

PROSPECTIVE ANALYSIS
PHYSICAL THERAPY LICENSURE BOARD

IDAPA 24.13.01

RULE: 200 SERIES

Proposed Rule: [Add rule text here]

Current Rule: [Add rule text here or, for longer rules, summarize key elements]

Legal Authority: Idaho Code §§ 54-2206 (discretionary: authorized rulemaking), 54-2220 (mandatory: shall regulate the practice), 54-2225 (discretionary: dry needling),

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

What evidence is there that the rule, as proposed, will solve the problem?

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	N/A

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule
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		more stringent? (if applicable)
Alaska	<p>While Physical Therapy and Occupational Therapy are combined into a single board, each profession maintains its own practice standards, governed by rule (12 AAC 54.500–590).</p> <p>AK does not allow PTs to “practice medicine, osteopathy, chiropractic, or other method of healing.” AK provides standards for telehealth (“telerehabilitation”) by rule. PT must display license.</p> <p>PTs are restricted to supervising no more than 3 PTAs/students/foreign PTs. PTAs may only practice under PT supervision (once a month onsite or telephonic and available for consultation); interns may only practice with “continual on-site supervision.” Unlicensed aides may also provide patient care under the “continual on-site supervision” of a licensed PT.</p> <p>While nothing in the rules prevents a PT from performing dry needling, AK does not provide a dry needling certificate.</p> <p>https://www.commerce.alaska.gov/web/portals/5/pub/PT-OTStatutes.pdf</p>	N/A
Montana	<p>Practice standards governed by rule (ARM 24.177.405, .413, 701, .2301)</p> <p>MT requires PT to directly supervise aides but has no supervision ratio.</p> <p>Dry needling must be performed by a licensed PT in a manner that is consistent with standards from the CDC and OSHA. MT does not require a certificate for a PT to perform dry needling. Only a PT can perform dry needling (no delegation), and only with proper training, for which the PT must be able to provide written documentation.</p> <p>PT allowed to acquire topical meds from Pharma; only PT may apply topical meds.</p> <p>Unprofessional conduct is defined by rule. PTs are required to display their licenses.</p>	N/A

	https://rules.mt.gov/gateway/ChapterHome.asp?Chapter=24%2E177	
Nevada	<p>Practice standards for physical therapy are governed by rule (NAC 640.550–660).</p> <p>Regarding supervision, a licensed PT must conduct the initial patient evaluation. After that initial evaluation, PT may delegate treatment programs to PTAs but is required to generally supervise the PTAs. Students and unlicensed aids may also provide routine physical therapy services, but only under the direct supervision of the PT. PTs can also supervise a graduate of physical therapy program pending the graduate’s licensure, but only upon Board-approval. NV restricts number of people PT may supervise: 2 PTAs; 2 techs; 2 students; 2 graduates; or 3 of any combination of PTAs, techs, students, or graduates. PTAs may not supervise other PTAs or techs. Supervision defined (interpreted) and then later used (and redefined) in rules.</p> <p>NV statute (NRS 640.050) requires the Board to establish regulations governing dry needling, “which must include, without limitation, the successful completion of not less than 150 hours of didactic education in dry needling approved by the Board,” and may allow part of that education to come from a graduate course, but it does not appear that the Board has adopted any such rules.</p> <p>Unprofessional conduct is defined by statute. PT must display license.</p> <p>https://www.leg.state.nv.us/NAC/NAC-640.html</p>	N/A
Oregon	<p>Practice standards governed by statute (ORS 688.120–140) and rule (OAR 848-040-0100–0190).</p> <p>OR does not have supervision ratios. Only a PT may perform a patient assessment or reassessment. After initial assessment, a PTA may provide patient treatment but PT must generally supervise PTA and PT aides. PTs must also provide on-site supervision of PT students, but can delegate that supervision to PTA.</p> <p>PTs have a duty to refer for medical care. PTs may treat animals referred by veterinarians. Telehealth is provided for by statute and rule. PTs must display license.</p> <p>https://www.oregonlegislature.gov/bills_laws/ors/ors688.html</p>	N/A

	https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3908	
South Dakota	<p>Practice standards are governed by rule (SDAR 20.66.02, .04), supplemented by statute (SDCL 36-10-40, 52).</p> <p>SD provides a Code of Ethics by rule and unprofessional conduct by statute.</p> <p>PT must pass specialized training before performing dry needling, and cannot delegate dry needling to PTA.</p> <p>PT has the primary responsibility for supervision of PTAs and other support personnel. A licensed PT may not supervise “at any one time any more than the equivalent of two full-time” PTAs.</p> <p>https://sdlegislature.gov/Rules/Administrative/11022, https://sdlegislature.gov/Statutes/Codified_Laws/2059923</p>	N/A
Utah	<p>Practice standards are governed by statute (UT Code § 58-24b-401) supplemented by rule (UAR R156-24b-502–504).</p> <p>Only a licensed PT may conduct the initial patient evaluation and any reassessments. A PT may supervise up to 3 support staff but must personally perform at least every tenth treatment on the patient. A PTA may practice only under direct PT supervision. An aide may not practice physical therapy, but may provide routing assistance to a licensed PT or PTA, under their direct on-site supervision.</p> <p>PT may prescribe aerosols and topicals but may not dispense drugs.</p> <p>After 100 hours of specialized training, PT may perform animal physical therapy. Specialized training, in addition to possessing an unrestricted license in good standing for at least two years, is also required to obtain a dry-needling certificate.</p> <p>https://le.utah.gov/xcode/Title58/Chapter24B/58-24b-P4.html?v=C58-24b-P4_1800010118000101 https://adminrules.utah.gov/public/rule/R156-24b/Current%20Rules?</p>	N/A

<p>Washington</p>	<p>Practice standards are governed by rule (WAC 246-915-130–187, 200). Unprofessional conduct and standards of appropriateness for physical therapy are also set forth in rule.</p> <p>Only a licensed PT may interpret referrals, conduct the initial patient exam, develop or modify a plan of care, establish a discharge plan, and determine what tasks otherwise require a PT and which may be delegated. PT may only supervise up to 3 support personnel or 2 students. PTs may directly or indirectly supervise PTA; PT aides must always be directly supervised.</p> <p>Telehealth provided for in Rule.</p> <p>PT may provide “sharp debridement” and “EMG” (needling) upon showing adequate training; spinal manipulation requires a special endorsement. PT are prohibited from advertising that they perform spinal manipulation or adjustment.</p> <p>https://app.leg.wa.gov/wac/default.aspx?cite=246-915&full=true</p>	<p>N/A</p>
<p>Wyoming</p>	<p>Practice standards governed by rule and statute. Both the Code of Ethics and standards of practice are provided for by Rule.</p> <p>Licensed PTs are required to “supervise assistive personnel and students in a manner that assures safe and efficient care.” PT may supervise a maximum of 5 supportive personnel, including no more than 3 aides. PTAs may only supervise up to 2 aides.</p> <p>PT may purchase, store, and administer topical meds (including legend drugs). Before performing “manual therapy,” PT must show evidence of graduation from program with “high velocity, low amplitude” techniques. Before dry needling, PT must demonstrate completion of approved training. PTAs and aides may NOT perform dry needling.</p> <p>https://rules.wyo.gov/Search.aspx?Agency=062, https://casetext.com/statute/wyoming-statutes/title-33-professions-and-occupations/chapter-25-physical-therapists</p>	<p>N/A</p>

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

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Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	
Impact to Idaho businesses, with special consideration for small businesses	
Impact to any local government in Idaho	