

**SUPPLEMENTAL NOTICE OF PROPOSED REGULATIONS CHANGES
LICENSURE REQUIREMENTS, TEMPORARY PERMITS, FOREIGN-TRAINED
APPLICANTS, AND CODE OF ETHICS:
STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD**

BRIEF DESCRIPTION: The State Physical Therapy and Occupational Therapy Board proposes to update various regulations addressing licensure requirements, temporary permits, foreign-trained applicants, and principles of practice (currently called “code of ethics”).

The State Physical Therapy and Occupational Therapy Board (Board) proposes to adopt regulation changes in Title 12, Chapter 54 of the Alaska Administrative Code, dealing with physical therapy and occupational therapy standards, licensure requirements, foreign-trained occupational therapy applicants, temporary permits, and principles of practice (currently called “code of ethics”), including the following:

1. **12 AAC 54.500, Physical therapy standards**, is proposed to be changed to adopt new principles of practice (code of ethics) that the board adopts by reference.
2. **12 AAC 54.600, Occupational therapy license requirements**, is proposed to be changed to alter the licensure requirements for an occupational therapist or occupational therapy assistant license.
3. **12 AAC 54.610, Foreign-trained occupational therapy applicants**, is proposed to be changed to alter the licensure requirements for foreign-trained occupational therapists or occupational therapy assistants.
4. **12 AAC 54.640, Occupational therapy temporary permits and scope of practice under those permits**, is proposed to be changed to alter the temporary permit requirements for an occupational therapist or an occupational therapy assistant.
5. **12 AAC 54.800, Occupational therapy standards**, is proposed to be changed to adopt new principles of practice (code of ethics) that the board adopts by reference.

This is a **SUPPLEMENTAL NOTICE** adding to the **NOTICE OF PROPOSED CHANGES** that was issued on December 19, 2014 concerning these proposed regulation revisions contained in the Department of Law file number JU2014200985. This **SUPPLEMENTAL NOTICE** is being issued because the Board, during its March 26-27, 2015 meeting, tabled its proposed changes dealing with physical therapy and occupational therapy standards, licensure requirements, foreign-trained occupational therapy applicants, temporary permits, and code of ethics under its initial **NOTICE OF PROPOSED CHANGES**, made amendments including replacing “code of ethics” with “principles of practice”, and is opening a written comment period regarding the amended proposed regulation changes. If you previously submitted written comments under the December 19, 2014 **NOTICE OF PROPOSED CHANGES**, you need not resubmit those comments under this notice as those comments are part of the record and will be considered by the Board.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806 Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at jun.maiquis@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system at <http://notice.alaska.gov/177956>, and using the “comment” link. **The comments must be received no later than 4:30 p.m. on September 18, 2015.**

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806 Juneau, AK 99811-0806 or by e-mail at jun.maiquis@alaska.gov. **The questions must be received at least 10 days before**

the end of the public comment period. The Board will aggregate its response to substantially similar questions and make the questions and response available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/PhysicalTherapyOccupationalTherapy.aspx> or on the Alaska Online Public Notice System. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 no later than September 11, 2015 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jun Maiquis at the address or phone number above, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/PHY-rev.0815.pdf>

After the public comment period ends, the Board will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.84.010; AS 08.84.030; AS 08.84.032; AS 08.84.060; AS 08.84.065; AS 08.84.120; AS 08.84.150

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.84.010; AS 08.84.030; AS 08.84.032; AS 08.84.060; AS 08.84.065; AS 08.84.120; AS 08.84.150

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 8/19/15

/s/
Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

**SUPPLEMENTAL NOTICE OF PROPOSED REGULATIONS CHANGES
LICENSURE REQUIREMENTS, TEMPORARY PERMITS, FOREIGN-TRAINED
APPLICANTS, AND CODE OF ETHICS:
STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD:
ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))**

- 1. Adopting agency:** State Physical Therapy and Occupational Therapy Board – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
- 2. General subject of regulation:** Licensure requirements, temporary permits, foreign-trained applicants, and principles of practice (code of ethics).
- 3. Citation of regulation:** 12 AAC 54.500, 12 AAC 54.600, 12 AAC 54.610, 12 AAC 54.640, and 12 AAC 54.800.
- 4. Department of Law file number:** JU2014200985.
- 5. Reason for the proposed action:** Update and clarification of current regulations.

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 underlined.)

12 AAC 54.500(c) is amended to read:

(c) 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 **Alaska Physical Therapy and Occupational Therapy Principles of Practice, dated March 2015** [CODE OF ETHICS, AS AMENDED AS OF JUNE 2000, AMERICAN PHYSICAL THERAPY ASSOCIATION, AND THE GUIDE FOR PROFESSIONAL CONDUCT, AS AMENDED AS OF JANUARY 2004, AMERICAN PHYSICAL THERAPY ASSOCIATION]. The **Alaska Physical Therapy and Occupational Therapy Principles of Practice is** [CODE OF ETHICS AND THE GUIDE FOR PROFESSIONAL CONDUCT ARE] adopted by reference.

12 AAC 54.500(d) is amended to read:

(d) To maintain a high standard of integrity in the profession and to safeguard the health and welfare of the public, physical therapy assistants shall adhere to the ethical standards set out in the **Alaska Physical Therapy and Occupational Therapy Principles of Practice, dated March 2015** [STANDARDS OF ETHICAL CONDUCT FOR THE PHYSICAL THERAPIST ASSISTANT, AS AMENDED AS OF JUNE 2000, AMERICAN PHYSICAL THERAPY ASSOCIATION, AND THE GUIDE FOR CONDUCT OF THE AFFILIATE MEMBER, AS AMENDED FEBRUARY 2004, AMERICAN PHYSICAL THERAPY ASSOCIATION]. The **Alaska Physical Therapy and Occupational Therapy Principles of Practice is** [STANDARDS

OF ETHICAL CONDUCT FOR THE PHYSICAL THERAPIST ASSISTANT AND THE GUIDE FOR CONDUCT OF THE AFFILIATE MEMBER ARE] adopted by reference.

(Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 5/21/97, Register 142; am 10/20/99, Register 152; am 2/17/2002, Register 161; am 7/21/2006, Register 179; am 4/11/2008, Register 186; am 9/27/2008, Register 187; am ___/___/___, Register ___)

Authority: AS 08.84.010 AS 08.84.150

Editor's note: A copy of the *Alaska Physical Therapy and Occupational Therapy Principles of Practice* [*CODE OF ETHICS, GUIDE FOR PROFESSIONAL CONDUCT, STANDARDS OF ETHICAL CONDUCT FOR THE PHYSICAL THERAPIST ASSISTANT, AND THE GUIDE FOR CONDUCT OF THE AFFILIATE MEMBER*] described in 12 AAC 54.500 **may be obtained from** [ARE AVAILABLE FOR INSPECTION AT] 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; phone (907) 465-2580; website at** **<http://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/PhysicalTherapyOccupationalTherapy.aspx>** [, OR MAY BE OBTAINED FROM THE AMERICAN PHYSICAL THERAPY ASSOCIATION, 1111 NORTH FAIRFAX STREET, ALEXANDRIA, VA 22314-1488].

12 AAC 54.600(6)(A) is amended to read:

- (A) performed at least 60 hours of occupational therapy service [AND COMPLETED AT LEAST 24 CONTACT HOURS OF OCCUPATIONAL THERAPY

RELATED COURSE WORK]; 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;

(Eff. 9/26/91, Register 119; am 5/21/97, Register 142; am 2/17/2002, Register 161; am 8/23/2003, Register 167; am 7/21/2006, Register 179; am 10/18/2007, Register 184; am 8/18/2013, Register 207; am ___/___/___, Register ___)

Authority: AS 08.84.010 AS 08.84.060 AS 08.84.120
AS 08.84.030

12 AAC 54.610(a)(6)(A) is amended to read:

(A) performed at least 60 hours of occupational therapy service [AND COMPLETED AT LEAST 24 CONTACT HOURS OF OCCUPATIONAL THERAPY RELATED COURSE WORK]; 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

(Eff. 9/26/91, Register 119; am 5/21/97, Register 142; am 8/23/2003, Register 167; am 10/18/2007, Register 184; am 8/18/2013, Register 207; am ___/___/___, Register ___)

Authority: AS 08.84.010 AS 08.84.032 AS 08.84.120
AS 08.84.030

12 AAC 54.640(b)(4)(A) is amended to read:

(A) performed at least 60 hours of occupational therapy service [AND COMPLETED AT LEAST 24 CONTACT HOURS OF OCCUPATIONAL THERAPY

RELATED COURSE WORK]; the verification of at least 60 hours of occupational therapy service must be on a form provided by the department; or (Eff. 9/26/91, Register 119; am 5/21/97, Register 142; am 2/17/2002, Register 161; am 8/23/2003, Register 167; am 7/21/2006, Register 178; am 8/18/2013, Register 207; am ___/___/___, Register ___)

Authority: AS 08.84.010 AS 08.84.030 AS 08.84.065

12 AAC 54.800(a) is amended to read:

(a) 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 *Alaska Physical Therapy and Occupational Therapy Principles of Practice [CODE OF ETHICS]*, **dated March 2015** [AS REVISED AS OF MAY 2005, AMERICAN OCCUPATIONAL THERAPY ASSOCIATION]. The *Alaska Physical Therapy and Occupational Therapy Principles of Practice [CODE OF ETHICS]* is adopted by reference. (Eff. 5/21/97, Register 142; am 2/17/2002, Register 161; am 10/18/2007, Register 184; am 4/11/2008, Register 186; am ___/___/___, Register ___)

Authority: AS 08.84.010 AS 08.84.065 AS 08.84.150
AS 08.84.030

Editor's note: A copy of the *Alaska Physical Therapy and Occupational Therapy Principles of Practice [CODE OF ETHICS]*, adopted by reference in 12 AAC 54.800, **may be obtained from** [IS AVAILABLE FOR INSPECTION AT] 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,**

Register _____, _____ 2015 **PROFESSIONAL REGULATIONS**

9th Floor, 333 Willoughby Avenue, Juneau, Alaska **99801; phone (907) 465-2580** [OR MAY BE OBTAINED FROM THE AMERICAN OCCUPATIONAL THERAPY ASSOCIATION, P.O. BOX 31220, BETHESDA, MD 20824-1220]; website at

<http://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/PhysicalTherapyOccupationalTherapy.aspx> [WWW.AOTA.ORG/GENERAL/DOCS/ETHICSCODE 05.PDF].

Alaska Board of Physical Therapy and Occupational Therapy

Principles of Practice

March 2015



DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT

*DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING*

**Alaska Board of Physical Therapy and Occupational Therapy Principles of Practice
March 2015**

This document serves two purposes. It will identify what is expected from a professional therapist and it will also educate the consumer in what they can expect from their therapist.

Physical Therapists, Physical Therapy Assistants, Occupational Therapists, and Occupational Therapy Assistants shall:

Principle 1: Patient/Client Safety and Well Being:

1. Adhere to the respective national professional core values and ethical standards.
2. Act in the best interest of the patient/client.
3. Provide services within practitioner's level of competence as demonstrated by education, training and professional experience.
4. Provide supervision for support personnel.
5. Provide for the continuity of service when transitioning care.

Principle 2: Right of individuals to self-determination:

1. Respect the patient/client right to informed consent, right to refuse services, and keep informed of the process in meeting goals specific to the plan of intervention. If the patients/clients cannot give consent, the therapist must be sure that consent has been obtained from the person who is legally responsible for the patient/client.
2. Establish a collaborative relationship with recipients of services including families, significant others and caregivers throughout the intervention process, including setting goals and priorities.
3. Maintain confidentiality of all verbal, written, electronic, augmentative and non-verbal communication disclosing such only when allowed or required by law.

Principle 3: Provide services in a fair and equitable manner:

1. Advocate for just and fair treatment for all patients, clients, employees and colleagues by encouraging employers and colleagues to abide by the ethical standards set forth by their national professions.
2. Act in a respectful manner toward each person regardless of age, gender, race, nationality, religion, ethnicity, social or economic status, sexual orientation, health condition, or disability.

Principle 4: Provide comprehensive, accurate, and objective information about services:

1. Provide accurate and relevant information to the public and recipients about service, credentials, experience, education and training.
2. Record and report in an accurate and timely manner in accordance with applicable regulations, all information related to professional activities, services, and patient care.

Principle 5: Treat colleagues and other professionals with respect, fairness, discretion, and integrity:

1. Respect the traditions, practices, competencies and responsibilities of physical therapy, occupational therapy and other professions, as well as those of the institutions and agencies that constitute the working environment.
2. Provide appropriate direction to, and communication with therapy staff and personnel.

Principle 6: Comply with institutional rules, local, state, federal, and international laws applicable to the profession:

1. Comply with professionally applicable institutional, local, state, federal and international laws and regulations.
2. Report to the Board any unprofessional, incompetent, or illegal behavior of a physical therapist or occupational therapist or physical therapist assistant or occupational therapy assistant in practice, education or research.
3. Cooperate with an investigation by the Board of Physical and Occupational Therapy. Cooperation includes responding fully and promptly to any questions raised by the Board and providing copies of the medical records and other documents requested by the Board.