 54.500(C) AND (D);
- (3) MUST COMPLY WITH THE REQUIREMENTS OF 12 AAC 54.510 FOR ANY
LICENSED PHYSICAL THERAPIST ASSISTANT PROVIDING SERVICES UNDER
THIS SECTION;
- (4) MAY CONDUCT ONE-ON-ONE CONSULTATIONS, INCLUDING INITIAL
EVALUATION, UNDER THIS SECTION; AND

(5) MUST PROVIDE AND ENSURE APPROPRIATE CLIENT CONFIDENTIALITY AND HIPAA COMPLIANCE, ESTABLISH SECURE CONNECTIONS, ACTIVATE FIREWALLS, AND ENCRYPT CONFIDENTIAL INFORMATION.]

12 AAC 54.825 is repealed:

[12 AAC 54.825. STANDARDS FOR PRACTICE OF TELEREHABILITATION BY OCCUPATIONAL THERAPY. (A) THE PURPOSE OF THIS SECTION IS TO ESTABLISH STANDARDS FOR THE PRACTICE OF TELEREHABILITATION BY MEANS OF AN INTERACTIVE TELECOMMUNICATION SYSTEM BY AN OCCUPATIONAL THERAPIST LICENSED UNDER AS 08.84 AND THIS CHAPTER IN ORDER TO PROVIDE OCCUPATIONAL THERAPY TO PATIENTS WHO ARE LOCATED IN THIS STATE AND DO NOT HAVE ACCESS TO AN OCCUPATIONAL THERAPIST IN PERSON DUE TO GEOGRAPHIC CONSTRAINTS OR HEALTH AND SAFETY CONSTRAINTS.

(B) AN OCCUPATIONAL THERAPIST LICENSED UNDER AS 08.84 AND THIS CHAPTER CONDUCTING TELEREHABILITATION BY MEANS OF AN INTERACTIVE TELECOMMUNICATION SYSTEM

(1) REPEALED 9/29/2019;

(2) MUST INTERACT WITH THE PATIENT MAINTAINING THE SAME ETHICAL CONDUCT AND INTEGRITY REQUIRED UNDER 12 AAC 54.800;

(3) MUST COMPLY WITH THE REQUIREMENTS OF 12 AAC 54.810 FOR ANY LICENSED OCCUPATIONAL THERAPIST ASSISTANT PROVIDING SERVICES UNDER THIS SECTION;

(4) MAY CONDUCT ONE-ON-ONE CONSULTATIONS, INCLUDING INITIAL EVALUATION, UNDER THIS SECTION; AND

(5) MUST PROVIDE AND ENSURE APPROPRIATE CLIENT CONFIDENTIALITY AND HIPAA COMPLIANCE, ESTABLISH SECURE CONNECTIONS, ACTIVATE FIREWALLS, AND ENCRYPT CONFIDENTIAL INFORMATION.]

12 AAC 54.990(6) is repealed:

(6) **repealed** [“INTERACTIVE TELECOMMUNICATION SYSTEM”

(A) MEANS AUDIO AND VIDEO EQUIPMENT THAT PERMITS A TWO-WAY, REAL TIME COMMUNICATION BETWEEN A THERAPIST LICENSED UNDER AS 08.84 AND THIS CHAPTER AND A PATIENT WHO IS LOCATED AT A DISTANT SITE IN THE STATE WHICH IS -33- NOT IN CLOSE PROXIMITY OF THE THERAPIST;

(B) DOES NOT INCLUDE

(I) ELECTRONIC MAIL;

(II) FACSIMILE MACHINE; OR

(III) TELEPHONE;]

12 AAC 54.990(7) IS REPEALED:

(7) **Repealed.** [“TELEREHABILITATION” MEANS THE PRACTICE OF THERAPY BY A PERSON LICENSED AS A THERAPIST UNDER AS 08.84 AND THIS CHAPTER USING AN INTERACTIVE TELECOMMUNICATION SYSTEM;]

DRAFT

Chapter 54. State Physical Therapy and Occupational Therapy Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 54.400 is amended to read:

12 AAC 54.400. PHYSICAL THERAPY LICENSE RENEWAL REQUIREMENTS. An applicant for renewal of a physical therapist or physical therapist assistant license shall

- (1) complete the renewal application on a form prescribed by the board;
- (2) pay the license renewal fee established in 12 AAC 02.320; and
- (3) document continuing competency by submitting proof of having completed

(A) repealed. [THE CONTINUING PROFESSIONAL PRACTICE REQUIREMENTS OR AN ALTERNATIVE UNDER 12 AAC 54.405; AND]

(B) the continuing education contact hours required under 12 AAC 54.410.

12 AAC 54.405 is repealed:

[12 AAC 54.405. PHYSICAL THERAPY CONTINUING PROFESSIONAL PRACTICE REQUIREMENTS AND ALTERNATIVES TO THOSE REQUIREMENTS. (A) AN APPLICANT FOR RENEWAL OF A PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT LICENSE SHALL DOCUMENT COMPLETION OF THE JURISPRUDENCE QUESTIONNAIRE PREPARED BY THE BOARD, COVERING THE PROVISIONS OF AS 08.84 AND THIS CHAPTER, AND SHALL ALSO DOCUMENT

(1) HAVING PROVIDED PHYSICAL THERAPY SERVICES FOR AT LEAST 60 HOURS DURING THE CONCLUDING LICENSING PERIOD; OR

(2) SUCCESSFUL COMPLETION DURING THE CONCLUDING LICENSING PERIOD OF AT LEAST ONE OF THE FOLLOWING:

(A) THE NATIONAL PHYSICAL THERAPY EXAMINATION SPONSORED BY THE FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY;

(B) IN ADDITION TO THE CONTACT HOURS OF CONTINUING EDUCATION REQUIRED UNDER 12 AAC 54.410 AND 12 AAC 54.420, 40 CONTACT HOURS OF CONTINUING EDUCATION CONSISTENT WITH THE REQUIREMENTS OF 12 AAC 54.410 AND 12 AAC 54.420;

(C) A REVIEW COURSE SPONSORED BY A SCHOOL OF PHYSICAL THERAPY APPROVED BY THE AMERICAN PHYSICAL THERAPY ASSOCIATION;

(D) A PHYSICAL THERAPY INTERNSHIP OF 150 HOURS APPROVED BY THE BOARD.

(B) IF AN APPLICANT FOR RENEWAL IS UNCERTAIN WHETHER THE APPLICANT'S WORK OR VOLUNTEER EXPERIENCE WILL CONSTITUTE PHYSICAL THERAPY SERVICES UNDER THIS SECTION, THE APPLICANT MAY REQUEST BOARD APPROVAL BEFORE SUBMITTING THE APPLICATION FOR LICENSE RENEWAL.

(C) IN THIS SECTION, "PHYSICAL THERAPY SERVICES" INCLUDES WORK AND VOLUNTEER SERVICE UNDER A POSITION TITLE OTHER THAN PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT IF THE APPLICANT DOCUMENTS THAT THE POSITION REQUIRED THE USE OF PHYSICAL THERAPY SKILLS RECOGNIZED BY THE BOARD.]

12 AAC 54.700 is amended to read:

12 AAC 54.700. OCCUPATIONAL THERAPY LICENSE RENEWAL REQUIREMENTS.

An applicant for renewal of an occupational therapist license or an occupational therapy assistant license shall submit

- (1) a complete renewal application on a form prescribed by the board;
- (2) the license renewal fee established in 12 AAC 02.320;
- (3) proof of continuing competency by submitting documentation verifying that

the applicant has completed

(A) repealed. [THE CONTINUING OCCUPATIONAL THERAPY PROFESSIONAL PRACTICE REQUIREMENTS OR AN ALTERNATIVE UNDER 12 AAC 54.705; AND]

- (B) the continuing education contact hours required under 12 AAC 54.710; and

12 AAC 54.705 is repealed:

[12 AAC 54.705. REQUIRED CONTINUING OCCUPATIONAL THERAPY PROFESSIONAL PRACTICE AND ALTERNATIVES. (A) AN APPLICANT FOR RENEWAL OF AN OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT LICENSE SHALL DOCUMENT

(1) HAVING PROVIDED OCCUPATIONAL THERAPY SERVICES FOR AT LEAST 60 HOURS DURING THE CONCLUDING LICENSING PERIOD; OR

(2) SUCCESSFUL COMPLETION DURING THE CONCLUDING LICENSING PERIOD OF ONE OF THE FOLLOWING:

(A) THE APPLICABLE OF THE FOLLOWING CERTIFICATION EXAMINATIONS SPONSORED BY THE NATIONAL BOARD FOR CERTIFICATION IN OCCUPATIONAL THERAPY:

(I) FOR AN OCCUPATIONAL THERAPIST, THE CERTIFICATION EXAMINATION FOR OCCUPATIONAL THERAPIST, REGISTERED; OR

(II) FOR AN OCCUPATIONAL THERAPY ASSISTANT, THE CERTIFICATION EXAMINATION FOR CERTIFIED OCCUPATIONAL THERAPY ASSISTANT;

(B) IN ADDITION TO THE CONTACT HOURS OF CONTINUING EDUCATION REQUIRED UNDER 12 AAC 54.710, 40 CONTACT HOURS OF CONTINUING EDUCATION THAT IS CONSISTENT WITH THE REQUIREMENTS OF 12 AAC 54.710 - 12 AAC 54.720;

(C) A REVIEW COURSE SPONSORED BY A SCHOOL OF OCCUPATIONAL THERAPY APPROVED BY THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION; OR

(D) AN OCCUPATIONAL THERAPY INTERNSHIP OF 150 HOURS APPROVED BY THE BOARD.

(B) IF AN APPLICANT FOR RENEWAL IS UNCERTAIN WHETHER THE APPLICANT'S WORK OR VOLUNTEER EXPERIENCE WILL CONSTITUTE OCCUPATIONAL THERAPY SERVICES UNDER THIS SECTION, THE APPLICANT MAY REQUEST BOARD APPROVAL BEFORE SUBMITTING THE APPLICATION FOR LICENSE RENEWAL.

(C) IN THIS SECTION, “OCCUPATIONAL THERAPY SERVICES” INCLUDES WORK AND VOLUNTEER SERVICE UNDER A POSITION TITLE OTHER THAN OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT IF THE APPLICANT DOCUMENTS THAT THE POSITION REQUIRED THE USE OF OCCUPATIONAL THERAPY SKILLS RECOGNIZED BY THE BOARD.]

12 AAC 54.950(B)(2) is amended to read:

12 AAC 54.950. REINSTATEMENT OF A LAPSED LICENSE. (a) A licensee whose license is lapsed for any reason is prohibited from practicing physical therapy or occupational therapy until the license is reinstated by the board.

(b) A license which has been lapsed for less than two years will be reinstated by the board upon submission of

(1) the fees required by 12 AAC 02.105 and 12 AAC 02.320; and

(2) documentation that all [CONTINUING COMPETENCY AND] continuing education requirements of 12 AAC 54 have been met.

(c) A license that has been lapsed for two but less than five years will, in the board’s discretion, be reinstated, if the applicant submits

(1) an application for reinstatement on a form provided by the department;

(2) the fees required by 12 AAC 02.105 and 12 AAC 02.320 for the entire period the license has been lapsed;

(3) evidence of completion of all [CONTINUING COMPETENCY AND] continuing education requirements in 12 AAC 54 that would have been required to maintain a current license for the entire period the license has been lapsed;

Chapter 54. State Physical Therapy and Occupational Therapy Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 54.030(a)(5) is amended to read:

(5) proof of passing examination scores sent directly to the department from the Federation of State Boards of Physical Therapy (FSBPT) **as evidence of having met the requirements of AS 08.84.030(a) during the 24 months immediately before the date the application is received by the department; [.]**

12 AAC 54.030(a) is amended by adding a new paragraph to read:

(7) verification of the applicant's licensure status, sent directly to the department from each jurisdiction where, if applicable, the applicant holds, or has ever held, a license to practice physical therapy; each verification must include an explanation of any disciplinary actions taken against the licensee.

12 AAC 54.050(e) is repealed:

(e) Repealed. [THE BOARD WILL REVIEW AN APPLICANT FOR A PHYSICAL THERAPIST OR PHYSICAL THERAPIST ASSISTANT TEMPORARY PERMIT IN ACCORDANCE WITH 12 AAC 54.915.]

Commented [SR1]: 12 AAC 54.915 was repealed 03/27/2024

12 AAC 54.080 is amended by adding a new subsection to read:

(d) In cases where an applicant's score report does not state "pass" or "fail", the board will deem an applicant to have passed the examination if the applicant's raw scaled

score is not less than one point five standard deviations below the national average for that examination offering.

12 AAC 54.100(2) is amended to read:

(2) **proof of passing examination scores sent directly to the department from the Federation of State Boards of Physical Therapy (FSBPT)** [A REPORT SENT DIRECTLY TO THE DEPARTMENT FROM THE TESTING ORGANIZATION OF THE APPLICANT'S NATIONAL PHYSICAL THERAPY EXAMINATION SCORES];

12 AAC 54 is amended by adding a new section:

NEW 12 AAC 54.1XX (list after 54.130) LIMITED PERMIT APPLICANTS. (a) An application for a limited permit as a visiting, non-resident physical therapist or physical therapist assistant must be submitted to the department on a form provided by the board and

- (1) payment of the application fee and license fee specified in 12 AAC 02.320;
- (2) verification of the applicant's licensure status sent directly to the department from a jurisdiction where the applicant holds a license to practice physical therapy in good standing; verification from jurisdiction must include an explanation of any disciplinary actions taken against the licensee.

Authority 08.84.075

12 AAC 54.500(b) is amended to read:

Commented [AO2]: What is the purpose of this section? PTs and PTAs may be issued a temporary permit under the existing provisions (and as revised) of .050. I cannot see what the addition of the proposed section .670 will add to those that are already incorporated at .050. If the board consider it a necessity, then I suggest moving it to the PT sections instead of the current proposed placement within the OT sections.

Commented [SR3R2]: Limited permits are different than temporary permits. Limited permits issued under AS 08.84.075 are 120-day permits issued to visiting non-resident therapists with a specific set of parameters sent forth. We are trying to ensure they have to meet the same pass/fail rate as all other applicants and clarify the requirements for the verification of licensure.

Commented [SR4R2]: Do all the requirements in statute for a limited permit need to be reiterated here?

(b) [A LICENSE OR PERMIT ISSUED BY THE BOARD, OR A COPY OF A LICENSE OR PERMIT, MUST BE POSTED IN A CONSPICUOUS LOCATION IN THE LICENSEE'S PLACE OF BUSINESS, FOR PUBLIC INSPECTION. PENDING RECEIPT OF THE CURRENT LICENSE CERTIFICATE FROM THE DEPARTMENT, THE LICENSE SHALL DISPLAY THE DEPARTMENT'S INTERNET WEBSITE POSTING CONFIRMING LICENSURE.] **For a licensee providing services, the license or permit must be available for public inspection upon request within a reasonable timeframe.**

12 AAC 54.500(c) and (d) are repealed:

(c) Repealed. [TO MAINTAIN A HIGH STANDARD OF INTEGRITY IN THE PROFESSION AND TO SAFEGUARD THE HEALTH AND WELFARE OF THE PUBLIC, PHYSICAL THERAPISTS SHALL ADHERE TO THE ETHICAL STANDARDS SET OUT IN THE STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD PRINCIPLES OF PRACTICE, DATED MARCH 2015. THE STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD PRINCIPLES OF PRACTICE IS ADOPTED BY REFERENCE.]

(d) Repealed. [TO MAINTAIN A HIGH STANDARD OF INTEGRITY IN THE PROFESSION AND TO SAFEGUARD THE HEALTH AND WELFARE OF THE PUBLIC, PHYSICAL THERAPIST ASSISTANTS SHALL ADHERE TO THE ETHICAL STANDARDS SET OUT IN THE STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD PRINCIPLES OF PRACTICE, DATED MARCH 2015. THE STATE

PHY-AO 360 – Priority 5 Draft – General

PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD PRINCIPLES OF PRACTICE IS ADOPTED BY REFERENCE.]

12 AAC 54.510(e) is amended to read:

(e) [AT LEAST ONCE A MONTH, A] A supervising physical therapist shall provide periodic supervision to a physical therapist assistant [WHILE THE PHYSICAL THERAPIST ASSISTANT BEING SUPERVISED IMPLEMENTS A TREATMENT PLAN WITH A PATIENT]. Supervision shall be conducted on site or by video or teleconference when in-person supervision is not reasonably practicable. [THE] A supervising physical therapist shall be available for consultation with the physical therapist assistant by video, telephone, verbally, or in writing.

12 AAC 54.510(f) is repealed:

(f) Repealed. [NOTHING IN THIS CHAPTER RESTRICTS PUBLIC HEALTH SERVICE OR MILITARY PERSONNEL ENGAGED IN THE PRACTICE OF PHYSICAL THERAPY IN PROGRAMS ADMINISTERED BY FEDERAL AGENCIES.]

12 AAC 54.590(a)(6)(B) is amended to read:

(6) "supervision" means

(A) the licensed physical therapist will be present whenever a patient is evaluated, a treatment program is established, or a treatment program is changed; and

(B) the licensed physical therapist is present to personally review the diagnosis of the condition to be treated, to authorize the procedure, and [BEFORE

DISMISSAL] **at discharge evaluation** of the patient, to evaluate the performance of the treatment given.

12 AAC 54.620 is amended to read:

12 AAC 54.620. **Supervised field work.** [AS USED IN AS 08.84.030(b)(1), 08.84.032(b)(2), and 08.84.150(b)(1).] "Supervised field work" means the portion of an ACOTE-accredited professional occupational therapy education program to be completed by an applicant **in a setting that ordinarily provides occupational therapy** under the **continuous direction and immediate** supervision of a licensed occupational therapist.

12 AAC 54.660(b)(4) is amended to read:

(4) must submit documentation **sent directly to the department from the jurisdiction** showing the applicant is currently licensed and in good standing in another licensing jurisdiction and the applicant's license in the other jurisdiction is not suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education requirements;

12 AAC 54 is amended by adding a new section:

NEW 12 AAC 54.670 LIMITED PERMIT APPLICANTS. (a) An application for a limited permit as a visiting, non-resident occupational therapist or occupational therapy assistant must be submitted to the department on a form provided by the board and

Commented [SR5]: Keep this section - we had improperly called it temporary permit by mistake. Authority 08.84.075

Commented [AO6]: What is the purpose of this section? PTs and PTAs may be issued a temporary permit under the existing provisions (and as revised) of .050. I cannot see what the addition of the proposed section .670 will add to those that are already incorporated at .050. If the board consider it a necessity, then I suggest moving it to the PT sections instead of the current proposed placement within the OT sections.

PHY-AO 360 – Priority 5 Draft – General

(1) payment of the application fee and license fee specified in 12 AAC 02.320;

(3) verification of the applicant's licensure status sent directly to the department from a jurisdiction where the applicant holds a license to practice physical therapy in good standing; verification from jurisdiction must include an explanation of any disciplinary actions taken against the licensee.

12 AAC 54.800(a) is repealed:

12 AAC 54.800. OCCUPATIONAL THERAPY STANDARDS. (a) Repealed. [IN ORDER TO MAINTAIN A HIGH STANDARD OF INTEGRITY IN THE PROFESSION AND TO SAFEGUARD THE HEALTH AND WELFARE OF THE PUBLIC, OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS SHALL ADHERE TO THE STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD PRINCIPLES OF PRACTICE, DATED MARCH 2015. THE STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD PRINCIPLES OF PRACTICE IS ADOPTED BY REFERENCE.]

12 AAC 54.805 is amended to read:

12 AAC 54.805. Posting of license or permit. [A LICENSE OR PERMIT ISSUED UNDER THIS CHAPTER, OR A COPY OF A LICENSE OR PERMIT, MUST BE POSTED IN A CONSPICUOUS LOCATION IN THE LICENSEE'S PRIMARY PLACE OF BUSINESS FOR PUBLIC INSPECTION. PENDING RECEIPT OF THE CURRENT LICENSE CERTIFICATE FROM THE DEPARTMENT, THE LICENSE SHALL DISPLAY THE

DEPARTMENT'S INTERNET WEBSITE POSTING CONFIRMING LICENSURE.] **For a licensee providing services, the license or permit must be available for public inspection upon request within a reasonable timeframe.**

12 AAC 54.810(a) is amended to read:

(a) [AN OCCUPATIONAL THERAPY ASSISTANT SHALL WORK UNDER THE SUPERVISION OF A LICENSED OCCUPATIONAL THERAPIST. TO MEET THIS SUPERVISION REQUIREMENT,] **A supervising occupational therapist shall provide periodic supervision to an occupational therapy assistant. Supervision shall be conducted on site or by video or teleconference when in-person supervision is not reasonably practicable. A supervising occupational therapist shall be available for consultation with the occupational therapy assistant by video, telephone, verbally, or in writing.**

Commented [SR7]: Intent of the board to have the OT language match the PT language on supervision verbatim.

[(1) AT LEAST ONCE EVERY MONTH, WHILE THE OCCUPATIONAL THERAPY ASSISTANT BEING SUPERVISED IMPLEMENTS A TREATMENT PLAN FOR A PATIENT, THE OCCUPATIONAL THERAPIST SUPERVISING THE LICENSED OCCUPATIONAL THERAPY ASSISTANT SHALL BE PHYSICALLY PRESENT, OR SHALL BE PRESENT BY VIDEO OR TELECONFERENCE WHEN IN-PERSON SUPERVISION IS NOT REASONABLE OR PRACTICABLE; AND

(2) THE OCCUPATIONAL THERAPIST SUPERVISING THE OCCUPATIONAL THERAPY ASSISTANT SHALL BE AVAILABLE FOR CONSULTATION WITH THE OCCUPATIONAL THERAPY ASSISTANT BEING SUPERVISED, THROUGH TELEPHONE CONSULTATIONS, WRITTEN REPORTS, OR IN-PERSON

PHY-AO 360 – Priority 5 Draft – General

CONFERENCES.]

12 AAC 890(a)(6)(B) is amended to read:

(6) "supervision" means

(A) the licensed occupational therapist will be present whenever a patient is evaluated, a treatment program is established, or a treatment program is changed; and

(B) the licensed occupational therapist is present to personally review the diagnosis of the condition to be treated, to authorize the procedure, and [BEFORE DISMISSAL] **at discharge evaluation** of the patient, to evaluate the performance of the treatment given.

12 AAC 54.920(b) is amended to read:

(b) A licensee shall notify the department when the licensee's name has changed in accordance with 12 AAC 02.900 [BY SUBMITTING A NOTARIZED COPY OF A LEGAL DOCUMENT VERIFYING THE CHANGE OF NAME].

12 AAC 54.920(d) is repealed:

(d) Repealed. [UPON WRITTEN REQUEST AND PAYMENT OF THE FEES ESTABLISHED IN 12 AAC 02.105, A NEW LICENSE OR CERTIFICATE WILL BE PRINTED SHOWING THE LICENSEE'S NEW NAME OR ADDRESS.]

Division or Corporate Agency	Project Priority Number	Drafting Assistance Required?	Timeline for Submission	Regulation Citation	Relevant Board/Program	Nature of the Regulation	Summary of the Intended Changes	Explanation of Intended Changes	Proposed Regulatory Reduction	Date of Anticipated Reduction
	<i>1 is the highest priority for the division, and 5 is the lowest. Projects are grouped by number according to the division or agency that will be submitting to LAW for preliminary review.</i>	<i>"Yes" indicates staff is requesting drafting assistance from the Department of Law. "No" indicates no assistance is anticipated.</i>	<i>Estimate timeline for submitting the draft revised regulations to LRLR for review. Dates are negotiable depending on LRLR workflow.</i>	<i>Cite the regulation or section of regulations intended to change.</i>	<i>List the board/program the regulation relates to, if relevant.</i>	<i>Description of what the regulation or section currently does.</i>	<i>Description of what the division or agency plans to change.</i>	<i>Description of what the change will do to achieve reduction, transparency, ease of government interaction, or other reforms. If the project does not meet those goals, explain why it is necessary for protection of public safety or standards, compliance with legislation, or other goal.</i>	<i>Number of reductions from the division or agency baseline that will be achieved with this change. Regulatory increases are indicated with a minus (-) symbol.</i>	<i>Whether reduction will be achieved in 2026 or 2027.</i>
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.030(a)(3)	Board of Physical Therapy and Occupational Therapy	requires submission of a professional reference for physical therapy applicants by examination	repeal requirement of professional reference	Reference does not provide information that can be statutorily used to deny licensure.	4	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.030(a)(4)	Board of Physical Therapy and Occupational Therapy	requires submitting a jurisprudence questionnaire for physical therapy applicants by examination	repeal requirement for jurisprudence questionnaire	requirement is outdated; application has attestation; JP is not scored	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.030(a)(7); Note will need to make (6) instead as 7 is priority 1; 6 is priority 5	Board of Physical Therapy and Occupational Therapy	ADDED REGULATION - requires fingerprint information and background reports as set under 12 AAC 54.905 required under AS 08.030(a)(4) per SB74 - statutory requirement for physical therapy applicants by examination	Add: (7) the applicant's fingerprint information, as set out under 12 AAC 54.905, required under AS 08.030(a)(4).	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(a)(1)	Board of Physical Therapy and Occupational Therapy	establishes equivalency for foreign-educated physical therapy educational programs	amend to (1) substantially equivalent to a professional physical therapy education program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) that includes supervised field work, as defined under 12 AAC 54.070, documented completion of which demonstrates complete compliance with the requirements of AS 08.84.032(a)(2);	Remove barriers to licensure - repeal requirement for 6 month post graduate internship for foreign educated applicants by defining internship as the field work received as part of educational program (CAPTE) equivalent standards	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(b)(3)	Board of Physical Therapy and Occupational Therapy	requires submission of a professional reference for foreign educated physical therapy applicants by examination	repeal requirement of professional reference	Reference does not provide information that can be statutorily used to deny licensure.	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(b)(4)	Board of Physical Therapy and Occupational Therapy	requires submitting a jurisprudence questionnaire for foreign educated physical therapy applicants by examination	repeal requirement for jurisprudence questionnaire	requirement is outdated; application has attestation; JP is not scored	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(b)(5)(A)	Board of Physical Therapy and Occupational Therapy	requires verification of completion of 6 month post graduate internship by foreign education physical therapy applicants by examination	repeal	removes barriers to licensure; removes as post graduate internship would no longer be required	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(b)(6)	Board of Physical Therapy and Occupational Therapy	ADDED REGULATION - requires fingerprint information and background reports required under AS 08.84.032(a)(8)	ADD: (6) the applicant's fingerprint information, as set out under 12 AAC 54.905, required under AS 08.84.032(a)(8).	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(c) - (h)	Board of Physical Therapy and Occupational Therapy	establishes criteria for 6 month post graduate internship for foreign educated physical therapy applicants by examination to complete	repeal language as removing requirement for 6 month post graduate internship for foreign educated applicants	removes barriers to licensure; remove as post graduate internship would no longer be required	19	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(i)	Board of Physical Therapy and Occupational Therapy	establishes criteria for ability to receive a temporary permit for foreign educated physical therapy applicants	Amend language to: (i) An applicant [AFTER A] who meets the requirements of this section [HAS SATISFACTORILY COMPLETED AN INTERNSHIP] and has been scheduled for the national physical therapy examination, [THE APPLICANT] may apply for a temporary permit under AS 08.84.065 and 12 AAC 54.050.	removes barriers to licensure; remove as post graduate internship would no longer be required	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(j)	Board of Physical Therapy and Occupational Therapy	clarifies criteria for foreign educated post graduate internship credit related to national examination	repeal language as removing requirement for post graduate internship for foreign educated applicants	removes barriers to licensure; remove as post graduate internship would no longer be required	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.040(l)	Board of Physical Therapy and Occupational Therapy	establishes definition for preceptor related to foreign education post graduate internship	repeal language as removing requirement for post graduate internship for foreign educated applicants	removes barriers to licensure; remove as post graduate internship would no longer be required	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.050(b)(3)	Board of Physical Therapy and Occupational Therapy	establishes criteria for issuance of a temporary permit to physical therapy applicants by credentials	Need to correct language as 12 AAC 54.100 will include fingerprinting and background checks which are not required for temporary permits per AS 08.84.065. Ensure (1) PR + JP; (5) VWE are also no longer required.	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.050(c)(2)(B)	Board of Physical Therapy and Occupational Therapy	allows foreign educated physical therapy applicants by examination to submit transcript instead of credentials evaluation for temporary permit	repeal	This needs to be removed - we don't accept transcripts any 0 longer for foreign educated applications by examinations - only credentials evaluations. This changed with HB99 and should have changed then. Allowing transcript conflicts with 12 AAC 54.040 or 12 AAC 54.100	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.050(c)(3)	Board of Physical Therapy and Occupational Therapy	requires submission of a professional reference for foreign educated physical therapy applicants by examination for temporary permit	repeal requirement of professional reference	Reference does not provide information that can be statutorily used to deny licensure.	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.050(c)(6)	Board of Physical Therapy and Occupational Therapy	requires verification from preceptor of completion of internship for issuance of temporary permit for foreign educated physical therapy applicants by examination	repeal	removes barriers to licensure; remove as post graduate internship would no longer be required	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.050(d)(3)	Board of Physical Therapy and Occupational Therapy	requires submission of all items required under 12 AAC 54.110 for issuance of temporary permit for foreign educated physical therapy applicants by credentials	Need to correct language as 12 AAC 54.110 will include fingerprinting and background checks which are not required for temporary permits per AS 08.84.065. Ensure (7) PR; (4) 6 months supervised work experience and (8) 60 hours of work experience and JP found in 12 AAC 54.110 are also no longer required.	statutorily required - SB74	9	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.070	Board of Physical Therapy and Occupational Therapy	provides definition of supervised field work related to physical therapy educational programs	amend to read: 12 AAC 54.070. Supervised field work. [AS USED IN AS 08.84.030(a)(1)] "Supervised field work" means the clinical education experience portion of a CAPTE-accredited educational program to be completed in a setting that ordinarily provides physical therapy under the continuous direction and supervision of a licensed physical therapist or a physical therapist practicing under a valid compact privilege issued in accordance with AS 08.84.188.	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.100(1)	Board of Physical Therapy and Occupational Therapy	requires all items under 12 AAC 54.030(a) = fees; transcript; PR; JP; NPTE passing scores for physical therapy applicants by credentials	repeal	statutorily required - SB74	9	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.100(5)(A)	Board of Physical Therapy and Occupational Therapy	Requires verification of working experience for physical therapy applicants by credentials	repeal active practice requirement	Licensee has active license to practice in another state; active practice requirement immaterial and barrier to licensure.	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 6 - pulled forward to PHY-1	No	2026	12 AAC 54.100(5)(B)	Board of Physical Therapy and Occupational Therapy	requires verification of passing national exam within 24 months of application date for physical therapy applicants by credentials	repeal	active practice requirement being eliminated in (A); exemption option no longer needed	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.100(5)(C)	Board of Physical Therapy and Occupational Therapy	requires verification of completion of 150-hour internship for physical therapy applicants by credentials	repeal language	150 hour internship repealed; conflict with AS 08.84.150 License required; exceptions and cannot issue temporary permit	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.100(6)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - requires fingerprint information and background reports required under AS 08.84.030(a)(4)	ADD: (6) the applicant's fingerprint information, as set out under 12 AAC 54.905, required under AS 08.84.030(a)(4);	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.100(7)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - payment of fingerprint fees	ADD: (7) payment of the fees established in 12 AAC 02.320;	statutorily required - SB74	0	2026

Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.100(8)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - require primary source verification of education to meet AS 08.84.030(a)(1)	ADD: (8) requirement of certified transcript sent directly to the department from a physical therapy school meeting the requirements of AS 08.84.030(a)(1)	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.110(4)(A) + (B)	Board of Physical Therapy and Occupational Therapy	requires completion of post graduate internship for foreign educated physical therapy applicants by credentials	repeal language	remove requirement for post-graduate 6-month internship. Educational requirement ensures applicant has completed course of study per AS 08.84.032 + applicant has valid license to practice in another state	4	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.110(5)	Board of Physical Therapy and Occupational Therapy	establishes equivalency for foreign-educated physical therapy educational programs	Amend to read: (5) other evidence determined necessary by the board to determine if the applicant's out-of-state license is substantially equal to the license requirements of this state that includes supervised field work, as defined under 12 AAC 54.070, documented completion of which demonstrates complete compliance with the requirements of AS 08.84.032(a)(2);	Remove barriers to licensure - repeal requirement for 6 month post graduate internship for foreign educated applicants by defining internship as the field work received as part of educational program (CAPTE) equivalent standards	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.110(7)	Board of Physical Therapy and Occupational Therapy	requires submission of a professional reference for foreign educated physical therapy applicants by credentials	repeal requirement of professional reference	Reference does not provide information that can be statutorily used to deny licensure.	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.110(8)(A)-(B)	Board of Physical Therapy and Occupational Therapy	requires 60 hours of physical therapy working experience in past 24 months from date of application or passage of national examination for foreign educated physical therapy applicants by credentials	repeal active practice requirement	Licensee has active license to practice in another state; active practice requirement immaterial and barrier to licensure.	4	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.110(9)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - requires fingerprint information and background reports required under AS 08.84.032(a)(8)	ADD: (9) the applicant's fingerprint information as set out under 12 AAC 54.905 and required under AS 08.84.032(a)(8).	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.130(b)(2)	Board of Physical Therapy and Occupational Therapy	payment of fees for temporary military courtesy license for physical therapy applicants	amend to: (2) must pay the temporary license application fee, [AND] fee for a temporary license, and fingerprint processing fee set out under 12 AAC 02.105;	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.130(b)(7)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - requires fingerprint information and background reports required under AS 08.84.032(a)(4)	ADD: (7) must submit the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(a)(4).	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.150	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - define scope of practice for compact privilege applicants	ADD: 12 AAC 54.150. Compact privilege applicants and scope of practice . (a) A physical therapist or physical therapist assistant licensed in another member state under the Interstate Physical Therapy Licensure Compact must meet the requirements of AS 08.84.188 Section 4(a) to obtain a compact privilege in this state. (b) A compact privilege in this state is valid until the expiration of the license issued in the physical therapist's or physical therapist assistant's home state. (c) A physical therapist or physical therapist assistant practicing in this state under an active compact privilege shall (1) consent to the personal and subject matter jurisdiction and disciplinary authority of the board; (2) comply with AS 08.84 and this chapter; (3) be bound by the rules of the Interstate Physical Therapy Licensure Compact as enacted under AS 08.84.188; and (4) acknowledge the board's authority to take adverse action against a compact privilege in this state in accordance with AS 08.84.188 Section 6.	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.405 - ADD IN - CORRECTION - can't delete OT renewal JP and not delete PT renewal JP	Board of Physical Therapy and Occupational Therapy	requires completion of the Jurisprudence questionnaire for renewal of a physical therapy license	repeal requirement for jurisprudence questionnaire	requirement is outdated; application has attestation; JP is not scored	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.410(a)	Board of Physical Therapy and Occupational Therapy	sets minimum CE standards for renewal for physical therapists/PTAs who have had their license for more than 12 months	change "during that period" to "prior to application" or "at the time of application.	Remove barriers to renewal/reinstatement. Board does not care when they were done, only that they've been completed for renewal or reinstatement. Otherwise discretion in 12 AAC 02.965 is exercised.	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.410(a)(1)	Board of Physical Therapy and Occupational Therapy	sets minimum CE standards for renewal for physical therapists/PTAs who have had their license for less than 12 months	change "during that period" to "prior to application" or "at the time of application.	Remove barriers to renewal/reinstatement. Board does not care when they were done, only that they've been completed for renewal or reinstatement. Otherwise discretion in 12 AAC 02.965 is exercised.	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.410(b)	Board of Physical Therapy and Occupational Therapy	requires for half of the contact hours of CE for renewal to be approved by an entity in 12 AAC 54.420	repeal	Change to all contact hours must be approved. While all contact hours must now be approved, approving entities list in 12 AAC 54.420 is being modified to allow therapists enhanced selection of courses and activities applicable to professional advancement while still maintaining integrity of any CE taken.	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.410(d)	Board of Physical Therapy and Occupational Therapy	establishes requirements for maintaining CE records for a physical therapy license	Amend to read: (d) An applicant for renewal is responsible for maintaining adequate and detailed records of all continuing education contact hours claimed and shall make the records available to the board upon request under 12 AAC 54.430. Records must be retained for four [THREE] years from the date the contact hours were obtained.	Cleanup - change to match centralized regulation to reduce confusion	-0.5	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.420(1) - (3)	Board of Physical Therapy and Occupational Therapy	lists approving entities for physical therapy continuing education courses and activities for renewal	Replace physical therapy specific list with broader healthcare professional organization list of: Any state or national professional healthcare association or state licensing entity; Accredited hospital or related healthcare institution; Accredited college or university health care programs; or local/state educational entity (example: elementary or secondary school environment provides educational opportunity within the school setting for autistic children on managing emotional regulation).	Modifies physical therapy specific entities to broader healthcare professional organizations to enhance selection of courses and activities applicable to professional advancement while still maintaining integrity of any CE used for renewal purposes.	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.420(c) - need help with draft language	Board of Physical Therapy and Occupational Therapy	requires any CE course or activity be directly related to patient care	intent of board to broaden categories of CE courses and activities to include professional contribution (clinical instructor, attending board meetings, publications, teaching, mentoring/supervision); Professional advancement (residency, board certification, fellowship, PhD, ScD), Professional Administration (documentation/coding, risk/practice/financial management); Professional Workplace Wellness (stress management, avoiding burnout, practice culture, patient culture, effective communication and difficult conversations); and special topics (ethics and boundaries, informed consent, cultural, sexual misconduct/trafficking, understanding addiction).	modernize continuing education by shifting the focus from traditional CE to a more robust continuing competency model	0	2026

Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.435(e)(1)	Board of Physical Therapy and Occupational Therapy	provides for exemption from CE for active duty military personnel for physical therapy renewal	amend to read: (1) active duty personnel in the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard; and	cleanup	0	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.535	Board of Physical Therapy and Occupational Therapy	establishes standards for physical therapy internship	repeal language	150 hour internship repealed; conflict with AS 08.84.150 License required; exceptions and cannot issue temporary permit	17	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.590(a)(2)	Board of Physical Therapy and Occupational Therapy	definition internship related to physical therapy	repeal definition	150 hour internship repealed; conflict with AS 08.84.150 License required; exceptions and cannot issue temporary permit	2	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY - 1	No	2026	12 AAC 54.600	Board of Physical Therapy and Occupational Therapy	establishes requirements for occupational therapy licensure	change to read: 12 AAC 54.600. Requirements for Occupational Therapy Licensure by Examination (LICENSE REQUIREMENTS). An applicant for an occupational therapist license or occupational therapy assistant license	transparency - currently regulation requires that anyone applying by exam must have an active license in good standing = Rewrite regulation so it applies only to application for occupational therapy licensure by	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY - 1	No	2026	12 AAC 54.600(3)	Board of Physical Therapy and Occupational Therapy	requires verification of licensure status from other jurisdictions for occupational therapy applicants one of which must be in good standing - does not work for applicants applying by examination	change to read: (3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy, if applicable [ONE OF WHICH MUST INDICATE A CURRENT LICENSE IN GOOD STANDING]; each verification FROM EACH	transparency - currently regulation requires that anyone applying by exam must have an active license in good standing	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.600(4) - need parts from Priority 5 to complete	Board of Physical Therapy and Occupational Therapy	requires submission of a professional reference for occupational therapy applicants	repeal requirement of professional reference	Reference does not provide information that can be statutorily used to deny licensure.	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY - 1	No	2026	12 AAC 54.600(5)	Board of Physical Therapy and Occupational Therapy	requires verification of initial certification with national occupational therapy examination	change to read: (5) proof of initial certification sent directly to the department from the National Board for Certification in Occupational Therapy (NBCOT) as	transparency - rewriting regulation so it applies only to application for occupational therapy licensure by examination	-1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.600(6)(A)-(C) - need parts from Priority 5 to complete	Board of Physical Therapy and Occupational Therapy	requires 60 hours of occupational therapy work experience, passing national exam, or completion of 150 hour internship with 24 months of application for OT applicants by examination	repeal active practice requirement; repeal 150 hour internship option - since active practice requirement no longer required, passing NBCOT initial certification exemption no longer required	Licenses has active license to practice in another state; active practice requirement immaterial and barrier to licensure. 150 hour internship repealed; conflict with AS 08.84.150 License required; exceptions and cannot issue temporary permit	4	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.600(7) - need parts from Priority 5 to complete	Board of Physical Therapy and Occupational Therapy	requires submitting a jurisprudence questionnaire for occupational therapy applicants	repeal requirement for jurisprudence questionnaire	requirement is outdated; application has attestation; JP is not scored	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.600(8) - need parts from Priority 5 to complete	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - requires fingerprint information and background reports required under AS 08.84.030(b)(4)	ADD: (8) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(b)(4).	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY - 1	No	2026	12 AAC 54.605	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - establishes criteria for issuing occupational therapy licenses by credentials	ADD: 12 AAC 54. is amended by adding a new section to Article 5 to read: 12 AAC 54.605. Application for occupational therapy licensure by credentials. An applicant for an occupational therapist license or occupational therapy assistant license, other than an applicant who is a graduate of a school of occupational therapy that is located outside the	transparency - rewriting 12 AAC 54.600 and splitting out so 54.600 applies only to application for occupational therapy licensure by examination and creating new section for occupational therapy licensure by credentials	-1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.605(1) - cannot accomplish without the parts from Priority 5	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - payment of fees	ADD: (1) payment fees established in 12 AAC 02.320;	statutorily required	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY - 1	No	2026	12 AAC 54.605(2)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - establishes verification method to meet educational and certification requirements for occupational therapists and occupational therapy	ADD: (2) proof of initial certification sent directly to the department from the National Board for Certification in Occupational Therapy (NBCOT) as evidence of having met	separate section created for application by credentials for OT to provide clarification/transparency	-1	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY - 1	No	2026	12 AAC 54.605(3)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - establishes criteria for obtaining license verifications	ADD: (3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to	separate section created for application by credentials for OT to provide clarification/transparency	-3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.605(4) - cannot accomplish without the parts from Priority 5	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - payment of fingerprint fees	ADD: (4) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(b)(4).	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)	Board of Physical Therapy and Occupational Therapy	sets standards for foreign educated applicants applying by both examination and credentials	change to read: (a) A foreign educated occupational therapist or occupational therapy assistant applicant must have graduated from a resident course of study and professional instruction substantially equivalent to a professional occupational therapy education program that is accredited by the Accreditation Council for Occupational Therapy Education (ACOTE). A foreign-educated occupational therapist or occupational therapy assistant applicant applying by examination shall submit	create different criteria for foreign educated occupational therapy applicants by examination versus credentials to eliminate barriers to licensure	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)(3)	Board of Physical Therapy and Occupational Therapy	requires submission of license verifications in other jurisdictions for foreign educated occupational therapy applicants	change to read: (3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy, if applicable; each verification must include an explanation of any disciplinary actions taken against the licensee;	create different criteria for foreign education occupational therapy applicants by examination versus credentials to eliminate barriers to licensure - no valid license required in another jurisdiction	-2	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)(4)	Board of Physical Therapy and Occupational Therapy	requires submission of a professional reference for foreign educated occupational therapy applicants	repeal requirement of professional reference	Reference does not provide information that can be statutorily used to deny licensure.	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)(6)	Board of Physical Therapy and Occupational Therapy	provides for options for meeting qualifications of work experience (credentials) or passing NBCOT initial certification (examination)	change to read: (6) proof of initial certification sent directly to the department from the National Board of Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.032(b) during the 24 months immediately before the date the application is received by the department; and	create different criteria for foreign education occupational therapy applicants by examination versus credentials to eliminate barriers to licensure	-1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)(6)(A)	Board of Physical Therapy and Occupational Therapy	requires 60 hours of working experience and passing NBCOT in past 24 months from date of application for foreign educated occupational therapy applicants	repeal active practice requirement	create different criteria for foreign education occupational therapy applicants by examination versus credentials to eliminate barriers to licensure - work experience not required for applying by examination	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)(6)(B)	Board of Physical Therapy and Occupational Therapy	requires passing national examination within 24 months of application date for foreign educated occupational therapy applicants by examination	repeal	see 12 AAC 64.610(a)(6) above	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)(7)	Board of Physical Therapy and Occupational Therapy	requires submitting a jurisprudence questionnaire for foreign educated physical therapy applicants	repeal requirement for jurisprudence questionnaire	requirement is outdated; application has attestation; JP is not scored	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(a)(8)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - requires fingerprint and background reports required under AS 08.84.032(b)(8)	ADD: (8) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.032(b)(8).	statutorily required - SB74	0	2026

Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.610(d)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - sets criteria for foreign educated occupational therapy applicants applying by credentials	ADD: (d) A foreign-educated occupational therapist or occupational therapy assistant applicant applying by credentials shall submit (1) a completed application on the form prescribed by the board; (2) the fees established in 12 AAC 02.320; (3) verification of licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy; one of which must indicate a current license in good standing; each verification must include an explanation of any disciplinary actions taken against the licensee; (4) evidence of meeting each of the requirements of AS 08.84.032(b); (5) proof of initial certification sent directly to the department from the National Board of Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.032(b); and (6) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.032(b)(8).	create different criteria for foreign education occupational therapy applicants by credentials versus examination to eliminate barriers to licensure	-7	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.640(a)(2)	Board of Physical Therapy and Occupational Therapy	requires submission of a professional reference for occupational therapy applicants by examination for temporary permit	repeal requirement of professional reference	Reference does not provide information that can be statutorily used to deny licensure.	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.640(b)(1)	Board of Physical Therapy and Occupational Therapy	establishes requirements for occupational therapy applicants by credentials for temporary permits	repeal requirement of professional reference - amend to read: meeting the requirements of (a)(1), (5), (6), and (7) of this section; REMOVE REQUIREMENT FOR (2) ONLY.	Reference does not provide information that can be statutorily used to deny licensure.	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.640(b)(4)	Board of Physical Therapy and Occupational Therapy	provides for options for meeting qualifications of work experience or passing NBCOT initial certification within 24 months prior to application date	change to read: provide proof of initial certification sent directly to the department from the National Board of Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.032(b). CORRECTION - should be repealed - (2) requires initial NBCOT certification and (c) requires that it be sent primary source	Active practice requirement being eliminated in (A); but still need to provide proof of initial certification to meet educational requirements in AS 08.84.032(b).	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.640(b)(4)(A) - (B)	Board of Physical Therapy and Occupational Therapy	requires submission of work experience for occupational therapy applicants by credentials for temporary permit	repeal active practice requirement	Licentee has active license to practice in another state; active practice requirement immaterial and barrier to licensure.	3	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.660(b)(2)	Board of Physical Therapy and Occupational Therapy	payment of fees	ADD: (2) must pay the temporary license application fee, [AND] temporary license fee, and fingerprint processing fee set out under 12 AAC 02.105;	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.660(b)(7)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - requires fingerprint and background reports required under AS 08.84.030(b)(4)	ADD: (7) the applicant's fingerprint information as set out under 12 AAC 54.905 required under AS 08.84.030(b)(4).	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.700(4)	Board of Physical Therapy and Occupational Therapy	requires completion of the Jurisprudence questionnaire for renewal of a occupational therapy license	repeal requirement for jurisprudence questionnaire - Can't repeal OT without repealing PT.	requirement is outdated; application has attestation; JP is not scored	1	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.710(a) - should be (a)(1)	Board of Physical Therapy and Occupational Therapy	sets minimum CE standards for renewal for occupational therapists/OTAs who have had their license for more than 12 months	change "during that period" to "prior to application" or "at the time of application."	Remove barriers to renewal/reinstatement. Board does not care when they were done, only that they've been completed for renewal or reinstatement. Otherwise discretion in 12 AAC 02.965 is exercised.	0	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.710(a)(1) - should be (b)(1)	Board of Physical Therapy and Occupational Therapy	sets minimum CE standards for renewal for occupational therapists/OTAs who have had their license for less than 12 months	change "during that period" to "prior to application" or "at the time of application."	Remove barriers to renewal/reinstatement. Board does not care when they were done, only that they've been completed for renewal or reinstatement. Otherwise discretion in 12 AAC 02.965 is exercised.	0	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.710(c)	Board of Physical Therapy and Occupational Therapy	requires for half of the contact hours of CE for renewal to be approved by an entity in 12 AAC 54.715(a)	repeal	Change to all contact hours must be approved. While all contact hours must be approved, approving entities list in 12 AAC 54.715 is being modified to allow therapists enhanced selection of courses and activities applicable to professional advancement while still maintaining integrity of any CE taken.	1	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.710(d)(5)	Board of Physical Therapy and Occupational Therapy	NEW Regulation - add conversion for Professional Development units (PDUs)	ADD: (5) 1.25 professional development unit (PDU) equals 1 contact hour. Connected to 1.25 professional development unit (PDU) equals 1 contact hours for courses that contain a post-assessment component.	Transparency - no conversion currently exists for professional development units (PDUs) to contact hours	0	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.710(e)	Board of Physical Therapy and Occupational Therapy	establishes requirements for maintaining CE records for an occupational therapy license	amend to read: (e) An applicant for renewal is responsible for maintaining adequate and detailed records of all continuing education contact hours claimed and shall make the records available to the board upon request under 12 AAC 54.720. Records must be retained for four [THREE] years from the date the contact hours were obtained.	Cleanup - change to match centralized regulation to reduce confusion	-0.5	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.710(h)	Board of Physical Therapy and Occupational Therapy	allows for submission of NBCOT OTR/COTA certificate in lieu of certificates of attendance and establishes criteria for submission on renewal of an occupational therapy license	amend to read: (h) To document current certification with the NBCOT, the applicant shall submit verification [a photocopy of the front and back] of the applicant's current NBCOT OTR or COTA status [certificate]	Cleanup - outdated language.	0	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.715(a)(1) - (2)	Board of Physical Therapy and Occupational Therapy	lists approving entities for occupational therapy continuing education courses and activities for renewal	Replace physical therapy specific list with broader healthcare professional organization list of: Any state or national professional healthcare association or state licensing entity; Accredited hospital or related healthcare institution; Accredited college or university health care programs; or local/state educational entity (example: elementary or secondary school environment provides educational opportunity within the school setting for autistic children on managing emotional regulation).	Modifies occupational therapy specific entities to broader healthcare professional organizations to enhance selection of courses and activities applicable to professional advancement while still maintaining integrity of any CE used for renewal purposes.	0	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.715(c) - need help with draft language	Board of Physical Therapy and Occupational Therapy	requires any CE course or activity be directly related to patient care	intent of board to broaden categories of CE courses and activities to include professional contribution (clinical instructor, attending board meetings, publications, teaching, mentoring/supervision); Professional advancement (residency, board certification, fellowship, PhD, ScD), Professional Administration (documentation/coding, risk/practice/financial management); Professional Workplace Wellness (stress management, avoiding burnout, practice culture, patient culture, effective communication and difficult conversations); and special topics (ethics and boundaries, informed consent, cultural, sexual misconduct/trafficking, understanding addiction).	modernize continuing education by shifting the focus from traditional CE to a more robust continuing competency model	0	2027

Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.725(e)(1)	Board of Physical Therapy and Occupational Therapy	provides for exemption from CE for active duty military personnel for occupational therapy renewal	amend to read: (1) active duty personnel in the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard; and	cleanup	0	2027
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.830	Board of Physical Therapy and Occupational Therapy	establishes standards for occupational therapy internship	repeal language	150 hour internship repealed; conflict with AS 08.84.150 License required; exceptions and cannot issue temporary permit	15	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.890(a)(2)	Board of Physical Therapy and Occupational Therapy	definition internship related to occupational therapy	repeal definition	150 hour internship repealed; conflict with AS 08.84.150 License required; exceptions and cannot issue temporary permit	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.905	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - requires fingerprint information and background reports for all license types as required by SB74 passage (PT Compact)	Add the following language in one section instead of to each license type regulation: 12 AAC 54.905. Criminal justice information. (a) An applicant for licensure under this chapter must submit with the application the applicant's fingerprints and the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check. (b) The board shall forward the fingerprints and fees to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400 and request the Department of Public Safety to (1) submit the fingerprints to the Federal Bureau of Investigation for a report on national criminal justice information; (2) perform a check for state criminal justice information; and (3) report to the board the results of the criminal justice information checks under (1) and (2) of this subsection.	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.940	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - provides for review of periodic review of interstate licensure compacts	ADD a new section to Article 8 to read: 12 AAC 54.940. Review of interstate licensure compact. The board shall review all interstate licensure compacts, including bylaws, rules, and policies and procedures, as often as necessary to ensure effectiveness in this state. If the board determines that any interstate licensure compact no longer provides a benefit to the state, the board shall notify the legislature.	statutorily required - SB74	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.950(e)	Board of Physical Therapy and Occupational Therapy	requires license lapsed for five years or more reapplying by examination complete a 150-hour internship approved by the board = DUPLICATE	repeal language	150-hour internship being repealed; statutory conflict with AS 08.84.150 licensure required; exceptions for anyone to complete a 150 internship (no temporary permit can be issues; cannot provide therapy services without a license	2	2026
Division of Corporations, Business and Professional Licensing	PHY - 1	No	2026	12 AAC 54.950(e)	Board of Physical Therapy and Occupational Therapy	requires licensees whose license has lapsed for five or more years and have not actively been practicing in another state to complete a 150 hour internship approved by the board - PROBLEM - no exemption from licensure exists in AS 08.84.150 or ability to issue temporary permit in AS 08.84.065 to perform internship	repeal language	150-hour internship being repealed; statutory conflict with AS 08.84.150 licensure required; exceptions for anyone to complete a 150 internship (no temporary permit can be issues; cannot provide therapy services without a license	2	2026

Division or Corporate Agency	Project Priority Number	Drafting Assistance Required?	Timeline for Submission	Regulation Citation	Relevant Board/Program	Nature of the Regulation	Summary of the Intended Changes	Explanation of Intended Changes	Proposed Regulatory Reduction	Date of Anticipated Reduction
	<i>1 is the highest priority for the division, and 5 is the lowest. Projects are grouped by number according to the division or agency that will be submitting to LAW for preliminary review.</i>	<i>"Yes" indicates staff is requesting drafting assistance from the Department of Law. "No" indicates no assistance is anticipated.</i>	<i>Estimate timeline for submitting the draft revised regulations to LRLR for review. Dates are negotiable depending on LRLR workflow.</i>	<i>Cite the regulation or section of regulations intended to change.</i>	<i>List the board/program the regulation relates to, if relevant.</i>	<i>Description of what the regulation or section currently does.</i>	<i>Description of what the division or agency plans to change.</i>	<i>Description of what the change will do to achieve reduction, transparency, ease of government interaction, or other reforms. If the project does not meet those goals, explain why it is necessary for protection of public safety or standards, compliance with legislation, or other goal.</i>	<i>Number of reductions from the division or agency baseline that will be achieved with this change. Regulatory increases are indicated with a minus (-) symbol.</i>	<i>Whether reduction will be achieved in 2026 or 2027.</i>
Division of Corporations, Business and Professional Licensing	PHY-2 - cannot do PT dry needling without OT dry needling	No	2026	12 AAC 54.8XX	Board of Physical Therapy and Occupational Therapy	ADDED REGULATION - set standards of practice for dry needling for occupational therapists	12 AAC 54.805 Scope of practice relating to dry needling for occupational therapists. (a) To perform dry needling, a licensed occupational therapist shall (1) have obtained a graduate or post graduate didactic education specializing in dry needling that must include (A) training courses approved by the American Occupational Therapy Association (AOTA) and designated as AOTA approved provider programs, or the American Physical Therapy Association (APTA) guidelines, or the Federation of State Boards of Physical Therapists (FSBPT) Standards, or other state physical therapy boards or state physical therapy association guidelines, or occupational therapy state boards or state occupational therapy associations guidelines, and must include (B) didactic instructions and courses in indications, contraindications, emergency preparedness and response, potential risks, proper hygiene, proper use and disposal of needles, and appropriate selection of patients; (C) a written examination; and (D) supervised, face-to-face, hands-on training and a practical examination; (2) independently perform an occupational therapy evaluation, assessment and reassessment, and develop the intervention the treatment plan of the patient for each dry needling session; and (3) obtain and document informed consent from the patient or the patient's representative as set out in Principle 2 of the State Physical Therapy and Occupational Therapy Board Principles of Practice, dated March 2015. The informed consent shall include the risks and benefits of the dry needling intervention, alternative treatment options, and the patient's understanding and acceptance	Ensure patient safety by setting minimum educational and standards for dry needling	-45	2027
Division of Corporations, Business and Professional Licensing	PHY-6 - Pulled forward to PHY-2	No	2026	12 AAC 54.505	Board of Physical Therapy and Occupational Therapy	ADDED REGULATION - set standards of practice for dry needling for physical therapists	ADD a new section to Article 4 to read: 12 AAC 54.505 Standards of practice for dry needling for physical therapists. (a) To perform dry needling, a licensed physical therapist shall (1) be able to demonstrate to the board that the physical therapist has completed graduate or post graduate training in dry needling that must meet either the American Physical Therapy Association (APTA) Guidelines, the Federation of State Boards of Physical Therapy (FSBPT) Standards or other state physical therapy board guidelines and must include (A) didactic instructions and courses in indications, contraindications, emergency preparedness and response, potential risks, proper hygiene, proper use and disposal of needles, and appropriate selection of patients; (B) a written examination; and (C) supervised, face-to-face, hands-on training and a practical examination; (2) perform a physical therapy evaluation, assessment, and reassessment of the patient with a diagnosis pertinent for each dry needling session; and (3) obtain and document informed consent from the patient or the patient's representative as set out in Principle 2 of the State Physical Therapy and Occupational Therapy Board Principles of Practice, dated March 2015. The informed consent shall include the risks and benefits of the dry needling intervention, alternative treatment options, and the patient's understanding and acceptance	Ensure patient safety by setting minimum educational and standards for dry needling	0	2026

Division or Corporate Agency	Project Priority Number	Drafting Assistance Required?	Timeline for Submission	Regulation Citation	Relevant Board/Program	Nature of the Regulation	Summary of the Intended Changes	Explanation of Intended Changes	Proposed Regulatory Reduction	Date of Anticipated Reduction
	<i>1 is the highest priority for the division, and 5 is the lowest. Projects are grouped by number according to the division or agency that will be submitting to LAW for preliminary review.</i>	<i>"Yes" indicates staff is requesting drafting assistance from the Department of Law. "No" indicates no assistance is anticipated.</i>	<i>Estimate timeline for submitting the draft revised regulations to LRLR for review. Dates are negotiable depending on LRLR workflow.</i>	<i>Cite the regulation or section of regulations intended to change.</i>	<i>List the board/program the regulation relates to, if relevant.</i>	<i>Description of what the regulation or section currently does.</i>	<i>Description of what the division or agency plans to change.</i>	<i>Description of what the change will do to achieve reduction, transparency, ease of government interaction, or other reforms. If the project does not meet those goals, explain why it is necessary for protection of public safety or standards, compliance with legislation, or other goal.</i>	<i>Number of reductions from the division or agency baseline that will be achieved with this change. Regulatory increases are indicated with a minus (-) symbol.</i>	<i>Whether reduction will be achieved in 2026 or 2027.</i>
Division of Corporations, Business and Professional Licensing	PHY - 3	No	2026	12 AAC 54.530	Board of Physical Therapy and Occupational Therapy	sets standards for practice of PT Telerehabilitation	repeal language	outdated - Centralized statute AS 08.02.130 supersedes	7	2027
Division of Corporations, Business and Professional Licensing	PHY - 3	No	2026	12 AAC 54.825	Board of Physical Therapy and Occupational Therapy	sets standards for practice of OT Telerehabilitation	repeal language	outdated - Centralized statute AS 08.02.130 Telehealth supersedes	6	2026
Division of Corporations, Business and Professional Licensing	PHY - 3	No	2026	12 AAC 54.990(6)	Board of Physical Therapy and Occupational Therapy	defines interactive telecommunication systems	repeal language	outdated language; Centralized statute AS 08.02.130(j)(5)(telehealth); AS 47.05.270(e) overrides no longer required; repealing 12 AAC 54.530 and 12 AAC 54.825 telerehabilitation sections	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 3	No	2026	12 AAC 54.990(7)	Board of Physical Therapy and Occupational Therapy	defines telerehabilitation	repeal language		0	2026

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	<i>1 is the highest priority for the division, and 5 is the lowest. Projects are grouped by number according to the division or agency that will be submitting to LAW for preliminary review.</i>	<i>"Yes" indicates staff is requesting drafting assistance from the Department of Law. "No" indicates no assistance is anticipated.</i>	<i>Estimate timeline for submitting the draft revised regulations to LRLR for review. Dates are negotiable depending on LRLR workflow.</i>	<i>Cite the regulation or section of regulations intended to change.</i>	<i>List the board/program the regulation relates to, if relevant.</i>	<i>Description of what the regulation or section currently does.</i>	<i>Description of what the division or agency plans to change.</i>	<i>Description of what the change will do to achieve reduction, transparency, ease of government interaction, or other reforms. If the project does not meet those goals, explain why it is necessary for protection of public safety or standards, compliance with legislation, or other goal.</i>	<i>Number of reductions from the division or agency baseline that will be achieved with this change. Regulatory increases are indicated with a minus (-) symbol.</i>	<i>Whether reduction will be achieved in 2026 or 2027.</i>
Division of Corporations, Business and Professional Licensing	PHY - 4 = ADD IN	No	2026	12 AAC 54.400(3)	Board of Physical Therapy and Occupational Therapy	defines physical therapy renewal requirements	remove requirement in (3)(A) for professional practice requirements or alternative under 12 AAC 54.405	12 AAC 54.405 to be repealed		2026
Division of Corporations, Business and Professional Licensing	PHY - 4	No	2026	12 AAC 54.405	Board of Physical Therapy and Occupational Therapy	defines professional practice requirements and alternatives for renewal of physical therapy licensure	repeal	remove barriers; remove active practice requirement for renewal/reinstatement;	5	2026
Division of Corporations, Business and Professional Licensing	PHY - 4 = ADD IN	No	2026	12 AAC 54.700(3)(A)	Board of Physical Therapy and Occupational Therapy	defines occupational therapy renewal requirements	remove requirement in (3)(A) for professional practice requirements or alternative under 12 AAC 54.705	12 AAC 54.705 to be repealed		2026
Division of Corporations, Business and Professional Licensing	PHY - 4	No	2026	12 AAC 54.705	Board of Physical Therapy and Occupational Therapy	defines professional practice requirements and alternatives for renewal of occupational therapy licensure	Repeal	remove barriers; remove active practice requirement for renewal/reinstatement;	5	2026
Division of Corporations, Business and Professional Licensing	PHY - 4	No	2026	12 AAC 54.950(b)(2)	Board of Physical Therapy and Occupational Therapy	requires lapsed applicants (less than 2 years) who wish to reinstate to provide documentation of continuing competency and continuing education requirements of 12 AAC 54	change to read: (2) documentation that all continuing education requirements of 12 AAC 54 have been met.	Active practice requirement being removed for renewal would also remove for reinstatement	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 4	No	2026	12 AAC 54.950(c)(3)	Board of Physical Therapy and Occupational Therapy	requires applicants (more than 2 years) who wish to reinstate to provide documentation of continuing competency and continuing education requirements of 12 AAC 54	change to read: (3) evidence of completion of all continuing education requirements in 12 AAC 54 that would have been required to maintain a current license for the entire prior the license has been lapsed;	Active practice requirement being removed for renewal would also remove for reinstatement	0	2026

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	<i>1 is the highest priority for the division, and 5 is the lowest. Projects are grouped by number according to the division or agency that will be submitting to LAW for preliminary review.</i>	<i>"Yes" indicates staff is requesting drafting assistance from the Department of Law. "No" indicates no assistance is anticipated.</i>	<i>Estimate timeline for submitting the draft revised regulations to LRLR for review. Dates are negotiable depending on LRLR workflow.</i>	<i>Cite the regulation or section of regulations intended to change.</i>	<i>List the board/program the regulation relates to, if relevant.</i>	<i>Description of what the regulation or section currently does.</i>	<i>Description of what the division or agency plans to change.</i>	<i>Description of what the change will do to achieve reduction, transparency, ease of government interaction, or other reforms. If the project does not meet those goals, explain why it is necessary for protection of public safety or standards, compliance</i>	<i>Number of reductions from the division to agency baseline that will be achieved with this change. Regulatory increases are indicated with a minus (-) symbol.</i>	<i>Whether reduction will be achieved in 2026 or 2027.</i>
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY-1	No	2026	12 AAC 54.600	Board of Physical Therapy and Occupational Therapy	establishes requirements for occupational therapy licensure	change to read: 12 AAC 54.600. Requirements for Occupational Therapy Licensure by Examination (LICENSE REQUIREMENTS). An applicant for an occupational therapist license or occupational therapy assistant license	transparency - currently regulation requires that anyone applying by exam must have an active license in good standing = Rewrite regulation so it applies only to application for occupational therapy licensure by	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY-1	No	2026	12 AAC 54.600(3)	Board of Physical Therapy and Occupational Therapy	requires verification of licensure status from other jurisdictions for occupational therapy applicants one of which must be in good standing - does not work for applicants applying by examination	change to read: (3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy, if applicable (ONE OF WHICH MUST INDICATE A CURRENT LICENSE IN GOOD STANDING); each verification (FROM EACH	transparency - currently regulation requires that anyone applying by exam must have an active license in good standing	0	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY-1	No	2026	12 AAC 54.600(5)	Board of Physical Therapy and Occupational Therapy	requires verification of initial certification with national occupational therapy examination	change to read: (5) proof of initial certification sent directly to the department from the National Board for Certification in Occupational Therapy (NBCOT) as evidence of having	transparency - rewriting regulation so it applies only to application for occupational therapy licensure by examination	-1	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY-1	No	2026	12 AAC 54.605	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - establishes criteria for issuing occupational therapy licenses by credentials	ADD: 12 AAC 54. is amended by adding a new section to Article 5 to read: 12 AAC 54.605. Application for occupational therapy licensure by credentials. An applicant for an occupational therapist license or occupational therapy assistant license, other than an applicant who is a graduate of a school of occupational therapy that is located outside the	transparency - rewriting 12 AAC 54.600 and splitting out so 54.600 applies only to application for occupational therapy licensure by examination and creating new section for occupational therapy licensure by credentials	-1	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY-1	No	2026	12 AAC 54.605(2)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - establishes verification method to meet educational and certification requirements for occupational therapists and occupational therapy	ADD: (2) proof of initial certification sent directly to the department from the National Board for Certification in Occupational Therapy (NBCOT) as evidence of having met	separate section created for application by credentials for OT to provide clarification/transparency	-1	2026
Division of Corporations, Business and Professional Licensing	PHY - 5 - Pulled forward to PHY-1	No	2026	12 AAC 54.605(3)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - establishes criteria for obtaining license verifications	ADD: (3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to	separate section created for application by credentials for OT to provide clarification/transparency	-3	2026

Division or Corporate Agency	Project Priority Number	Drafting Assistance Required?	Timeline for Submission	Regulation Citation	Relevant Board/Program	Nature of the Regulation	Summary of the Intended Changes	Explanation of Intended Changes	Proposed Regulatory Reduction	Date of Anticipated Reduction
	<i>1 is the highest priority for the division, and 5 is the lowest. Projects are grouped by number according to the division or agency that will be submitting to LAW for preliminary review.</i>	<i>"Yes" indicates staff is requesting drafting assistance from the Department of Law. "No" indicates no assistance is anticipated.</i>	<i>Estimate timeline for submitting the draft revised regulations to LRLR for review. Dates are negotiable depending on LRLR workflow.</i>	<i>Cite the regulation or section of regulations intended to change.</i>	<i>List the board/program the regulation relates to, if relevant.</i>	<i>Description of what the regulation or section currently does.</i>	<i>Description of what the division or agency plans to change.</i>	<i>Description of what the change will do to achieve reduction, transparency, ease of government interaction, or other reforms. If the project does not meet those goals, explain why it is necessary for protection of public safety or standards, compliance with legislation, or other goal.</i>	<i>Number of reductions from the division or agency baseline that will be achieved with this change. Regulatory increases are indicated with a minus (-) symbol.</i>	<i>Whether reduction will be achieved in 2026 or 2027.</i>
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.030(a)(5)	Board of Physical Therapy and Occupational Therapy	requires documentation of passing national PT examination (NPTE) for physical therapy applicants by examination	amend to read: (5) proof of passing examination scores sent directly to the department from the Federation of State Boards of Physical Therapy (FSBPT) as evidence of having met the requirements of AS 08.84.030(a) during the 24 months immediately before the date the application is received by the department; []	Puts maximum timeframe limitation when applying by examination of 24 months before application date to ensure applicants are current/competent in skill level.	-1	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.030(a)(6)	Board of Physical Therapy and Occupational Therapy	ADDED REGULATION	add (7) verification of the applicant's licensure status, sent directly to the department from each jurisdiction where, if applicable, the applicant holds, or has ever held, a license to practice physical therapy; each verification must include an explanation of any disciplinary actions taken against the licensee; and	requires license verification when applying by examination of previous licenses held, if any for any prior disciplinary actions to ensure patient safety	-3	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.050(e)	Board of Physical Therapy and Occupational Therapy	requires review of physical therapy temp permit per 12 AAC 54.915 (checklists) which was repealed 3/27/2025	repeal	cleanup - 12 AAC 54.915 repealed 03/27/2024	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2027	12 AAC 54.080	Board of Physical Therapy and Occupational Therapy	sets minimum passing score requirement of 600 for national physical therapy examination	12 AAC 54.080 add a new subsection to read: (d) In cases where an applicant's score report does not state "pass" or "fail", the board will deem an applicant to have passed the examination if the applicant's raw scored score is not less than one point five standard deviations below the national average for that examination offering.	removes barriers to licensure; allows an avenue for therapists who took the NPTE before 1990 to meet statutory qualifications.	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.100(2)	Board of Physical Therapy and Occupational Therapy	requires primary source verification of NPTE scores	amend to (2) proof of passing examination scores sent directly to the department from the Federation of State Boards of Physical Therapy (FSBPT)	cleanup - makes language match 12 AAC 54.040	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6 - pulled forward to PHY-1	No	2026	12 AAC 54.100(5)(B)	Board of Physical Therapy and Occupational Therapy	requires verification of passing national exam within 24 months of application date for physical therapy applicants by credentials	repeal	active practice requirement being eliminated in (A); exemption option no longer needed	1	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.1XX(1) - (2)	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - Limited permits for physical therapy applicants	Add NEW section 12 AAC 54.1XX (list after 54.130) Limited Permit Applicants. (a) An application for a limited permit as a visiting, non-resident physical therapist or physical therapist assistant must be submitted to the department on a form provided by the board and (1) payment of the application fee and license fee specified in 12 AAC 02.320; and (2) verification of the applicant's licensure status sent directly to the department from a jurisdiction where the applicant holds a license to practice physical therapy in good standing; verification from jurisdiction must include an explanation of any disciplinary actions taken against the licensee. Authority 08.84.075	Transparency - currently no regulations exist outlining how a limited permit for physical therapy is issued	-3	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.500(b)	Board of Physical Therapy and Occupational Therapy	provides for posting of license or permit for a physical therapy license	Change to read: [A LICENSE OR PERMIT ISSUED BY THE BOARD, OR A COPY OF A LICENSE OR PERMIT, MUST BE POSTED IN A CONSPICUOUS LOCATION IN THE LICENSEE'S PLACE OF BUSINESS, FOR PUBLIC INSPECTION. PENDING RECEIPT OF THE CURRENT LICENSE CERTIFICATE FROM THE DEPARTMENT, THE LICENSEE SHALL DISPLAY THE DEPARTMENT'S INTERNET WEBSITE POSTING CONFIRMING LICENSURE.] For a licensee providing services, the license or permit must be available for public inspection upon request within a reasonable timeframe.	Outdated language; many therapists work in settings that do not allow for posting in a visible area or do not have control over posting in an employer location. Updated language allows for public access while not penalizing therapist.	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.500(c)	Board of Physical Therapy and Occupational Therapy	requires adherence to Principles of practice by physical therapists	repeal	AS 08.84.150(4) refers to recognized standards of ethics of the physical therapy professions or the occupational therapy profession. Both AOTA and APTA have their ethics standards available publicly.	1	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.500(d)	Board of Physical Therapy and Occupational Therapy	requires adherence to Principles of practice by physical therapist assistants	repeal	AS 08.84.150(4) refers to recognized standards of ethics of the physical therapy professions or the occupational therapy profession. Both AOTA and APTA have their ethics standards available publicly.	1	2026
Division of Corporations, Business and Professional Licensing	PHY-6 - Pulled forward to PHY-2 - cannot do PT dry needling without OT	No	2026	12 AAC 54.505 - pulled forward to PHY - 2 priority with PT dry needling	Board of Physical Therapy and Occupational Therapy	ADDED REGULATION - set standards of practice for dry needling for physical therapists	ADD a new section to Article 4 to read: 12 AAC 54.505 Standards of practice for dry needling for physical therapists. (a) To perform dry needling, a licensed physical therapist shall (1) be able to demonstrate to the board that the physical therapist has completed graduate or post graduate training in dry needling that must meet either the American Physical Therapy Association (APTA) Guidelines, the Federation of State Boards of Physical Therapy (FSBPT) Standards or other state physical therapy board guidelines and must include (A) didactic instructions and courses in indications, contraindications, emergency preparedness and response, potential risks, proper hygiene, proper use and disposal of needles, and appropriate selection of patients; (B) a written examination; and (C) supervised, face-to-face, hands-on training and a practical examination; (2) perform a physical therapy evaluation, assessment, and reassessment of the patient with a diagnosis pertinent for each dry needling session; and (3) obtain and document informed consent from the patient or the patient's representative as set out in Principle 2 of the State Physical Therapy and Occupational Therapy Board Principles of Practice, dated March 2015. The informed consent shall include the risks and benefits of the dry needling intervention, alternative treatment options, and the patient's understanding and acceptance	Ensure patient safety by setting minimum educational and standards for dry needling	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.510(e)	Board of Physical Therapy and Occupational Therapy	sets minimum monthly requirement for periodic supervision of PTA implementing a treatment plan by the supervising PT	Change to read: A supervising physical therapist shall provide periodic supervision to a physical therapist assistant. Supervision shall be conducted on site or by video or teleconference when in-person supervision is not reasonably practicable. A supervising physical therapist shall be available for consultation with the physical therapist assistant by video, telephone, verbally, or in writing.	Remove minimum monthly requirement. Schedule to be determined by supervising PT based on the needs and experience level of the PTA. Change from "the" to "a" to clarify that PTAs have evolving/changing supervisors from day to day and are not locked in to one specific PT.	1	2026

Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.510(f)	Board of Physical Therapy and Occupational Therapy	clarifies supervision of PTA does not apply to public health service or military personnel practicing physical therapy in federal agencies	repeal language	Federal statute/regulations override state. This is unnecessary.	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.590(a)(6)(B)	Board of Physical Therapy and Occupational Therapy	defines supervision requirements	replace "before dismissal" with "at discharge evaluation"	provides clarification for event of self-discharging patients	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.620	Board of Physical Therapy and Occupational Therapy	provides definition of supervised field work related to occupational therapy educational programs	amend to: [AS USED IN AS 08.84.030(b)(1), 08.84.032(b)(2), and 08.84.150(b)(1).] "Supervised field work" means the portion of an ACOTE-accredited professional occupational therapy education program to be completed by an applicant in a setting that ordinarily provides occupational therapy under the continuous direction and immediate supervision of a licensed occupational therapist.	Cleanup - uniformity with physical therapy regulation	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.660(b)(4)	Board of Physical Therapy and Occupational Therapy	requirement of verification of licensure in any jurisdiction held	amend to read: (4) must submit documentation sent directly to the department from the jurisdiction showing the applicant is currently licensed and in good standing in another licensing jurisdiction and the applicant's license in the other jurisdiction is not suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education requirements;	Cleanup	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.670	Board of Physical Therapy and Occupational Therapy	NEW REGULATION - establishes criteria for issuing limited permits for occupational therapy applicants	ADD: NEW 12 AAC 54.670 Limited Permit Applicants. (a) An application for a limited permit as a visiting, non-resident occupational therapist or occupational therapy assistant must be submitted to the department on a form provided by the board and (1) payment of the application fee and license fee specified in 12 AAC 02.320; and (2) verification of the applicant's licensure status sent directly to the department from a jurisdiction where the applicant holds a license to practice physical therapy in good standing; verification from jurisdiction must include an explanation of any disciplinary actions taken against the licensee.	Transparency - currently no regulations exist outlining how a limited permit for occupational therapy is issued	-3	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.800(a)	Board of Physical Therapy and Occupational Therapy	requires adherence to Principles of Practice by occupational therapists and occupational therapy assistants	repeal	AS 08.84.150(4) refers to recognized standards of ethics of the physical therapy professions or the occupational therapy profession. Both AOTA and APTA have their ethics standards available publicly.	1	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.805	Board of Physical Therapy and Occupational Therapy	provides for posting of license or permit for an occupational therapy license	Change to read: 12 AAC 54.805. Posting of license or permit. (A LICENSE OR PERMIT ISSUED UNDER THIS CHAPTER, OR A COPY OF A LICENSE OR PERMIT, MUST BE POSTED IN A CONSPICUOUS LOCATION IN THE LICENSEE'S PRIMARY PLACE OF BUSINESS FOR PUBLIC INSPECTION. PENDING RECEIPT OF THE CURRENT LICENSE CERTIFICATE FROM THE DEPARTMENT, THE LICENSE SHALL DISPLAY THE DEPARTMENT'S INTERNET WEBSITE POSTING CONFIRMING LICENSURE.) For a licensee providing services, the license or permit must be available for public inspection upon request within a reasonable timeframe.	Outdated language; many therapists work in settings that do not allow for posting in a visible area or do not have control over posting in an employer location. Updated language allows for public access while not penalizing therapist.	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.810(a)(1)	Board of Physical Therapy and Occupational Therapy	sets minimum monthly requirement for periodic supervision of OTA implementing a treatment plan by the supervising OT	Change to read: A supervising occupational therapist shall provide periodic supervision to an occupational therapy assistant. Supervision shall be conducted on site or by video or teleconference when in-person supervision is not reasonably practicable. A supervising occupational therapist shall be available for consultation with the occupational therapy assistant by video, telephone, verbally, or in writing.	Supervising OT determines schedule based on the needs and experience level of the OTA. Creates uniformity with PT language in 12 AAC 54.510(e)	-1	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.890(a)(6)(B)	Board of Physical Therapy and Occupational Therapy	defines supervision requirements	replace "before dismissal" with "at discharge evaluation"	provides clarification for event of self-discharging patients	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.920(b)	Board of Physical Therapy and Occupational Therapy	requires licensees to submit notarized copy of legal document verifying change of name	Amend to read: (b) A licensee shall notify the department when the licensee's name has changed in accordance with 12 AAC 02.900 (by submitting a notarized copy of a legal document verifying the change of name).	Cleanup - change to match centralized regulations to avoid confusion	2	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	12 AAC 54.920(d)	Board of Physical Therapy and Occupational Therapy	outlines how licensee gets a new license certificate	repeal language	Cleanup - service no longer offered. No payment of fees required; no license printed - issued electronically through MyLicense portal	0	2026
Division of Corporations, Business and Professional Licensing	PHY-6	No	2026	document adopted by reference	Board of Physical Therapy and Occupational Therapy	Principles of Practice - March 2015	repeal adoption by reference	AS 08.84.150(4) refers to recognized standards of ethics of the physical therapy professions or the occupational therapy profession. Both AOTA and APTA have their ethics standards available publicly.	17	2026



OPTIMAL DRY NEEDLING SOLUTIONS

In Partnership with the International Academy of Orthopedic Medicine- US

AWARDS THIS CERTIFICATE TO

Dr. Tina McLean

PT, DPT, ATC, CMT/PTRN, GTS

Received on this *7th* day of November in the year 2025

Certification for Advanced Competency in Dry Needling

This certificate signifies the completion of 50 contact hours of didactic and hands-on coursework in Dry Needling Level I and Dry Needling Level II. This includes a successful written exam and submission of case studies as required by the ODNS.

Jacqueline Doidge, PT
ODNS Director

Claire Horn, PT, DPT, FAAOMPT
ODNS-US Lecturer

Adam Kimberly, PT, DPT, OCS
ODNS-US Lecturer





ODNS

OPTIMAL DRY NEEDLING SOLUTIONS

In Partnership with the International Academy of Orthopedic Medicine- US

Dr. Tina McLean

PT, DPT, ATC, CMTPTAN, DTS

Has successfully completed as
an instructor

Dry Needling level 1

January 10-11th, 2026, at Anchorage, AK

Dr. Tina McLean is instructed in the in-person portion of this course for nineteen (19) Continuing Education Units or nineteen (19) hours of Postgraduate Training consisting of Lectures and Demonstrations. The course has been approved for 2 CE/CPEs by APTA Arizona, (approved number APTA-AZ-1927), and by the Minnesota Board of Physical Therapy (012308) for 2 CCRAs.

Jenny Sanchez, ODNS, AMED
Academic Manager
MOM- US



ODNS

OPTIMAL DRY NEEDLING SOLUTIONS

In Partnership with the International Academy of Orthopedic Medicine - US

Dr. Tina McLean

PT, DPT, ATC, CH/PTON, QIS

*has successfully completed as
co-instructor.*

Dry Needling Level II with Cadaver Anatomy

April 17-19th, 2026, at Atlanta, GA

Dr. Tina McLean co-instructed in the in-person portion of this course for twenty-two (22) Self Continuing Education Units or twenty-two (22) hours of Postgraduate Training consisting of Lectures and Demonstrations. The course has been approved for 2.75 CEUs by APTA Arkansas (approved number APTA AR 1935) and by the Texas Physical Therapy Association (APS # 200406216).

*Jerry Sanchez, DMS, MHEd
Academic Manager
IAOM-US*

From: [Dr. Tina McLean](#)
To: [Ryan, Sheri J \(CED\)](#)
Subject: Tina McLean has shared a file with you
Date: Thursday, April 23, 2026 7:34:02 AM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Sheri,

Hope this finds you well. I have missed all of you!!

Please see the link below.

I also took DN 1 for 19 hours. In January 2026 with a similar certificate.

I was co-instructing but a student/mentoring under the primary instructor/s to become an official assistant for these courses.

I am hoping these will count as CEUs.

The courses were required a second time as part of the training program for assistants.

Please let me know otherwise and I'll take a few more.

Have a terrific day!!

Tina

Warmest Regards,

Dr. Tina McLean, PT, DPT, ATC, CMTPTDN, GTS

Doctor of Physical Therapy

Chair: Alaska State Board of Physical Therapy and Occupational Therapy-
June 2022 to March 2025

Federation of State Boards of Physical Therapy:

2024 Dry Needling Task Force

Member: Scope of Practice Modernization Workgroup 2025-2026

Alaska State Board of Physical Therapy and Occupational Therapy

Active Abilities LLC:

Perfecting the Art of Physical Therapy

From: [jhstroke](#)
To: [Ryan, Sheri J \(CED\)](#)
Subject: PTA Scope of Practice
Date: Monday, May 4, 2026 5:25:43 PM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Sheri and Members of the Board of Physical and Occupational Therapy,

I am a Physical Therapist Assistant at an Anchorage hospital. Recently, the question has come up about PTA scope of practice: Is it in the PTA's scope of practice to see a patient for their last visit, write the discharge note, have the PT sign the note via EMR, and then add an attestation that they agree to the PTA's summary?

According to the Model Practice Act, Section 4.03:

"A physical therapist is fully responsible for managing all aspects of the physical therapy care of each patient/client. A physical therapist shall provide:

1. The initial evaluation, determination of diagnosis, prognosis, and plan of treatment intervention and documentation of each encounter with each patient/client;
2. Periodic reevaluation and documentation of each patient/client;
3. The documented discharge of the patient/client, including the patient's/client's response to treatment intervention at the time of discharge."

The hospital's position is that the hospital setting is different than other settings in that many disciplines are involved in the discharge of a patient, and that even though a patient is discharged from PT, they may or may not be discharging from the hospital at the same time.

They also state that by the PT co-signing the note, they are attesting to the facts of the note and are taking responsibility for the discharge. Is this the correct interpretation of this section?

I would appreciate the Board providing clarification on this.

Thank you,

Jeff Stroke, PTA

AK License PHYA1621