



PT • COMPACT

PHYSICAL THERAPY COMPACT COMMISSION ANNUAL MEETING

December 16, 2024

Virtual



Physical Therapy Compact Commission Annual Meeting Agenda
December 16, 2024
1:00 p.m. – 2:00 p.m. ET
Via Zoom

Presiding Officer: Kathy Arney, Chair

I. Call to Order

The annual meeting of the Physical Therapy Compact Commission will come to order at 1:00 PM ET, December 16, 2024.

II. Roll Call of Delegates – Charlotte Martin, Secretary/Treasurer

The Secretary/Treasurer will call the roll of delegates.

III. Adoption/Reordering of Agenda

IV. Introductions and Acknowledgement of Guests

V. 2023 and June 17, 2024, Special Meeting Minutes

The minutes of the 2023 annual meeting were approved by the Minutes Approval Committee: Kathy Miller (AL); Joshua Greer (AZ); Gerri Grzybek (PA) and no further action is required.

The minutes of the June 17, 2024, special meeting were approved by the Minutes Approval Committee: Justin Berry (ND); Heather Freeman (IN); Kristin Schweizer (CT) and no further action is required.

VI. Appointment of the 2024 Minutes Approval Committee

VII. Appointment of the Teller Committee

VIII. Update from the PT Compact Commission Chair – Kathy Arney, Chair

IX. Reports (Attachment A)

- Strategic Plan
- Progress Towards 2024 Goals
- 2025 Projected Implementation Status
- 2025 Legislative Outlook

X. Elections (Attachment B)

XI. Review and Adopt 2025 Budget (Attachment C)

XII. Delegation of Appointment of Committees to Executive Board

XIII. Public Comment

XIV. New Business

XV. Announcements

XVI. Adjournment

Chair Kathy Arney adjourned the meeting at --:-- PM ET on December 16, 2024.

REFERENCE DOCUMENTS

- PT Compact Model Statute (Attachment D)
- PT Compact Rules as of June 17, 2024 (Attachment E)
- PT Compact Bylaws as of June 17, 2024 (Attachment F)
- PT Compact Policies and Procedures as of June 17, 2024 (Attachment G)
- PT Compact Status Map as of November 20, 2024 (Attachment G)
- Minutes of the 2023 PTCC Annual Meeting and of the June 17, 2024, Special Meeting (Attachment I)
- Rosters of PT Compact Delegates & Executive Board as of November 21, 2024 (Attachment J)

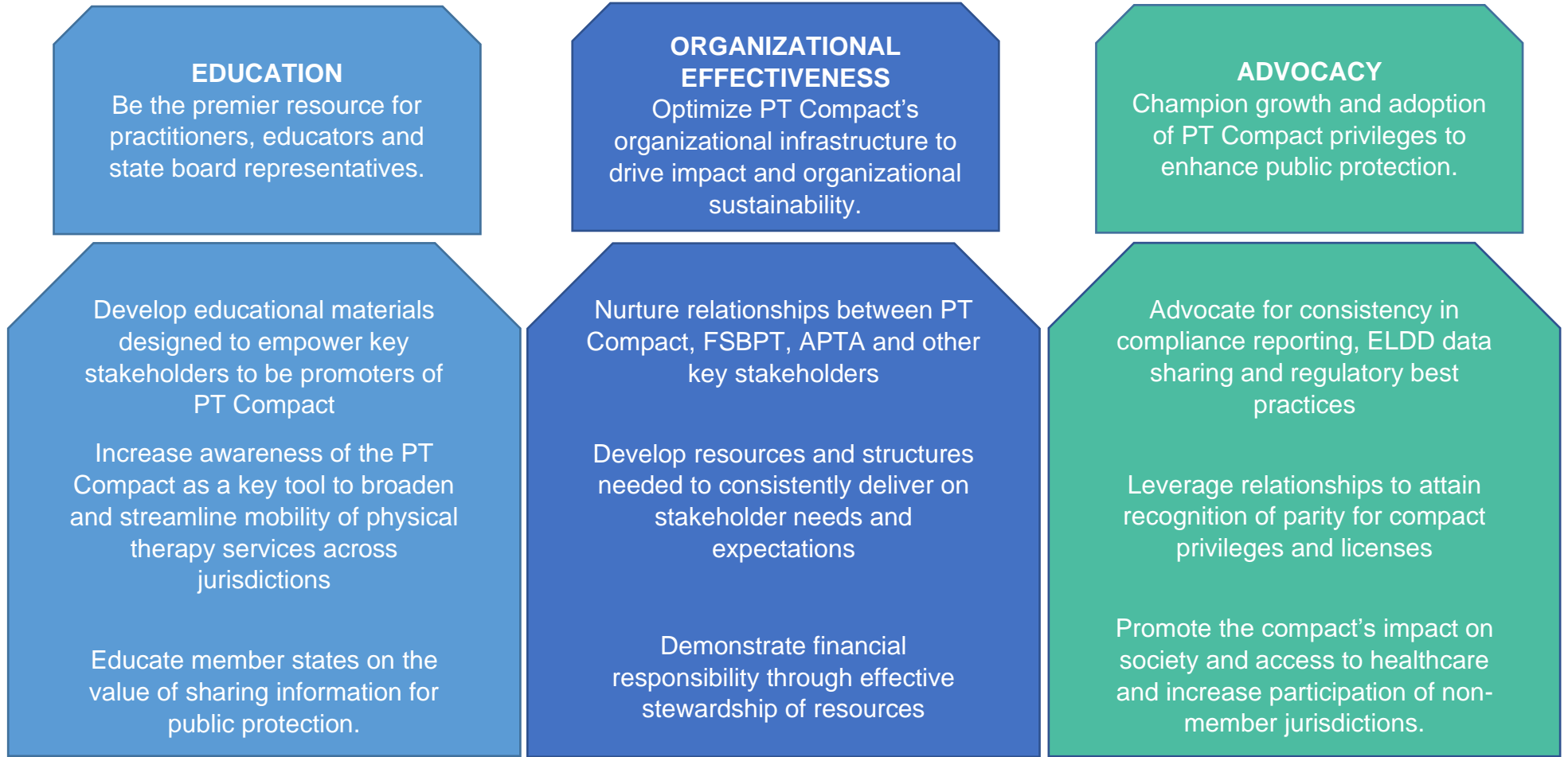
ATTACHMENT A

REPORTS



Statement of Purpose: The purpose of this Compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

STRATEGIC PLAN 2023-2027



Key Performance Indicators

Privilege Holder Market Penetration | Business Model Health | Public Awareness and Standing

Education: Be the premier resource for practitioners, educators and state board representatives

Objective	Outcomes
1.1 Develop educational materials designed to empower key stakeholders to be promoters of PT Compact	1.1.1 Establishment of a committee or task force charged with developing educational content for stakeholder groups 1.1.2 Development of a module for PT educators to use in their classrooms by fall 2024 1.1.3 Conduct regular assessment of frequently asked questions member board staff receive from current and prospective privilege holders 1.1.4 PT Compact board members and state board representatives have the tools to effectively promote the benefits of being a PT Compact privilege holder
1.2 Increase awareness of the PT compact as a key tool to broaden and streamline mobility of physical therapy services across jurisdictions	1.2.1 Increase in overall awareness of PT Compact 1.2.2 Increase in educators promoting PT Compact to their students 1.2.3 Increase in number of times PT Compact staff/board members are presenting to promote the PT Compact to key stakeholders 1.2.4 By 2027, 80% of students have received information about the Compact in their educational programs
1.3 Educate member states on the value of sharing information for public protection.	1.3.1 Creation of improved compliance metrics and guidelines for ELDD 1.3.2 Facilitation of conversations and development of collateral discussing impact of data sharing and public protection.

Organizational Effectiveness: Optimize PT Compact’s organizational infrastructure to drive impact and organizational sustainability.

Objective	Outcomes
2.1 Nurture relationships between PT Compact, FSBPT, APTA and other key stakeholders.	2.1.1 Establishment of regular touchpoints between PT Compact, FSBPT, APTA and other key stakeholders 2.1.2 Increase number of privilege holders being referred to PT Compact by APTA and other key stakeholders
2.2 Develop resources and structures needed to consistently deliver on stakeholder needs and expectations.	2.2.1 Annually review resources to ensure alignment between PT Compact’s mission, strategic goals and staff and volunteer committees 2.2.2 Increased touchpoints with state board representatives/liaisons to board 2.2.3 Conduct regular board assessments and orientations 2.2.4 Identify and develop future volunteer leaders 2.2.5 Monitor compliance in conjunction with FSBPT/PT Compact MOU

2.3 Demonstrate financial responsibility through effective stewardship of resources	2.3.1 Consistent touchpoints with PT Compact Treasurer 2.3.2 Consistent reporting of budget variances (budgeted vs. actual) 2.3.3 Increase in privilege holders in number of jurisdictions issuing privileges
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Advocacy: Champion growth and adoption of PT Compact privileges to enhance public protection.

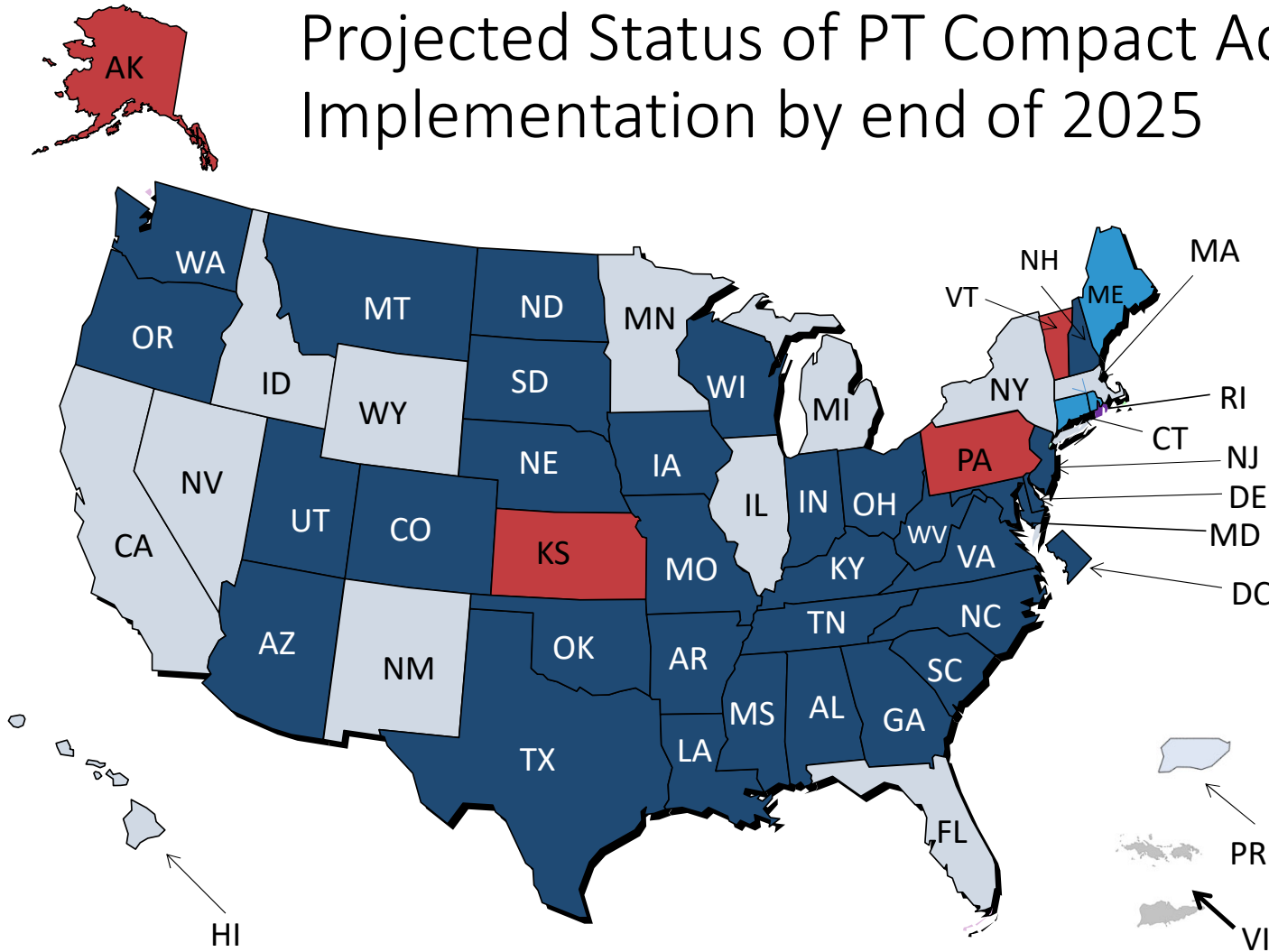
Objective	Outcomes
3.1 Advocate for consistency in compliance reporting, ELDD data sharing and regulatory best practices	3.1.1 Increased timeliness and accuracy of ELDD information for all jurisdictions 3.1.2 Increased clarity regarding jurisprudence requirements when renewing compact privilege
3.2 Leverage relationships to attain recognition of parity for compact privileges and licenses.	3.2.1 Increase perception by employers, providers and privilege holders that a privilege is comparable/equivalent to a license
3.3 Promote the compact's impact on society and access to healthcare and increase participation of non-member jurisdictions.	3.3.1 Increase in non-residents choosing a privilege over a license 3.3.2 Increase number of jurisdictions issuing PT Compact privileges

2024 GOALS

Strategic Plan Objective #	Area Of Focus	Goals	Goal Status
1.1.1, 1.3.2, 2.1.2	Education, Org Effectiveness	Develop educational content for stakeholder groups (state boards & state chapters)	Goal Met
1.1.2, 1.2.2	Education	Promote PT educators module	Goal Met
1.1.3	Education	Analyze the types of inquiries that go to info@ptcompact.org and military@ptcompact.org Determine common themes then ask member board staff if they are receiving other common questions beyond those.	Goal Met
1.1.4	Education	Develop educational tools for member board members and staff to promote the benefits of purchasing a compact privilege	Goal Met
1.2.1	Education	Increase overall awareness of the PT Compact	Goal Met
1.1.2, 1.2.2	Education	Survey program directors to determine how many are currently providing info about PT Compact in curriculum to establish baseline metrics	Goal Met
1.2.3	Education	Conduct presentations to key stakeholders to promote the Compact	Goal Met
1.2.4	Education	Survey current PT/PTA students to determine awareness of Compact in their educational programs (2022 McKinley baseline was 35%)	Goal Met
1.3.1, 2.2.5, 3.1.1	Education, Org Effectiveness, Advocacy	Track member board compliance with data sharing requirements	Goal Met
2.1.1, 2.3.1, 3.2.1	Org Effectiveness, Advocacy	Engagement and outreach to key stakeholders, including FSBPT and APTA	Goal Met
2.2.1	Org Effectiveness	Review resources on Ptcompact.org to ensure alignment between mission, strategic goals, and committees	DEFERRED TO 2025
2.2.2	Org Effectiveness	Increase communications from Executive Board to members states	Goal Met
2.2.3	Org Effectiveness	Conduct new Executive Board member orientation	Goal Met
2.2.3	Org Effectiveness	Conduct Executive Board Self-Assessment	Goal Met
2.2.4	Org Effectiveness	Solicit individuals for Executive Board positions and committee volunteer opportunities	Goal Met
2.3.2	Org Effectiveness	Report compact financials	Goal Met

Strategic Plan Objective #	Area Of Focus	Goals	Goal Status
2.3.3	Org Effectiveness	Track number of compact privilege holders, by jurisdiction	Goal Met
3.1.2	Advocacy	Publish jurisprudence requirement per member jurisdiction on Compact website	DEFERRED TO 2025
3.3.1	Advocacy	Establish baseline data on number of non-residents who have a compact privilege	Goal Met
3.3.2	Advocacy	Maintain information about current status of compact members	Goal Met
NEW INITIATIVES			
N1	Education	PTCompact.org enhancements	DEFERRED TO 2025
N2	Org Effectiveness	Enhancements to current OPS	DEFERRED TO 2025
N3	Org Effectiveness	Development of future OPS	DEFERRED TO 2025

Projected Status of PT Compact Adoption and Implementation by end of 2025

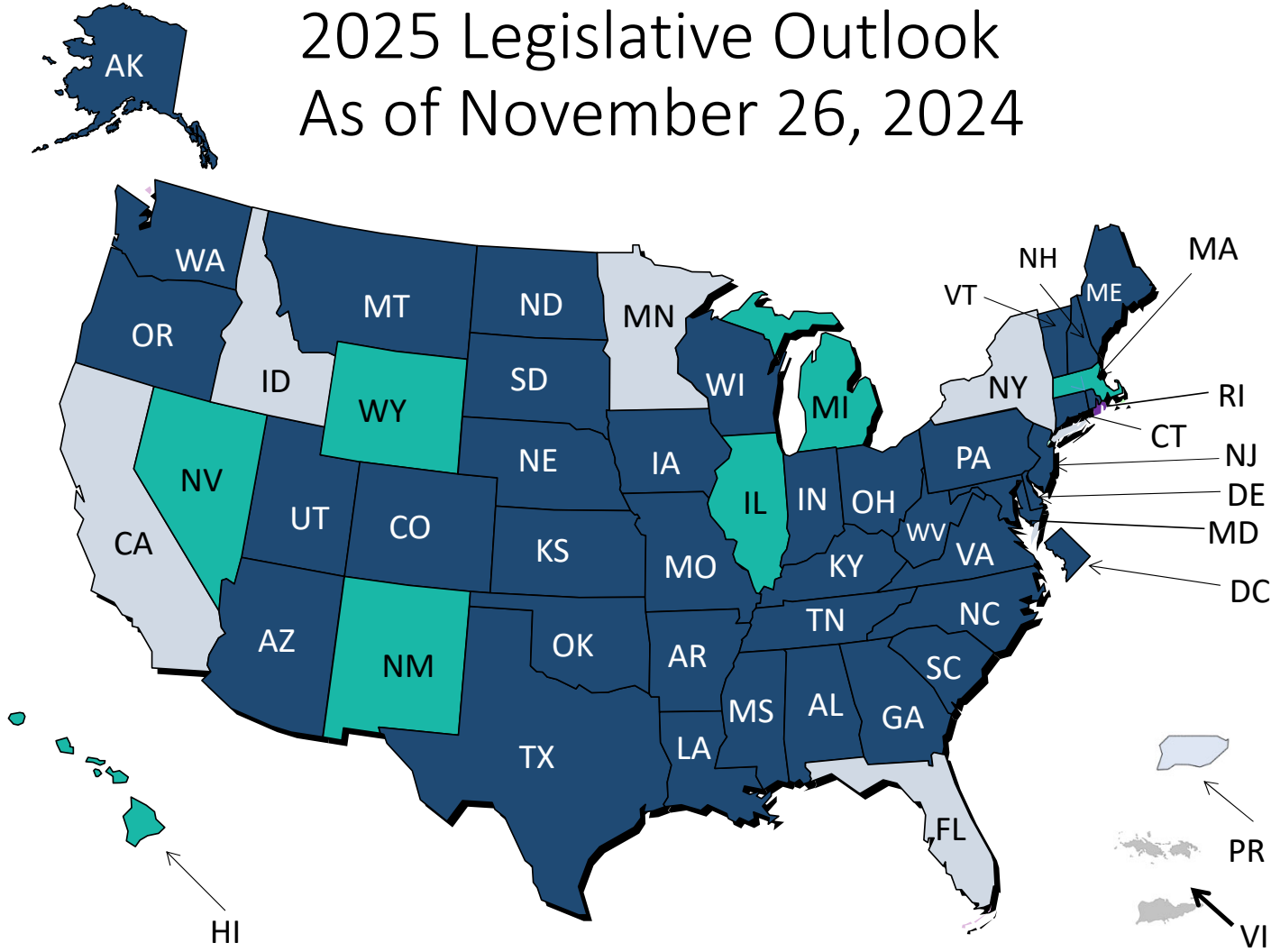


Jurisdictions Issuing Privileges as of 11/21/24 (32)

PT Compact Legislation Enacted – Not Yet Issuing or Accepting Compact Privileges (7)

Additional Jurisdictions Projected to be Ready in 2025 (4)

2025 Legislative Outlook As of November 26, 2024



Current Member Jurisdictions (39)

Likely to Introduce Legislation in 2025 (7)



ATTACHMENT B

EXECUTIVE BOARD CANDIDATE STATEMENTS

2024 Candidate Statements
Physical Therapy Compact Commission

Candidate for Chair Position: David Harris



Current and past work experience:

I have 25 years in the physical therapy profession, with the last 15 years being spent in outpatient private practice leadership.

- Spear Physical Therapy, Chief Operating Officer (2023 – present)
- Ivy Rehab for Kids, Vice President of Operations (2022 – August 2023)
- Upstream Rehabilitation, Lymphedema Program Director, Clinic Director, Area Director, Regional Director, Regional Vice President, Vice President of Integrations (2002 – June 2022)
- Siskin Hospital for Physical Rehabilitation, Staff Physical Therapist Assistant – Neuro (May 1999 – September 2002)

PT Compact experience pertinent to position:

- Tennessee’s Delegate to the PT Compact (2019 – present)
- PT Compact Executive Board – Vice Chair (October 2022 - present); Member at Large (October 2021 – October 2022)
- PT Compact Education & Outreach Task Force, Chair (2022)
- PT Compact Rules & Bylaws Committee (2020 – 2022)
- PT Compact Finance Committee (2019 – 2020)
- Compact Rules Identification and Process Task Force (2016)

Other experience pertinent to position (e.g., same position with another organization):

I have served FSBPT for 10+ years on the state and national level in various positions with committees and elected offices. My professional career in leadership at various levels in the physical therapy space have prepared me to take on this role.

Candidate Statement:

As a dedicated professional with over two decades of experience in the field, I am honored to express my willingness to serve as the PT Compact Chair. My journey in physical therapy has been driven by a profound commitment to improving the patient’s experience and ensuring the highest quality care for the betterment and protection of the public. This opportunity to chair the PT Compact aligns seamlessly with my passion for enhancing the mobility and accessibility of licensure for physical therapists across state lines.

Throughout my career, I have consistently demonstrated leadership and a collaborative spirit. I have spearheaded numerous initiatives aimed at promoting best practices, fostering professional development, and advocating for policy changes that benefit both practitioners and patients. My experience in various healthcare settings has provided me with a comprehensive understanding of the challenges and opportunities within our profession. This perspective is invaluable for the PT Compact, which seeks to streamline licensure processes and promote workforce mobility.

Serving as the PT Compact Chair is not just a position; it is a responsibility that I am prepared to embrace with dedication and enthusiasm. I am committed to fostering a culture of inclusivity, transparency, and innovation within the Compact. By facilitating communication between member states and ensuring the Compact’s goals align with the evolving needs of our profession, I believe we can make significant strides in advancing safe and effective physical therapy practice.

In conclusion, my passion for physical therapy, coupled with my leadership experience and commitment to excellence, makes me an ideal candidate for the PT Compact Chair. I am excited about the opportunity to contribute to the growth and success of the Compact, ensuring that physical therapists can deliver high-quality care across state lines efficiently and effectively.

Candidate for Chair Position: Corie Tillman Wolf



Current and past work experience:

I have served as the Executive Director of the Virginia Boards of Physical Therapy, Funeral Directors and Embalmers, and Long-Term Care Administrators since 2016. In this capacity, I oversee the licensing, discipline, and administrative functions of three unique licensing boards.

Prior to my current role, I served as an Assistant Attorney General in the Public Safety and Civil Divisions of the Virginia Office of the Attorney General for more than eight years. At the Attorney General's Office, I prosecuted administrative licensing and disciplinary cases before the thirteen health regulatory boards of the Department of Health Professions. I was also named to serve as the Statewide Facilitator for Victims of Domestic Violence, with primary responsibility for overseeing the Commonwealth's address confidentiality program and facilitating the development and implementation of domestic violence trainings and programs across state

agencies.

While I have prior experience as a judicial clerk and as an attorney in private practice, at my core, I am a public servant and public administrator, with more than 20 years of experience in state government.

PT Compact experience pertinent to position:

- Virginia's Delegate to the PT Compact Commission (2019 – present)
- PT Compact Executive Board – Member at Large (October 2020 – present)
- PT Compact Rules & Bylaws Committee (2019 – 2022)

Other experience pertinent to position (e.g., same position with another organization):

I have experience working with other national board organizations and policy/regulatory workgroups. I recently served as the Convener (lead facilitator) for the State Executives Forum for the National Association of Long-Term Care Administrator Boards (NAB). I have served on the Model Application Review Committee and the Bylaws Committee for the International Conference of Funeral Service Examining Boards. I have served on a number of committees, task forces, and workgroups for the Federation of State Boards of Physical Therapy (FSBPT), including the Finance Committee (current), the ELDD Task Force (2021-2022), and the Re-entry to Practice Workgroup (2017-2019).

I previously served as the Vice-Chair of the Board for The James House, a non-profit domestic violence organization in Central Virginia.

Candidate Statement:

When I became the Executive Director of the Virginia Board of Physical Therapy in August 2016, almost immediately, I heard the "buzz" about the Physical Therapy Compact. From an initial committee meeting about the Compact in September 2016 to our "go-live" date in January 2020, I learned as much as I could about the Compact and worked to ensure that Virginia was ready for implementation. From enactment through the challenges of the pandemic and beyond, I have developed a deep appreciation for the benefits afforded by the Compact to practitioners and patients across the country—mobility, patient access to care, telehealth, and more. My team and I work on a daily basis to maintain compliance with reporting and data requirements and to better inform our licensees and applicants of the impact of the Compact.

In 2020, I was honored to be elected to the Compact Executive Board as a Member At-Large. In this role, I have learned a great deal about the mechanics of the Compact and have engaged in active efforts to sustain the Compact as a key licensure tool into the future. It is with the knowledge and experience I have gained, both big picture and "in the weeds" at the state- and Commission-levels, that I believe I am well-prepared to serve as Chair of the Executive Board.

I look forward to the opportunity to continue to work with fellow and future member states to support the growth and stability of the Compact. Thank you for your consideration.

Candidate for Secretary/Treasurer Position: Charlotte Martin



Current and past work experience:

- Executive Director, Louisiana Physical Therapy Board (February 2014 – present)

PT Compact experience pertinent to position:

- Louisiana’s Delegate to the PT Compact Commission (2018 – present)
- PT Compact Executive Board – Secretary/Treasurer (October 2021 – present); Member at Large (October 2019 – October 2021)
- PT Compact Finance Committee, Chair (2021 – present)
- PT Compact Rules & Bylaws Committee (2018 – 2021)

Other experience pertinent to position (e.g., same position with another organization):

I have served as chair of several FSBPT committees and task forces over the years.

Candidate Statement:

I am writing to express my willingness to serve on the Executive Board of the PT Compact. Having served as a board member and as the treasurer for several years, I bring a strong understanding of the PT Compact’s operations. In my role on the Executive Board, I have also had the unique opportunity to participate in strategic planning from the early stages of the PT Compact. I am committed to continuing my service to advance the strategic plan of the board and address the challenges that lie ahead.

My approach is both detail-oriented and results-driven. I tackle challenges thoughtfully and bring a solutions-focused mindset to complex issues. Additionally, I offer insights from jurisdiction administrators related to the logistics related to the implementation of the Compact.

Thank you for considering my candidacy. I am dedicated to serving with integrity and making a meaningful impact. It would be an honor to continue serving in this capacity, should I be chosen by the delegates.

Candidate for Member-at-Large Position: Claire Covert-ByBee



Current and past work experience:

I have worked for the Nebraska Department of Health and Human Services in healthcare regulation since 2008 and been the Board Administrator for the Nebraska Physical Therapy Board since 2015.

I have also served as the Board Administrator for the Boards of Athletic Training, Audiology/Speech-Language Pathology, Chiropractic, Environmental Health Specialists, Emergency Medical Services (ended in 2019), Hearing Instrument Specialists, Occupational Therapy, Respiratory Care, and Massage Therapy (began in 2024).

PT Compact experience pertinent to position:

- Nebraska's Delegate to the PT Compact Commission (2018 – present)
- PT Compact Rules & Bylaws Committee (2024 – present)
- PT Compact Finance Committee (2019 – 2022)

Other experience pertinent to position (e.g., same position with another organization):

- Vice Chair of the Audiology/Speech-Language Pathology Interstate Compact Executive Committee
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Candidate Statement:

I enjoy being a healthcare regulator. And I particularly enjoy the ability to work across state lines to ensure the safe and effective regulation of physical therapy. I feel that my experience as both a multi-profession Board Administrator and leader in other healthcare compacts makes me a great candidate for the Physical Therapy Compact Executive Board. I hope you feel the same way.

Candidate for Member-at-Large Position: Susan Gile



Current and past work experience:

I have been with the Kansas State Board of Healing Arts since 2019. Prior to that, I was with the Kansas Department for Children and Families (DCF) since 1991. My last role with DCF was Deputy Secretary of Family Services.

PT Compact experience pertinent to position:

- Kansas' Delegate to the PT Compact Commission (2021 – present)
- PT Compact Compliance Committee, Chair (2024)

Other experience pertinent to position (e.g., same position with another organization):

- FSBPT Ethics and Legislation Committee
 - Interstate Medical Licensure Compact (IMLCC) Rules and Regulations Committee
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Candidate Statement:

I am excited and honored about the opportunity to be considered for this position. I believe my experience working on the IMLCC committee and on the PT Compact Compliance Committee will be a great asset in this role.

Additionally, with Kansas being a composite board, I bring a unique perspective to the Executive Board. I have realized from being on the Kansas Board that it is a privilege to be able to learn from all of the professions we regulate and be able to use that knowledge as we make decisions/changes for the other professions.

I am an eager leader with a lot of administrative experience. I am participatory member in any group to which I belong. I believe change is important and necessary, but it must be measured and intentional.

I look forward to this opportunity. Thank you.

Candidate for Member-at-Large Position: Laurie Kendall-Ellis



Current and past work experience:

- Executive Director, Maryland Board of Physical Therapy Examiners (2019 – present)
- Executive Director, Alliance for Continuing Education in the Health Professions (2015 – 2019)
- Executive Director, American Physical Therapy Association, Private Practice Section (2008 – 2015)

PT Compact experience pertinent to position:

- Maryland’s Delegate to the PT Compact Commission (2020 – present)
- PT Compact Executive Board – Member-at-Large (December 2022 – present)
- PT Compact Education & Outreach Task Force (2022)
- PT Compact Finance Committee (2021 – 2022)

Other experience pertinent to position (e.g., same position with another organization):

- Member of Governing Board, Maryland Longitudinal Data System Center (2021 – present)
 - Secretary, Board of Directors, APTA Private Practice Section (2001 – 2006)
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Candidate Statement:

I am honored to step forward as a candidate for the member-at-large board position. Currently serving on the PT Compact Commission has been a privilege, and I am committed to continuing to contribute my skills and dedication to advancing our shared goals. Throughout my career and volunteer experiences, I have seen firsthand the impact that effective leadership can have, and I am eager to continue to bring my passion and vision to this role. I believe in fostering collaboration, promoting transparency, and ensuring that every voice is heard. I am ready to work tirelessly to serve.

With 46 years of experience in the physical therapy field, I bring a robust skill set to this role. My strengths lie in being a strategic thinker, collaborator, and fiscally minded. I am adept at recognizing political sensitivities while moving organizations toward their strategic priorities, and I thrive in environments that require engaging in collaborative efforts to protect the public and benefit the organization, its members, and the physical therapy profession. I am eager to continue leveraging my expertise to grow the compact privilege beyond the present 38 states and will prioritize the PT Compact strategic plan goals of education, organizational effectiveness, and advocacy ensuring that we move forward with purpose.



ATTACHMENT C

PROPOSED 2025 ANNUAL BUDGET AND NARRATIVE

PT COMPACT



BUDGET 2025

PHYSICAL THERAPY COMPACT

The Physical Therapy Compact (PTC) is an agreement between member states that allows physical therapists and physical therapist assistants who are licensed in their home state to practice in other member states via a Compact Privilege. The purpose of the PTC is to increase public access to physical therapy services by eliminating the need for multiple licenses for practice across state lines. This allows licensees who live close to borders to be able to practice across the borders and supports spouses of relocated military members. The Compact also enhances the exchange of licensure, investigative, and disciplinary information between member states. To join the PTC, a state must enact the model statute into law. The PTC is governed by the Physical Therapy Compact Commission (PTCC), a governmental entity made up of the member states. The PTCC has held its annual meeting virtually since 2023.

The PTCC entered into an Administration Services Agreement with the Licensing Compact Administrative Services Organization (LCASO) for the provision of services for the administration, management, operation, and other activities of the PTCC. In turn, LCASO contracts with the Federation of State Boards of Physical Therapy (FSBPT) for many of the services needed by the PTCC, including staffing, access to the Exam, Licensure, and Disciplinary Database, and to the FSBPT Operating System.

In December 2022, the PTCC entered into a Memorandum of Understanding (MOU) with FSBPT. Pursuant to the MOU, FSBPT will provide financial support to the PTCC to cover up to the FSBPT approved deficits in the final annual budgets of the PTCC. The MOU also terminated a previous agreement which provided a \$800,000 Line of Credit. The MOU was effective as of December 30, 2022, and cancelled any indebtedness remaining under the Note.

STATUS OF THE PHYSICAL THERAPY COMPACT

Since the PTC was officially formed in April 2017, a total of 39 jurisdictions have enacted the Compact legislation and are members of the PT Compact. As of October 2024, thirty-two member jurisdictions are actively issuing and accepting compact privileges. The table below lists these states and the compact privilege activation date.

The chart on the next page lists the member jurisdictions, the year they joined the compact, and the year and quarter they started selling Compact Privileges.

	State	Yr Joined Compact	Yr & Q Selling Priv		State	Yr Joined Compact	Yr & Q Selling Priv
1	Mississippi	2017	2018 Q3	21	Georgia	2019	2021 Q1
2	North Dakota	2017	2018 Q3	22	Delaware	2019	2021 Q3
3	Oregon	2016	2018 Q3	23	Maryland	2019	2021 Q3
4	Tennessee	2016	2018 Q3	24	Montana	2017	2021 Q3
5	Missouri	2016	2018 Q4	25	Ohio	2021	2021 Q4
6	Utah	2017	2018 Q4	26	South Dakota	2020	2022 Q4
7	Iowa	2018	2019 Q1	27	Wisconsin	2020	2022 Q4
8	Kentucky	2017	2019 Q1	28	South Carolina	2018	2023 Q1
9	New Hampshire	2017	2019 Q1	29	Indiana	2021	2023 Q1
10	Texas	2017	2019 Q1	30	New Jersey	2018	2023 Q4
11	Arizona	2016	2019 Q2	31	DC	2021	2023 Q4
12	Colorado	2017	2019 Q2	32	Alabama	2021	2024 Q4
13	Louisiana	2018	2019 Q3	33	Pennsylvania	2020	TBD
14	Nebraska	2018	2019 Q3	34	Kansas	2021	TBD
15	North Carolina	2017	2019 Q3	35	Connecticut	2023	TBD
16	Washington	2017	2019 Q3	36	Maine	2023	Not Before 2026
17	Arkansas	2019	2020 Q1	37	Vermont	2023	TBD
18	Oklahoma	2018	2020 Q1	38	Rhode Island	2024	Not Before 2026
19	Virginia	2019	2020 Q1	39	Alaska	2024	TBD
20	West Virginia	2018	2020 Q1				

Implementation of the compact requirements are ongoing in the remaining seven jurisdictions. Although progress was made in the past few years to overcome existing challenges to implementation in several states, the implementation process continues to require approximately eight to twelve months from enactment for most jurisdictions.

State	Primary Roadblocks
AK	Legislation enacted late summer 2024. Still working on general implementation requirements
CT	Legislation enacted summer 2023. Still working on general implementation requirements
KS	CBC fix language enacted in 2024. Waiting on FBI approval
ME	Legislation enacted summer 2023 with an effective date of 1/1/2026. Still working on general implementation requirements.
PA	CBC fix language enacted in 2024. Waiting on FBI approval
RI	Legislation enacted summer 2024. Still working on general implementation requirements
VT	Legislation enacted summer 2023. Still working on general implementation requirements.

REVENUES

The 2025 revenue budget is based on an analysis of the number of compact privileges purchased, both initial and renewal, for each of the active compact jurisdictions. The revenue estimates identified below are based on the currently active jurisdictions.

The budget also assumes the Commission will continue to charge a Commission fee of \$45 per Compact Privilege and not institute a member state assessment in 2025. Under these assumptions, budgeted 2025 revenue from compact privileges purchased is \$523,665.

Pursuant to the MOU with FSBPT, if revenues are not sufficient to meet budgeted expenditures, FSBPT’s Board of Directors will provide funding to cover any approved budgeted deficits.

Revenue Assumptions

The table below lists the estimated number of Compact Privileges, per state, based on an analysis of the number of compact privileges purchased, both initial and renewal, for each of the active compact jurisdictions. The Commission is projecting approximately 11,600 Compact Privileges will be either initially purchased or renewed in 2025.

Jurisdiction	Date Issuing CPs	PROJECTED 2024	Projected CPs Sold in 2025
Alabama	Active on 10/7/2024	50	125
Arizona	Active on 4/15/2019	482	492
Arkansas	Active on 2/28/2020	272	277
Colorado	Active on 5/1/2019	624	636
Delaware	Active on 9/20/2021	202	207
District of Columbia	Active on 11/6/2023	193	197
Georgia	Active on 3/1/2021	614	626
Indiana	Active on 4/20/2023	369	377
Iowa	Active on 1/2/2019	377	384
Kentucky	Active on 3/21/2019	392	400
Louisiana	Active on 7/22/2019	160	163
Maryland	Active on 7/1/2021	306	312
Mississippi	Active on 7/16/2018	180	183
Missouri	Active on 7/9/2018	314	320
Montana	Active on 7/1/2021	165	168
Nebraska	Active on 4/15/2019	238	243
New Hampshire	Active on 1/2/2019	144	147
New Jersey	Active on 6/1/2023	206	210
North Carolina	Active on 7/1/2019	595	607
North Dakota	Active on 7/9/2018	114	116
Ohio	Active on 10/1/2021	394	402

Oklahoma	Active on 1/2/2020	334	340
Oregon	Active on 7/20/2018	501	511
South Carolina	Active on 2/1/2023	592	604
South Dakota	Active on 11/14/2022	181	185
Tennessee	Active on 7/9/2018	453	462
Texas	Active on 1/2/2019	664	677
Utah	Active on 10/1/2018	203	207
Virginia	Active on 1/2/2020	729	744
Washington	Active on 9/23/2019	829	845
West Virginia	Active on 3/10/2020	283	289
Wisconsin	Active on 10/3/2022	177	181
TOTAL		11,337	11,637

To raise enough revenue to cover the total budgeted expenditures of \$443,179, the PT Compact Commission would need to sell approximately 9,849 compact privileges in 2025 – which is about 2,000 fewer than the 11,637 that is projected in the budget.

EXPENDITURES

The estimated total of the expenditures in 2025 are budgeted to be \$ 443,179. These expenditures include (among other direct costs):

- Professional Fees including:
 - Costs for the General Staffing Support provided by FSBPT
 - Contract with the Council of State Governments (CSG) for the provision of legal counsel to the PTCC
 - Annual audit or other accounting review as required under the Compact statute. Management Fee (10% of revenue)
 - Strategic Planning and Research/Analysis costs including consulting, meeting and other research and educational costs to promote knowledge of and growth of the Compact.
- Bank service charges
- Taxes and Licenses
- Directors & Officers (D&O) Insurance
- Travel costs for the PT Compact Administrator to attend the APTA Combined Sections Meeting (CSM). Partial booth cost for the APTA CSM along with miscellaneous costs such as “give-aways” to attendees
- Travel and booth expenses to have a PT Compact presence at key external conferences
- A new banner stand and table skirt to use when the Compact has a presence in an exhibit hall
- Enhancements to ptcompact.org and to the compact privilege purchase process
- Funding for an automated home state verification audit process

Any expenses incurred by LCASO in the performance of its duties under the Agreement will be invoiced to PTCC.

Changes from 2024 Projection/Budget

The 2024 budget includes potential expenditures for marketing and for a consultant. There will be no expenditure in these two categories in the current year. Instead, the 2025 budget includes \$50,000 for marketing efforts.

In previous years, Compact staff have staffed a booth at APTA's Combined Sections Meeting (CSM). The proposed 2025 budget reflects increased costs associated with hosting a compact booth at additional conferences, including those geared toward the insurance industry. Educating a variety of stakeholders about the compact is critical to ensure widespread acceptance of compact privilege holders as the legal equivalent of a licensee. The budget should allow for a compact booth at two additional conferences, in addition to CSM.

Another new expense for 2025 is \$20,000 to conduct automated home state verifications. Instead of the manual process currently undertaken to verify home state for compact customers, this expense will create efficiencies by automating the process. In addition, it will allow the Compact Commission to verify the home state for all customers, instead of the current random audit process.

Finally, a total revamp of the PTCC website will occur in 2025. This work will migrate the website from DNN to Wordpress and will also include some design refreshes for the website, including enhancements to the compact map that have been requested by various stakeholders. The estimated cost of this work is \$90,000, a portion of which will be capitalized over three years.

Future Change – beyond 2025

The largest potential expense that, to date, has not been invoiced to the PTCC is the use of the FSBPT operating system (OPS), which handles all tracking, approval, and financial aspects of the compact privilege purchase process. As FSBPT moves to develop an update to its own operating system it will calculate the licensing fee cost for operating the portion of the system that is used by the PTCC and will begin charging a licensing fee for that service.

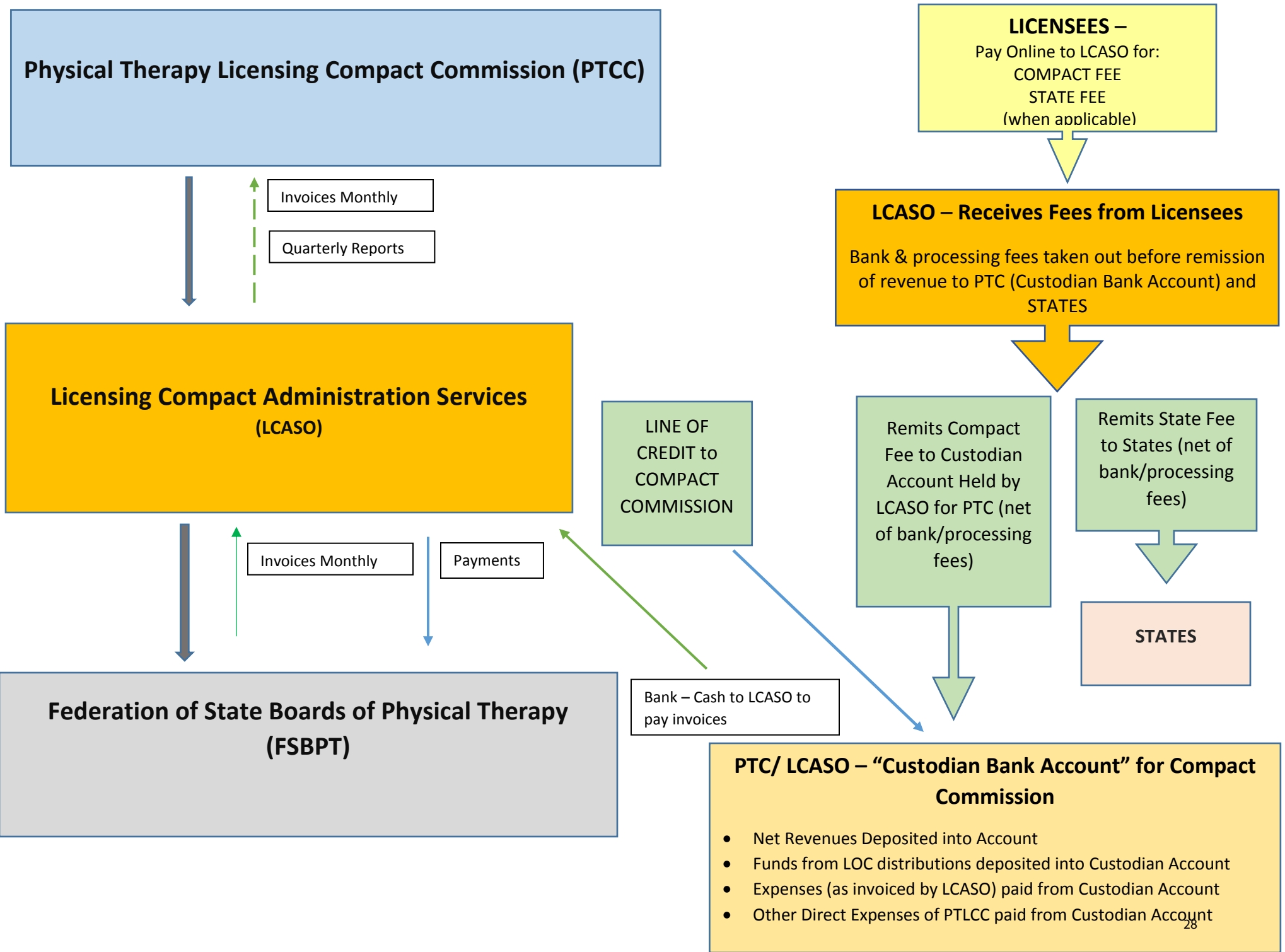
Physical Therapy Compact Commission (PTCC)	2025 Budget	2024 Projection Year		
		End	2024 Budget	2023 Actuals
VOLUME & FEE	11,637	11,337	8,308	8,409
	\$ 45	\$ 45	\$ 45	\$ 45
REVENUE				
Compact Privileges	\$ 523,665	\$ 510,165	\$ 373,860	\$ 378,396
TOTAL REVENUE	\$ 523,665	\$ 510,165	\$ 373,860	\$ 378,396
EXPENSES				
Professional Fees - FSBPT	\$ 169,293	\$ 162,780	\$ 162,782	\$ 156,522
Professional Fees - External				
Legal & Consulting (including travel)	\$ 7,500	\$ 5,000	\$ 7,500	\$ 1,193
Auditors	\$ 5,500	\$ 5,500	\$ 5,500	\$ 5,000
Marketing Consultant/Research & Analysis	\$ 50,000	\$ -	\$ 7,500	\$ 6,797
Consultant - Yearly Meeting	\$ -	\$ -	\$ 30,000	\$ -
Management Fee	\$ 52,367	\$ 51,017	\$ 37,386	\$ 37,640
Total Professional Fees	\$ 284,660	\$ 224,297	\$ 250,668	\$ 207,152
Programmatic & Conference Expenses				
Travel, Lodging, Meals	\$ 30,000	\$ 19,517	\$ 17,580	\$ -
Conference Room & Audio	\$ -	\$ 1,525	\$ -	\$ -
Booth & Exhibit Hall Costs	\$ 20,000	\$ 3,000	\$ 6,500	\$ 3,300
Home State Verification	\$ 20,000	\$ -	\$ -	\$ -
Miscellaneous - Giveaways	\$ 1,000	\$ -	\$ 1,000	\$ 650
Programmatic & Conference Expenses Total	\$ 71,000	\$ 24,042	\$ 25,080	\$ 3,950
Building. Operating Expense				
Office Lease & Utilities & Parking	\$ 5,699	\$ 5,480	\$ 5,480	\$ 5,320
Telephone & Internet Costs	\$ 4,089	\$ 3,932	\$ 3,932	\$ 3,817
Equipment Lease & Other Support	\$ 181	\$ 174	\$ 174	\$ 168
OPS Costs	\$ -	\$ 10,000	\$ 52,000	\$ 1,602
Website	\$ 44,500	\$ -	\$ -	\$ -
Taxes & Licenses	\$ 1,000	\$ 1,000	\$ 1,000	\$ -
Building. Operating Expense Total	\$ 55,469	\$ 20,586	\$ 62,586	\$ 10,907
Office Expense				
Office Supplies	\$ 500	\$ 500	\$ 500	\$ 520
Postage & Delivery	\$ 500	\$ 500	\$ 500	\$ 500
Printing	\$ 250	\$ 250	\$ 250	\$ 250
Bank & Credit Card Charges	\$ 25,000	\$ 24,000	\$ 16,955	\$ 16,872
Insurance	\$ 2,300	\$ 2,224	\$ 2,200	\$ 2,050
Miscellaneous	\$ -	\$ -	\$ -	\$ -
Office Expense Total	\$ 28,550	\$ 27,474	\$ 20,405	\$ 20,192
Staff Expenses				
Professional Dev & Mtg Registrations	\$ 750	\$ -	\$ 750	\$ -
Travel, Lodging, Meals	\$ 2,500	\$ -	\$ 2,500	\$ 1,313
Miscellaneous Staff Costs	\$ 250	\$ 250	\$ 250	\$ -
Staff Expenses Total	\$ 3,500	\$ 250	\$ 3,500	\$ 1,313
TOTAL EXPENSES	\$ 443,179	\$ 296,649	\$ 362,239	\$ 243,514
NET INCOME	\$ 80,486	\$ 213,517	\$ 11,621	\$ 134,882

**Physical Therapy Compact Commission (PTCC)
Statement of Financial Position**

	<i>September 30, 2024</i>	<i>December 31, 2023</i>
ASSETS		
Current Assets		
Cash and cash equivalents	\$ 547,894	\$ 203,015
Due from LCASO for privileges	24,424	46,397
Total Current Assets	<u>572,318</u>	<u>249,412</u>
 Total Assets	 <u><u>572,318</u></u>	 <u><u>249,412</u></u>
 LIABILITIES AND NET ASSETS		
Liabilities		
Accounts payable (Grants)	164	39,530
Due to LCASO/FSBPT	197,005	-
Total Current Liabilities	<u>197,168</u>	<u>39,530</u>
 Net Assets	 375,150	 209,881
 Total Liabilities and Net Assets	 <u><u>572,318</u></u>	 <u><u>249,412</u></u>

OVERVIEW OF THE COMPACT and FLOW OF FUNDS

- COMPACT** – *Compact Commission formed by States*
Oversees the Compact Agreements, Decisions on Fees, etc.
Legal entity that is “owner” of the Compact operations – Revenue, Expenses, Liabilities
- LCASO** - *Licensing Compact Administration Services Corporation*
Acts as the Administrator for the Compact Commission. Handles the fee collection for both the Compact and the States (if they charge the licensee a fee for the Compact Privilege).
The COMPACT Commission will appoint 60% of the Board of Directors and FSBPT will 40% of the Board of LCASO.
- FSBPT** – *Federation of State Boards of Physical Therapy*
Employs the staff who serves as the LCASO administrator for the Compact.
FSBPT owns the required software which enables purchasing privileges, etc. FSBPT has provided a Line of Credit (LOC) to the Compact Commission to cover expenses.



Jurisdiction	Date Issuing CPs	2024 ACTUAL through 11/30	PROJECTED 2024	Projected CPs Sold in 2025
Alabama	Active on 10/7/2024	17	50	125
Arizona	Active on 4/15/2019	434	482	492
Arkansas	Active on 2/28/2020	291	272	277
Colorado	Active on 5/1/2019	550	624	636
Delaware	Active on 9/20/2021	199	202	207
District of Columbia	Active on 11/6/2023	190	193	197
Georgia	Active on 3/1/2021	577	614	626
Indiana	Active on 4/20/2023	353	369	377
Iowa	Active on 1/2/2019	226	377	384
Kentucky	Active on 3/21/2019	338	392	400
Louisiana	Active on 7/22/2019	178	160	163
Maryland	Active on 7/1/2021	295	306	312
Mississippi	Active on 7/16/2018	180	180	183
Missouri	Active on 7/9/2018	302	314	320
Montana	Active on 7/1/2021	179	165	168
Nebraska	Active on 4/15/2019	209	238	243
New Hampshire	Active on 1/2/2019	145	144	147
New Jersey	Active on 6/1/2023	197	206	210
North Carolina	Active on 7/1/2019	518	595	607
North Dakota	Active on 7/9/2018	127	114	116
Ohio	Active on 10/1/2021	343	394	402
Oklahoma	Active on 1/2/2020	309	334	340
Oregon	Active on 7/20/2018	483	501	511
South Carolina	Active on 2/1/2023	536	592	604
South Dakota	Active on 11/14/2022	165	181	185
Tennessee	Active on 7/9/2018	388	453	462
Texas	Active on 1/2/2019	638	664	677
Utah	Active on 10/1/2018	230	203	207
Virginia	Active on 1/2/2020	659	729	744
Washington	Active on 9/23/2019	808	829	845
West Virginia	Active on 3/10/2020	223	283	289
Wisconsin	Active on 10/3/2022	183	177	181
TOTAL		10,470	11,337	11,637

Additional non-active member states: Alaska, Connecticut, Kansas, Maine, Pennsylvania, Rhode Island, Vermont

ATTACHMENT D

PT COMPACT MODEL STATUTE



PT • COMPACT

Physical Therapy Compact Model Language

The following language must be enacted by a state in order to officially join the PT Compact Commission (PTCC).

No substantive changes should be made to the model language. If it is determined by the PTCC that any substantive changes are made, the state will not be recognized as a member of the PTCC.

SPECIAL NOTE 1: The FBI determined that the language authorizing the Federal Bureau of Investigation Criminal Background Check (FBI CBC) outlined in Section 3.B. of the model language is not sufficient. As a result, if a state does not currently require all initial licensees to complete an FBI CBC by submitting fingerprints, the state must also enact additional language to meet the PTCC requirement that the member board use the results of the FBI CBC when making licensure decision for all applicants. You should contact the PTCC for additional guidance on what language to add if you don't current have this requirement in place.

SPECIAL NOTE 2: The reference to "10 U.S.C. Section 1209 and 1211" in line 23 on page 1 should actually be "10. U.S.C. Chapter 1209 and 1211." Please have the bill drafters in your jurisdiction use Chapter instead of Section.

Please contact the PTCC with any questions.

CONTACT INFORMATION:

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PHYSICAL THERAPY LICENSURE COMPACT

SECTION 1. PURPOSE

The purpose of this Compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The practice of physical therapy occurs in the state where the patient/client is located at the time of the patient/client encounter. The Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This Compact is designed to achieve the following objectives:

1. Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses;
2. Enhance the states’ ability to protect the public’s health and safety;
3. Encourage the cooperation of member states in regulating multi-state physical therapy practice;
4. Support spouses of relocating military members;
5. Enhance the exchange of licensure, investigative, and disciplinary information between member states; and
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state’s practice standards.

SECTION 2. DEFINITIONS

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

1. **“Active Duty Military”** means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.

- 24 2. **“Adverse Action”** means disciplinary action taken by a physical therapy
25 licensing board based upon misconduct, unacceptable performance, or a
26 combination of both.
- 27 3. **“Alternative Program”** means a non-disciplinary monitoring or practice
28 remediation process approved by a physical therapy licensing board. This
29 includes, but is not limited to, substance abuse issues.
- 30 4. **“Compact privilege”** means the authorization granted by a remote state to allow
31 a licensee from another member state to practice as a physical therapist or work
32 as a physical therapist assistant in the remote state under its laws and rules. The
33 practice of physical therapy occurs in the member state where the patient/client is
34 located at the time of the patient/client encounter.
- 35 5. **“Continuing competence”** means a requirement, as a condition of license
36 renewal, to provide evidence of participation in, and/or completion of,
37 educational and professional activities relevant to practice or area of work.
- 38 6. **“Data system”** means a repository of information about licensees, including
39 examination, licensure, investigative, compact privilege, and adverse action.
- 40 7. **“Encumbered license”** means a license that a physical therapy licensing board
41 has limited in any way.
- 42 8. **“Executive Board”** means a group of directors elected or appointed to act on
43 behalf of, and within the powers granted to them by, the Commission.
- 44 9. **“Home state”** means the member state that is the licensee’s primary state of
45 residence.

- 46 10. **“Investigative information”** means information, records, and documents
47 received or generated by a physical therapy licensing board pursuant to an
48 investigation.
- 49 11. **“Jurisprudence Requirement”** means the assessment of an individual’s
50 knowledge of the laws and rules governing the practice of physical therapy in a
51 state.
- 52 12. **“Licensee”** means an individual who currently holds an authorization from the
53 state to practice as a physical therapist or to work as a physical therapist assistant.
- 54 13. **“Member state”** means a state that has enacted the Compact.
- 55 14. **“Party state”** means any member state in which a licensee holds a current
56 license or compact privilege or is applying for a license or compact privilege.
- 57 15. **“Physical therapist”** means an individual who is licensed by a state to practice
58 physical therapy.
- 59 16. **“Physical therapist assistant”** means an individual who is licensed/certified by a
60 state and who assists the physical therapist in selected components of physical
61 therapy.
- 62 17. **“Physical therapy,” “physical therapy practice,” and “the practice of**
63 **physical therapy”** mean the care and services provided by or under the direction
64 and supervision of a licensed physical therapist.
- 65 18. **“Physical Therapy Compact Commission” or “Commission”** means the
66 national administrative body whose membership consists of all states that have
67 enacted the Compact.

- 68 19. **“Physical therapy licensing board” or “licensing board”** means the agency of
69 a state that is responsible for the licensing and regulation of physical therapists
70 and physical therapist assistants.
- 71 20. **“Remote State”** means a member state other than the home state, where a
72 licensee is exercising or seeking to exercise the compact privilege.
- 73 21. **“Rule”** means a regulation, principle, or directive promulgated by the
74 Commission that has the force of law.
- 75 22. **“State”** means any state, commonwealth, district, or territory of the United
76 States of America that regulates the practice of physical therapy.

77 **SECTION 3. STATE PARTICIPATION IN THE COMPACT**

- 78 A. To participate in the Compact, a state must:
- 79 1. Participate fully in the Commission’s data system, including using the
80 Commission’s unique identifier as defined in rules;
- 81 2. Have a mechanism in place for receiving and investigating complaints
82 about licensees;
- 83 3. Notify the Commission, in compliance with the terms of the Compact and
84 rules, of any adverse action or the availability of investigative information
85 regarding a licensee;
- 86 4. Fully implement a criminal background check requirement, within a time
87 frame established by rule, by receiving the results of the Federal Bureau of
88 Investigation record search on criminal background checks and use the
89 results in making licensure decisions in accordance with Section 3.B.;
- 90 5. Comply with the rules of the Commission;

91 6. Utilize a recognized national examination as a requirement for licensure
92 pursuant to the rules of the Commission; and

93 7. Have continuing competence requirements as a condition for license
94 renewal.

95 B. Upon adoption of this statute, the member state shall have the authority to obtain
96 biometric-based information from each physical therapy licensure applicant and submit this
97 information to the Federal Bureau of Investigation for a criminal background check in accordance
98 with 28 U.S.C. §534 and 42 U.S.C. §14616.

99 C. A member state shall grant the compact privilege to a licensee holding a valid
100 unencumbered license in another member state in accordance with the terms of the Compact and
101 rules.

102 D. Member states may charge a fee for granting a compact privilege

103

104 **SECTION 4. COMPACT PRIVILEGE**

105 A. To exercise the compact privilege under the terms and provisions of the Compact,
106 the licensee shall:

107 1. Hold a license in the home state;

108 2. Have no encumbrance on any state license;

109 3. Be eligible for a compact privilege in any member state in accordance
110 with Section 4D, G and H;

111 4. Have not had any adverse action against any license or compact privilege
112 within the previous 2 years;

113 5. Notify the Commission that the licensee is seeking the compact privilege
114 within a remote state(s);

- 115 6. Pay any applicable fees, including any state fee, for the compact
116 privilege;
- 117 7. Meet any jurisprudence requirements established by the remote state(s) in
118 which the licensee is seeking a compact privilege; and
- 119 8. Report to the Commission adverse action taken by any non-member state
120 within 30 days from the date the adverse action is taken.

121 B. The compact privilege is valid until the expiration date of the home license. The
122 licensee must comply with the requirements of Section 4.A. to maintain the compact
123 privilege in the remote state.

124 C. A licensee providing physical therapy in a remote state under the compact
125 privilege shall function within the laws and regulations of the remote state.

126 D. A licensee providing physical therapy in a remote state is subject to that state's
127 regulatory authority. A remote state may, in accordance with due process and that state's
128 laws, remove a licensee's compact privilege in the remote state for a specific period of
129 time, impose fines, and/or take any other necessary actions to protect the health and
130 safety of its citizens. The licensee is not eligible for a compact privilege in any state until
131 the specific time for removal has passed and all fines are paid.

132 E. If a home state license is encumbered, the licensee shall lose the compact
133 privilege in any remote state until the following occur:

- 134 1. The home state license is no longer encumbered; and
- 135 2. Two years have elapsed from the date of the adverse action.

136 F. Once an encumbered license in the home state is restored to good standing, the
137 licensee must meet the requirements of Section 4A to obtain a compact privilege in any
138 remote state.

139 G. If a licensee's compact privilege in any remote state is removed, the individual
140 shall lose the compact privilege in any remote state until the following occur:

- 141 1. The specific period of time for which the compact privilege was removed
142 has ended;
- 143 2. All fines have been paid; and
- 144 3. Two years have elapsed from the date of the adverse action.

145 H. Once the requirements of Section 4G have been met, the license must meet the
146 requirements in Section 4A to obtain a compact privilege in a remote state.

147 **SECTION 5. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES**

148 A licensee who is active duty military or is the spouse of an individual who is active duty
149 military may designate one of the following as the home state:

- 150 A. Home of record;
- 151 B. Permanent Change of Station (PCS); or
- 152 C. State of current residence if it is different than the PCS state or home of record.

153 **SECTION 6. ADVERSE ACTIONS**

- 154 A. A home state shall have exclusive power to impose adverse action against a
155 license issued by the home state.
- 156 B. A home state may take adverse action based on the investigative information of a
157 remote state, so long as the home state follows its own procedures for imposing
158 adverse action.

159 C. Nothing in this Compact shall override a member state's decision that
160 participation in an alternative program may be used in lieu of adverse action and
161 that such participation shall remain non-public if required by the member state's
162 laws. Member states must require licensees who enter any alternative programs in
163 lieu of discipline to agree not to practice in any other member state during the
164 term of the alternative program without prior authorization from such other
165 member state.

166 D. Any member state may investigate actual or alleged violations of the statutes and
167 rules authorizing the practice of physical therapy in any other member state in
168 which a physical therapist or physical therapist assistant holds a license or
169 compact privilege.

170 E. A remote state shall have the authority to:

171 1. Take adverse actions as set forth in Section 4.D. against a licensee's
172 compact privilege in the state;

173 2. Issue subpoenas for both hearings and investigations that require the
174 attendance and testimony of witnesses, and the production of evidence.

175 Subpoenas issued by a physical therapy licensing board in a party state for
176 the attendance and testimony of witnesses, and/or the production of
177 evidence from another party state, shall be enforced in the latter state by
178 any court of competent jurisdiction, according to the practice and
179 procedure of that court applicable to subpoenas issued in proceedings
180 pending before it. The issuing authority shall pay any witness fees, travel

181 expenses, mileage, and other fees required by the service statutes of the
182 state where the witnesses and/or evidence are located; and
183 3. If otherwise permitted by state law, recover from the licensee the costs of
184 investigations and disposition of cases resulting from any adverse action
185 taken against that licensee.

186 F. Joint Investigations

187 1. In addition to the authority granted to a member state by its respective
188 physical therapy practice act or other applicable state law, a member state
189 may participate with other member states in joint investigations of
190 licensees.
191 2. Member states shall share any investigative, litigation, or compliance
192 materials in furtherance of any joint or individual investigation initiated
193 under the Compact.

194 **SECTION 7. ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT**
195 **COMMISSION.**

196 A. The Compact member states hereby create and establish a joint public agency known
197 as the Physical Therapy Compact Commission:

198 1. The Commission is an instrumentality of the Compact states.
199 2. Venue is proper and judicial proceedings by or against the Commission
200 shall be brought solely and exclusively in a court of competent jurisdiction
201 where the principal office of the Commission is located. The Commission
202 may waive venue and jurisdictional defenses to the extent it adopts or
203 consents to participate in alternative dispute resolution proceedings.

204 3. Nothing in this Compact shall be construed to be a waiver of sovereign
205 immunity.

206 B. Membership, Voting, and Meetings

207 1. Each member state shall have and be limited to one (1) delegate selected
208 by that member state's licensing board.

209 2. The delegate shall be a current member of the licensing board, who is a
210 physical therapist, physical therapist assistant, public member, or the
211 board administrator.

212 3. Any delegate may be removed or suspended from office as provided by
213 the law of the state from which the delegate is appointed.

214 4. The member state board shall fill any vacancy occurring in the
215 Commission.

216 5. Each delegate shall be entitled to one (1) vote with regard to the
217 promulgation of rules and creation of bylaws and shall otherwise have an
218 opportunity to participate in the business and affairs of the Commission.

219 6. A delegate shall vote in person or by such other means as provided in the
220 bylaws. The bylaws may provide for delegates' participation in meetings
221 by telephone or other means of communication.

222 7. The Commission shall meet at least once during each calendar year.
223 Additional meetings shall be held as set forth in the bylaws.

224 C. The Commission shall have the following powers and duties:

225 1. Establish the fiscal year of the Commission;

226 2. Establish bylaws;

- 227 3. Maintain its financial records in accordance with the bylaws;
- 228 4. Meet and take such actions as are consistent with the provisions of this
- 229 Compact and the bylaws;
- 230 5. Promulgate uniform rules to facilitate and coordinate implementation and
- 231 administration of this Compact. The rules shall have the force and effect
- 232 of law and shall be binding in all member states;
- 233 6. Bring and prosecute legal proceedings or actions in the name of the
- 234 Commission, provided that the standing of any state physical therapy
- 235 licensing board to sue or be sued under applicable law shall not be
- 236 affected;
- 237 7. Purchase and maintain insurance and bonds;
- 238 8. Borrow, accept, or contract for services of personnel, including, but not
- 239 limited to, employees of a member state;
- 240 9. Hire employees, elect or appoint officers, fix compensation, define duties,
- 241 grant such individuals appropriate authority to carry out the purposes of
- 242 the Compact, and to establish the Commission's personnel policies and
- 243 programs relating to conflicts of interest, qualifications of personnel, and
- 244 other related personnel matters;
- 245 10. Accept any and all appropriate donations and grants of money, equipment,
- 246 supplies, materials and services, and to receive, utilize and dispose of the
- 247 same; provided that at all times the Commission shall avoid any
- 248 appearance of impropriety and/or conflict of interest;

- 249 11. Lease, purchase, accept appropriate gifts or donations of, or otherwise to
250 own, hold, improve or use, any property, real, personal or mixed; provided
251 that at all times the Commission shall avoid any appearance of
252 impropriety;
- 253 12. Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise
254 dispose of any property real, personal, or mixed;
- 255 13. Establish a budget and make expenditures;
- 256 14. Borrow money;
- 257 15. Appoint committees, including standing committees composed of
258 members, state regulators, state legislators or their representatives, and
259 consumer representatives, and such other interested persons as may be
260 designated in this Compact and the bylaws;
- 261 16. Provide and receive information from, and cooperate with, law
262 enforcement agencies;
- 263 17. Establish and elect an Executive Board; and
- 264 18. Perform such other functions as may be necessary or appropriate to
265 achieve the purposes of this Compact consistent with the state regulation
266 of physical therapy licensure and practice.

267 D. The Executive Board

268 The Executive Board shall have the power to act on behalf of the Commission according
269 to the terms of this Compact

- 270 1. The Executive Board shall be composed of nine members:

- 271 a. Seven voting members who are elected by the Commission from the
272 current membership of the Commission;
- 273 b. One ex-officio, nonvoting member from the recognized national physical
274 therapy professional association; and
- 275 c. One ex-officio, nonvoting member from the recognized membership
276 organization of the physical therapy licensing boards.
- 277 2. The ex-officio members will be selected by their respective organizations.
- 278 3. The Commission may remove any member of the Executive Board as
279 provided in bylaws.
- 280 4. The Executive Board shall meet at least annually.
- 281 5. The Executive Board shall have the following Duties and responsibilities:
- 282 a. Recommend to the entire Commission changes to the rules or bylaws,
283 changes to this Compact legislation, fees paid by Compact member states
284 such as annual dues, and any commission Compact fee charged to
285 licensees for the compact privilege;
- 286 b. Ensure Compact administration services are appropriately provided,
287 contractual or otherwise;
- 288 c. Prepare and recommend the budget;
- 289 d. Maintain financial records on behalf of the Commission;
- 290 e. Monitor Compact compliance of member states and provide compliance
291 reports to the Commission;
- 292 f. Establish additional committees as necessary; and
- 293 g. Other duties as provided in rules or bylaws.

- 294 E. Meetings of the Commission
- 295 1. All meetings shall be open to the public, and public notice of meetings
- 296 shall be given in the same manner as required under the rulemaking
- 297 provisions in Section 9.
- 298 2. The Commission or the Executive Board or other committees of the
- 299 Commission may convene in a closed, non-public meeting if the
- 300 Commission or Executive Board or other committees of the Commission
- 301 must discuss:
- 302 a. Non-compliance of a member state with its obligations under the
- 303 Compact;
- 304 b. The employment, compensation, discipline or other matters, practices or
- 305 procedures related to specific employees or other matters related to the
- 306 Commission's internal personnel practices and procedures;
- 307 c. Current, threatened, or reasonably anticipated litigation;
- 308 d. Negotiation of contracts for the purchase, lease, or sale of goods,
- 309 services, or real estate;
- 310 e. Accusing any person of a crime or formally censuring any person;
- 311 f. Disclosure of trade secrets or commercial or financial information that is
- 312 privileged or confidential;
- 313 g. Disclosure of information of a personal nature where disclosure would
- 314 constitute a clearly unwarranted invasion of personal privacy;
- 315 h. Disclosure of investigative records compiled for law enforcement
- 316 purposes;

- 317 i. Disclosure of information related to any investigative reports prepared by
318 or on behalf of or for use of the Commission or other committee charged
319 with responsibility of investigation or determination of compliance issues
320 pursuant to the Compact; or
- 321 j. Matters specifically exempted from disclosure by federal or member state
322 statute.
- 323 3. If a meeting, or portion of a meeting, is closed pursuant to this provision,
324 the Commission's legal counsel or designee shall certify that the meeting
325 may be closed and shall reference each relevant exempting provision.
- 326 4. The Commission shall keep minutes that fully and clearly describe all
327 matters discussed in a meeting and shall provide a full and accurate
328 summary of actions taken, and the reasons therefore, including a
329 description of the views expressed. All documents considered in
330 connection with an action shall be identified in such minutes. All minutes
331 and documents of a closed meeting shall remain under seal, subject to
332 release by a majority vote of the Commission or order of a court of
333 competent jurisdiction.

334 F. Financing of the Commission

- 335 1. The Commission shall pay, or provide for the payment of, the reasonable
336 expenses of its establishment, organization, and ongoing activities.
- 337 2. The Commission may accept any and all appropriate revenue sources,
338 donations, and grants of money, equipment, supplies, materials, and
339 services.

340 3. The Commission may levy on and collect an annual assessment from each
341 member state or impose fees on other parties to cover the cost of the
342 operations and activities of the Commission and its staff, which must be in
343 a total amount sufficient to cover its annual budget as approved each year
344 for which revenue is not provided by other sources. The aggregate annual
345 assessment amount shall be allocated based upon a formula to be
346 determined by the Commission, which shall promulgate a rule binding
347 upon all member states.

348 4. The Commission shall not incur obligations of any kind prior to securing
349 the funds adequate to meet the same; nor shall the Commission pledge the
350 credit of any of the member states, except by and with the authority of the
351 member state.

352 5. The Commission shall keep accurate accounts of all receipts and
353 disbursements. The receipts and disbursements of the Commission shall be
354 subject to the audit and accounting procedures established under its
355 bylaws. However, all receipts and disbursements of funds handled by the
356 Commission shall be audited yearly by a certified or licensed public
357 accountant, and the report of the audit shall be included in and become
358 part of the annual report of the Commission.

359 G. Qualified Immunity, Defense, and Indemnification

360 1. The members, officers, executive director, employees and representatives
361 of the Commission shall be immune from suit and liability, either
362 personally or in their official capacity, for any claim for damage to or loss

363 of property or personal injury or other civil liability caused by or arising
364 out of any actual or alleged act, error or omission that occurred, or that the
365 person against whom the claim is made had a reasonable basis for
366 believing occurred within the scope of Commission employment, duties or
367 responsibilities; provided that nothing in this paragraph shall be construed
368 to protect any such person from suit and/or liability for any damage, loss,
369 injury, or liability caused by the intentional or willful or wanton
370 misconduct of that person.

371 2. The Commission shall defend any member, officer, executive director,
372 employee or representative of the Commission in any civil action seeking
373 to impose liability arising out of any actual or alleged act, error, or
374 omission that occurred within the scope of Commission employment,
375 duties, or responsibilities, or that the person against whom the claim is
376 made had a reasonable basis for believing occurred within the scope of
377 Commission employment, duties, or responsibilities; provided that nothing
378 herein shall be construed to prohibit that person from retaining his or her
379 own counsel; and provided further, that the actual or alleged act, error, or
380 omission did not result from that person's intentional or willful or wanton
381 misconduct.

382 3. The Commission shall indemnify and hold harmless any member, officer,
383 executive director, employee, or representative of the Commission for the
384 amount of any settlement or judgment obtained against that person arising
385 out of any actual or alleged act, error or omission that occurred within the

386 scope of Commission employment, duties, or responsibilities, or that such
387 person had a reasonable basis for believing occurred within the scope of
388 Commission employment, duties, or responsibilities, provided that the
389 actual or alleged act, error, or omission did not result from the intentional
390 or willful or wanton misconduct of that person.

391

392 **SECTION 8. DATA SYSTEM**

393 A. The Commission shall provide for the development, maintenance, and utilization
394 of a coordinated database and reporting system containing licensure, adverse action, and
395 investigative information on all licensed individuals in member states.

396 B. Notwithstanding any other provision of state law to the contrary, a member state
397 shall submit a uniform data set to the data system on all individuals to whom this Compact is
398 applicable as required by the rules of the Commission, including:

- 399 1. Identifying information;
- 400 2. Licensure data;
- 401 3. Adverse actions against a license or compact privilege;
- 402 4. Non-confidential information related to alternative program participation;
- 403 5. Any denial of application for licensure, and the reason(s) for such denial;
- 404 and
- 405 6. Other information that may facilitate the administration of this Compact,
406 as determined by the rules of the Commission.

407 C. Investigative information pertaining to a licensee in any member state will only be
408 available to other party states.

409 D. The Commission shall promptly notify all member states of any adverse action
410 taken against a licensee or an individual applying for a license. Adverse action information
411 pertaining to a licensee in any member state will be available to any other member state.

412 E. Member states contributing information to the data system may designate
413 information that may not be shared with the public without the express permission of the
414 contributing state.

415 F. Any information submitted to the data system that is subsequently required to be
416 expunged by the laws of the member state contributing the information shall be removed from
417 the data system.

418 **SECTION 9. RULEMAKING**

419 A. The Commission shall exercise its rulemaking powers pursuant to the criteria set
420 forth in this Section and the rules adopted thereunder. Rules and amendments shall become
421 binding as of the date specified in each rule or amendment.

422 B. If a majority of the legislatures of the member states rejects a rule, by enactment
423 of a statute or resolution in the same manner used to adopt the Compact within 4 years of the
424 date of adoption of the rule, then such rule shall have no further force and effect in any member
425 state.

426 C. Rules or amendments to the rules shall be adopted at a regular or special meeting
427 of the Commission.

428 D. Prior to promulgation and adoption of a final rule or rules by the Commission,
429 and at least thirty (30) days in advance of the meeting at which the rule will be considered and
430 voted upon, the Commission shall file a Notice of Proposed Rulemaking:

- 431 1. On the website of the Commission or other publicly accessible platform;
432 and
433 2. On the website of each member state physical therapy licensing board or
434 other publicly accessible platform or the publication in which each state
435 would otherwise publish proposed rules.

436 E. The Notice of Proposed Rulemaking shall include:

- 437 1. The proposed time, date, and location of the meeting in which the rule will
438 be considered and voted upon;
439 2. The text of the proposed rule or amendment and the reason for the
440 proposed rule;
441 3. A request for comments on the proposed rule from any interested person;
442 and
443 4. The manner in which interested persons may submit notice to the
444 Commission of their intention to attend the public hearing and any written
445 comments.

446 F. Prior to adoption of a proposed rule, the Commission shall allow persons to
447 submit written data, facts, opinions, and arguments, which shall be made available to the public.

448 G. The Commission shall grant an opportunity for a public hearing before it adopts a
449 rule or amendment if a hearing is requested by:

- 450 1. At least twenty-five (25) persons;
451 2. A state or federal governmental subdivision or agency; or
452 3. An association having at least twenty-five (25) members.

453 H. If a hearing is held on the proposed rule or amendment, the Commission shall
454 publish the place, time, and date of the scheduled public hearing. If the hearing is held via
455 electronic means, the Commission shall publish the mechanism for access to the electronic
456 hearing.

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

461 2. Hearings shall be conducted in a manner providing each person who
462 wishes to comment a fair and reasonable opportunity to comment orally or
463 in writing.

464 3. All hearings will be recorded. A copy of the recording will be made
465 available on request.

466 4. Nothing in this section shall be construed as requiring a separate hearing
467 on each rule. Rules may be grouped for the convenience of the
468 Commission at hearings required by this section.

469 I. Following the scheduled hearing date, or by the close of business on the
470 scheduled hearing date if the hearing was not held, the Commission shall consider all written and
471 oral comments received.

472 J. If no written notice of intent to attend the public hearing by interested parties is
473 received, the Commission may proceed with promulgation of the proposed rule without a public
474 hearing.

475 K. The Commission shall, by majority vote of all members, take final action on the
476 proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking
477 record and the full text of the rule.

478 L. Upon determination that an emergency exists, the Commission may consider and
479 adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that
480 the usual rulemaking procedures provided in the Compact and in this section shall be
481 retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90)
482 days after the effective date of the rule. For the purposes of this provision, an emergency rule is
483 one that must be adopted immediately in order to:

- 484 1. Meet an imminent threat to public health, safety, or welfare;
- 485 2. Prevent a loss of Commission or member state funds;
- 486 3. Meet a deadline for the promulgation of an administrative rule that is
487 established by federal law or rule; or
- 488 4. Protect public health and safety.

489 M. The Commission or an authorized committee of the Commission may direct
490 revisions to a previously adopted rule or amendment for purposes of correcting typographical
491 errors, errors in format, errors in consistency, or grammatical errors. Public notice of any
492 revisions shall be posted on the website of the Commission. The revision shall be subject to
493 challenge by any person for a period of thirty (30) days after posting. The revision may be
494 challenged only on grounds that the revision results in a material change to a rule. A challenge
495 shall be made in writing, and delivered to the chair of the Commission prior to the end of the
496 notice period. If no challenge is made, the revision will take effect without further action. If the
497 revision is challenged, the revision may not take effect without the approval of the Commission.

498 **SECTION 10. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

499 A. Oversight

- 500 1. The executive, legislative, and judicial branches of state government in
501 each member state shall enforce this Compact and take all actions
502 necessary and appropriate to effectuate the Compact’s purposes and intent.
503 The provisions of this Compact and the rules promulgated hereunder shall
504 have standing as statutory law.
- 505 2. All courts shall take judicial notice of the Compact and the rules in any
506 judicial or administrative proceeding in a member state pertaining to the
507 subject matter of this Compact which may affect the powers,
508 responsibilities or actions of the Commission.
- 509 3. The Commission shall be entitled to receive service of process in any such
510 proceeding, and shall have standing to intervene in such a proceeding for
511 all purposes. Failure to provide service of process to the Commission shall
512 render a judgment or order void as to the Commission, this Compact, or
513 promulgated rules.

514 B. Default, Technical Assistance, and Termination

- 515 1. If the Commission determines that a member state has defaulted in the
516 performance of its obligations or responsibilities under this Compact or
517 the promulgated rules, the Commission shall:
- 518 a. Provide written notice to the defaulting state and other member states of
519 the nature of the default, the proposed means of curing the default and/or
520 any other action to be taken by the Commission; and

- 521 b. Provide remedial training and specific technical assistance regarding the
522 default.
- 523 2. If a state in default fails to cure the default, the defaulting state may be
524 terminated from the Compact upon an affirmative vote of a majority of the
525 member states, and all rights, privileges and benefits conferred by this
526 Compact may be terminated on the effective date of termination. A cure of
527 the default does not relieve the offending state of obligations or liabilities
528 incurred during the period of default.
- 529 3. Termination of membership in the Compact shall be imposed only after all
530 other means of securing compliance have been exhausted. Notice of intent
531 to suspend or terminate shall be given by the Commission to the governor,
532 the majority and minority leaders of the defaulting state’s legislature, and
533 each of the member states.
- 534 4. A state that has been terminated is responsible for all assessments,
535 obligations, and liabilities incurred through the effective date of
536 termination, including obligations that extend beyond the effective date of
537 termination.
- 538 5. The Commission shall not bear any costs related to a state that is found to
539 be in default or that has been terminated from the Compact, unless agreed
540 upon in writing between the Commission and the defaulting state.
- 541 6. The defaulting state may appeal the action of the Commission by
542 petitioning the U.S. District Court for the District of Columbia or the
543 federal district where the Commission has its principal offices. The

544 prevailing member shall be awarded all costs of such litigation, including
545 reasonable attorney's fees.

546 C. Dispute Resolution

547 1. Upon request by a member state, the Commission shall attempt to resolve
548 disputes related to the Compact that arise among member states and
549 between member and non-member states.

550 2. The Commission shall promulgate a rule providing for both mediation and
551 binding dispute resolution for disputes as appropriate.

552 D. Enforcement

553 1. The Commission, in the reasonable exercise of its discretion, shall enforce
554 the provisions and rules of this Compact.

555 2. By majority vote, the Commission may initiate legal action in the United
556 States District Court for the District of Columbia or the federal district
557 where the Commission has its principal offices against a member state in
558 default to enforce compliance with the provisions of the Compact and its
559 promulgated rules and bylaws. The relief sought may include both
560 injunctive relief and damages. In the event judicial enforcement is
561 necessary, the prevailing member shall be awarded all costs of such
562 litigation, including reasonable attorney's fees.

563 3. The remedies herein shall not be the exclusive remedies of the
564 Commission. The Commission may pursue any other remedies available
565 under federal or state law.

566 **SECTION 11. DATE OF IMPLEMENTATION OF THE INTERSTATE**
567 **COMMISSION FOR PHYSICAL THERAPY PRACTICE AND ASSOCIATED**
568 **RULES, WITHDRAWAL, AND AMENDMENT**

569 A. The Compact shall come into effect on the date on which the Compact statute is
570 enacted into law in the tenth member state. The provisions, which become effective at that time,
571 shall be limited to the powers granted to the Commission relating to assembly and the
572 promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking powers
573 necessary to the implementation and administration of the Compact.

574 B. Any state that joins the Compact subsequent to the Commission's initial adoption
575 of the rules shall be subject to the rules as they exist on the date on which the Compact becomes
576 law in that state. Any rule that has been previously adopted by the Commission shall have the
577 full force and effect of law on the day the Compact becomes law in that state.

578 C. Any member state may withdraw from this Compact by enacting a statute
579 repealing the same.

- 580 1. A member state's withdrawal shall not take effect until six (6) months
581 after enactment of the repealing statute.
- 582 2. Withdrawal shall not affect the continuing requirement of the withdrawing
583 state's physical therapy licensing board to comply with the investigative
584 and adverse action reporting requirements of this act prior to the effective
585 date of withdrawal.

586 D. Nothing contained in this Compact shall be construed to invalidate or prevent any
587 physical therapy licensure agreement or other cooperative arrangement between a member state
588 and a non-member state that does not conflict with the provisions of this Compact.

589 E. This Compact may be amended by the member states. No amendment to this
590 Compact shall become effective and binding upon any member state until it is enacted into the
591 laws of all member states.

592 **SECTION 12. CONSTRUCTION AND SEVERABILITY**

593 This Compact shall be liberally construed so as to effectuate the purposes thereof. The
594 provisions of this Compact shall be severable and if any phrase, clause, sentence or provision
595 of this Compact is declared to be contrary to the constitution of any party state or of the
596 United States or the applicability thereof to any government, agency, person or circumstance
597 is held invalid, the validity of the remainder of this Compact and the applicability thereof to
598 any government, agency, person or circumstance shall not be affected thereby. If this
599 Compact shall be held contrary to the constitution of any party state, the Compact shall
600 remain in full force and effect as to the remaining party states and in full force and effect as
601 to the party state affected as to all severable matters.

602

ATTACHMENT E

PT COMPACT RULES

As of June 17, 2024



Physical Therapy Compact Commission

Rules

Effective as of June 17, 2024

Physical Therapy Compact Commission

Rules Effective June 17, 2024

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Chapter 1 – Definitions

Rule 1.1 – Definitions

For the purpose of the rules adopted by the Physical Therapy Compact Commission, the following definitions shall apply:

- (A) “Adverse action” means a publicly available disciplinary action taken against a license or compact privilege by a Licensing Board. Adverse action does not include non-disciplinary remediation required by the Licensing Board.
- (B) “Alternative program” means any non-disciplinary monitoring program intended to remediate the licensee that is not a matter of public record and to which a Licensing Board refers a licensee, or of which the Licensing Board is aware of the licensee’s participation.
- (C) “Applying for a license” means the individual has submitted an application for licensure to the Licensing Board or requested that the Federation of State Boards of Physical Therapy transfer the individual’s National Physical Therapy Examination score to the Licensing Board.
- (D) “Board administrator” means an individual serving as administrative staff to a member state’s physical therapy licensing board.
- (E) “Commission” means the Physical Therapy Compact Commission.
- (F) “Compact” or “Physical Therapy Compact” means the Physical Therapy Licensure Compact.
- (G) “Compact Administrator” shall be synonymous with “executive director” referenced in Section 7.G. of the Compact.
- (H) “Denied” means a decision of a licensing board to refuse to issue, reinstate, or renew a physical therapist or physical therapist assistant license that is reported to the National Practitioner Data Bank (NPDB).
- (I) “Encumbrance” means any action taken by the Licensing Board that limits the practice or work of the physical therapist or physical therapist assistant. An encumbrance may be disciplinary or non-disciplinary in nature.
- (J) “Expired” means the status of a license or compact privilege that is not active and includes a license with a status of “lapsed” or “non-renewed.” A compact privilege that is not renewed before the expiration date shall automatically expire on that date and not after any grace period ends.
- (K) “FSBPT ID” means the identification number assigned by the Federation of State Boards of Physical Therapy to all individuals in the Exam, Licensure, and Disciplinary Database.
- (L) “Home state” means a person’s true, fixed, and permanent home and is the place where the person intends to remain indefinitely, and to which the person expects to return if absent without intending to establish a new domicile elsewhere.
- (M) “Initial” means each and every new Compact Privilege issued to an individual, even if a prior Compact Privilege was held in the same state.
- (N) “License” means the authorization from the state to practice as a physical therapist or to work as a physical therapist assistant. For purposes of the Compact, a certification for a physical therapist assistant is synonymous with “license.”
- (O) “Licensing Board” means the agency of a state that is responsible for the licensing and regulation of physical therapists and physical therapist assistants.
- (P) “Member state” means a state that has enacted the Compact.
- (Q) “Non-member state” means a state that has not enacted the Compact.
- (R) “Party state” means any member state where the individual currently holds, or has ever held a physical therapist or physical therapist assistant license or compact privilege or is applying for a license or compact privilege.
- (S) “Recognized National Exam” as referenced in Section 3.A.6 of the Compact means the National Physical Therapy Examination (NPTE).
- (T) “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of physical therapy.

Effective: 6/17/24

Rule Amplifies: Section 2 of the Compact

Prior Effective Dates: 11/5/17; 10/28/18; 10/27/19; 10/25/20; 10/30/22; 6/27/23

Chapter 2 – Member State Participation

Rule 2.1 – Criminal Background Check

- (A) To avoid default, member states must have completed all required processes, requirements, and applications necessary to request the ability to receive the results of the Federal Bureau of Investigation (FBI) record search on criminal background checks, as required by the Compact.
- (B) Results of the criminal background check shall be reviewed solely by the member state in accordance with state law and shall not be shared, unless otherwise permitted under state law, with individuals, other member states, or the Commission.
- (C) A member state cannot participate in issuing compact privileges until such member state has completed the requirements to fully implement the FBI Criminal Background Check requirement established in Section 3 of the Compact.

As used in Section 3.A.4 of the Compact, full implementation of the FBI Criminal Background Check requirement means that the member state's licensing board is using the results of the FBI record search on criminal background checks in making licensure decisions for all applicants seeking an initial license to practice as a physical therapist or work as a physical therapist assistant in the member state.

- (D) Due to editorial reclassification, the reference to 42 U.S.C §14616 in Section 3.B. of the Compact actually refers to 34 U.S.C. §40316.

Effective: 10/28/18

Rule Amplifies: Section 3 of the Compact

Prior Effective Dates: 11/5/17; 6/5/18

Rule 2.2 – Continuing Competence Requirements

- (A) Member states must require continuing competence for renewal of a license for both the physical therapist and the physical therapist assistant.
- (B) Continuing education meets the requirement for continuing competence for renewal of a license.

Effective: 11/5/17

Rule Amplifies: Section 3 of the Compact

Prior Effective Dates: None

Rule 2.3 – Compact Privilege Fee and Expiration Date

Any compact privilege held by the individual shall expire on the same date as the individual's home state license. The expiration date of the home state license shall be the expiration date that was in effect on the date the individual purchased the compact privilege. The fee paid to the member state for a compact privilege shall cover the period of time the individual has remaining on the home state license. Any renewal of the home state license does not automatically extend the expiration date of the compact privilege.

Effective: 6/17/24

Rule Amplifies: Section 3 of the Compact

Prior Effective Dates: 11/5/17

Rule 2.4 – Requirements to Issue Compact Privileges

A member state cannot participate in issuing compact privileges until such member state has completed all the

following requirements:

- (A) Fully implement the FBI Criminal Background Check requirement established in Rule 2.1.
- (B) Require continuing competence for renewal for physical therapists and physical therapist assistants.
- (C) Fully implement the requirements of Rule 6.1.

Effective: 10/28/18

Rule Amplifies: Section 3 of the Compact

Prior Effective Dates: None

Chapter 3 – Compact Privilege Eligibility, Adverse Actions, and Encumbrances

Rule 3.1 – Home State License

- (A) Compact privilege holders may be audited at any time by the Commission to verify compliance with home state residency requirements.
- (B) An individual holding a temporary permit, temporary license, or temporary authorization to practice shall not be eligible for a Compact Privilege.
- (C) In addition to complying with reporting name and address change as required by the home state, compact privilege holders must also notify the Commission of a change of name and/or home state address within sixty (60) business days of the change.
- (D) Member states may require compact privilege holders to notify the licensing board of the physical location(s) where the individual is providing physical therapy services within that remote state.
- (E) An individual holding a home state license issued without the requirement of passing the National Physical Therapy Examination (NPTE) shall not be eligible for a Compact Privilege, unless said license was issued prior to the member state enacting the Physical Therapy Compact model statute.

Effective: 6/17/24

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: 11/5/17; 10/28/18; 10/30/22

Rule 3.2 – Self-Reporting of an Encumbrance or Adverse Action on a License

A compact privilege holder must report to the Commission any encumbrance or adverse action placed upon any physical therapist or physical therapist assistant license held by the compact privilege holder in a non-member state within thirty (30) business days of the effective date.

Effective: 10/28/18

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: 11/5/17

Rule 3.3 – Eligibility for Compact Privilege after an Adverse Action or Encumbrance

- (A) An individual immediately loses any and all compact privilege(s) upon the effective date of either of the following actions taken by a Licensing Board:
 - (1) Adverse action taken against a license or compact privilege; or
 - (2) Encumbrance placed upon the individual's license or compact privilege.
- (B) Following an adverse action or encumbrance, an individual regains eligibility for compact privilege(s):
 - (1) Immediately after the removal of all non-disciplinary encumbrance(s), provided there are no current adverse actions against the license or compact privilege; or
 - (2) Two (2) years from the effective date of the adverse action as specified in the Board Order.
 - a. If the timeframe imposed by the Licensing Board is greater than two years, the individual will not regain eligibility until the greater timeframe has elapsed; or
 - b. If the timeframe when all disciplinary encumbrances have passed and all fines are paid is greater than two (2) years, the individual will not regain eligibility until that timeframe has elapsed.

- (C) The two (2) year waiting period is from the effective date of the most recent adverse action and restarts if subsequent adverse action is taken by a Licensing Board.
- (D) If a remote state removes an individual's compact privilege in the remote state for a period of more than two years, the individual remains subject to the removal even if the individual does not renew the compact privilege.
- (E) If an individual's license is revoked, the individual is deemed to have an encumbrance until the revoked license is reinstated/restored without restrictions, conditions or terms.
- (F) If an individual is denied a license, as defined in Rule 1.1, the individual is deemed to have an encumbrance until the license is approved without restrictions, conditions, or terms.
- (G) As used in Section 4.D. of the Compact, the word "removed" does not mean lapsed or voluntarily not renewed.

Effective: 10/27/19

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: 11/5/17; 10/28/18

Rule 3.4 – Fee for Compact Privilege

- (A) The Commission shall charge a fee for the purchase of each compact privilege. This fee shall be in addition to any state fee that the member board may charge.
- (B) The Commission's compact privilege fee shall be posted on the Commission's website (<http://www.ptcompact.org>).
- (C) The Commission shall give thirty (30) days' notice before modifying its compact privilege fee by posting notice of the new fee on the Commission's website.

Effective: 11/5/17

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: None

Rule 3.5 – Expiration or Termination of a Compact Privilege

- (A) All compact privileges shall expire on the actual expiration date of the home state license even if the home state allows practice beyond the license expiration date. The expiration date of the home state license shall be the expiration date that was in effect on the date the individual purchased the compact privilege. Any renewal of the home state license does not automatically extend the expiration date of the compact privilege.
- (B) Impact of changing the primary state of residence.
 - (1) Moving to another member state.
 - a. The compact privilege holder must hold an active license in the new home state prior to changing the primary state of residence or all current compact privileges will be terminated. Sixty (60) business days after the date of legal change of permanent address is considered the date of change in home state.
 - b. When a compact privilege holder obtains the license in the new home state and changes the primary state of residence, the expiration date of all current compact privileges will be updated to match the expiration date of the new home state license. The expiration date of the home state license shall be the expiration date that was in effect on the date the primary state of residence is change.
 - (2) Moving to a non-member state.
If the compact privilege holder's new primary state of residence is a non-member state, all current compact privileges will be immediately terminated.

Effective: 6/17/24

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: 11/5/17; 10/28/18; 10/27/19; 10/30/22

Rule 3.6 – Participation in an Alternative Program

Member state Licensing Boards must add language to any alternative program agreements entered into with a licensee or compact privilege holder prohibiting practice or work in any other member states without prior authorization from the other member state.

Effective: 10/28/17

Rule Amplifies: Section 4 and 6 of the Compact

Prior Effective Dates: 11/17/18

Rule 3.7 – Joint Investigations

When participating with other member states in joint investigations, the member state where the alleged violation initially occurred will take the lead on any investigation.

Effective: 10/28/18

Rule Amplifies: Section 6 of the Compact

Prior Effective Dates: 11/5/17

Rule 3.8 – Jurisprudence

- (A) If a member state has a jurisprudence requirement to be eligible to obtain a compact privilege in accordance with Section 4.A.7. of the Compact, the member state may allow the jurisprudence requirement to be completed after the issuance of the compact privilege. In that situation, the deadline to complete the jurisprudence requirement is thirty (30) days.
- (B) A member state may choose to have a jurisprudence requirement in accordance with Section 4.A.7 of the Compact for initial purchase of a compact privilege, for renewal of a compact privilege, or for both initial purchase and renewal of a compact privilege.
- (C) If a privilege expires, and the individual purchase a new initial privilege in the same state, all applicable requirements for completion of a jurisprudence requirement prior to initial purchase apply.

Effective: 10/30/22

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: 11/5/17; 10/28/18; 10/24/21

Rule 3.9 – Impact of Non-Payment on Eligibility

If an individual fails to pay any applicable fees, including any state fee, the Commission may:

- (A) Terminate the existing Compact Privilege associated with the non-payment; and
- (B) Prevent the individual from purchasing any additional Compact Privileges until the non-payment is remedied.

Effective: 11/5/17

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: None

Rule 3.10 – Self-Reporting of a New Criminal Convictions

A compact privilege holder must report any new criminal conviction to the state licensing board(s) in each member state in which the individual has an active compact privilege in accordance with that jurisdiction's reporting requirements.

Effective: 10/25/20

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: None

Rule 3.11 – Self-Reporting of Enrollment in an Alternative Program

A compact privilege holder must report to the Commission any required enrollment into an alternative program, in any jurisdiction, within thirty (30) days. Notification of enrollment in an alternative program will automatically place an encumbrance on the individual.

Effective: 10/24/21

Rule Amplifies: Section 4 of the Compact

Prior Effective Dates: None

Chapter 4 – Active Duty Military Personnel or Their Spouses

Rule 4.1 – Home State Designation

For the purposes of Section 5. of the Compact, the following definitions shall apply:

- (A) “Home of record” means, for purposes of the Compact only, the active duty military personnel’s State of Legal Residence on record with the military.
- (B) “Permanent Change of Station” or “PCS” means the state of the duty station noted in the active duty military personnel’s PCS orders.
- (C) “State of current residence” means the state in which the active duty military personnel or spouse is currently physically residing.
- (D) The active duty military member or spouse of an individual who is active duty military may change the member state designated as the individual’s home state by notifying the Commission.

Effective: 10/28/18

Rule Amplifies: Section 5 of the Compact

Prior Effective Dates: 11/5/17

Rule 4.2 – U.S. Code Citation for Active Duty Military

The reference to 10 U.S.C. Section 1209 and 1211 contained in Section 2, paragraph 1 of the model statute should correctly be 10 U.S.C. Chapter 1209 and 1211. Any references in the model statute to 10 U.S.C. Section 1209 and 1211 should be interpreted as 10 U.S.C. Chapter 1209 and 1211:

Effective: 6/27/2023

Rule Amplifies: Section 2 of the Compact

Prior Effective Dates: None

Chapter 5 – Physical Therapy Compact Commission

Rule 5.1 – Ex-Officio, Non-Voting Members

- (A) For the purposes of the Compact, the American Physical Therapy Association (APTA) is the recognized physical therapy professional association.
- (B) For the purposes of the Compact, the Federation of State Boards of Physical Therapy (FSBPT) is the recognized membership organization of the physical therapy licensing boards.
- (C) A member of the board of directors of any of the following organizations shall be ineligible to serve as the delegate for a member state:
 - (1) The American Physical Therapy Association;
 - (2) The Federation of State Boards of Physical Therapy;
 - (3) Any state chapter of the American Physical Therapy Association;
 - (4) Any section of the American Physical Therapy Association; or
 - (5) Any council of the American Physical Therapy Association.

Effective: 11/5/17

Rule Amplifies: Section 7 of the Compact

Prior Effective Dates: None

Rule 5.2 – Annual Assessment for Compact Members

- (A) The annual assessment on each member state for participation in the Compact will be determined by vote annually at the annual meeting of the Commission, and communicated to the member states. The fee will become effective on the first day of the fiscal year that starts immediately following the Commission meeting.
- (B) The Commission may choose to have a zero (\$0) dollar assessment.
- (C) The annual assessment must be paid by the member state within ninety (90) days from the start of the fiscal year.
- (D) Moneys derived from a line of credit may be considered revenue when determining an annual assessment required from member states.

Effective: 11/5/17

Rule Amplifies: Section 7 of the Compact

Prior Effective Dates: None

Chapter 6 – Data System

Rule 6.1 – Required Elements of the Data System

- (A) The uniform data set shall be submitted on all individuals applying for, or currently holding, a physical therapist or physical therapist assistant license of any status, including expired status, in the member state. The required elements for all licenses shall be submitted in each data file submitted to the Commission’s data system.
- (B) Each member state shall submit the following data elements to the Commission’s data system:
 - (1) First name;
 - (2) Middle name;
 - (3) Last name;
 - (4) Suffix, if applicable;
 - (5) Birth date, including month, day, and year;
 - (6) Unique identifier;
 - (7) License number;
 - (8) License type (PT or PTA);
 - (9) Initial issue date;
 - (10) Most recent renewal date;
 - (11) Expiration date; and
 - (12) License status, including expired statuses.
- (C) The unique identifier required by Section 3.A.1. of the Compact is the individual’s social security number.
 - (1) The member state must submit the data file identified in this Chapter within one (1) month of the effective date of the legislation to implement the Compact. The initial licensure data file(s) must include the social security number for every licensee in each file.
 - (2) Within twenty-four (24) months of the effective date of the legislation to implement the Compact, the FSBPT ID number must be present for every licensee in each file, and may replace the social security number as the unique identifier.
 - (3) Until the initial data file is submitted to the Commission, the following shall apply:
 - a. Individuals whose home state is the member state shall be ineligible to apply for any compact privilege; and

- b. Individuals in other member states will be unable to purchase a compact privilege in the member state.
- (4) Notwithstanding paragraph (C)(1) of this rule, Commission staff may approve an alternate mechanism to comply with the initial licensure data file(s) requirement if the member state does not maintain the full, unmasked, social security number for licensees within the member state's database.

Effective: 11/5/17

Rule Amplifies: Sections 3 and 8 of the Compact

Prior Effective Dates: None

Rule 6.2 – Frequency of Submission of Required Elements

- (A) Member states shall submit the data elements outlined in rule 6.1 to the Commission at least one (1) time per week.
- (B) The full extract of the data must be provided in a file format and in a manner agreed to by the Commission and the member state.

Effective: 11/5/17

Rule Amplifies: Sections 3 and 8 of the Compact

Prior Effective Dates: None

Rule 6.3 – Required Use of FSBPT Online Processing System

Member states shall use the FSBPT Online Processing System to report the following information:

- (A) License number, initial issue date, and expiration date to New Score Reports and Transfer Score Reports. In lieu of reporting this information via the FSBPT Online Processing System, a member state can meet the requirement of this paragraph if the data submitted in accordance with rules 6.1 and 6.2 contains the social security number and date of birth for all records.
- (B) Completion of all required fields when reporting adverse actions.
- (C) Any encumbrance not associated with an adverse action.

Effective: 11/5/17

Rule Amplifies: Sections 3 and 8 of the Compact

Prior Effective Dates: None

Rule 6.4 – Frequency of Reporting Adverse Actions and Non-Disciplinary Encumbrances

- (A) Within fourteen business days of the effective date of the adverse action against a licensee or compact privilege holder, the Licensing Board shall, through the interface described in rule 6.3, complete all required information and select the Save Status.
- (B) Within fourteen (14) business days of the effective date to void, update, revise, or correct an adverse action against a licensee or compact privilege holder, the Licensing Board shall report such decision to the Commission through the interface described in rule 6.3.
- (C) Within fourteen (14) business days of the effective date to impose a non-disciplinary encumbrance on a license or licensee or on a compact privilege or compact privilege holder, the Licensing Board shall report such decision to the Commission through the interface described in rule 6.3.

Effective: 10/30/22

Rule Amplifies: Sections 3 and 8 of the Compact

Prior Effective Dates: 11/5/17; 10/25/20

Rule 6.5 – Discrepancy with Commission Data System Data Set

The licensee or compact privilege holder may request from the home state Licensing Board in writing a review of the data relating to the licensee in the Commission's data system.

- (A) In the event a licensee or compact privilege holder asserts that any data relating to the licensee or compact privilege holder is inaccurate, the burden of proof shall be upon the licensee or compact privilege holder to provide evidence that substantiates such claim.
- (B) The Licensing Board shall verify and within ten (10) business days correct inaccurate data in the Commission's data system.

Effective: 11/5/17

Rule Amplifies: Section 8 of the Compact

Prior Effective Dates: None

Rule 6.6 – Compact Termination and the Data System

- (A) Upon the effective date of the termination of a state's membership in the Compact, the state will no longer receive information available only to member states.
- (B) Any and all data provided prior to the effective date of the termination of the state's membership in the Compact will remain in the data system.

Effective: 11/5/17

Rule Amplifies: Section 10 of the Compact

Prior Effective Dates: None

Rule 6.7 – Indicating Availability of Investigative Information

A member state shall notify the Commission that investigatory information is available to party states when a member state has determined probable cause exists that the allegations against the licensee may constitute a violation of that member's state statute or regulations. The actual investigative information shall be shared directly with the party state and not through the Commission.

Effective: 10/28/18

Rule Amplifies: Sections 3, 8, and 10 of the Compact

Prior Effective Dates: 11/5/17

Rule 6.8 – Public Verification of Compact Privilege

The public shall have access, via the Commission's website, to information limited to the verification of compact privilege(s) held by individuals.

Effective: 11/5/17

Rule Amplifies: Section 8 of the Compact

Prior Effective Dates: None

Rule 6.9 – Terms of Use, Privacy Policy, and Intellectual Property Rights

- (A) Subject to the Terms of Use and to the Privacy Policy posted at the time on the website of the Federation of State Boards of Physical Therapy (FSBPT), the following shall be binding upon the Commission, the member states, and individuals purchasing or holding a Compact Privilege.
- (B) Submission and access to, and the use of, and other matters relating to:
 - (1) The data elements outlined in rule 6.1;
 - (2) Other information reported through the interface described in rule 6.3; and
 - (3) The FSBPT's Exam, Licensure, and Disciplinary Database (ELDD) and Online Processing System (OPS).
- (C) The Federation of State Boards of Physical Therapy owns all tangible and intangible property, intellectual and other proprietary rights, titles, and interests in and to the FSBPT OPS or ELDD. Neither the Commission nor any member state shall have any rights, titles, or interests in or to the FSBPT OPS or ELDD

Effective: 11/5/17

Rule Amplifies: Sections 3 and 8 of the Compact

Prior Effective Dates: None

Chapter 7 – Rulemaking

Rule 7.1 – Adoption of Rules; Amendments

- (A) Proposed new rules and amendments to existing rules shall be referred to the Rules and Bylaws Committee as follows:
 - (1) Any Delegate may propose rules or rule amendments during the annual Commission meeting. This proposal must be made in the form of a motion and approved by a majority vote.
 - (2) Standing Committees of the Commission or of the Executive Board may propose rules or rule amendments by majority vote of that Committee.
 - (3) The Executive Board may propose rules or rule amendments by majority vote.
- (B) The Rules and Bylaws Committee shall prepare a draft of all proposed rules and provide the draft to the Executive Board for review and comments. The Rules and Bylaws Committee shall revise the draft based on feedback from the Executive Board.
 - (1) The Executive Board shall ensure that all proposed rules comply with the statutory provisions of the Compact and do not conflict with any other existing Commission rule.
 - (2) If the Executive Board determines that the proposed rules should be recommended to the full Commission, the proposed rules shall be posted on the Commission’s website. Any written comments shall be reviewed by the Executive Board. Based on the written comments, and at the direction of the Executive Board, the Rules and Bylaws Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by the Commission.
- (C) Prior to promulgation and adoption of a final rule by the Commission, but not later than thirty (30) days prior to the meeting at which the vote is scheduled, the Commission shall publish a Notice of Proposed Rule Making on its website and send the Notice to all member states for publishing on the Licensing Board in the member state’s website.
- (D) The Notice of Proposed Rule Making shall include:
 - (1) The place, time, and date of the meeting in which the rule will be considered;
 - (2) The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments; and
 - (3) The name, position, physical and electronic mail address, and telephone number of the person to whom interested persons may respond with notice of their attendance and written comments.
- (E) Every public hearing shall be conducted in a manner guaranteeing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made within thirty (30) days of the hearing, in which case the person or entity making the request shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Commission from making a transcript or recording of the public hearing if it chooses to do so.
- (F) Nothing in this rule shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this rule.
- (G) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.
- (H) The Commission shall, by majority vote, take final action on the proposed rule and determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- (I) Upon determination by the Executive Board or Commission that an emergency exists, the Commission may promulgate an emergency rule that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule, no later than ninety (90) days after the effective date of the rule. An emergency rule is one that must be made effective immediately in order to:

- (1) Meet an imminent threat to public health, safety, or welfare;
- (2) Prevent a loss of Commission, federal, or member state funds;
- (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.

Effective: 10/30/22

Rule Amplifies: Section 9 of the Compact

Prior Effective Dates: 11/5/17

Rule 7.2 – Publication of Rules

A copy of the Commission’s current rules shall be published on its website.

Effective: 11/5/17

Rule Amplifies: Section 9 of the Compact

Prior Effective Dates: None

Chapter 8 – Oversight, Dispute Resolution, And Enforcement

Rule 8.1 – Definition of Party State in Dispute Resolution Process

As used in Chapter 8 of the rules, “party state” means a state that is a party to a dispute.

Effective: 11/5/17

Rule Amplifies: Section 10 of the Compact

Prior Effective Dates: None

Rule 8.2 – Dispute Resolution Process – Informal, Mediation and Arbitration

- (A) The Delegate in each member state shall enforce the Compact and take all actions necessary and appropriate to effectuate the Compact’s purposes and intent. The Commission supports collaborative efforts to resolve disputes or controversies between and among all member states. All affected parties are encouraged to communicate with each other directly and make every effort to resolve issues informally prior to application of paragraphs (B) and (C) of this rule.
 - (1) Any member state may submit a written request to the Executive Board for assistance in interpreting the law, rules, and policies of the Compact. The Executive Board may seek the assistance of the Commission’s legal counsel in interpreting the Compact. The Executive Board shall issue the Commission interpretation of the Compact to all parties to the dispute.
 - (2) A member state that is party to a dispute may request the submission of a matter in controversy to mediation. Mediation shall be conducted by a mediator appointed by the Executive Board from a list of mediators approved by the National Association of Certified Mediators, unless a mediator is otherwise agreed to by all parties to the dispute and pursuant to procedures customarily used in mediation proceedings.
- (B) When disputes among party states are unresolved through informal attempts, the Commission shall request assistance from the Executive Board.
 - (1) It is the duty of the Executive Board to address disputes between or among the member states concerning the Compact when informal attempts between the member states to resolve disputes have been unsuccessful.
 - (2) The Executive Board, on behalf of the Commission, in the reasonable exercise of its discretion, has the authority to assist in the resolution of disputes between and among member states concerning the Compact. This rule defines the course of action the Executive Board may take when such disputes cannot be informally resolved and the matter is received by or referred to the Executive Board.
- (C) Disputes between two (2) or more member states which cannot be resolved through informal resolution or through the Executive Board, may be referred to an arbitration panel.
- (D) Informal Resolution

- (1) The Delegate of the state disputing another member state's interpretation or application of the Compact shall contact the Delegate of the member state with which the dispute has arisen. A written statement describing the situation should be provided and sufficient time allowed for response and opportunity for the other Delegate to review and investigate the issues raised in the dispute.
 - (2) If interpretation of the Compact is necessary, the Delegate shall contact the Executive Board and request assistance in interpreting relevant provisions. This communication to the Executive Board should be made through the Compact Administrator.
 - (3) The Delegate raising the concern shall document attempts to resolve the issues.
 - (4) If all issues are resolved to the satisfaction of all party states involved, no further action is required.
- (E) Mediation
- (1) A state that is a party to a dispute may request, or the Executive Board may require, the submission of a matter in controversy to mediation.
 - (2) If a member of the Executive Board is a party to the dispute, that individual must recuse themselves from participation in the matter.
 - (3) Mediation shall be conducted by a mediator appointed by the Executive Board from a list of mediators approved by the National Association of Certified Mediators, or a mediator is otherwise agreed to by all parties to the dispute and pursuant to procedures customarily used in mediation proceedings.
 - (4) If all issues are resolved through mediation to the satisfaction of all party states involved, no further action is required.
- (F) Executive Board Resolution
- (1) Member states shall report to the Executive Board, through the Compact Administrator, issues pertaining to disputes concerning the interpretation or application of the Compact in a timely fashion.
 - (2) If the Executive Board determines that the dispute arises from non-compliance with the Compact, the Committee may, in its discretion, reclassify the dispute as a non-compliance case and will provide a written notice to all parties of the dispute citing the allegation(s) of non-compliance and follow the procedures in the Bylaws and as provided in Section 10 of the Compact.
 - (3) In the event there are factual and/or legal issues to be resolved, the states involved in the dispute shall provide written responses regarding the factual and/or legal issues in dispute and the position of each party to the dispute on those issues to the Executive Board within thirty (30) days after receipt of the report referenced in paragraph (D) of this rule for distribution to the Executive Board.
 - (4) Upon receipt of the party states' responses, the Executive Board shall develop a dispute resolution proposal or plan within sixty (60) days and submit the proposal or plan to the party states unless all parties agree that a longer period of time is needed to address the issues in dispute.
 - (5) Any controversy or dispute not resolved in accordance with paragraphs (D) through (F) of this rule may result in dispute arbitration, as recommended by the Executive Board pursuant to paragraph (G) of this rule 15.4.
- (G) Arbitration
- (1) In the event of a dispute between states that cannot be resolved through informal means, and upon the recommendation by the Executive Board, the Delegate of the initiating state(s) shall submit an Arbitration Request form to the Compact Administrator with a copy to be sent by the initiating state to the other party state(s) involved.
 - (2) Each state party to the dispute and the Executive Board shall submit a signed Arbitration Agreement form which shall include:
 - a. Consent that the decision of the majority of the arbitrators is final and binding;
 - b. The name of an appointee representing each state, unless more than two (2) states are parties, on an arbitration panel. In the event there are more than two (2) states that are parties to the dispute, the parties must agree on an arbitrator selected by the state or states arguing either the affirmative or the negative of the issue in dispute so that only one (1) arbitrator is selected by the state or states on either side of the controversy. In the event an agreement cannot be reached, such selection shall be made by the Executive Board;

- c. The name of a third arbitration panel appointee mutually agreed upon and independent of all the states involved in the dispute.
- (3) The Compact Administrator shall coordinate the arbitration process.
- (4) Pursuant to paragraph (G)(2)(b) of this rule, appointment of the arbitration panel shall be completed by the party states involved within thirty (30) days of the decision to appoint a panel.
- (5) All involved states shall agree on arbitration procedures, including a date and location for the arbitration to take place which shall be within forty-five (45) days of the appointment of the arbitration panel. In the event the parties cannot agree, the arbitration panel shall make these and other procedural decisions.
- (6) The panel shall render a decision within forty-five (45) days of the completion of the arbitration.
- (7) The panel shall forward its decision to the Compact Administrator and Chair of the Commission and to each involved party state within seven (7) days of its decision.
- (8) The decision of the arbitration panel shall be final and binding.
- (9) In the event arbitration is necessary, and unless otherwise agreed by the parties, at the discretion of the arbitration panel, the prevailing party or parties may be entitled to recover the costs of such arbitration, including reasonable attorneys' fees, to the extent permitted by state law of the prevailing party state.
- (10) Arbitration award decisions may be enforced in a court of competent jurisdiction.

Effective: 10/25/20

Rule Amplifies: Section 10 of the Compact

Prior Effective Dates: 11/5/17

Rule 8.3 – Compliance and Enforcement

- (A) The Delegate in each party state shall enforce the Compact and shall take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The Commission supports voluntary, collaborative efforts to resolve compliance and enforcement issues in lieu of formal dispute resolution procedures or other legal enforcement action between and among all Compact party states. All affected parties are encouraged to communicate with each other directly and make every effort to resolve issues informally prior to application of paragraphs (E) through (G) of rule 8.2 and paragraphs (E) and (F) of this rule.
 - (1) Any party state may submit a written request to the Executive Board for assistance in interpreting the Compact. The Executive Board may seek the assistance of legal counsel in interpreting the Compact, particularly concerning compliance and enforcement. The Executive Board's interpretation of the Compact will be issued in writing to all parties to the dispute.
 - (2) At the discretion of the Executive Board, appropriate technical assistance and training may be provided to any party state seeking to voluntarily address a compliance issue.
- (B) When compliance or enforcement is unresolved through informal attempts, the Delegate shall request assistance from the Executive Board.
 - (1) It is the duty of the Executive Board to address alleged substantive or recurrent violations of the Compact when informal attempts to attain compliance have been unsuccessful.
 - (2) The Commission, in the reasonable exercise of its discretion, shall enforce the Compact.
- (C) Compliance and enforcement issues that cannot be resolved through informal resolution or through the Executive Board shall be referred to an arbitration panel or other appropriate legal action as provided in Section 10. of the Compact at the discretion of the Executive Board.
- (D) Informal Resolution
 - (1) When an alleged violation of the Compact comes to the attention of the Compact Administrator or Executive Board, a written statement describing the situation should be provided, and sufficient time allowed for response and opportunity for other Delegate(s) to review and investigate the issues raised in the dispute. The Compact Administrator, on behalf of the Executive Board, shall contact the Delegate of the state(s) alleged to be in non-compliance with the Compact and, when applicable, the Delegate of the state alleging non-compliance with the provisions of the Compact.

- (2) If the party state alleged to be in non-compliance with the Compact requires assistance with interpretation of the Compact, the Delegate of that state, or the state's legal representative may contact the Executive Board to request assistance in interpreting relevant Compact provisions and identifying steps to achieve compliance.
 - (3) The Executive Board may consult with legal counsel and shall document efforts to resolve the issues.
 - (4) If all issues are resolved to the satisfaction of the Executive Board and the state(s) involved, the Compact Administrator shall prepare a written report to document the resolution, and no further action is required.
- (E) Executive Board Resolution
- (1) In the event that informal resolution of alleged non-compliance is not possible, the Compact Administrator shall notify the Executive Board and furnish a report of all issues pertaining to non-compliance allegations, including details of informal resolution efforts, in a timely fashion.
 - (2) If the Executive Board determines that a state is not in compliance with the Compact, the Executive Board shall provide a written notice to the state(s) citing the specific allegation(s) of non-compliance or default.
 - (3) The state(s) shall provide a written response regarding the alleged default or noncompliance to the Executive Board within forty-five (45) days.
 - (4) The Executive Board, Compact Administrator, and legal counsel shall develop and propose a plan for voluntary resolution of the allegation(s) of default or non-compliance within sixty (60) days, which may include technical assistance and training, and submit such plan to the involved state(s) for approval unless all parties agree that a longer period of time is needed to address the default/non-compliance or related issues.
 - (5) If the state alleged to be in non-compliance or default does not agree with the Executive Board's proposed plan for resolution, or if the state fails to cure the default or non-compliance after initially agreeing with the Executive Board to follow a remediation plan, the Executive Board may conduct an investigation to examine any evidence relevant to the allegation(s). Such evidence may include, but is not limited to, statements and/or testimony of witnesses, documents, and other information. An investigator may be appointed by the Executive Board to conduct the investigation.
 - (6) The Commission shall bear the expense of any investigation.
 - (7) The state alleged to be in non-compliance or default will be informed by the Executive Board in writing if additional incidents of apparent non-compliance are discovered during the course of the investigation.
 - (8) All information obtained during the investigation, and reports prepared by the Commission, shall be confidential and not subject to public disclosure unless otherwise required by the laws of any state involved in the dispute.
 - (9) The state alleged to be in non-compliance will be provided an opportunity to submit a written response to the preliminary findings within twenty (20) days, including documentary evidence, and to meet with the investigator, if any, at the expense of the Commission.
 - (10) Within forty-five (45) days after the conclusion of the investigation, the Executive Board or its investigator shall prepare a written report including a summary of factual findings. The report is provided to the state who is the subject of the investigation for review and comment, including the opportunity to provide corrections to the report, as appropriate. Any comments and/or corrections are returned to the Executive Board, through the Compact Administrator, within fourteen (14) days of issuance of the initial report.
 - (11) After review of the response of the state alleged to be in non-compliance, the Executive Board shall determine, based on a preponderance of the evidence standard, violation(s), if any, of the Compact. If the Executive Board substantiates the allegations based on the evidence and legal authorities cited, the Executive Board shall schedule a conference, either in person or by telephonic or electronic means, with the non-compliant state's Delegate, Assistant Attorney General (or other legal representative), and Presiding Officer of the State's Licensing Board (or designee) to determine if the violations may be remedied through training, technical assistance, or other voluntary means within

- forty-five (45) days, unless all parties agree that a longer period of time is needed to address the default/non-compliance.
- (12) Any compliance or enforcement issue pursuant to this section not resolved may result in formal dispute arbitration, or other appropriate enforcement action pursuant to Section 10. of the Compact, as determined by the Executive Board.
- (13) Any member(s) of the Executive Board whose state is involved in any compliance or enforcement issue shall be recused from consideration, discussion, or voting on any such case.
- (F) Dispute Arbitration
- (1) In the event that a member state's Compact default/non-compliance cannot be resolved through the procedures described in Chapter 8 of the rules, the Executive Board may order arbitration before a three (3) member arbitration panel for determination of the default/non-compliance and enforcement of the Compact.
- (2) Each involved state shall submit a signed Arbitration Agreement form which shall include:
- a. Consent that the decision of the majority of the arbitrators is final and binding;
 - b. The name of an appointee to the arbitration panel selected by the state(s) alleged to be in default/non-compliance;
 - c. The name of an appointee to the arbitration panel selected by the Commission, or
 - d. A suggested arbitration panel appointee mutually agreed upon by all parties and independent of the involved state(s).
- (3) The Compact Administrator shall coordinate the arbitration process.
- (4) Selection of the panel of arbitrators shall be completed, at the direction of the Compact Administrator, within forty (40) days of the decision to appoint a panel.
- (5) All parties shall agree on a date for the arbitration to take place, as well as applicable deadlines and procedures for any necessary discovery. In the event no agreement can be reached, these and other procedural decisions shall be made by the arbitration panel.
- (6) The location of arbitration shall be the principal offices of the Commission.
- (7) The panel shall render a decision within forty-five (45) days of the completion of the arbitration based upon the facts as stipulated, or proven by preponderance of the evidence at any hearing, and as required under the provisions of the Compact and any other applicable statutes, regulations and/or case law.
- (8) The panel shall forward its decision to the Chair of the Commission, via the Compact Administrator, and to each involved party state within twenty-one (21) days of its decision.
- (9) The decision of the arbitration panel is final and binding.
- (10) Unless otherwise agreed by the parties, and at the discretion of the arbitration panel, the prevailing party or parties may be entitled to recover the costs of the arbitration, including reasonable attorneys' fees, if permitted by the laws of the prevailing state.

Effective: 11/5/17

Rule Amplifies: Section 10 of the Compact

Prior Effective Dates: None

Rule 8.4 – Enforcement Remedies against a Defaulting State

- (A) Notwithstanding the provisions of paragraphs (D) through (G) of rule 8.2 and paragraphs (D) and (E) of rule 8.3, if the Commission determines that any state has at any time defaulted (“defaulting state”) in the performance of any of its obligations or responsibilities under this Compact, or the provisions of the Bylaws or any duly promulgated rules, the Commission may impose any or all of the following penalties:
- (1) Remedial training and technical assistance as directed by the Commission;
 - (2) Damages or costs in such amounts as are deemed to be reasonable as fixed by the Commission;
 - (3) Suspension of membership in the Compact; and
 - (4) Termination of membership in the Compact.
 - a. Suspension and termination shall be imposed only after all other reasonable means of securing compliance under the Bylaws and rules have been exhausted.

- b. Notice of suspension or notice of termination shall be sent by the Commission in accordance with the Bylaws.
- (B) The grounds for default include, but are not limited to, failure of a member state to perform such obligations or responsibilities imposed upon it by this Compact, Commission Bylaws, or duly promulgated rules. The Commission shall notify the defaulting state in writing of the penalty imposed by the Commission on the defaulting state pending a cure of the default within a reasonable timeframe. The Commission shall stipulate the conditions and the time period within which the defaulting state must cure its default. If the defaulting state fails to cure the default within the time period specified by the Commission, in addition to any other penalties imposed herein, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the member states and all rights, privileges, and benefits conferred by this Compact shall be terminated from the effective date of termination.
- (C) The defaulting state is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.
- (D) The Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon between the Commission and the defaulting state.
- (E) Reinstatement following termination of any party state requires both a reenactment of the Compact by the defaulting state and the approval of the Commission pursuant to the rules.

Effective: 11/5/17

Rule Amplifies: Section 10 of the Compact

Prior Effective Dates: None

Rule 8.5 – Judicial Enforcement

The Commission may also, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Commission, in the United States District Court for the Eastern District of Virginia, to enforce compliance with the provisions of the Compact, its duly promulgated rules, and Bylaws, against any member state in default. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorneys' fees.

Effective: 11/5/17

Rule Amplifies: Section 10 of the Compact

Prior Effective Dates: None

ATTACHMENT F

PT COMPACT BYLAWS

As of June 17, 2024



Physical Therapy Compact Commission

Bylaws

Effective as of June 17, 2024

Physical Therapy Compact Commission

Bylaws Effective as of June 17, 2024

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Article I. Name

The name of this organization is the Physical Therapy Compact Commission, hereinafter referred to as the Commission.

Article II. Commission Purpose

Pursuant to the terms of the Physical Therapy Licensure Compact (the "Compact"), the Commission is established to fulfill the objectives of the Compact through a means of joint cooperative action among the Member States. The purpose of the Compact is to facilitate the interstate practice of physical therapy with the goal of improving public access to physical therapy services in a manner that preserves the regulatory authority of each Member State to protect the public health and safety through the current system of state licensure.

Article III. Functions

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Member States. The Commission's activities shall include, but are not limited to, the following:

- A. Promulgation of binding rules and operating policies and procedures;
- B. Equitable distribution of the costs, benefits, and obligations of the Compact among the Member States;
- C. Enforcement of Commission Rules, Bylaws, and Operating Policies and Procedures;
- D. Provision of dispute resolution;
- E. Coordination of training and education as it relates to the Compact; and
- F. Collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

Article IV. Bylaws

As required by the Compact, these Bylaws shall govern the management and operations of the Commission. As adopted and subsequently amended, these Bylaws shall remain at all times subject to, and limited by, the terms of the Compact.

Article V. Membership

Section 1. Member State Representation.

- A. The Commission Membership shall be comprised as provided by the Compact. Each Member State shall have and be limited to one (1) voting representative, selected by the

physical therapy licensing board (“Member Board”) in the Member State, who shall be the Delegate of the Member State.

- B. Each Member State shall forward the name of its Delegate to the Commission staff within ten (10) business days of selecting a Delegate. Member States should consider whether any real or potential Conflict of Interest exists when selecting their Delegate.
- C. The Member Board of the Member State shall provide notice to the Commission staff within ten (10) business days whenever a vacancy occurs.
- D. Commission staff shall promptly advise the Member Board of the Member State of the need to appoint a new Delegate whenever a vacancy occurs.
- E. Delegate contingency form.
 - 1. A Member State shall submit a Delegate Contingency Form to identify, in order, which individual is selected by the Member State in the event the originally selected Delegate is unable to fulfill the duties of Delegate.
 - 2. The form shall contain a list of at least one contingent delegate who will serve as the Member State’s Delegate if the originally appointed delegate is unable to serve.
 - 3. The information will be maintained by Commission staff and must be reviewed annually by the Member Board.

Section 2. Non-Voting, Ex Officio Representation.

- A. In addition to the Delegates identified in Section 1.A. of this Article, the Commission Membership shall also be comprised of representatives appointed by the two organizations identified in Section 7.D.1.b. & c. of the Compact. These individuals shall be appointed by their respective organizations and serve as non-voting, ex officio members.
- B. The two organizations identified in Section 7.D.1.b. & c. of the Compact shall forward the name of their appointed representative to the Commission staff within ten (10) business days of the appointment. The two organizations identified in Section 7.D.1.b. & c. should consider whether any real or potential Conflict of Interest exists when selecting their appointed representative.
- C. The two organizations identified in Section 7.D.1.b. & c. of the Compact shall provide reasonable notice to the Commission staff whenever a vacancy occurs.
- D. Commission staff shall promptly advise the appropriate staff of the two organizations identified in Section 7.D.1.b. & c. of the need to appoint a new representative whenever a vacancy occurs.

Section 3. Withdrawal of Membership in the Compact.

A Member State may withdraw from the Commission by enacting legislation repealing the Compact language. As provided in the Compact, the withdrawal will not take effect until six (6) months after the enactment of the legislation repealing the Compact language.

Section 4. Suspension and Termination of Membership in the Compact.

- A. The grounds for default include, but are not limited to, failure of a member state to perform such obligations or responsibilities imposed upon it by the Compact, or the rules and bylaws of the Commission promulgated under the Compact.

- B. If the Commission or the Executive Board determines that a Member State has defaulted in the performance of its obligations or responsibilities under the Compact or the adopted Rules, a representative of the Commission shall:
1. Provide written notice to the defaulting state and other party states of the nature of the default, the proposed means of curing the default, and any action to be taken by the Commission; and
 2. Provide remedial training and specific technical assistance regarding the default to the Delegate of the Member State, including potential ways to cure the default.
 3. If the default is not cured, the Member State's membership in the Commission shall be suspended upon a two-thirds (2/3rds) vote of the Commission. The motion to suspend membership must include the nature of the default and proposed means of timely curing the default.
 4. Following a vote to suspend membership, a representative of the Commission shall send notice of the Commission's decision to the suspended Member State's Delegate, Governor and majority and minority leaders of the legislature, in addition to the board administrator and Delegate of all Member States, within ten (10) business days.
 5. If the Commission determines upon majority vote that the default is not timely cured, a Notice of Intent to Terminate shall be sent to the board administrator and Delegate of all Member States and by certified mail to the Delegate, Governor and majority and minority leaders of the legislature of the defaulting state. The Notice shall indicate that if the default is not cured as directed by the Commission within the timeframe specified in the Notice, the Commission will proceed to vote to Terminate membership in the Compact.

Article VI. Compact Commission, Officers, and Executive Board

Section 1. Officers.

The Officers of the Commission shall be the Chair, Vice Chair, and Secretary/Treasurer. The officers shall be duly appointed Delegates from Member States.

Section 2. Executive Board.

The Executive Board will consist of the Officers of the Commission, four At Large Members, one ex officio non-voting member selected by and representing the organization listed in Section 7.D.1.b. of the Compact, as identified in Rules, and one ex officio non-voting member selected by and representing the organization listed in Section 7.D.1.c. of the Compact, as identified in Rules. The At Large Members shall be duly appointed Delegates from Member States.

A majority of the voting members of the Executive Board will constitute a quorum.

The Executive Board has the power to act on behalf of the Commission according to the terms of the Compact.

Section 3. Duties of the Officers and At Large Members of the Executive Board.

A. Chair

1. Preside at all meetings of the Commission.
2. Preside at all meetings of the Executive Board.
3. Serve as non-voting, ex officio member of all committees.
4. Schedule Executive Board meetings as required.
5. Work with Executive Board members, complete specific strategies in support of the Commission's mission, vision, and goals.
6. Assume such other duties as the Executive Board may delegate.

B. Vice Chair

1. Succeed to the office of Chair for the remainder of the term in case of a vacancy in that office.
2. Assume the duties of the Chair in their absence or incapacitation.
3. Work with Executive Board members, complete specific strategies in support of the Commission's mission, vision, and goals.
4. Assume such other duties as the Executive Board may delegate.

C. Secretary/Treasurer

1. Work with Compact staff to ensure that attendance, votes, and the proceedings of the Executive Board and Compact Commission meetings are recorded and maintained in the permanent records of the Commission.
2. Conduct roll call of Delegates at any meeting of the Compact Commission and Executive Board meetings the official records and to establish the presence of a quorum.
3. Ensure that Compact staff takes and distributes the minutes in a timely manner.
4. Ensure that copies of the minutes of Executive Board meetings are approved as appropriate.
5. Make an annual fiscal report to the Commission.
6. Work with Compact staff to prepare a recommended budget and present it to the Executive Board for approval to submit to the Compact Commission for adoption.
7. Inform Executive Board members of the Commission's financial status at Executive Board meetings.
8. Ensure that an annual, independent audit is conducted and the auditor's recommendations are addressed.
9. Monitor the Commission's financial status, financial policies, and programs.
10. Help the Chair ensure that adequate resources are available to fund Commission programs.
11. Work with Executive Board members to complete specific strategies in support of the Commission's mission, vision, and goals.
12. Assume such other duties as the Executive Board may delegate.

D. At Large Member

1. Work with Executive Board members to complete specific strategies in support of the Commission's mission, vision, and goals.

2. Assume such other duties as the Executive Board may delegate.

Section 4. Election and Succession of the Executive Board.

- A. Members of the Executive Board will be elected for a term of three (3) years or until their successors are elected and assume office.
- B. Members of the Executive Board cannot serve more than two consecutive full terms in the same office.
- C. Members of the Executive Board will assume office at the close of the annual meeting at which the individuals are elected.
- D. Members of the Executive Board so elected shall serve without compensation or remuneration, except as provided by the Compact.
- E. In the case of a tie vote, the Chair will toss a coin to decide which candidate will go forward into the next round of elections or to decide which candidate is the winner of the election. Heads and tails will be assigned alphabetically by last name (for example, candidate Baird would be assigned “heads” and candidate Thornton would be assigned “tails.”)

The table below illustrates how the positions will be staggered for the first time the position is up for election following the adoption of the amendment to this Bylaw on June 27, 2023.

Position	Term End after Amendment	Next Year of Election for Staggering of Terms
Chair	2024	2027
Vice Chair	2025	2028
Secretary/Treasurer	2024	2026
Member-at-Large	2024	2026
Member-at-Large	2024	2027
Member-at-Large	2025	2028
Member-at-Large	2025	2028

Section 5. Vacancies in Office.

A. Chair

The Vice Chair will fill a vacancy occurring in the office of Chair for the remainder of the unexpired term.

B. Vice Chair or Secretary/Treasurer

A vacancy occurring in the position of Vice Chair or Secretary/Treasurer between meetings of the Commission may be filled by appointment by the Executive Board. The appointee will serve for the remainder of the unexpired term.

C. At Large Members

A vacancy occurring in the position of At Large Member between meetings of the Commission may be filled by appointment by the Executive Board. The appointee will serve for the remainder of the unexpired term.

Section 6. Removal from Office.

A. Member of the Executive Board

1. The Executive Board may, by a vote of two-thirds (2/3rds) of the membership of the Executive Board, decide that a member of the Executive Board: has a Conflict of Interest; has become incapacitated and unable to fulfill their duties; has three unexcused absences in a rolling twelve-month period; or has engaged in conduct constituting Cause. In that event, the Executive Board member will be removed or, in the case of Conflict of Interest, resolve the Conflict of Interest to the satisfaction of the Executive Board. The affected Executive Board member will not vote on, and may be excluded from the discussion of, the issues. The decision of the Executive Board is final.
2. A member of the Executive Board may be removed from office for Cause by a two-thirds (2/3rds) vote of the Delegates voting at any meeting of the Commission. Cause is defined as conduct that is or could be detrimental to the good name of the organization, potentially or actually disturbs its wellbeing or potentially or actually hampers its work.
3. The removal of a member of the Executive Board in accordance with this section of the Bylaws does not impact that individual's status as the Delegate from the Member State or as the non-voting, ex officio member appointed by one of the organizations identified in Section 7.D.1.b. & c. of the Compact.

B. Member State Delegate

The Delegate from a Member State may be removed or suspended from office as provided by the law in that Member State.

Section 7. Conduct of Business of the Executive Board.

A. Public Notice of Meetings

1. The Executive Board shall meet at least once each calendar year at a time and place to be determined by the Executive Board.
2. Additional meetings may be scheduled at the discretion of the Chair, and must be called upon the request of a majority of the Executive Board.
3. Notice of meetings shall be made at least thirty (30) days before the scheduled meeting date. The meeting notice shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.
4. The meeting agenda, including meeting start time and telecommunications information, shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States no later than seven (7) days before the meeting date. Additional agenda items requiring Executive Board action may not be added to the final agenda, except by an affirmative vote of a majority of the Executive Board.
5. If a special meeting is called, the notice shall be made at least twenty-four (24) hours before the scheduled meeting. The notice shall include the topic(s) that will be discussed at the special meeting. No additional agenda items may be added to the agenda. The notice of a special meeting shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.

B. Closed Session

1. Except as provided for in the Compact, all meetings of the Executive Board are open to the public.
2. The Compact authorizes 10 reasons the Executive Board may convene in a closed, non-public meeting. The Commission's legal counsel or designee will certify which of the 10 reasons for which the meeting, or portions of the meeting, is being closed.
3. The Executive Board may meet in closed session only after a majority of the Executive Board votes to convene in a closed, non-public meeting. The vote to convene in a closed session must be done by a roll call vote that reveals the vote of each member of the Executive Board.
4. Consultants, staff, resource individuals, or guests necessary to address the issues may be allowed to attend the closed session at the discretion of the Chair or by a majority vote of the Executive Board.

C. Duties of the Executive Board

1. Recommending the following to the full Commission:
 - a. Changes to the Rules or Bylaws.
 - b. Changes to the Compact language.
 - c. Fees/dues paid by Member States.
 - d. Fee charged by the Commission to a licensee purchasing a Compact Privilege.
2. Ensuring administrative services are provided appropriately, including managing any contracts for administrative services.
3. Preparing and recommending to the full Commission an annual budget.
4. Maintaining the financial records on behalf of the Commission.
5. Establishing additional committees, if necessary.
6. Monitoring Member State compliance with the terms of the Compact, including these Bylaws and Rules adopted by the Commission.
7. Delegating appropriate functions and tasks to the Compact Commission Administrator.
8. Any other duties provided for in these Bylaws and Rules adopted by the Commission.

Section 8. Compact Commission.

The Physical Therapy Compact Commission is a joint public agency created and established by the Member States.

A majority of the Commission will constitute a quorum.

Section 9. Duties of the Compact Commission Delegates.

- A. Represent their Member State in all meetings of the Commission.
- B. Attend the annual meeting of the Commission, and any other meetings of the Commission.
- C. Participate in the business and affairs of the Commission.
- D. Vote on the promulgation of Rules and creation of Bylaws.

Section 10. Conduct of Business of the Compact Commission.

A. Public Notice of Meetings

1. The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission.
2. Additional meetings may be scheduled at the discretion of the Chair, and must be called upon the request of a majority of the Commission.
3. Notice of meetings shall be made at least thirty (30) days before the scheduled meeting date. The meeting notice shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.
4. The meeting agenda, including meeting start time and telecommunications information, shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States no later than seven (7) days before the meeting date. Additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the Commission.
5. If a special meeting is called, the notice shall be made at least twenty-four (24) hours before the scheduled meeting. The notice shall include the topic(s) that will be discussed at the special meeting. No additional agenda items may be added to the agenda. The notice of a special meeting shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.

B. Notice of Proposed Rulemaking

1. Notice of Proposed Rulemaking shall be made at least thirty (30) days before a meeting at which the Commission reviews and plans to adopt, amend, or rescind a rule.
2. The meeting notice shall be published on the Commission's website and sent to the Member Board in all Member States for publishing on the board's website.
3. The meeting notice shall include information about the meeting time and location, the text of the proposed changes, and the mechanism and timeframe in which interested parties may indicate intention to attend the public meeting and/or submit written comments on the proposed changes.
4. The Commission may proceed with the proposed changes without a public hearing if no written notice of intent to attend by interested parties is timely received.
5. The Commission must hold a public hearing if it is requested in the manner outlined in Section 9.G. of the Compact.

C. Closed Session

1. Except as provided for in the Compact, all meetings of the Commission are open to the public.
2. The Compact authorizes ten (10) reasons the Commission, the Executive Board, or other committees of the Commission may convene in a closed, non-public meeting. The Commission's legal counsel or designee will certify which of the 10 reasons for which the meeting is being closed.

3. The Commission may meet in closed session only after a majority of the Commission votes to convene in a closed, non-public meeting. The vote to convene in a closed session must be done by a roll call vote that reveals the vote of each member of the Commission.
4. Consultants, staff, resource individuals, or guests necessary to address the issues may be allowed to attend at the discretion of the Chair or by a majority vote of the Commission.

D. Election Results

1. When reporting election results to the Commission, the number of votes received by each candidate will not be announced.
2. The number of votes received by each candidate will be provided to the Executive Board, the candidates, or individual voting Delegates upon request.
3. Results and original ballots will be maintained by Compact staff for one year after the date of the election.

E. Seating

1. When meeting in person, all voting Delegates, the individuals appointed to represent the two organizations identified in Section 7.D.1.b. & c. of the Compact, and appropriate Commission staff shall be seated together in a separate designated area.
2. All other attendees will be seated outside of the designated area.

F. Rights and Privileges of Individuals Other than Delegates and Section 7.D.1.b. & c. Appointees (“Non-Delegates”)

1. Adding Item to the Agenda.
Upon written request to the Commission at least ten (10) business days prior to the meeting date, any person who desires to add an item to the agenda and present a statement shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. If the request is not made at least ten (10) business days prior to the meeting date, the Chair will determine whether to add the item to the agenda.
2. Speaking During a Public Meeting.
Non-Delegates may attend Commission meetings and speak during the public comment period.
3. At the discretion of the Chair, consultants, staff, resource individuals, or other guests may speak to address an issue on the agenda, other than the situations identified in Section 10.F.1.&2. of this Article of the Bylaws.
4. The Chair may limit the time and manner of any statements from non-delegates at any open meeting.
5. Nothing in this Section of the Bylaws shall apply to public rules hearings held in accordance with Section 9.H. of the Compact.

G. Conduct of Business by Mail or Electronically

1. When business is conducted by telecommunications, all members must be notified in advance. Commission staff will establish an electronic mechanism for Delegates to participate in the meeting.

2. If a Delegate is unable to attend an in-person meeting of the Commission, the Member State must notify Commission staff at least ten (10) business days prior to the date of the meeting to allow sufficient time for Commission staff to establish an electronic mechanism for the Delegate to participate in the meeting.
3. For ballot votes, the Delegate will electronically submit their vote to Commission staff. For voice votes, the Delegate will vote via phone.

H. Duties of the Commission

1. Adopt changes to the Rules or Bylaws.
2. Adopt changes to the Compact language.
3. Adopt in rule the fees/dues to be paid by Member States.
4. Adopt in rule the fee charged by the Commission to a licensee purchasing a Compact Privilege.
5. Adopt the budget based on the recommendation from the Executive Board.
6. Enter into contracts for the provision of personnel and other administrative services.
7. Enforce Member State compliance with the terms of the Compact, including these Bylaws and Rules adopted by the Commission.
8. Perform any other necessary or appropriate duties authorized by the Compact.

Section 11. Conflict of Interest.

- A. The Commission shall adopt a conflict of interest policy that addresses how to resolve potential conflicts of interest.
- B. Delegates shall recuse themselves from voting on any issue where a conflict of interest is determined to exist.

Article VII. Committees and Task Forces

Section 1. Standing Committees of the Commission.

The Commission may establish Standing Committees as deemed necessary to carry on the work of the Commission. The specific functions of any standing committees established by the Commission are described in the Policies.

Membership of Standing Committees of the Commission shall be appointed by the Commission for terms outlined in the Policies or Bylaws. The Commission may appoint individuals other than the Member State's Delegate to serve on Standing Committees of the Commission.

A. Elections Committee.

The Elections Committee will consist of two Delegates, who are not on the Executive Board or slated for election. Committee members will serve two-year terms.

Section 2. Standing Committees of the Executive Board.

The Executive Board may establish Standing Committees from time to time as the Executive Board deems necessary to carry on the work of the Executive Board. The specific functions of any standing committees established by the Executive Board are described in the Policies.

Membership of Standing Committees of the Executive Board shall be appointed by the Executive Board for terms outlined in the Policies or Bylaws. The Executive Board may appoint individuals other than the Member State's Delegate to serve on Standing Committees of the Executive Board.

A. Finance Committee

The Committee will consist of at least three members, who will serve two-year terms. The Secretary/Treasurer shall serve as Chair of the Committee.

B. Rules and Bylaws Committee

The Committee will consist of at least three members, who will serve two-year terms.

C. Compliance Committee

The Committee will consist of at least three members, who will serve two-year terms. The Committee will have at least one representative from a jurisdiction with an autonomous licensing board and at least one representative from a jurisdiction with a system that is run by an agency director, commission or council, with or without the assistance of a board and if the board does exist, it is strictly advisory.

D. Education and Outreach Committee

The Committee will consist of at least three members, who will serve two-year terms.

Section 3. Task Forces.

Task forces may be established by the Executive Board and the Commission may recommend that the Executive Board establish a task force. Membership will consist of a number sufficient to complete the assigned task and will be assigned for a specific time frame. Individuals other than the Member State's Delegate may be appointed to serve on task forces.

Article VIII. Commission Personnel

Section 1. Commission Staff.

The Executive Board may hire a Compact Commission Administrator, who shall serve at the pleasure of the Executive Board. In lieu of hiring a Compact Commission Administrator, the Executive Board may enter into a contract with a third party for the provision of services, including those of a Compact Commission Administrator. The Compact Commission Administrator shall hire and supervise such other staff as may be authorized by the Commission.

Section 2. Duties of the Compact Commission Administrator.

As the Commission's principal administrator, the Compact Commission Administrator shall perform such other duties as may be delegated by the Commission, the Executive Board, or required by the Compact and these Bylaws, including, but not limited to, the following:

A. Recommend general policies and program initiatives for the Commission's consideration;

- B. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
- C. Implement and monitor administration of all policies, programs, and initiatives adopted by the Commission;
- D. Prepare draft annual budgets for the Executive Board's consideration;
- E. Monitor all Commission expenditures for compliance with approved budgets, and maintain accurate records of the Commission's financial account(s);
- F. Monitor Member State compliance with the terms of the Compact, including these Bylaws and Rules adopted by the Commission;
- G. Execute contracts on behalf of the Commission as directed;
- H. Receive service of process on behalf of the Commission;
- I. Prepare and disseminate all required reports and notices directed by the Commission; and
- J. Otherwise assist the Executive Board in the performance of its duties under Article VI herein.

Article IX. Qualified Immunity, Defense, and Indemnification

Section 1. Immunity.

The Commission, its Members, officers, Compact Commission Administrator, and employees shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that nothing in this paragraph shall be construed to protect any such person from suit and/or liability, for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

Section 2. Defense.

Subject to the provisions of the Compact and Rules promulgated thereunder, the Commission shall defend the Delegate of a Member State, their representatives or employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that nothing herein shall be construed to prohibit that person from retaining their own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

Section 3. Indemnification.

The Commission shall indemnify and hold harmless the Delegate of a Member State, their representatives or employees, or the Commission, and its representatives or employees, for the amount of any settlement or judgment obtained against that person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

Article X. Finance

Section 1. Fiscal Year.

The Fiscal Year of the Commission shall be January 1 through December 31.

Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years only after notice and comment as provided by the Compact.

Section 3. Dues.

Each Member State shall pay an annual assessment in accordance with Section 7.F.3. of the Compact. The amount of the annual assessment will be specified in the Rules adopted by the Commission and shall be sent timely to be received no later than ninety (90) after the start of the fiscal year. A Member State will be ineligible to vote on any matters that come before the Commission if the annual assessment is not received within the 90 day timeframe. Voting rights will be restored once the Member State pays the annual assessment. If the assessment is not paid within six (6) months after the start of the fiscal year, the Commission will take appropriate enforcement action in accordance with the Rules adopted by the Commission.

Section 4. Authority to Expend and Disperse Money.

No Delegate or employee of the Commission will have the right or authority to expend any money of the Commission, to incur any liability in its behalf, or to make any commitment which binds the Commission to any expense or financial liability, unless such expenditure, liability, or commitment has been incorporated in the budget or the Executive Board has made an appropriation or has approved a policy to pay same. The Commission may assume debt as a means of financing operations, including credit facilities such as a line of credit. The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its Rules, and these Bylaws governing the incursion of debt and the pledging of credit.

Section 5. Accounting and Audit.

The financial records of the Commission will be audited annually by an independent certified public accountant. The audit report will be presented to the Executive Board when the report is received and to the full Commission at the Commission's annual meeting. The report shall also be made available to the public and shall be included in and become part of the annual report.

The Commission's internal accounts, any workpapers related to any internal audit, and any workpapers related the independent audit shall be confidential; provided, that such materials shall be made available: (1) in compliance with the order of any court of competent jurisdiction; (2) pursuant to such reasonable Rules as the Commission shall promulgate; and (3) to any Delegate of a Member State, or their duly authorized representatives.

Section 6. Travel Reimbursements.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Delegates may be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission, its committees as provided by the Compact, or the Executive Board.

Article XI. Withdrawal, Default, and Termination

Member States may withdraw from the Compact only as provided by the Compact. The Commission may suspend and/or terminate a Member State as provided by the Compact.

Article XII. Parliamentary Authority

Matters of parliamentary procedure not covered by these Bylaws shall be governed by the current edition of *Robert's Rules of Order Newly Revised*.

Article XIII. Adoption and Amendment of Bylaws

Any Bylaw may be adopted, amended, or repealed by a majority vote of the Commission, provided that written notice and the full text of the proposed action is provided to all Delegates of Member States at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rds) vote of the Delegates of Member States shall be required for such action.

Article XIV. Dissolution of the Compact

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Member State which reduces Membership in the Compact to one Member State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law.

ATTACHMENT G

PT COMPACT POLICIES AND PROCEDURES

As of June 17, 2024



POLICY & PROCEDURE MANUAL

EFFECTIVE AS OF JUNE 17, 2024

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POLICY NUMBER: 1.1

AREA: Administration

AUTHORITY: PT Compact – Section 7.C

PURPOSE: To establish the period of time records will be retained and subsequently destroyed by the Physical Therapy Compact Commission (PTCC).

DATE APPROVED: October 28, 2018

Policy:

1. Records are retained at least seven (7) years or as long as is required by law and scanned and stored when appropriate. This must be followed and can only be changed with the approval of the Chief Financial Officer (CFO).
2. When records are stored at an offsite location, they are to be placed in a file storage box with the contents and date clearly noted on the outside of the box to scan and store.
3. The destruction or deletion of records must be approved by the CFO.
4. All files will be maintained in a secure format.
5. Document destruction or deletion, including email, is prohibited if there is any pending or continuing litigation.

POLICY NUMBER: 1.2

AREA: Administration

AUTHORITY: PT Compact – Section 7.C and PT Compact Bylaws Article VI. Section 11

PURPOSE: To establish the process by which conflicts of interest must be disclosed and handled.

DATE APPROVED: October 28, 2018

Policy:

Delegates, Executive Board members, and staff shall disclose all conflicts of interest.

Procedure:

1. Whenever a member of the Executive Board, Delegate, or staff member has a financial or personal interest in any matter coming before the Executive Board or the Physical Therapy Compact Commission (PTCC), the affected person shall:
 - a. Fully disclose the nature of the interest; and
 - b. Recuse themselves from discussion, lobbying, and voting on the matter.
2. At its discretion, a majority of the Executive Board may allow an individual with a conflict of interest to participate in a discussion, if circumstances warrant.
3. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of delegates who do not have a conflict of interest determine that it is in the best interest of the Executive Board and/or PTCC to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention, and/or rationale for approval.
4. While serving as a Delegate, a member of the Executive Board, or a member of a Committee or Task Force of the PTCC, the member's primary fiduciary obligation shall be to act in the best interest of the Commission as a whole, as opposed to the individual state board for which the member is serving as a delegate.

POLICY NUMBER: 1.3

AREA: Administration

AUTHORITY: PT Compact – Section 7.C

PURPOSE: To facilitate an effective and efficient system for communications within the compact, to state boards, and to other groups.

DATE APPROVED: October 28, 2018

DATE AMENDED: October 27, 2019

Policy:

Compact Delegates shall maintain open communication with physical therapy licensing boards and other interested parties.

Procedure:

1. When an issue arises that needs to be considered by the Physical Therapy Compact Commission (PTCC), Compact Delegates should forward the issue to the PTCC Chair and Compact Administrator.
2. General and routine requests for information regarding the PT Compact may be forwarded to the Compact Administrator, who will maintain a repository of information on behalf of the PTCC.
3. All requests for information regarding the PTCC from the public, an agency, an organization, governmental entity, or other body will be evaluated based on their merit, rules and laws governing the PTCC.
4. Requests for information regarding the PT Compact from an agency, an organization, or governmental entity will be forwarded to the Compact Administrator, who will notify the board administrator of the physical therapy board in the state where the request originated.
5. Any Compact Delegate who agrees to speak about the PT Compact to an entity located in a non-compact member state shall send a courtesy email to the PTCC Chair, Compact Administrator, and board administrator of the physical therapy board of the state in which the speech will be given prior to the speech.

6. The Compact Administrator will notify member boards regarding actions taken by the PTCC, as directed by the PTCC Chair or Executive Board.

POLICY NUMBER: 1.4

AREA: Administration

AUTHORITY: PT Compact – Section 11.C

PURPOSE: To describe the process for a member state to withdraw from the compact.

DATE APPROVED: October 28, 2018

Policy:

Any member state may withdraw from the Physical Therapy Compact by enacting legislation repealing the Compact language. As provided in the Compact language, the withdrawal will not take effect until six (6) months after the enactment of the legislation repealing the Compact language.

Procedure:

1. Action by the state wishing to withdraw from the PT Compact
 - a. The state shall send electronic or written notification to the Physical Therapy Compact Commission (PTCC) Chair and Compact Administrator of the intent to withdraw prior to initiating the formal process as described in the state's Compact law.
 - b. The state shall develop a timetable for the withdrawal process and communicate the timetable to all interested parties consistent with the PT Compact.
 - c. The timetable shall provide reasonable time for notification of physical therapists and physical therapist assistants holding active compact privileges or purchasing new compact privileges in the withdrawing state and time for those PTs and PTAs to obtain a license in the withdrawing state.
 - d. The withdrawing state shall forward a copy of the repealing statute to the Compact Administrator.
2. Responsibilities of the Physical Therapy Compact Commission (PTCC)

The PTCC shall notify all states, member and non-member, and all compact privilege holders, who have compact privileges in the withdrawing state or

compact privilege holders who designated the withdrawing state as their home residence, of the state's effective date of withdrawal from the PT Compact.

POLICY NUMBER: 1.5

AREA: Administration

AUTHORITY: PT Compact Bylaws – Article VII. Section 1

PURPOSE: To establish Physical Therapy Compact Commission (PTCC) elections procedure.

DATE APPROVED: October 28, 2018

Procedure:

1. An elections committee, made up of two members not on the Executive Board, will solicit nominations at least two months prior to the PTCC Annual Meeting. Nominations for the Executive Board may be made until one month prior to the PTCC Annual Meeting or from the floor during the annual meeting.
2. The Elections Committee will tally and verify the election and report the results to the PTCC Delegates during the PTCC Annual Meeting. Members of the Executive Board shall be elected by majority vote. Any election resulting in a tie will be decided by lot.

POLICY NUMBER: 1.6

AREA: Administration

AUTHORITY: PT Compact – Section 3.D

PURPOSE: To establish a process by which member states can submit and change state fees required to purchase compact privileges.

DATE APPROVED: October 28, 2018

DATE AMENDED: October 27, 2019

Policy:

Physical Therapy Compact Commission (PTCC) member states establishing or changing the state fees required to obtain a compact privilege in that state must notify the PTCC.

Procedure:

1. A member state may set the state fee to purchase a compact privilege in that state at any amount.
2. A member state must send electronic or written notification to the Compact Administrator of a change to the state fee amount.
3. The PTCC will have up to thirty (30) days from the date the Compact Administrator is notified to implement any state fee changes in the PTCC system. The Compact Administrator will notify the member state once the change is made.

POLICY NUMBER: 1.7

AREA: Administration

AUTHORITY: PT Compact – Section 7.C and PT Compact Rule 8.3 and 8.4

PURPOSE: To establish how and when compact privilege holders will be notified when a compact member state is suspended or terminated.

DATE APPROVED: October 28, 2018

Policy:

Upon a compact member state's suspension or termination, all individuals holding active compact privileges in that state shall be notified by the Physical Therapy Compact Commission (PTCC).

Procedure:

Suspension of a PTCC Member State

1. Thirty (30) days prior to a meeting of the full PTCC to discuss the potential suspension of a PTCC member state, the Compact Administrator shall send electronic notification of the potential of suspension to all individuals holding active compact privileges in the state and all individuals who designated the state as their home state.
2. Within 24 hours of the official vote to suspend by the PTCC, the Compact Administrator shall send an electronic notification to all individuals holding active compact privileges in the suspended state that compact privileges will be deactivated until further notice and thus are no longer valid in the suspended state.
3. Within 24 hours of the official vote to lift a suspension by the PTCC, the Compact Administrator shall send an electronic notification to all individuals with deactivated compact privileges associated with said state notifying them that all unexpired compact privileges will be re-activated within five (5) business days and thus are valid.

Termination of a PTCC Member State

1. Thirty (30) days prior to a meeting of the full PTCC to discuss the potential termination of a PTCC member state, the Compact Administrator shall send electronic notification of the potential of termination to all individuals holding active compact privileges in the state and all individuals who designated the state as their home state.

2. Within 24 hours of the official vote to terminate by the PTCC, the Compact Administrator shall send an electronic notification to all individuals holding active compact privileges for the terminated state that compact privileges are no longer valid and will be terminated immediately.

3. Within 24 hours of the official vote to terminate by the PTCC, the Compact Administrator shall send an electronic notification to all individuals with a home state that has been terminated from the PT Compact that any compact privileges associated with their home state license will be terminated immediately.

POLICY NUMBER: 1.8

AREA: Administration

AUTHORITY: PT Compact – Section 7.C

PURPOSE: To establish how refunds and charge backs for compact privileges are processed.

DATE APPROVED: October 28, 2018

Policy:

The Physical Therapy Compact Commission (PTCC) has the ability to approve refunds on a case by case basis in circumstances deemed extraordinary. In addition, if no payment is received due to a credit card charge back, the Compact Administrator shall terminate compact privileges due to non-payment and prevent an individual from purchasing any additional compact privileges until non-payment is remedied in accordance with Rule 3.9.

Procedure:

Refunds

1. Upon electronic or written request for a refund, the Compact Administrator will gather information regarding the specific circumstances. If the Compact Administrator, in consultation with the Chief Financial Officer, determines circumstances warrant a refund, the Compact Administrator will process the refund request. If the request is denied, the Compact Administrator will notify the requesting party of the decision.
2. Once a refund request is approved, the Compact Administrator will notify the state(s) that would be impacted due to the refund.
3. Refund approvals will be documented and include reasons the request was granted.

Charge Backs

1. Upon notification of a credit card charge back, the Compact Administrator will seek a resolution with the credit card holder for payment and notify them that compact privileges will be terminated if no payment is received.

2. If payment is not received within five (5) days, the Compact Administrator shall terminate any compact privileges associated with the non-payment and notify the associated states.
3. The Compact Administrator will block an individual who has an outstanding non-payment issue from purchasing any additional compact privileges until the non-payment issue is remedied.

POLICY NUMBER: 1.9

AREA: Administration

AUTHORITY: PT Compact – Section 5 and PT Compact Rule 4.1

PURPOSE: To establish the process by which military service will be verified by the Physical Therapy Compact Commission (PTCC).

DATE APPROVED: October 28, 2018

Policy:

To demonstrate eligibility for the benefits established in Section 5 of the Compact and/or for eligibility for state compact privilege fee waivers, where appropriate, the PTCC requires the verification of military service for active duty service members and their spouses and veterans from individuals that indicate that status during the compact privilege purchase process.

Procedure:

Active Duty Military Members, Active Duty Military Spouses, and Veterans

1. Any person requesting the status of active duty military or spouse of an active duty military member must send the PTCC a copy of their current and valid military identification card issued by the United States government or other acceptable proof. The required identification must be sent to military@ptcompact.org.
2. Any person requesting the status of military veteran must send the PTCC a copy of their current and valid veteran identification card issued by the United States government or other acceptable proof. The required identification must be sent to military@ptcompact.org.

POLICY NUMBER: 1.10

AREA: Administration

AUTHORITY: PT Compact – Section 4.A and PT Compact Rule 3.1

PURPOSE: To establish the process by which home state may be verified.

DATE APPROVED: October 28, 2018

Policy:

The Physical Therapy Compact Commission (PTCC) requires proof of home state, as defined by Rules, during the verification and purchasing process. The PTCC may require compact privilege seekers and holders to submit additional information to verify home state.

Procedure:

1. Individuals seeking a compact privilege are required to provide their driver's license/state ID number and expiration date to the PTCC system for use in verifying the individual's home state when purchasing a compact privilege. If the individual does not have a driver's license or state ID in the home state, the Compact Administrator will determine if an alternative identification document is acceptable.
2. The Compact Administrator may, at any time, require a compact privilege seeker or holder to submit additional documents in order to verify an individual's home state including, but not limited to, driver's license, state identification card, voter registration card, utility bills, etc. The Compact Administrator will make any necessary changes to home state on record based on the information collected.

POLICY NUMBER: 1.11

AREA: Administration

AUTHORITY: PT Compact – Section 7.C and PT Compact Rule 3.1

PURPOSE: To establish the process by which member states can require compact privileges holders to provide the location of workplaces and facilities where physical therapy is conducted.

DATE APPROVED: October 28, 2018

Policy:

The Physical Therapy Compact Commission (PTCC) allows member states to require compact privilege holders to notify the licensing board of the physical location(s) where the individual is providing physical therapy services within that remote state.

Procedure:

1. A member state physical therapy board may send an electronic or written request to an individual holding a current compact privilege in the state to submit the location(s) where the individual is currently providing physical therapy services within that remote state, if available. However, said information cannot be a requirement to obtain or maintain a compact privilege.
2. Any location information collected shall be maintained by the state.

POLICY NUMBER: 1.12

AREA: Administration

AUTHORITY: PT Compact – Section 7.E and PT Compact Bylaws – Article VI. Section 3.C

PURPOSE: To establish the process by which minutes will be drafted, reviewed, and posted.

DATE APPROVED: October 28, 2018

DATE AMENDED: October 25, 2020

Policy:

Minutes will be drafted, reviewed, and posted in a timely manner following the conclusion of a meeting.

Procedure:

1. Minutes of official Physical Therapy Compact Commission (PTCC) meetings, including Commission, Executive Board, Committees, and Task Forces, will be drafted and submitted to the respective entity for review and comment within (5) business days after the conclusion of the meeting.
2. After review, draft minutes will be posted publicly within ten (10) business days after the conclusion of the meeting by the appointed designee.

POLICY NUMBER: 1.13

AREA: Administration

AUTHORITY: PT Compact Bylaws – Article VII. Section 2

PURPOSE: To establish the role and duties of the Physical Therapy Compact Commission (PTCC) Finance Committee.

DATE APPROVED: October 28, 2018

Policy:

As delegated by the Treasurer, the Finance Committee shall provide support in the performance of the duties of the Treasurer as outlined in Article VI Section 3.C of the Bylaws

Procedure:

The Treasurer may direct the Finance Committee to assist in tasks such as:

1. Serving in an advisory role in developing financial policies and practices.
2. Reviewing quarterly financial reports and annual budget.
3. Other duties as assigned.

POLICY NUMBER: 1.14

AREA: Administration

AUTHORITY: PT Compact Bylaws – Article VII. Section 2

PURPOSE: To establish the role and duties of the Physical Therapy Compact Commission (PTCC) Rules and Bylaws Committee.

DATE APPROVED: October 28, 2018

Procedure:

Annual Review of Rules and Bylaws

1. Annually, at a time determined by the Committee Chair, the Rules and Bylaws Committee will solicit suggestions from PTCC Delegates, member state board Administrators, and PTCC staff for suggested amendments to the PTCC Rules and Bylaws.
2. The Committee will review all submitted suggestions and draft proposed amendments for any suggestions that the Committee mutually agrees should be made.
3. The Committee will then provide both the Executive Board and all PTCC Delegates and member state board Administrators the opportunity for informal review and comment on the proposed draft amendments prior to making any official recommendation.
4. After consideration of informal comments on the proposed draft amendments, the Committee will make changes that it agrees should be made and vote on a final version of the proposed draft amendments to recommend for Executive Board consideration.
5. If the Executive Board does not vote to recommend the proposed draft amendments for consideration by the full Commission, the Committee will review the amendments and revise as necessary before voting again to recommend to the Executive Board.

Emergency Rules and Bylaws Amendments

In the case of the adoption of emergency amendments to the Rules and Bylaws, the Committee will begin the usual rulemaking process no later than ninety (90) days after the effective date of the rule.

POLICY NUMBER: 1.15

AREA: Administration

AUTHORITY: PT Compact – Section 7.C

PURPOSE: To establish the employment policies for Physical Therapy Compact Commission (PTCC) staff.

DATE APPROVED: October 28, 2018

Policy:

PTCC staff will have employment policies provided at the time of employment by the PTCC or, if staff is employed and managed through a third party, said third party employer shall provide a copy of the employment policies governing PTCC staff and administer the employment policies as necessary. A copy of the employment policies will be provided to the PTCC Executive Board upon request.

POLICY NUMBER: 1.16

AREA: Administration

AUTHORITY: PT Compact Bylaws – Article VI. Section 3.C

PURPOSE: To establish financial processes of the Physical Therapy Compact Commission (PTCC).

DATE APPROVED: October 28, 2018

DATE AMENDED: October 25, 2020; October 27, 2019

Policy:

The PTCC finances shall be conducted in accordance with common financial practices and shared with PTCC members.

Procedure:

Financial Reporting

1. Treasurer’s Report at Annual Meeting
The Treasurer of the PTCC, with the assistance of the Chief Financial Officer (CFO), will present an annual report to the PTCC Delegates at the Annual Meeting.
2. Review of Financial Activities
Financial statements will be prepared in a timely manner at the conclusion of each quarter. Such statements will be distributed to the Treasurer, Finance Committee, and Executive Board.
3. Reporting Financial Matters to Member Boards
Actual incomes and expenses will be published and shared with the Delegates and member state board Administrators after the end of the fiscal year or after an annual audit is completed.

Annual Budget

1. The CFO and Compact Administrator will summarize and discuss the proposed annual budget with the Treasurer. The Treasurer will submit the annual budget to the Executive Board for consideration.

2. The Executive Board will submit the proposed annual budget for consideration and vote by the full Commission at its annual meeting.

Remittal of State Compact Privilege Fees

1. No later than fourteen (14) business days following the conclusion of each month, the CFO will remit back to the appropriate state, in the form of a check, the net of the gross compact privilege fees collected on behalf of the state minus a 3.5% processing charge for each compact privilege purchased rounded up to the nearest dollar.

POLICY NUMBER: 1.17

AREA: Administration

AUTHORITY: PT Compact Bylaws – Article VII. Section 2

PURPOSE: To establish the role and duties of the Physical Therapy Compact Commission (PTCC) Compliance Committee.

DATE APPROVED: October 24, 2021

Policy:

The Compliance Committee shall assist in monitoring compact member state compliance with the requirements of the PT Compact, assist in remediation, and make recommendations to the Executive Board regarding enforcement actions, when necessary.

Procedure:

The Compact Administrator shall be responsible for coordinating the entire process with involvement of members of the Compliance Committee as outlined below.

Compliance Monitoring and Reporting

STEP 1 – Quarterly Compliance Reporting.

- 1) The Compact Administrator shall send each compact state a quarterly report on its compliance with the key factors.
 - a) The report shall highlight compliance and non-compliance for each factor.
 - b) Allow 2 weeks for the member state to proactively contact the Compact Administrator in response to any factors not in compliance.
 - c) If steps are taken to achieve compliance, move the member state off the list of non-compliance and include member state in the report to the Compliance Committee at the next meeting.
 - d) If the member state contact does not proactively contact the Compact Administrator in response to non-compliance within 2 weeks, move forward to next step.

STEP 2 – Quarterly Report to Compliance Committee.

- 1) The Compact Administrator shall send the Compliance Committee a quarterly update on the compliance of compact states.
 - a) The Committee will meet quarterly, if needed, to address compliance issues.

STEP 3 - Discussion with member state regarding non-compliance.

- 1) The Compact Administrator shall request a meeting to discuss the non-compliance member state and understand any barriers the state faces.
- 2) Attendees of the meeting shall be a representative from the member state, the PT Compact Administrator, and a representative from a Compact Member State whose board is of similar structure (independent, umbrella, etc).
 - a) Non-compliance is directly discussed and steps to remediate the non-compliance are identified.
 - b) Per Section 10(B).1b of the compact language, as necessary, the Commission, through the Compact Administrator, will provide remedial training and technical assistance to a non-compliant state.
 - c) A deadline for compliance is established. Deadlines may vary depending on the hierarchy matrix created regarding how concerning non-compliance is in each area.
 - d) If compliance is achieved, move the member state off the list of non-compliance and include member state in the report to the Compliance Committee at the next meeting.
 - e) If deadline is reached and non-compliance persists, move forward to next step.

STEP 4 – Preliminary notification of non-compliance.

- 1) The Compact Administrator and PTCC Chair shall send preliminary notification of non-compliance letter to the compact member state Administrator and Compact Delegate.
 - a) Non-compliance is identified in the letter with a request for a meeting on a scheduled date.
 - b) Meeting is held with member state, Compact Administrator, and PTCC Chair on date scheduled to discuss non-compliance.
 - c) A verbal agreement is made that clearly lists steps to be completed with deadlines associated with each step.
 - d) After the meeting occurs, revised notification is sent by the Compact Administrator documenting the agreed-upon remedial steps to be taken with associated deadlines and notification that, if the compliance is not reached by the deadline, the non-compliance shall be referred to the Compliance Committee for consideration.
 - e) If compliance is achieved, move the member state off the list of non-compliance and include member state in the report to the Compliance Committee at the next meeting.
 - f) If deadline is reached and non-compliance persists, move forward to next step.

STEP 5 - Non-compliance reported to Compliance Committee.

- 1) The Compact Administrator shall notify the Compliance Committee of the non-compliance issue and schedule a committee meeting.

- a) Compact Administrator provides a summary report to the Compliance Committee, including dates of each prior step taken and the associated response by member state.
- b) Committee reviews report for member state in non-compliance and recommendations for compliance enforcement are discussed and voted on by the committee. Recommendation may be to suspend until remediated or termination.
- c) If compliance is achieved during this time period, move the member state off the list of non-compliance and include member state in a report to the Executive Board at its next meeting.
- d) If compliance is not achieved, Committee recommendations are sent to the Executive Board by the Compact Administrator and put on the agenda for the next Executive Board Meeting.

STEP 6 - Executive Board Action.

- 1) The Compact Administrator shall notify the Executive Board of the non-compliance issue and schedule a meeting.
 - a) The Compact Administrator shall provide the Executive Board with a summary report and Compliance Committee recommendation. The Executive Board shall vote on action to be taken. Recommendation may be to take no action, suspend the state's membership in the Compact until remediated, or terminate the state's membership in the Compact, to be considered by the full Commission at an emergency meeting of the full Commission or at its next annual meeting.
 - b) The state shall have an opportunity for dispute resolution as provided for in Compact law, rules, and bylaws.
 - c) If compliance is achieved during this time period, move the member state off the list of non-compliance and include member state in a report to the Executive Board at its next meeting.

STEP 7 – Full Commission Board Action.

- 1) The Compact Administrator shall notify the full Commission of the non-compliance issue and schedule a meeting.
 - a) The Compact Administrator shall provide the full Commission with a summary report and Executive Board recommendation. The full Commission shall vote on the issue and may take no action, suspend the state's membership in the Compact until the issues are remediated, terminate the state's membership in the Compact, or take other action within their discretion.
 - b) If the full Commission recommends to suspend or terminate the defaulting state, notice shall be sent to all required parties to include the nature of default and means of curing the default, per Section 10B of the physical therapy compact model language.

c) The state shall have an opportunity for dispute resolution as provided for in Compact law, rules, and bylaws.

d) If compliance is achieved during this time period, move the member state off the list of non-compliance and include member state in a report to the Executive Board at its next meeting and notify the full Commission.

POLICY NUMBER: 1.18

AREA: Administration

AUTHORITY: PT Compact Bylaws – Article VII. Section 2

PURPOSE: To establish the role and duties of the Physical Therapy Compact Commission (PTCC) Education and Outreach Committee.

DATE APPROVED: June 17, 2024

Policy:

The Education and Outreach Committee shall ensure educational and outreach materials, including presentations, online resources, and handouts, are accurate, up-to-date, and address the needs of the intended stakeholder. Stakeholders include, but are not limited to, state licensing boards, state professional chapters, employers, potential compact privilege holders, and PT/PTA program educators.

Procedure:

- In consultation with the Executive Board for prioritization of initiatives, committee members will develop educational and outreach materials for the various stakeholders, subject materials to peer review for accuracy and relevance, and incorporate feedback into the developed materials.
- The Committee will identify relevant topics for an educational activity or event, secure speakers or subject matters experts, promote the activity or event through appropriate channels, and stay within budgetary constraints when applicable. Committee members will collect feedback from activity/event participants for continuous improvement.

POLICY NUMBER: 2.1

AREA: Implementation

AUTHORITY: PT Compact – Section 7.C

PURPOSE: To assure that states prepare/adopt language consistent with the model Physical Therapy Compact language.

DATE APPROVED: October 28, 2018

DATE AMENDED: June 17, 2024

Policy:

1. Any Compact or enabling statute provisions that require a physical therapist (PT) or physical therapist assistant (PTA) to meet additional requirements to obtain or maintain a compact privilege will be deemed to impose material limitations and conditions on the exercise of the compact privilege and to constitute a material variation from the Compact enacted by the existing member states.
2. Compact or enabling statute provisions that require a PT or PTA, directly or through the employer, to notify the state board of physical therapy that the PT or PTA is practicing in the state so that the state may determine the availability of PTs or PTAs or practice patterns within its jurisdiction, etc. are not deemed to impose a material limitation or condition on the exercise of the compact privilege or to constitute a material variation from the Compact enacted by the existing party states so long as the state does not require registration (other than to access a jurisprudence exam), payment of a fee, and/or satisfaction of background checks or either condition as a precondition to practice on a compact privilege in the state.

Procedure:

1. If PTCC staff or PTCC delegate becomes aware of proposed compact legislation or when the Physical Therapy Compact is enacted by a new state, the Compact Administrator will review the statute adopting the Compact to determine whether the statute imposes material limitations and conditions on the ability to practice in the state pursuant to a compact privilege and whether the Compact, as enacted, contains other material variations from the Compact as enacted by existing member states. All reasonable efforts will be made to notify a state which introduces proposed compact legislation, prior to the enactment of said statute.

2. Upon enactment by a jurisdiction of a law intended as that jurisdiction's adoption of the Compact, the PTCC Executive Board, in consultation with legal counsel, shall review the enacted law to determine whether it contains any provisions that materially deviate or conflict with the model statute. If the Executive Board determines that the Compact statute as enacted by a new state is materially different from the enactments of the other member states, the Compact Administrator will notify the new state that the PTCC will not recognize it as effectively adopting the Compact and identify the reasons therefore.
 - a. To the extent possible and practicable, this determination shall be made by the Executive Board after the date of enactment but before the effective date of such law. If the timeframe between enactment and effective date is insufficient to allow for this determination to be made by the Executive Board prior to the law's effective date, the Executive Board shall make the determination required by this paragraph as soon as practicable after the law's effective date. The fact that such a review may occur subsequent to the law's effective date shall not impair or prevent the application of the procedure set forth in this policy.
 - b. In the event the enacted law contains one or more provisions that the Executive Board determines materially conflicts or deviates from the model statute, the jurisdiction shall be ineligible for membership in the PTCC or to become a party to the Compact, and the jurisdiction shall be so notified within fifteen (15) days of the Executive Board's decision.
 - c. A jurisdiction deemed ineligible for Compact membership and PTCC participation pursuant to this policy shall not be entitled to any of the rights, privileges, or benefits of a Member State as set forth in the model statute and the rules, bylaws, and policies and procedures adopted by the PTCC. Without limiting the foregoing, a jurisdiction deemed ineligible for membership and participation shall not be entitled to appoint a Delegate.
3. A jurisdiction determined to be ineligible for Compact membership and PTCC participation pursuant to this policy may, within thirty (30) days of the date of the decision, appeal the Executive Board's decision to the full Commission. An appeal received by the Commission shall be deemed filed on the date it is sent to the Commission. If there is an appeal to the Commission, the Commission shall review de novo whether the jurisdiction's enacted law materially conflicts with the model statute. The provision of paragraph 2.c. of this policy shall apply during the pendency of any such appeal. The Commission's decision may be appealed within thirty (30) days of the date of its decision to a court of competent jurisdiction identified in Section 7.A.2. of the model statute.
4. Subsequent to the determination that a jurisdiction's enacted law contains provision(s) that materially conflict with or deviate from the model statute, the jurisdiction may

enact new legislation to remove the conflict or deviation. The new legislation shall be reviewed as set forth in this policy.

5. In the event a Member State, subsequent to its enactment of the Compact, enacts amendment(s) to its Compact law, or enacts another law or laws that may in any way alter or impact any provision or application of the Member State's enacted Compact law, the Member State shall so inform the PTCC within fifteen (15) days of the enactment of such amendment(s) or law(s). After being so informed by the Member State, or learning of such amendment(s) or law(s) from any other source, the Executive Board shall review the amendment(s) or law(s) in accordance with the steps outlined in this policy. In the event the Executive Board determines such amendment(s) or law(s) materially conflict with or deviate from the model statute, the PTCC shall determine if the amendment(s) or law(s) constitute a condition of default pursuant to Section 10 of the model statute and, if so, proceed according to the process established in Section 10 and the rules, bylaws, and policies and procedures adopted by the Commission.
6. For the purposes of determining whether a provision of any enacted law or amendment materially deviates from or conflicts with the model statute, the Executive Board and the PTCC shall consider the following, among other factors:
 - a. Whether the provision constitutes a material alternation of the rights and obligations of the enacting jurisdiction or of Member States.
 - b. Whether the provision enlarges the liability or compromises the immunity of the Commission or any authorized agent of the Commission.
 - c. Whether the provision modifies venue in proceedings involving the Commission.
 - d. Whether the provision restricts the privileges or authorizations to practice as set forth in the model statute.
 - e. Whether the provision would allow the jurisdiction to negate or delay the applicability of a duly promulgated Commission rule in the jurisdiction.
 - f. Whether the provision would result in the reduction or elimination of fees, levies, or assessments payable by the jurisdiction and/or physical therapists or physical therapist assistants seeking a compact privilege in the jurisdiction.
 - g. Whether the provision fundamentally alters the nature of the agreement entered into by Member States that have adopted the Compact.
 - h. Whether there is a remedial mechanism satisfactory to the Executive Board and/or Commission, whereby the effect of such law or amendment can be mitigated so as to minimize or eliminate the practical effect of any material conflict or deviation.
 - i. Whether the provision strikes or amends model statutory language based upon a provision of the model statute being contrary to the Constitution of that jurisdiction, and the Executive Board and/or Commission determines that the

remainder of the Compact can be implemented effectively, and without compromising the rights of the Commission and the Member States, without such unconstitutional provision.

7. States enacting compact legislation that are determined to be materially equivalent by the Compact Administrator will automatically be deemed a member of the PTCC. Subsequently, the Compact Administrator will send electronic notification to the Executive Board, Delegates, and the board administrator of the new member state physical therapy board.

POLICY NUMBER: 2.2

AREA: Implementation

AUTHORITY: PT Compact – Section 3 and PT Compact Rule 2.1 and 2.2

PURPOSE: To provide guidance to member states regarding the requirements to complete the implementation of the Physical Therapy Compact (PT Compact) to be ready to issue and accept compact privileges.

DATE APPROVED: October 28, 2018

Policy:

A member state must satisfactorily demonstrate its readiness to begin issuing and accepting compact privileges before physical therapists (PTs) and physical therapist assistants (PTAs) in that state can obtain compact privileges in remote compact member states or PTs and PTAs can obtain compact privileges to practice/work in said state.

Procedure:

Member states must implement the following items and inform the Compact Administrator:

1. Submit the member state approved delegate to serve on the PT Compact Commission.
2. Have member state delegate and appropriate staff participate in the PT Compact implementation calls.
3. Fully implement the FBI Criminal Background Check requirement in accordance with Rule 2.1.
4. Require continuing competence for license renewal for physical therapists and physical therapist assistants.
5. Fully implement the requirements of Rule 6.1 regarding the data system.
6. Establish a state fee for compact privilege (note: the state fee can be set at \$0).
7. Determine the state requirement for jurisprudence, if any.
8. If necessary, adopt any new rules related to the PT Compact.

9. Determine if the state will waive state fees for active duty military members, active duty military spouses, and/or veterans.

POLICY NUMBER: 2.3

AREA: Implementation

AUTHORITY: PT Compact – Section 4.A and PT Compact Rule 3.1

PURPOSE: To establish the process by which compact privilege holders must notify the Physical Therapy Compact Commission (PTCC) of a change in home state.

DATE APPROVED: October 28, 2018

DATE AMENDED: June 17, 2024

Policy:

Compact privilege holders must notify the PTCC of a change of home state address within sixty (60) days per Rule 3.1.

Procedure:

1. If a compact privilege holder changes home state, as defined in Rules, the individual must update their profile in the PT Compact system by logging into their personal profile at ptcompact.org and submitting the associated change of address and driver's license or state identification information for the new home state.
2. Address changes other than those that affect an individual's home state, such as in the case of temporary relocation, do not need to be made in the PT Compact system as it may incorrectly adversely impact the status of compact privileges.

POLICY NUMBER: 2.4

AREA: Implementation

AUTHORITY: PT Compact – Section 3.A and PT Compact Rule 2.1

PURPOSE: To provide guidance to member states regarding the Federal Bureau of Investigation (FBI) Criminal Background Check.

DATE APPROVED: October 28, 2018

Policy:

A member state must fully implement the FBI Criminal Background Check (FBI CBC) requirement in accordance with Rule 2.1.

Procedure:

1. States with Existing Requirements that May Comply with Rule 2.1

A member state that has existing laws or rules that it believes already comply with Rule 2.1 must get approval from the Compact Administrator that it does meet the requirement in accordance with Rule 2.1.

2. States without Existing Requirements that Comply with Rule 2.1

A member state that does not have existing laws or rules that comply with Rule 2.1 must work with appropriate state agencies and the Federal Bureau of Investigation to get the required approval to receive the FBI CBC information. Once approval is granted the member state must provide the Compact Administrator with an anticipated date the state will meet the requirement in accordance with Rule 2.1.

POLICY NUMBER: 3.1

AREA: Discipline

AUTHORITY: PT Compact – Section 3.A, 6.F and PT Compact Rule 6.7

PURPOSE: To assist party states in obtaining evidence for investigative and disciplinary purposes when an incident occurs in another party state.

DATE APPROVED: October 28, 2018

DATE AMENDED: October 27, 2019

Policy:

Compact member states will assist in obtaining evidence necessary for investigations and disciplinary proceedings in party states, as allowed by state law and Physical Therapy Compact Commission (PTCC) Rules.

Procedure:

1. The party state requesting investigatory information shall communicate directly with the physical therapy licensing authority of the state making the notification of available investigatory information. The designated staff of each state shall come to a mutual agreement on what information will then be formally requested in writing and shared between the states based on their respective state laws.
2. The party state needing the documentary evidence shall request, in writing, that the physical therapy licensing authority of the state where the incident occurred obtain the requested records.
3. The request shall be specific regarding the time frame to be covered and documents needed (medical records, personnel records, policies, time records, etc.)
4. The party state where the incident occurred shall acknowledge the request within 10 business days of receipt and will provide an estimated time within which the information will be provided.
5. Party state will facilitate obtaining requested records as allowed by state law and PTCC rules, including but not limited to subpoenas and formal requests.
6. Those party states allowed by law to issue subpoenas will do so within 10 days of receipt of request.

POLICY NUMBER: 3.2

AREA: Discipline

AUTHORITY: PT Compact Rules - 6.3 and 6.4

PURPOSE: To establish the process by which member states will report adverse actions to the Physical Therapy Compact Commission (PTCC).

DATE APPROVED: October 30, 2022; October 25, 2020; October 28, 2018

Policy:

Member states must report any new adverse actions taken on a license or compact privilege to the PTCC.

Procedure:

1. Member states will use the jurisdiction interface of the Federation of State Boards of Physical Therapy (FSBPT) Electronic Licensure and Disciplinary Database (ELDD) to log any disciplinary action taken on a license or compact privilege in accordance with the requirements of Rule 6.4.
2. The effective date of the adverse action as reference in Rule 6.4 is to be defined as the date in which the board order officially goes into effect subsequent to any appeals or mandated delays.
3. Member states are to report adverse actions as soon as possible and do not need to wait until the maximum number of days allowed in the requirements of Rule 6.4. Adverse actions determined by the member state to be related to a significant threat to public protection should be reported at the earliest possible date after the effective date of the action.

POLICY NUMBER: 3.3

AREA: Discipline

AUTHORITY: PT Compact Rules - 6.3 and 6.4

PURPOSE: To establish the procedure for the reversal of adverse actions.

DATE APPROVED: October 25, 2020; October 28, 2018

Policy:

If an adverse action, which has a negative effect on eligibility for compact privileges, is reversed, the member state will notify the Physical Therapy Compact Commission (PTCC).

Procedure:

1. A member state that has reversed an adverse action will use the Federation of State Boards of Physical Therapy (FSBPT) jurisdiction interface to reverse/remove the adverse action within five (5) business days.
2. A member state that has reversed an adverse action will send an email notification to the Compact Administrator within five (5) business days, and subsequently the PTCC will update the individual's record and reactivate any associated unexpired compact privileges within ten (10) business days.

POLICY NUMBER: 3.4

AREA: Discipline

AUTHORITY: PT Compact Rules - 6.3 and 6.4

TOPIC: Reporting of Encumbrances

PURPOSE: To establish the process by which member states will report encumbrances to the Physical Therapy Compact Commission (PTCC).

DATE APPROVED: October 25, 2020; October 28, 2018

Policy:

Member states must report the addition and removal of any encumbrances on a license or licensee or compact privilege or compact privilege holder to the PTCC.

Procedure:

1. Member states will send an electronic notification to the Compact Administrator of any active licensee or compact privilege holder that has an encumbrance on their license.
2. Member states placing new encumbrances on a license or compact privilege must send an electronic notification to the Compact Administrator within two (2) business days of the effective date of the action.
3. Member states removing encumbrances on a license or compact privilege must send an electronic notification to the Compact Administrator within two (2) business days of the effective date of the action.

POLICY NUMBER: 3.5

AREA: Discipline

AUTHORITY: PT Compact – Section 4 and PT Compact Rules – 3.5 and 3.9

PURPOSE: To establish the process by which compact privileges will be terminated.

DATE APPROVED: October 28, 2018

DATE AMENDED: October 25, 2020; October 27, 2019

Policy:

The Physical Therapy Compact Commission (PTCC) will terminate compact privileges, as required by law, when notified by a party state that in accordance with due process the state has taken an adverse action against an individual's license or compact privilege.

Procedure:

1. The Compact Administrator will report any possible violation of PT Compact Law, Rules, Bylaws, or Policies by a compact privilege holder to the appropriate state board(s) to determine what adverse action should be taken, if any.
2. Upon termination of a compact privilege, the PTCC will send electronic notification to the individual that all associated compact privileges were terminated.
3. Upon termination of compact privileges, the PTCC will send electronic notification to the state(s) where the compact privilege was held that the compact privilege was terminated.

POLICY NUMBER: 3.6

AREA: Discipline

AUTHORITY: PT Compact – Section 4 and PT Compact Rules – 3.5 and 3.9

PURPOSE: To establish the process by which compact privileges will be terminated due to a voluntary surrender.

DATE APPROVED: October 25, 2020

Policy:

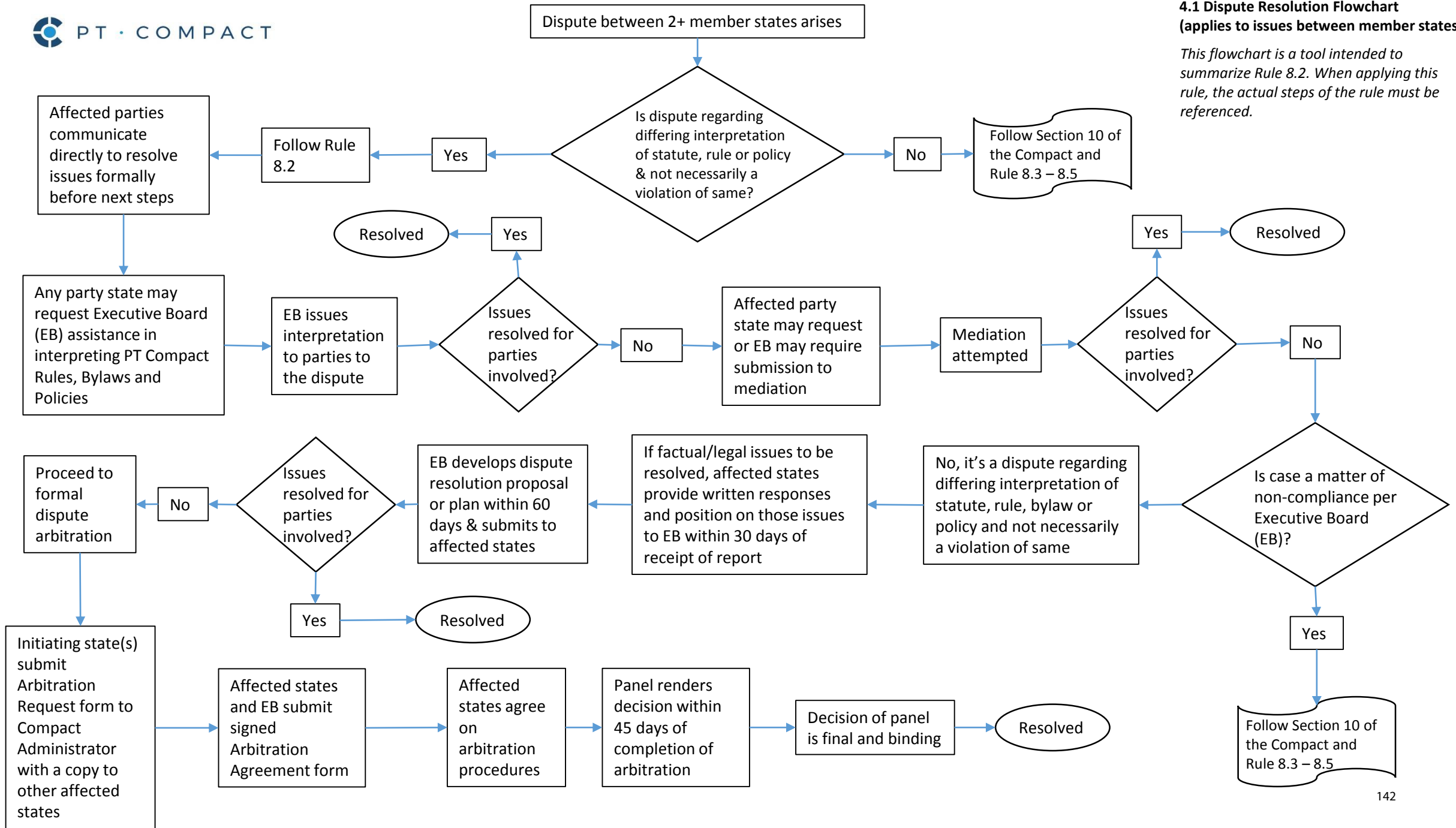
The Physical Therapy Compact Commission (PTCC) will terminate compact privileges, as required by law, when notified by a compact privilege holder and confirmed by a party state that the individual is voluntarily surrendering a compact privilege but no corresponding reportable adverse action will be taken.

Procedure:

When notified by a compact privilege holder that a party state has asked the individual to voluntarily surrender a compact privilege to the Commission, the Compact Administrator will confirm the request with the appropriate party state. Once confirmed, the Compact Administrator will terminate the compact privilege and send notification to the party state board and individual. Termination of compact privileges through voluntary surrender, which does not have corresponding reportable adverse action, does not adversely impact an individual's eligibility for compact privileges. This policy does not apply to a voluntary surrender that is reported as an adverse action.

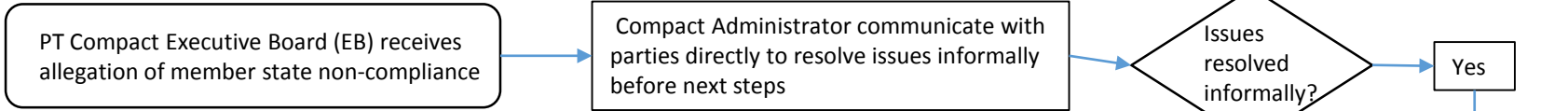
4.1 Dispute Resolution Flowchart
(applies to issues between member states)

This flowchart is a tool intended to summarize Rule 8.2. When applying this rule, the actual steps of the rule must be referenced.

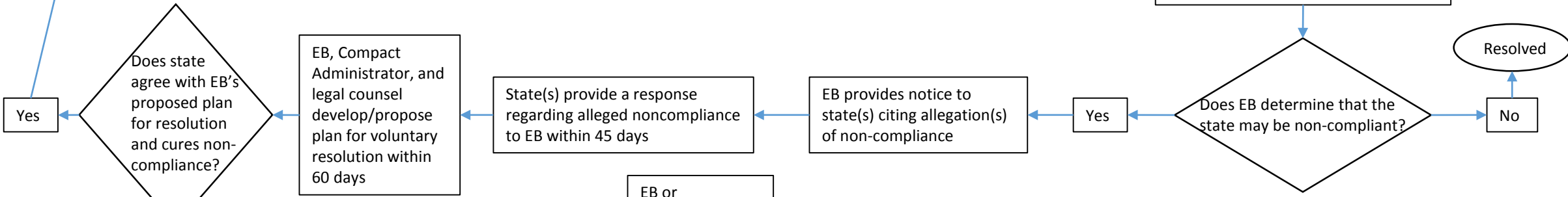
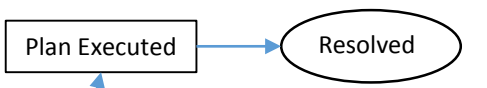
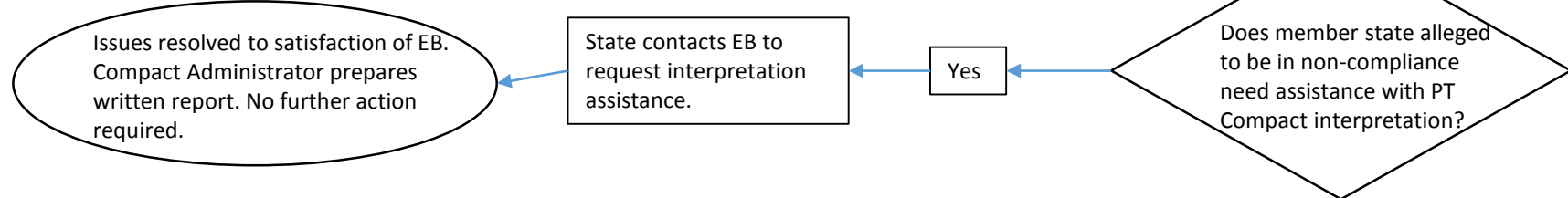


4.2 Non-compliance & Enforcement

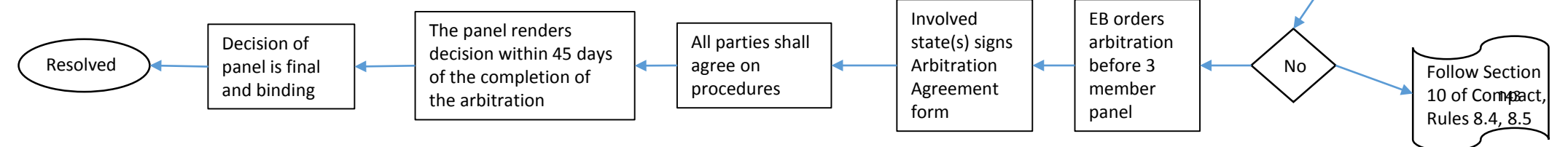
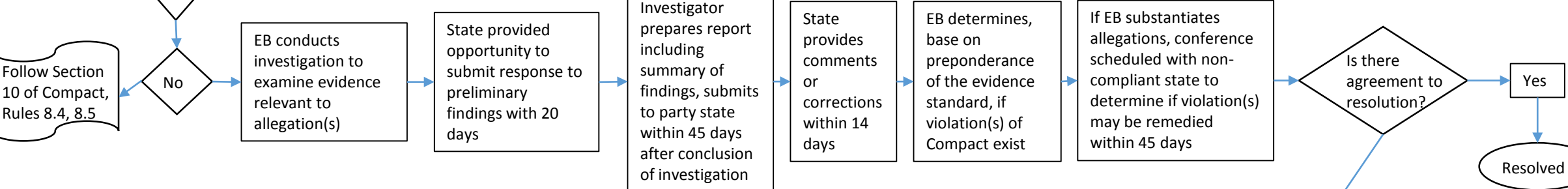
(applies to issues between the Executive Board and a member state)



This flowchart is a tool intended to summarize the Rule 8.3. When applying this Rule, the actual steps of the Rule must be referenced.



Follow Section 10 of Compact, Rules 8.4, 8.5

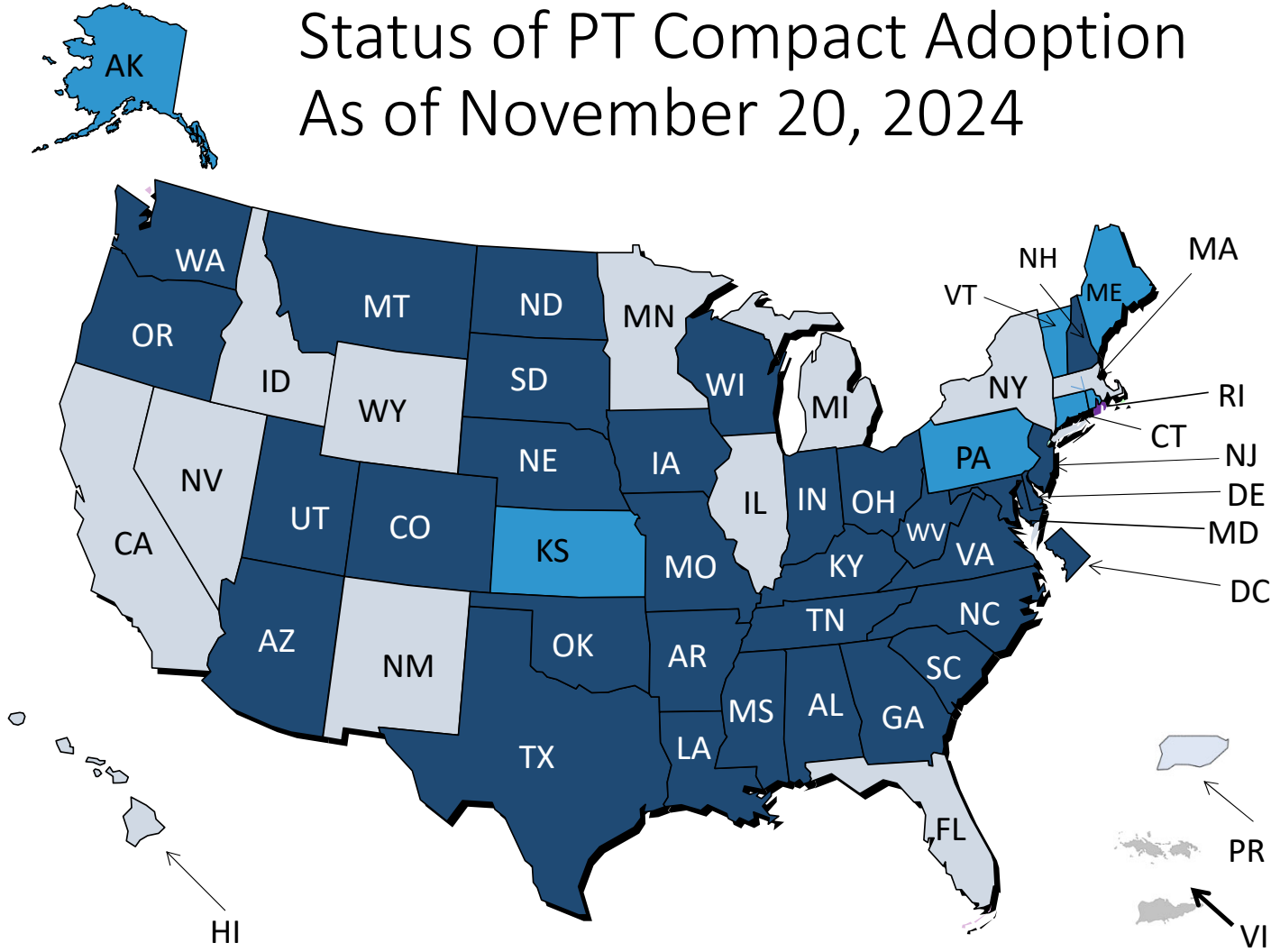


ATTACHMENT H

PT COMPACT STATUS MAP

As of November 20, 2024

Status of PT Compact Adoption As of November 20, 2024



**PT Compact
Member State –
Actively Issuing
and Accepting
Compact
Privileges (32)**

**PT Compact
Legislation
Enacted – Not
Yet Issuing or
Accepting
Compact
Privileges (7)**

ATTACHMENT I

**MINUTES OF THE DECEMBER 5,
2023, PT COMPACT COMMISSION
MEETING**

And

**MINUTES OF THE JUNE 17, 2024, PT
COMPACT COMMISSION SPECIAL
MEETING**



Physical Therapy Compact Commission Annual Meeting

Minutes

December 5, 2023

Via Zoom

DELEGATES PRESENT:

Kathy Arney, North Carolina, Chair
David Harris, Tennessee, Vice Chair
Charlotte Martin, Louisiana, Secretary/Treasurer
Jennifer Aglubat, Washington, Member At Large
Harvey Aikman, Texas, Member At Large
Laurie Kendall-Ellis, Maryland, Member At Large
Corie Tillman Wolf, Virginia, Member At Large
Kathy Miller, Alabama
Joshua Greer, Arizona
Rob Jordan, Arkansas
Nate Brown, Colorado
Kristin Schweizer, Connecticut
Alison Warren, Delaware
Heather Freeman, Indiana
Venus Vendoures-Walsh, Iowa
Susan Gile, Kansas
Stephen Curley, Kentucky
Cooper Lewis, Mississippi
Jimmy Leggett, Missouri
Claire Covert-ByBee, Nebraska
Nicole Lavoie, New Hampshire
Justin Berry, North Dakota
Karen McIntyre, Ohio
Kelly Berry, Oklahoma
Sherri Paru, Oregon
Gerri Grzybek, Pennsylvania
Mary Addison Blackstone, South Carolina
Jeff Busjahn, Utah
Nonnie Holcomb, West Virginia
Barbara Carter, Wisconsin

DELEGATES ABSENT:

Tim Vidale, District of Columbia
Destiny Gaddis, Georgia
VACANT, Montana

Richard Stoneking, New Jersey
Brad Thuringer, South Dakota

EX OFFICIO DELEGATES PRESENT: Taj Franklin, APTA
Michele Thorman, FSBPT

LEGAL COUNSEL PRESENT: Doug Wolfberg
Christie Mellott

COMMISSION STAFF PRESENT: Jeffrey M. Rosa, Compact Administrator
William A. Hatherill, CEO
Linda Michelson, CFO

Call to Order

Chair Kathy Arney called the meeting to Order at 2:02 pm ET.

Roll Call

Secretary/Treasurer Charlotte Martin called the roll. A total of 30 delegates were present. Two non-voting ex officio members were present. Five delegates were absent.

Introductions and Acknowledgement of Guests – Chair Kathy Arney

2022 Minutes and June 27, 2023, Special Meeting Minutes

The minutes of the October 30, 2022, annual meeting were approved by the Minutes Approval Committee of Jennifer Aglubat (WA), Nonnie Holcomb (WV), and Judd Warren (SC) and no further action is required.

The minutes of the June 27, 2023, special meeting were approved by the Minutes Approval Committee of Stephen Curley (KY) and Nonnie Holcomb (WV) and no further action is required.

Appointment of the Minutes Approval Committee

Chair Arney appointed the following delegates to approve the December 5, 2023, Physical Therapy Compact Commission meeting minutes.

- Kathy Miller, Alabama
- Joshua Greer, Arizona
- Gerri Grzybek, Pennsylvania

Update from the PT Compact Commission Chair – Chair Kathy Arney

Reports

There were no questions about the reports contained in the Delegate Handbook.

Review and Adopt Budget

Secretary/Treasurer Martin provided an overview of the proposed 2024 annual budget.

Motion: Adopt as submitted the proposed 2024 budget recommended by the Executive Board. The motion passed.

Delegation of Appointment of Committees to Executive Board

Motion: Delegate to the Executive Board the appointment of members of the standing committee of the Commission (Elections Committee) to the Executive Board. The motion passed.

Opportunity for Public Comment and Questions

Chair Arney opened the floor for public comment. There were no comments.

New Business

There was no additional business.

Adjournment

The December 5, 2023, meeting of the Physical Therapy Compact Commission was adjourned by Chair Arney at 2:35 pm ET.



Physical Therapy Compact Commission Special Meeting

Minutes

June 17, 2024

Virtual

DELEGATES PRESENT:

Kathy Arney, North Carolina, Chair
David Harris, Tennessee, Vice Chair
Charlotte Martin, Louisiana, Secretary/Treasurer
Jennifer Aglubat, Washington, Member-at-Large
Laurie Kendall-Ellis, Maryland, Member-at-Large
Karen McIntyre, Ohio, Member-at-Large
Corie Tillman Wolf, Virginia, Member-at-Large
Kathy Miller, Alabama
Joshua Greer, Arizona
Rob Jordan, Arkansas
Kristin Schweizer, Connecticut
Yukon Morford, Colorado
Alison Warren, Delaware
Tim Vidale, District of Columbia
Heather Freeman, Indiana
Venus Vendoures-Walsh, Iowa
Stephen Curley, Kentucky
Cooper Lewis, Mississippi
Jimmy Leggett, Missouri
Bridget Menie, Montana
Claire Covert-ByBee, Nebraska
Nicole Lavoie, New Hampshire
Justin Berry, North Dakota
Kelly Berry, Oklahoma
Erin Crawford, Oregon
Geraldine Gryzbek, Pennsylvania
Harvey Aikman, Texas
Jeff Busjahn, Utah

DELEGATES ABSENT:

Destiny Gaddis, Georgia
Susan Gile, Kansas
Richard Stoneking, New Jersey
Brad Thuringer, South Dakota
Nonnie Holcomb, West Virginia

Brad Bulkow, Wisconsin

EX OFFICIO DELEGATES PRESENT: Michele Thorman, FSBPT

EX OFFICIO DELEGATES PRESENT: Taj Franklin, APTA

LEGAL COUNSEL PRESENT: Doug Wolfberg

STAFF PRESENT: Jeffrey M. Rosa, Compact Administrator
Susan Newman, COO
Richard Woolf, CPO
Linda Michelson, CFO

Call to Order

Chair Kathy Arney called the meeting to Order at 1:31 pm ET.

Roll Call

Secretary/Treasurer Charlotte Martin called the roll. A total of 29 delegates were present. One non-voting ex officio member was present. Six delegates and one non-voting ex officio member were absent.

Appointment of the Minutes Approval Committee

Chair Arney appointed the following delegates to approve the June 17, 2024, Physical Therapy Compact Commission meeting minutes.

- Justin Berry, North Dakota
- Heather Freeman, Indiana
- Kristin Schweizer, Connecticut

Review and Adopt Rule Amendments

No comments or requests were made for a formal hearing therefore the Commission was permitted to make a final decision without a formal hearing.

Various Delegates expressed concerns with the proposed amendments to rules 1.1 and 6.7 dealing with significant investigatory information.

Motion: Amend the proposed Rules amendments recommended by the Executive Board by deleting the proposed addition of paragraph (S) in rule 1.1 and by deleting all proposed amendments to rule 6.7. The motion passed.

Motion: Adopt the proposed Rules amendments recommended by the Executive Board as modified by the Commission. The motion passed.

Review and Adopt Bylaws Amendments

There were no questions on the proposed Bylaws amendments from Delegates or the public.

Motion: Adopt the proposed Bylaws amendments as submitted. The motion passed.

Review and Adopt Policy and Procedures Amendments

There were no questions on the proposed Policy and Procedures amendments from Delegates or the public.

Motion: Adopt the proposed Policy and Procedures amendments as submitted. The motion passed.

Appeal from Florida of Determination of Material Deviations in SB 7016

Chair Arney provided some background regarding this agenda item. In accordance with the provisions of Policy 2.1, at the Board's May 5, 2024, meeting, the Executive board determined that SB 7016 contained material deviations from the model statute and that Florida would not be seated as a member of the Physical Therapy Compact Commission.

Florida was notified of the Board's decision and given 30 days to submit an appeal to the full PT Compact Commission.

No appeal was received within the 30-day timeframe. As a result, no action was needed on this item.

Adjournment

The June 17, 2024, special meeting of the Physical Therapy Compact Commission was adjourned by Chair Arney at 2:17 pm ET.

Proposed 2024 Draft Amendments to PT Compact Commission Rules

Please note that additions are indicated by **red underlined** text. Deletions are indicated by **red strikethrough** text. Black text is existing unchanged text.

Rule 1.1 – Definitions

Reason: To create equivalency between “expired” and “lapsed” so that jurisdictions that have rules relating to “practicing on a lapsed license [certificate/privilege]” clearly apply

Proposed Amendment:

For the purpose of the rules adopted by the Physical Therapy Compact Commission, the following definitions shall apply:

(A) “Adverse action” means a publicly available disciplinary action taken against a license or compact privilege by a Licensing Board. Adverse action does not include non-disciplinary remediation required by the Licensing Board.

(B) “Alternative program” means any non-disciplinary monitoring program intended to remediate the licensee that is not a matter of public record and to which a Licensing Board refers a licensee, or of which the Licensing Board is aware of the licensee’s participation.

(C) “Applying for a license” means the individual has submitted an application for licensure to the Licensing Board or requested that the Federation of State Boards of Physical Therapy transfer the individual’s National Physical Therapy Examination score to the Licensing Board.

(D) “Board administrator” means an individual serving as administrative staff to a member state’s physical therapy licensing board.

(E) “Commission” means the Physical Therapy Compact Commission.

(F) “Compact” or “Physical Therapy Compact” means the Physical Therapy Licensure Compact.

(G) “Compact Administrator” shall be synonymous with “executive director” referenced in Section 7.G. of the Compact.

(H) “Denied” means a decision of a licensing board to refuse to issue, reinstate, or renew a physical therapist or physical therapist assistant license that is reported to the National Practitioner Data Bank (NPDB).

(I) “Encumbrance” means any action taken by the Licensing Board that limits the practice or work of the physical therapist or physical therapist assistant. An encumbrance may be disciplinary or non-disciplinary in nature.

(J) “Expired” means the status of a license or compact privilege that is not active and includes a license with a status of “lapsed” or “non-renewed.” A compact privilege that is not renewed before the expiration date shall automatically expire on that date and not after any grace period ends.

(J) “FSBPT ID” means the identification number assigned by the Federation of State Boards of Physical Therapy to all individuals in the Exam, Licensure, and Disciplinary Database.

(K) “Home state” means a person’s true, fixed, and permanent home and is the place where the person intends to remain indefinitely, and to which the person expects to return if absent without intending to establish a new domicile elsewhere.

(L) “Initial” means each and every new Compact Privilege issued to an individual, even if a prior Compact Privilege was held in the same state.

(M) "License" means the authorization from the state to practice as a physical therapist or to work as a physical therapist assistant. For purposes of the Compact, a certification for a physical therapist assistant is synonymous with "license."

(N) "Licensing Board" means the agency of a state that is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

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

(P) "Non-member state" means a state that has not enacted the Compact.

(Q) "Party state" means any member state where the individual currently holds, or has ever held a physical therapist or physical therapist assistant license or compact privilege or is applying for a license or compact privilege.

(R) "Recognized National Exam" as referenced in Section 3.A.6 of the Compact means the National Physical Therapy Examination (NPTE).

(S) "Significant investigatory information" means investigative information that a Licensing Board, after an inquiry or investigation that includes notification and an opportunity for the licensee to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or investigative information that indicates that the physical therapist or physical therapist assistant represents an immediate threat to public health and safety regardless of whether the physical therapist or physical therapist assistant has been notified and had an opportunity to respond.

~~(S)~~ (T) "State" means any state, commonwealth, district, or territory of the United States of America that regulates the practice of physical therapy.

Rule 2.3 – Compact Privilege Fee and Expiration Date

Reason: To clarify the expiration date of an initial compact privilege as well as how renewal of the home state license impacts the expiration date of a compact privilege

Proposed Amendment:

Any compact privilege held by the individual shall expire on the same date as the individual's home state license. The expiration date of the home state license shall be the expiration date that was in effect on the date the individual purchased the compact privilege. The fee paid to the member state for a compact privilege shall cover the period of time the individual has remaining on the home state license. Any renewal of the home state license does not automatically extend the expiration date of the compact privilege.

Rule 3.1 – Home State License

Reason: To change the timeframe of a how long a compact privilege holder must report a change in home state

Proposed Amendment:

- (A) Compact privilege holders may be audited at any time by the Commission to verify compliance with home state residency requirements.
- (B) An individual holding a temporary permit, temporary license, or temporary authorization to practice shall not be eligible for a Compact Privilege.
- (C) In addition to complying with reporting name and address change as required by the home state, compact privilege holders must also notify the Commission of a change of name and/or home state address within ~~thirty (30)~~ sixty (60) business days of the change.

- (D) Member states may require compact privilege holders to notify the licensing board of the physical location(s) where the individual is providing physical therapy services within that remote state.
- (E) An individual holding a home state license issued without the requirement of passing the National Physical Therapy Examination (NPTE) shall not be eligible for a Compact Privilege, unless said license was issued prior to the member state enacting the Physical Therapy Compact model statute.

Rule 3.5 – Expiration or Termination of a Compact Privilege

Reason: To clarify the expiration date of an initial compact privilege, as well as how renewal of the home state license impacts the expiration date of a compact privilege; To change the timeframe of a how long a compact privilege holder must report a change in home state

Proposed Amendment:

- (A) All compact privileges shall expire on the actual expiration date of the home state license even if the home state allows practice beyond the license expiration date. The expiration date of the home state license shall be the expiration date that was in effect on the date the individual purchased the compact privilege. Any renewal of the home state license does not automatically extend the expiration date of the compact privilege.
- (B) Impact of changing the primary state of residence.
 - a. Moving to another member state.
 - i. The compact privilege holder must hold an active license in the new home state prior to changing the primary state of residence or all current compact privileges will be terminated. ~~Thirty (30)~~ **Sixty (60)** business days after the date of legal change of permanent address is considered the date of change in home state.
 - ii. When a compact privilege holder obtains the license in the new home state and changes the primary state of residence, the expiration date of all current compact privileges will be updated to match the expiration date of the new home state license. The expiration date of the home state license shall be the expiration date that was in effect on the date the primary state of residence is changed.
 - b. Moving to a non-member state.

If the compact privilege holder's new primary state of residence is a non-member state, all current compact privileges will be immediately.

Rule 6.7 – Indicating Availability of Significant Investigative Information

Reason: To clarify what qualifies as investigative information significant enough to warrant notification to the Commission

Proposed Amendment:

A member state shall notify the Commission that significant investigatory information is available to party states when a member state has determined probable cause exists that the allegations against the licensee may constitute a violation that is an offense of action of that member's state statute or regulations. The actual investigative information shall be shared directly with the party state and not through the Commission.

Proposed 2024 Draft Amendments to PT Compact Commission Bylaws

Please note that additions are indicated by red underlined text. Deletions are indicated by ~~red-strikethrough~~ text. Black text is existing unchanged text.

Article V. Membership

Section 1. Member State Representation.

Reason: To add an alternate delegate role

Proposed Amendment:

- A. The Commission Membership shall be comprised as provided by the Compact. Each Member State shall have and be limited to one (1) voting representative, selected by the physical therapy licensing board ("Member Board") in the Member State, who shall be the Delegate of the Member State. ~~A member state may also identify an Alternate Delegate to serve when the Delegate is unable to fulfill the duties required.~~
- B. Each Member State shall forward the name of its Delegate ~~and Alternate Delegate~~ to the Commission staff within ten (10) business days of selecting a Delegate ~~and Alternate Delegate~~. Member States should consider whether any real or potential Conflict of Interest exists when selecting their Delegate ~~or Alternate Delegate~~.
- C. The Member Board of the Member State shall provide notice to the Commission staff within ten (10) business days whenever a vacancy occurs.
- D. Commission staff shall promptly advise the Member Board of the Member State of the need to appoint a new Delegate whenever a vacancy occurs.

E. Delegate contingency form.

1. A Member State shall submit a Delegate Contingency Form to identify, in order, which individual is selected by the Member State in the event the originally selected Delegate is unable to fulfill the duties of Delegate.
2. The form shall contain a list of at least one contingent delegate who will serve as the Member State's Delegate if the originally appointed delegate is unable to serve.
3. The information will be maintained by Commission staff and must be reviewed annually by the Member Board.

Article VII. Committees and Task Forces

Section 2. Standing Committees of the Executive Board.

Reason: To establish the Education and Outreach Committee as a new standing committee of the Executive Board.

Proposed Amendment:

The Executive Board may establish Standing Committees from time to time as the Executive Board deems necessary to carry on the work of the Executive Board. The specific functions of any standing committees established by the Executive Board are described in the Policies.

Membership of Standing Committees of the Executive Board shall be appointed by the Executive Board for terms outlined in the Policies or Bylaws. The Executive Board may appoint individuals other than the Member State's Delegate to serve on Standing Committees of the Executive Board.

A. Finance Committee

The Committee will consist of at least three members, who will serve two-year terms. The Secretary/Treasurer shall serve as Chair of the Committee.

B. Rules and Bylaws Committee

The Committee will consist of at least three members, who will serve two-year terms.

C. Compliance Committee

The Committee will consist of at least three members, who will serve two-year terms. The Committee will have at least one representative from a jurisdiction with an autonomous licensing board and at least one representative from a jurisdiction with a system that is run by an agency director, commission or council, with or without the assistance of a board and if the board does exist, it is strictly advisory.

D. Education and Outreach Committee

The Committee will consist of at least three members, who will serve two-year terms.

Article X. Finance

Section 5. Accounting and Audit.

Reason: To clarify the process of reporting on the Commission's financial records

Proposed Amendment:

The financial records of the Commission will be audited annually by an independent certified public accountant. The audit report will be presented to the Executive Board when the report is received and to the full Commission at the Commission's annual meeting. The report shall also be made available to the public and shall be included in and become part of the annual report ~~to the Governors, legislatures, and judiciary of the Member States.~~

The Commission's internal accounts, any workpapers related to any internal audit, and any workpapers related the independent audit shall be confidential; provided, that such materials shall be made available: (1) in compliance with the order of any court of competent jurisdiction; (2) pursuant to such reasonable Rules as the Commission shall promulgate; and (3) to any Delegate of a Member State, or their duly authorized representatives.

Proposed 2024 Draft Amendments to PT Compact Commission Policies and Procedures

Please note that additions are indicated by red underlined text. Deletions are indicated by ~~red strikethrough~~ text. Black text is existing unchanged text.

POLICY NUMBER: 1.15

Reason: To establish the role and duties of the Physical Therapy Compact Commission (PTCC) Education and Outreach Committee.

Proposed Adoption:

AREA: Administration

AUTHORITY: PT Compact Bylaws – Article VII. Section 2

PURPOSE: To establish the role and duties of the Physical Therapy Compact Commission (PTCC) Education and Outreach Committee.

DATE APPROVED:

Policy:

The Education and Outreach Committee shall ensure educational and outreach materials, including presentations, online resources, and handouts, are accurate, up-to-date, and address the needs of the intended stakeholder. Stakeholders include, but are not limited to, state licensing boards, state professional chapters, employers, potential compact privilege holders, and PT/PTA program educators.

Procedure:

- In consultation with the Executive Board for prioritization of initiatives, committee members will develop educational and outreach materials for the various stakeholders, subject materials to peer review for accuracy and relevance, and incorporate feedback into the developed materials.
- The Committee will identify relevant topics for an educational activity or event, secure speakers or subject matter experts, promote the activity or event through appropriate channels, and stay within budgetary constraints when applicable. Committee members will collect feedback from activity/event participants for continuous improvement.

POLICY NUMBER: 2.3

Reason: to change the timeframe of a how long a compact privilege holder has to report a change in home state

Proposed Amendment:

AREA: Implementation

AUTHORITY: PT Compact – Section 4.A and PT Compact Rule 3.1

PURPOSE: To establish the process by which compact privilege holders must notify the Physical Therapy Compact Commission (PTCC) of a change in home state.

DATE APPROVED: October 28, 2018

Policy:

Compact privilege holders must notify the PTCC of a change of home state address within ~~thirty (30)~~ sixty (60) days per Rule 3.1.

Procedure:

1. If a compact privilege holder changes home state, as defined in Rules, the individual must update their profile in the PT Compact system by logging into their personal profile at ptcompact.org and submitting the associated change of address and driver's license or state identification information for the new home state.
2. Address changes other than those that affect an individual's home state, such as in the case of temporary relocation, do not need to be made in the PT Compact system as it may incorrectly adversely impact the status of compact privileges.

POLICY NUMBER: 2.1

Reason: Amend Policy 2.1 to address the process of reviewing any newly enacted legislation that varies from the model statutory language

Proposed Amendment:

AREA: Implementation

AUTHORITY: PT Compact – Section 7.C

PURPOSE: To assure that states prepare/adopt language consistent with the model Physical Therapy Compact language.

DATE APPROVED: October 28, 2018

Policy:

1. Any Compact or enabling statute provisions that require a physical therapist (PT) or physical therapist assistant (PTA) to meet additional requirements to obtain or maintain a compact privilege will be deemed to impose material limitations and conditions on the exercise of the compact privilege and to constitute a material variation from the Compact enacted by the existing member states.
2. Compact or enabling statute provisions that require a PT or PTA, directly or through the employer, to notify the state board of physical therapy that the PT or PTA is practicing in the state so that the state may determine the availability of PTs or PTAs or practice patterns within its jurisdiction, etc. are not deemed to impose a material limitation or condition on the exercise of the compact privilege or to constitute a material variation from the Compact enacted by the existing party states so long as the state does not require registration (other than to access a jurisprudence exam), payment of a fee, and/or satisfaction of background checks or either condition as a precondition to practice on a compact privilege in the state.

Procedure:

1. If PTCC staff or PTCC delegate becomes aware of proposed compact legislation or when the Physical Therapy Compact is enacted by a new state, the Compact Administrator will review the statute adopting the Compact to determine whether the statute imposes material limitations

and conditions on the ability to practice in the state pursuant to a compact privilege and whether the Compact, as enacted, contains other material variations from the Compact as enacted by existing member states. All reasonable efforts will be made to notify a state which introduces proposed compact legislation, prior to the enactment of said statute.

2. Upon enactment by a jurisdiction of a law intended as that jurisdiction's adoption of the Compact, Where the PTCC Executive Board, in consultation with legal counsel, shall review the enacted law to determine whether it contains any provisions that materially deviate or conflict with the model statute. If the Executive Board determines that the Compact statute as enacted by a new state is materially different from the enactments of the other member states, the Compact Administrator will notify the new state that the PTCC will not recognize it as effectively adopting the Compact and identify the reasons therefore.
 - a. To the extent possible and practicable, this determination shall be made by the Executive Board after the date of enactment but before the effective date of such law. If the timeframe between enactment and effective date is insufficient to allow for this determination to be made by the Executive Board prior to the law's effective date, the Executive Board shall make the determination required by this paragraph as soon as practicable after the law's effective date. The fact that such a review may occur subsequent to the law's effective date shall not impair or prevent the application of the procedure set forth in this policy.
 - b. In the event the enacted law contains one or more provisions that the Executive Board determines materially conflicts or deviates from the model statute, the jurisdiction shall be ineligible for membership in the PTCC or to become a party to the Compact, and the jurisdiction shall be so notified within fifteen (15) days of the Executive Board's decision.
 - c. A jurisdiction deemed ineligible for Compact membership and PTCC participation pursuant to this policy shall not be entitled to any of the rights, privileges, or benefits of a Member State as set forth in the model statute and the rules, bylaws, and policies and procedures adopted by the PTCC. Without limiting the foregoing, a jurisdiction deemed ineligible for membership and participation shall not be entitled to appoint a Delegate.
3. A jurisdiction determined to be ineligible for Compact membership and PTCC participation pursuant to this policy may, within thirty (30) days of the date of the decision, appeal the Executive Board's decision to the full Commission. An appeal received by the Commission shall be deemed filed on the date it is sent to the Commission. If there is an appeal to the Commission, the Commission shall review de novo whether the jurisdiction's enacted law materially conflicts with the model statute. The provision of paragraph 2.c. of this policy shall apply during the pendency of any such appeal. The Commission's decision may be appealed within thirty (30) days of the date of its decision to a court of competent jurisdiction identified in Section 7.A.2. of the model statute.
4. Subsequent to the determination that a jurisdiction's enacted law contains provision(s) that materially conflict with or deviate from the model statute, the jurisdiction may enact new legislation to remove the conflict or deviation. The new legislation shall be reviewed as set forth in this policy.
5. In the event a Member State, subsequent to its enactment of the Compact, enacts amendment(s) to its Compact law, or enacts another law or laws that may in any way alter or impact any provision or application of the Member State's enacted Compact law, the Member State shall so inform the PTCC within fifteen (15) days of the enactment of such amendment(s) or law(s). After being so informed by the Member State, or learning of such amendment(s) or law(s) from any other source, the Executive Board shall review the amendment(s) or law(s) in

accordance with the steps outlined in this policy. In the event the Executive Board determines such amendment(s) or law(s) materially conflict with or deviate from the model statute, the PTCC shall determine if the amendment(s) or law(s) constitute a condition of default pursuant to Section 10 of the model statute and, if so, proceed according to the process established in Section 10 and the rules, bylaws, and policies and procedures adopted by the Commission.

6. For the purpose of determining whether a provision of any enacted law or amendment materially deviates from or conflicts with the model statute, the Executive Board and the PTCC shall consider the following, among other factors:
 - a. Whether the provision constitutes a material alteration of the rights and obligations of the enacting jurisdiction or of Member States.
 - b. Whether the provision enlarges the liability or compromises the immunity of the Commission or any authorized agent of the Commission.
 - c. Whether the provision modifies venue in proceedings involving the Commission.
 - d. Whether the provision restricts the privileges or authorizations to practice as set forth in the model statute.
 - e. Whether the provision would allow the jurisdiction to negate or delay the applicability of a duly promulgated Commission rule in the jurisdiction.
 - f. Whether the provision would result in the reduction or elimination of fees, levies, or assessments payable by the jurisdiction and/or physical therapists or physical therapist assistants seeking a compact privilege in the jurisdiction.
 - g. Whether the provision fundamentally alters the nature of the agreement entered into by Member States that have adopted the Compact.
 - h. Whether there is a remedial mechanism satisfactory to the Executive Board and/or Commission, whereby the effect of such law or amendment can be mitigated so as to minimize or eliminate the practical effect of any material conflict or deviation.
 - i. Whether the provision strikes or amends model statutory language based upon a provision of the model statute being contrary to the Constitution of that jurisdiction, and the Executive Board and/or Commission determines that the remainder of the Compact can be implemented effectively, and without compromising the rights of the Commission and the Member States, without such unconstitutional provision
7. States enacting compact legislation that are determined to be materially equivalent by the Compact Administrator will automatically be deemed a member of the PTCC. Subsequently, the Compact Administrator will send electronic notification to the Executive Board, Delegates, and the board administrator of the new member state physical therapy board.

ATTACHMENT J

**PT COMPACT COMMISSION
DELEGATE AND EXECUTIVE BOARD
ROSTER**

As of November 22, 2024



Member Board Delegates

Jurisdiction	Name
Alabama	Kathy Miller
Alaska	NO DELEGATE SELECTED
Arizona	Joshua Greer
Arkansas	Rob Jordan
Colorado	Yukon Morford
Connecticut	Kristin Schweizer
Delaware	Alison Warren
District of Columbia	Bernardine Evans
Georgia	Destiny Gaddis
Indiana	Heather Freeman
Iowa	Venus Vendoures-Walsh
Kansas	Susan Gile
Kentucky	Stephanie Lutz
Louisiana	Charlotte Martin
Maryland	Laurie Kendall-Ellis
Mississippi	Cooper Lewis
Missouri	Jimmy Leggett
Montana	Bridget Mennie
Nebraska	Claire Covert-ByBee
New Hampshire	Nicole Lavoie
New Jersey	Richard Stoneking
North Carolina	Kathy Arney
North Dakota	Justin Berry
Ohio	Karen McIntyre
Oklahoma	Sandra Benischek Harrison
Oregon	Erin Crawford
Pennsylvania	Gerri Grzybek
Rhode Island	Paul Ullucci
South Carolina	Mary Addison Blackstone
South Dakota	Brad Thuringer
Tennessee	David Harris
Texas	Harvey Aikman
Utah	Lisa Martin
Vermont	Emily Tredeau
Virginia	Corie Tillman Wolf
Washington	Jennifer Aglubat
West Virginia	Nonnie Holcomb
Wisconsin	Kate Brewer
Non-Voting, Ex Officio	Tajah Franklin (APTA)
Non-Voting, Ex Officio	Michele Thorman (FSBPT)

(As of 11/21/2024)



Members of the Executive Board

Name	Position	Term Ends*
Kathy Arney (NC)	Chair	2024
David Harris (TN)	Vice Chair	2025
Charlotte Martin (LA)	Secretary/Treasurer	2024
Jennifer Aglubat (WA)	Member-At-Large	2024
Laurie Kendall-Ellis (MD)	Member-At-Large	2024
Karen McIntyre (OH)	Member-At-Large	2025
Corie Tillman Wolf (VA)	Member-At-Large	2025
Taj Franklin (APTA)	Non-Voting, Ex Officio	N/A
Michele Thorman (FSBPT)	Non-Voting, Ex Officio	N/A

*Terms end at the conclusion of the Annual Meeting of the PT Compact Commission in the year listed.