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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Glenn Hoskinson
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: July 8, 2021

RE: Filed Permanent Regulations: State Physical Therapy and Occupational Therapy Board

State Physical Therapy and Occupational Therapy Board regulations re: examination, reexamination, supervision by video or teleconference, and telerehabilitation (12 AAC 54.030 - 12 AAC 54.080; 12 AAC 54.510; 12 AAC 54.530; 12 AAC 54.810; 12 AAC 54.825)

Attorney General File:	2021200085
Regulation Filed:	7/8/2021
Effective Date:	8/7/2021
Print:	239, October 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE STATE PHYSICAL THERAPY AND
OCCUPATIONAL THERAPY BOARD


The attached four pages of regulations, dealing with licensure requirements, reexamination, supervision, and standards for practice of telerehabilitation, are hereby certified to be a correct copy of the regulation changes that the State Physical Therapy and Occupational Therapy Board adopted at its April 28, 2021 teleconference meeting, under the authority of AS 08.84.010, AS 08.84.030, AS 08.84.032, AS 08.84.040, AS 08.84.065, AS 08.84.080, AS 08.84.120, and AS 08.84.190, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the State Physical Therapy and Occupational Therapy Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: April 28, 2021
Wasilla, Alaska



Keith Poorbaugh, PT, Chair
State Physical Therapy and Occupational
Therapy Board

April Simpson for

FILING CERTIFICATION

I, [↑]Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on July 8, 2021 at 10:50 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

for 

Kevin Meyer, Lieutenant Governor

Effective: August 7, 2021
Register: 239, October 2021

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K. Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

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

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

(5) proof of passing exam 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).~~

*CC Publisher: To reflect the addition of new
12 AAC 54.030(a)(5), please change the period
at the end of 12 AAC 54.030(a)(4) to a
semicolon, and relocate the "and" connector to
follow 12 AAC 54.030(a)(4) instead of 12 AAC
54.030(a)(3)(B). M*

12 AAC 54.030(b) is repealed:

(b) Repealed 8 / 7 / 2021.

(Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 9/26/91, Register 119; am 5/21/97,
Register 142; am 10/20/99, Register 152; am 2/17/2002, Register 161; am 8/18/2013, Register
207; am 9/29/2019, Register 231; am 8 / 7 / 2021, Register 239)

Authority: AS 08.84.010 AS 08.84.030 AS 08.84.040

12 AAC 54.040(a) is amended to read:

(a) An applicant for a physical therapist or physical therapy assistant license by
examination who received an education and degree outside the United States shall meet all
requirements for licensure under AS 08.84, 12 AAC 54.030(a)(1), (3), [AND] (4), and (5),
[12 AAC 54.030(b),] and this section.

12 AAC 54.040(j)(4) is amended to read:

(4) if the applicant has taken the Test of English as a Foreign Language Internet-
Based Test (TOEFL-iBT), the applicant must obtain at least the following minimum scores:

- (A) writing – 22 [24] points;
- (B) speaking – 24 [26] points;
- (C) reading comprehension – 22 [21] points;
- (D) listening comprehension – 21 [18] points.

(Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 9/26/91, Register 119; am 5/21/97, Register 142; am 10/20/99, Register 152; am 2/17/2002, Register 161; am 8/23/2003, Register 167; am 8/19/2004, Register 171; am 10/18/2007, Register 184; am 8/18/2013, Register 207; am 9/29/2019, Register 231; am 8 / 7 / 2021, Register 239)

Authority: AS 08.84.010 AS 08.84.032 AS 08.84.065

12 AAC 54.080(c) is repealed:

(c) Repealed 8 / 7 / 2021. (Eff. 10/30/82, Register 84; am 9/26/91, Register 119; am 6/1/95, Register 134; am 10/20/99, Register 152; am 10/18/2007, Register 184; am 9/29/2019, Register 231; am 8 / 7 / 2021, Register 239)

Authority: AS 08.84.010 AS 08.84.080

12 AAC 54.510(e) is amended to read:

At least once every month, (e) The supervising physical therapist shall give the physical therapy assistant periodic supervision on site or by means of telemedicine when in person supervision is not attainable at least once every month while the physical therapy assistant being supervised implements a treatment plan with a patient. The supervising physical therapist shall be available for consultation with the physical therapy assistant so the consultation that may be provided by telephone, verbally, or in writing.

12 AAC 54.510(g)(3) is amended to read:

(3) countersign the patient treatment record each time the supervising physical therapist is physically present and directly supervises by video or teleconference ~~or supervises via telehealth~~ the treatment of a patient by the physical therapy assistant being supervised. (Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 9/26/91, Register 119; am 6/1/95, Register 134; am 5/21/97, Register 142; am 2/17/2002, Register 161; am 4/11/2008, Register 186; am 8 / 7 / 2021, Register 239)

Authority: AS 08.84.010

12 AAC 54.530(a) is amended to read:

(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 constraints geographic or health and safety constraints [AT DISTANT SITES IN THE STATE WHICH ARE NOT IN CLOSE PROXIMITY OF A PHYSICAL THERAPIST].

(Eff. 9/27/2008, Register 187; am 9/29/2019, Register 231; am 8 / 7 / 2021, Register 239)

Authority: AS 08.84.010 AS 08.84.120

12 AAC 54.810(a)(1) is amended to read:

(1) at least once every 15 2 month the occupational therapist supervising the licensed occupational therapy assistant shall be physically present, while the occupational therapy assistant being supervised implements a treatment plan for a patient, shall be present by video or teleconference, or by means of telemedicine when in

in-person reasonable or practicable
person supervision is not attainable, while the occupational therapy assistant being supervised implements a treatment plan with a patient; and

12 AAC 54.810(b)(3) is amended to read:

(3) countersign the patient treatment record each time the occupational therapist supervising the occupational therapy assistant is physically present and directly supervises or by video or teleconference supervises via telehealth the treatment of a patient by the occupational therapy assistant being supervised. (Eff. 5/21/97, Register 142; am 8 / 7 / 2021, Register 239)

Authority: AS 08.84.010 AS 08.84.030 AS 08.84.190

12 AAC 54.825(a) is amended to read:

(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 or health and safety constraints [AT DISTANT SITES IN THE STATE WHICH ARE NOT IN CLOSE PROXIMITY OF AN OCCUPATIONAL THERAPIST].

(Eff. 9/27/2008, Register 187; am 9/29/2019, Register 231; am 8 / 7 / 2021, Register 239)

Authority: AS 08.84.010 AS 08.84.120