

VOLUME 38, ISSUE 2
ISSUE DATE: JANUARY 17, 2006
RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHYSICAL THERAPY EXAMINERS

38 N.J.R. 819(b)

Adopted Amendments: N.J.A.C. 13:39A-1.1, 1.3, 2.1, 2.2, 2.3, 3.1, 3.5, 3.8, 5.1, 5.7 and 6.4

Adopted Repeals: N.J.A.C. 13:39A-2.5, 5.1, 5.2, 5.3, 5.4, 6.1, 6.2, 6.3 and 7A

Adopted New Rules: N.J.A.C. 13:39A-2.5, 5.1, 5.2, 5.3, 5A, 6.2 and 9

State Board of Physical Therapy Examiners Rules

Proposed: April 4, 2005 at 37 N.J.R. 947(a).

Adopted: July 26, 2005, by the State Board of Physical Therapy Examiners, Nancy R. Kirsch, P.T., Chairperson.

Filed: December 22, 2005 as R. 2006 d.42, with substantive changes not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 45:9-37.13 et seq.

Effective Date: January 17, 2006.

Operative Date: February 1, 2006 for N.J.A.C. 13:39A-9.

Expiration Date: June 20, 2006.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal standards or requirements applicable to the adopted new rules and amendments.

Full text of the adopted amendments and new rules follows (additions to proposal indicated in boldface with asterisks *thus*; deletions from proposal indicated in brackets with asterisks *[thus]*):

13:39A-1.1 Election of officers

The membership of the State Board of Physical Therapy Examiners shall once each year elect a chairperson, vice chairperson and a secretary. The chairperson shall have the responsibility to conduct all meetings unless, in his or her discretion, a delegation of that responsibility is made. In the absence of the chairperson and an express delegation of responsibility, the vice chairperson shall assume all of the duties of chairperson.

13:39A-1.3 Fees and charges

(a) The following fees shall be charged by the State Board of Physical Therapy Examiners:

1. (No change.)

Recodify existing 3.-12. as 2.-11. (No change in text.)

12. Continuing professional education provider submission fee \$ 100.00

13. Inactive license fee..... (to be established by Director by rule)

13:39A-2.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Direct supervision" means the presence of the supervising physical therapist on site, available to respond to any consequence occurring during any treatment procedure.

"Physical therapy and physical therapy practice" mean the identification of physical impairment or movement-related functional limitation that occurs as a result of injury or congenital or acquired disability or other physical dysfunction through examination, evaluation and diagnosis of the physical impairment or movement-related functional limitation and the establishment of a prognosis, which includes the establishment of the plan of care and all interventions, for the resolution or amelioration thereof and treatment of the physical impairment or movement-related functional limitation, which shall include, but is not limited to, the alleviation of pain, physical impairment and movement-related functional limitation by physical therapy intervention, including treatment by means of:

1. Manual therapy techniques and massage;
2. Electro-therapeutic modalities;
3. The use of physical agents, mechanical modalities, hydrotherapy, therapeutic exercises with or without assistive devices;
4. Neurodevelopmental procedures;
5. Joint mobilization;
6. Movement-related functional training in self-care;
7. Providing assistance in community and work integration or reintegration;
8. Providing training in techniques for the prevention of injury, impairment, movement-related functional limitation, or dysfunction;
9. Providing consultative, educational, other advisory services; and
10. Collaboration with other health care providers in connection with patient care.

"Physical therapy intervention" means the interaction of the licensed physical therapist with the patient using various physical therapy procedures and techniques to produce changes in the condition consistent with the patient's dysfunction, disability, or level of function and consistent with the patient's projected outcome as a result of physical therapy intervention. When physical therapy instruction is provided to an individual as part of his or her therapeutic interventions, the instruction must be considered part of physical therapy intervention.

"Physical therapy prognosis" means the determination of the predicted level of optimal improvement that may be attained through intervention and the amount of time required to reach that level.

"Plan of care" means the specific physical therapy interventions to be used and their timing and frequency.

13:39A-2.2 Authorized practice by a licensed physical therapist

(a) A licensed physical therapist may engage in physical therapy and physical therapy practice.

(b)-(c) (No change.)

(d) A physical therapist shall not bill a patient or third party for diagnostic testing that lacks demonstrated medical value and a level of general acceptance by the relevant provider community and which fails to provide sufficient clinical data to alter the plan of care.

(e) The following acts and practices shall be among those deemed to be outside the scope of physical therapy and upon proof that a licensee is engaging in such conduct he or she may be subject to disciplinary action:

1. (No change.)

2. The conducting of a pelvic internal examination, except internal evaluation of the pelvic floor musculature;

3.-4. (No change.)

13:39A-2.3 Authorized role of a licensed physical therapist assistant

(a) A licensed physical therapist assistant may initiate physical therapy treatment only at the direction of and under the direct supervision of a licensed physical therapist. A licensed physical therapist assistant shall not initiate physical therapy treatment upon the direction of a physician or other authorized health care provider without the direct supervision of a physical therapist.

(b)-(c) (No change.)

(d) A licensed physical therapist assistant shall not perform a physical therapy examination, evaluation, diagnosis or prognosis, develop a plan of care, modify a plan of care, or independently engage in physical therapy instruction, including, but not limited to, the recommendation of assistive devices and modifications of the patient's physical environment.

13:39A-2.5 Referral of patients and consultation standards for physical therapists

(a) A physical therapist shall refer a patient to a health care professional licensed to practice dentistry, podiatry or medicine and surgery in this State, or other appropriate licensed health care professional:

1. When the physical therapist during the examination, evaluation or intervention has reason to believe that physical therapy is contraindicated or symptoms or conditions are present that require services outside the scope of practice of the physical therapist; or

2. When the patient has failed to demonstrate reasonable progress within 30 days of the date of the initial treatment.

(b) Not more than 30 days from the date of initial treatment of functional limitation or pain, a physical therapist shall inform the patient's licensed health care professional of record regarding the patient's plan of care. In the event there is no identified licensed health care professional of record, the physical therapist shall recommend that the patient consult with a licensed health care professional of the patient's choice. In a school setting, the schedule of physical therapy services shall be reported to the child study team by the physical therapist within 30 days of the date of initial treatment.

(c) A violation of this section shall be deemed professional misconduct pursuant to N.J.A.C. 13:39A-3.8.

13:39A-3.1 Patient records

(a)-(b) (No change.)

(c) The patient record shall include, in addition to personal identifying information, consents and disclosures, at least the following information:

1. (No change.)

2. Dates of all examinations, evaluations, physical therapy diagnoses, prognoses including the established plans of care, and interventions;
- 3.-4. (No change.)
5. The determination of the physical therapy diagnosis and prognosis;
6. Documentation of health care practitioner referrals, if any;
- 7.-8. (No change.)
9. Progress notes in accordance with stated goals at a frequency consistent with physical therapy diagnosis, evaluative findings, prognosis and changes in the patient's conditions;
10. (No change.)
11. Changes in the plan of care which shall be documented contemporaneously;
- 12.-14. (No change.)
- (d) (No change.)

13:39A-3.5 Display of notice of licensure; notification of availability of fee information

(a) Every licensee shall conspicuously display his or her biennial renewal certificate and the following notices in a public area in any office or health care facility at which the licensee practices physical therapy:

1. "Physical therapists and physical therapist assistants are licensed by the State Board of Physical Therapy Examiners, an agency of the Division of Consumer Affairs. Any member of the public may notify the Board of any complaint relative to the practice conducted by a physical therapist or physical therapist assistant. The Board address is: Division of Consumer Affairs, State Board of Physical Therapy Examiners, Post Office Box 45014, 124 Halsey Street, Newark, New Jersey 07101, Tel: (973) 504-6455."

2. (No change.)

(b) (No change.)

13:39A-3.8 Violative acts; professional misconduct

(a) The following acts or practices shall be among those deemed to be violative of N.J.S.A. 45:9-37.11 et seq. and to constitute professional misconduct pursuant to N.J.S.A. 45:1-21(e):

1.-5. (No change.)

6. Rendering an intervention when, in the exercise of his or her professional judgment, the physical therapist may deem such intervention to be unnecessary. When appropriate, the physical therapist shall notify the referring professional in writing that the intervention is to be terminated and the reason(s) for such termination;

7.-9. (No change.)

10. Failure by a licensed physical therapist to assure that any bills for services rendered under his or her professional license accurately represents the services rendered and that charges submitted for services rendered by a physical therapist or physical therapist assistant are based solely upon the services reflected in the patient record;

11. Failure to produce a hard copy of a complete patient record upon request; or

12. Failure to refer a patient to another licensed health care professional as required by N.J.A.C. 13:39A-2.5.

SUBCHAPTER 5. CREDENTIALING OF APPLICANTS

13:39A-5.1 Licensing requirements for a physical therapist

(a) To be eligible for licensure as a physical therapist in New Jersey, an applicant shall:

1. Be at least 18 years of age;
2. Be of good moral character;
3. Have completed a program in physical therapy from an accredited college or university physical therapy program approved for the education and training of physical therapists by an accrediting agency recognized by the Council on Post Secondary Accreditation and the United States Department of Education;
4. Possess a minimum of a master's degree in physical therapy from an accredited college or university except for an applicant who prior to January 1, 2003, graduated from an accredited physical therapy program and possessed a minimum of a bachelor's degree in physical therapy or a bachelor's degree and a certificate in physical therapy from an accredited college or university;
5. Have completed all clinical education requirements necessary for graduation from a physical therapy program approved for the education and training of physical therapists by an accrediting agency recognized by the Council on Post Secondary Accreditation and the United States Department of Education; and
6. Have successfully completed the written examination as set forth in N.J.A.C. 13:39A-5.2.

(b) In addition to meeting the requirements of (a)1 and 2 above, an applicant for licensure who is a graduate of a foreign school of physical therapy shall:

1. Furnish evidence to the Board that the applicant has completed a course of study in physical therapy which is substantially equivalent to that provided in a physical therapy program approved for the education and training of physical therapists by an accrediting agency recognized by the Council on Post Secondary Accreditation and the United States Department of Education;
2. Be a graduate of a college or university which is recognized by that country's Ministry of Education/Health for the education of physical therapists;
3. Pass a test of English competency as set forth in N.J.A.C. 13:39A-5.7; and
4. Successfully complete a written examination as set forth in N.J.A.C. 13:39A-5.2.

(c) (No change in text.)

13:39A-5.2 Examination standards for applicants for licensure as physical therapists and physical therapist assistants

(a) Applicants for licensure as physical therapists and physical therapist assistants submitting satisfactory proof of educational credentials as set forth in N.J.A.C. 13:39A-5.1 and 5.3, respectively, shall be approved to take the National Physical Therapy Examination or the National Physical Therapist Assistant Examination, as applicable, administered by the Federation of State Boards of Physical Therapy and the State jurisprudence examination.

(b) Upon satisfactory passage of the National Physical Therapy Examination or National Physical Therapist Assistant Examination and the State jurisprudence examination, an applicant shall be deemed eligible for licensure provided the applicant meets all other requirements for licensure.

(c) Passing examination scores shall be as follows:

1. National Physical Therapy Examination and National Physical Therapist Assistant Examination: 600 based on a scale of 200 to 800.
2. State jurisprudence examination: 80.

(d) An applicant who **[fails]** **does not pass** the National Physical Therapy Examination or National Physical Therapist Assistant Examination **[the first time may take the examination a second time]** within two years from the date of taking the initial examination **[. After two years, the applicant shall submit a new]** **shall update his or her** application for licensure **[to]** **filed with** the Board.

13:39A-5.3 Licensing requirements for a physical therapist assistant

(a) To be eligible for licensure as a physical therapist assistant in New Jersey an applicant shall:

1. Be at least 18 years of age;
2. Be of good moral character;
3. Have completed at least an Associate in Arts degree from an accredited college or university;
4. Have completed a two-year physical therapist assistant program from an accredited college or university approved for the education and training of physical therapists by an accrediting agency recognized by the Council on Post Secondary Accreditation and the United States Department of Education;
5. Have completed all clinical education requirements necessary for graduation from a physical therapist assistant program approved for the education and training of physical therapists assistants by an accrediting agency recognized by the Council on Post Secondary Accreditation and the United States Department of Education; and
6. Have successfully completed the written examination as set forth in N.J.A.C. 13:39A-5.2.

13:39A-5.4 (Reserved)

13:39A-5.7 Language comprehension requirements

(a) An applicant for licensure as a physical therapist or a physical therapist assistant who has received his or her physical therapy training in a country other than the United States of America, the United Kingdom, the Republic of Ireland, Canada except Quebec Province, Australia, or New Zealand shall submit to the Board evidence of attainment of a score of at least 220 on the Test of English as a Foreign Language (TOEFL) examination, which test shall have been taken within the two years immediately preceding the filing of the application for licensure in New Jersey.

(b)-(c) (No change.)

SUBCHAPTER 5A. LICENSE RENEWAL

13:39A-5A.1 Biennial license renewal; inactive status

(a) All licenses issued by the Board shall be issued for a biennial renewal period. A licensee who seeks renewal of the license shall submit a license renewal application and the license renewal fee set forth in N.J.A.C. 13:39A-1.3 prior to the expiration date of the license.

(b) The Board shall send a notice of renewal to each licensee at the address registered with the Board at least 60 days prior to the expiration of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for failure to renew.

(c) Renewal applications shall provide the applicant with the option of either active or inactive status. A licensee electing inactive status shall pay the inactive license fee set forth in N.J.A.C. 13:39A-1.3 and shall not engage in the practice of physical therapy during the period of inactive status.

(d) If the licensee does not renew the license prior to its expiration date, the licensee may renew the license within 30 days of its expiration by submitting a renewal application, a renewal fee and a late fee, as set forth in N.J.A.C. 13:39A-1.3. During this 30-day period, the license shall be valid, and the licensee shall not be deemed to be practicing without a license.

(e) A license that is not renewed within 30 days of its expiration shall be automatically suspended. An individual who continues to practice with a suspended license shall be deemed to be engaged in unlicensed practice.

13:39A-5A.2 Change of licensure status: inactive to active

(a) A licensee, upon application to the Board, may change from inactive to active status upon payment of the renewal fee as set forth in N.J.A.C. 13:39A-1.3.

(b) A person who seeks to reactivate his or her license shall complete 30 credits of continuing professional education per biennial renewal period that the licensee has been on inactive status up to a maximum of 60 credits. Of the continuing professional education required under this subsection, 30 credits must be taken within two years immediately preceding reactivation and the remainder must be taken within four years immediately preceding reactivation.

13:39A-5A.3 Reinstatement of suspended license

(a) An individual whose license has been automatically suspended for failure to renew pursuant to N.J.A.C. 13:39A-5A.1(d) may be reinstated by the Board, provided the applicant otherwise qualifies for licensure pursuant to N.J.A.C. 13:39A-5 and submits a completed reinstatement application and one of the following to the Board:

1. Certification of licensure or certification in good standing from any other state or jurisdiction in which the applicant has practiced physical therapy during the period the license was suspended in this State;
2. Certification by the applicant stating that he or she has practiced physical therapy in a state or jurisdiction which does not require licensure, during the period the license was suspended in this State; or
3. Certification stating that the applicant has not practiced physical therapy, in this or any other jurisdiction during the period the license was suspended in this State.

(b) An individual who has practiced physical therapy in the manner described in (a)1 or 2 above shall submit written verification, on a form provided by the Board, from all of the applicant's employers. The verification shall document dates of employment from the date the New Jersey license was suspended to the date of application for reinstatement, and the name, address and telephone number of each employer.

(c) An individual whose license has been automatically suspended for failure to renew pursuant to N.J.A.C. 13:39A-5A.1(d) shall complete 30 credits of continuing professional education per biennial renewal period that the licensee has been suspended up to a maximum of 60 credits. Of the continuing professional education required under this subsection, 30 credits must be taken within two years immediately preceding reinstatement and the remainder must be taken within four years immediately preceding reinstatement.

(d) An individual whose license has been automatically suspended for failure to renew pursuant to N.J.A.C. 13:39A-5A.1(d) for a period of five or more years shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:39A-5.2.

(e) Prior to reinstatement, an applicant shall pay a reinstatement fee and all past delinquent biennial renewal fees pursuant to N.J.A.C. 13:39A-1.3.

SUBCHAPTER 6. TEMPORARY LICENSES FOR VISITING PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS

13:39A-6.1 Temporary visiting licensed physical therapists and temporary visiting licensed physical therapist assistants

(a) Any person having made application to the Board pursuant to N.J.S.A. 45:9-37.29(b) for the issuance of a temporary license to practice as a physical therapist or physical therapist assistant in this State on a temporary basis to assist in a medical emergency or to engage in a special project or teaching assignment relating to the practice of physical therapy, may be issued a temporary visiting license without examination, which shall remain valid for a period not to exceed one year, provided that said person can demonstrate to the Board that he or she is licensed, registered or otherwise authorized to engage in the practice of physical therapy in another state or jurisdiction and that permitting his or her practice in this State would not be inconsistent with the public interest.

(b) A temporary visiting license, upon its expiration, may be renewed, at the discretion of the Board, for an additional year. Any holder of a temporary visiting license shall advise the Board if his or her authority to engage in the practice of physical therapy is revoked, suspended or otherwise limited by any state, agency or authority.

13:39A-6.2 Responsibilities of a temporary visiting licensed physical therapist assistant

(a) A temporary visiting licensed physical therapist assistant shall not render care unless the temporary visiting license holder receives direct supervision from his or her designated supervising physical therapist.

(b) A temporary visiting licensed physical therapist assistant shall obtain the signature of the supervising physical therapist indicating that the supervising physical therapist reviewed the plan of care with the temporary visiting physical therapist assistant and the date when that review took place. The supervising physical therapist's signature in the patient record shall serve as evidence that the plan of care has been reviewed with the temporary visiting physical therapist assistant by the supervising physical therapist.

(c) At least once every 30 days after the initial review of a new or revised plan of care with the supervising physical therapist, the temporary visiting licensed physical therapist assistant shall document in the patient record that the patient's progress and plan of care has been reviewed with the supervising physical therapist, including the dates when those reviews took place. Such documentation may be incorporated into progress notes or treatment notes written by the supervising physical therapist and the temporary visiting licensed physical therapist assistant and does not require separate or additional notes.

SUBCHAPTER 7A. (RESERVED)

SUBCHAPTER 9. CONTINUING PROFESSIONAL EDUCATION

13:39A-9.1 Licensure renewal: continuing professional education requirement

(a) Effective February 1, 2006, a licensee shall complete the continuing professional education requirement as specified in N.J.A.C. 13:39A-9.2 by January 31, 2008, for the biennial licensure period beginning February 1, 2008.

(b) A licensee applying for biennial licensure renewal shall complete, during the preceding biennial period, the continuing professional education requirement as specified in N.J.A.C. 13:39A-9.2.

(c) Upon biennial license renewal, a licensee shall attest that he or she has completed the continuing professional education requirement of the types and number of hours specified in N.J.A.C. 13:39A-9.3. Falsification of any information submitted on the renewal application may require an appearance before the Board and may result in disciplinary action.

13:39A-9.2 Credit hour requirements

(a) Except as provided in (b) below, each applicant for biennial license renewal as a physical therapist and as a physical therapist assistant shall complete during the preceding biennial period a minimum of 30 credit hours of continuing professional education.

(b) An applicant for biennial license renewal as a physical therapist or as a physical therapist assistant who receives an initial license in the first year of a biennial period shall complete a minimum of 15 of the 30 required credits of continuing professional education for that biennial renewal period. An applicant for biennial license renewal as a physical therapist or as a physical therapist assistant who receives an initial license in the second year of a biennial period shall be exempt from completing continuing professional education credits for that biennial renewal period.

(c) For the purposes of this subchapter, a credit hour of continuing professional education means 50 minutes of time spent in learning activities exclusive of breaks, meals or vendor exhibits.

(d) Any continuing professional education courses, programs or seminars directed or ordered by the Board to be taken by a licensee as all or part of a disciplinary or remedial measure or to remediate a deficiency in continuing professional education credits for a prior biennial renewal period shall not qualify to fulfill the mandatory continuing professional education requirements required for biennial renewal.

13:39A-9.3 Acceptable course offerings; credit hour calculation

(a) The Board shall grant continuing professional education credit, at a rate of one credit for each hour of attendance unless otherwise specified in this section, only for courses, programs or seminars that have been successfully completed and have significant educational or practical content which deal with matters related to the practice of physical therapy or with the professional responsibilities or ethical obligations of licensees, such as the following:

1. Patient/client management;
2. Appropriate standard of physical therapy care;
3. Patient safety;
4. Application of new technology to physical therapy practice;
5. Patient communication;
6. Promotion of ethical practices;
7. Knowledge of the changing health care system;
8. Clinical instructor credentialing; and
9. Physical therapy practice management, administration and professional issues.

(b) All courses, programs or seminars offered by the following sources and providers shall be pre-approved, and a licensee shall be allowed the number of credits as follows:

1. Successful completion of a post-graduate course in a physical therapy program leading to a Doctor of Physical Therapy (DPT) degree for the physical therapist or a three-credit course in an entry level physical therapy program for the physical therapist assistant. Such programs must be in institutions of higher learning which are accredited by the United States Department of Education or the Council on Postsecondary Accreditation or their approved agencies: three credits for each course credit awarded; or
2. Successful completion of a course in an academic *master's or* doctoral program related to the practice of physical therapy *provided that such course is not part of the physical therapy program completed by the licensee to meet the educational requirements for initial licensure under N.J.A.C. 13:39A-5.1*: three credits for each course credit awarded.

(c) The Board shall grant a maximum of 10 of the mandatory 30 continuing professional education credits required in a biennial renewal period of physical therapists and physical therapist assistants from any or all of the following:

1. Successful completion of videotape, audiotape, computer media, Internet, journal, or correspondence courses, programs or seminars: a maximum of two credits per course, program or seminar. The course, program or seminar shall include an examination at its end. Credit for correspondence and other individual study courses or programs shall be provided only in the renewal period in which the course is completed with a successful final examination;
2. Successful completion of courses, programs or seminars consisting of hands-on demonstrations of instrumentation when accompanied by didactic lectures: one-half credit for each hour of attendance;
3. Preparation and presentation of a Board-approved continuing professional education course, program or seminar: two credits for each hour of a new presentation up to a maximum of 12 credits. For purposes of this subsection, "new" means a course, program or seminar that the licensee has not taught previously in any educational setting. One credit for each hour of a presentation shall be given for subsequent sessions involving substantially identical subject matter up to a maximum of 12 credits, provided the original material has been updated and subject to the credit limits of N.J.A.C. 13:39A-9.3;
4. Preparation of an educational or scientific article authored and published in a professional refereed journal: three credits per article as approved by the Board; or
5. Courses, programs or seminars in physical therapy practice management: one credit for each hour of attendance.

(d) A physical therapist or physical therapist assistant who is awarded clinical specialization in any of the American Physical Therapy Association (APTA) specialty areas shall receive 15 continuing professional education credits for the biennial licensure period in which it takes place.

(e) The Board shall review and approve courses, programs and seminars, which are not pre-approved pursuant to (b) above, if the courses, programs and seminars meet the requirements of (a) above and the providers meet the requirements of N.J.A.C. 13:39A-9.6.

(f) The Board shall maintain a list of Board-approved courses, programs and seminars submitted for approval pursuant to N.J.A.C. 13:39A-9.6.

(g) The Board may review and approve courses, programs and seminars, which are not pre-approved pursuant to (b) above nor approved pursuant to (e) above, when such courses, programs and seminars are submitted for approval by a licensee for continuing professional education credit. The licensee shall submit on a form approved by the Board the title, date and location of the course, program or seminar for which approval is being sought and the information required of a continuing professional education provider pursuant to N.J.A.C. 13:39A-9.6(a)1.

(h) Continuing professional education courses, programs and seminars shall be offered on a nondiscriminatory basis. Membership organizations may discount the cost of attending continuing professional education courses, programs and seminars for dues-paying members.

13:39A-9.4 Documentation of continuing professional education credit

(a) Each licensee shall maintain a record of all continuing professional education activity completed and shall submit evidence of completion of the credit requirements to the Board upon request. Each licensee shall obtain from the continuing professional education course, program or seminar provider and retain for a period of at least four years following the license renewal a record of attendance which shall include, at a minimum, the following:

1. The participant's name and State Board of Physical Therapy Examiners' license number;
2. The title and, if the title does not adequately describe the educational content, subject matter of the course, program or seminar;

3. The name of the instructor;
4. The course, program or seminar provider;
5. The date and location of the course, program or seminar;
6. The number of continuing professional education hours and credits awarded; and
7. The signature of a course, program or seminar official or other verification of successful completion by the course, program or seminar provider.

(b) A licensee shall verify completion of academic course work by an official transcript from the educational institution.

(c) A licensee who completes a videotape, audiotape, computer media, Internet, journal or correspondence course or program shall retain the certification of the successful final examination completed at the end of the course, program or seminar;

(d) The Board shall monitor compliance with the mandatory continuing professional education requirement by conducting a random audit of licensees, who, upon request, shall provide proof of successful completion of continuing professional education credits.

13:39A-9.5 Waiver of continuing professional education requirements

(a) The Board may waive, extend or otherwise modify the time period for completion of the continuing professional education requirements on an individual basis for reasons of hardship, such as illness, disability or active service in the military.

(b) A licensee who seeks a waiver, extension or modification of the time period for the completion of the continuing professional education requirements shall provide to the Board in writing, no less than two months prior to the end of the licensure period, the specific reasons for requesting the waiver, extension or modification and such additional information as the Board may require in support of the request.

13:39A-9.6 Responsibilities of continuing professional education providers

(a) All providers of continuing professional education not included in N.J.A.C. 13:39A-9.3(b) shall:

1. At least 45 days prior to the date of the course, submit the following for each course, program or seminar offered for evaluation by the Board:

- i. A detailed descriptive outline of course content and estimated hours of instruction; and

- ii. The curriculum vitae of each lecturer, including specific background which qualifies the individual as a lecturer in the area of instruction;

2. Obtain Board approval prior to representing that any course, program or seminar fulfills the requirements of N.J.A.C. 13:39A-9.1;

3. Monitor the attendance at each approved course, program or seminar and furnish to each enrollee a verification of attendance, which shall include at least the following information:

- i. The title, date and location of the course, program or seminar offering;

- ii. The name and license number of the attendee;

- iii. The number of credits awarded;

iv. The name and signature of the sponsor and the seal of the organization;

4. Evaluate course offerings. Evaluations shall be solicited from both the attendees and the instructors; and

5. Submit a fee pursuant to N.J.A.C. 13:39A-1.3 for each submission of new courses, programs or seminars reviewed by the Board during the biennial licensing period.