

This document is made available electronically by the Minnesota Legislative Reference Library as part of an ongoing digital archiving project. <http://www.leg.state.mn.us/lrl/sonar/sonar.asp>

It is the responsibility of the Board of Medical Examiners with the advice and assistance of the Physical Therapy Council (Minn. Stat. 148.70) to develop and promulgate rules which will regulate the practice of physical therapy in Minnesota. The Board has been regulating physical therapists under the provisions of ME 9 of the Board of Medical Examiner's rules. With the experience gained in administering that rule and to reflect changes in statutory intent and societal changes, the Board proposes the following rules so as to most effectively regulate the practice of physical therapy and to provide the most good to the citizens of Minnesota.

7 MCAR S 4.013 DEFINITIONS.

A. SCOPE. FOR THE PURPOSES OF 7 MCAR §§ 4.013 - 4.030 THE TERMS DEFINED IN B.-D. HAVE THE MEANINGS GIVEN THEM.

B. BOARD. "BOARD" MEANS THE BOARD OF MEDICAL EXAMINERS.

C. PHYSICAL THERAPIST ASSISTANT. "PHYSICAL THERAPIST ASSISTANT" MEANS A SKILLED TECHNICAL WORKER WHO IS A GRADUATE OF A PHYSICAL THERAPIST ASSISTANT EDUCATIONAL PROGRAM ACCREDITED BY THE AMERICAN PHYSICAL THERAPY ASSOCIATION OR A COMPARABLE ACCREDITING AGENCY. THE PHYSICAL THERAPIST ASSISTANT PERFORMS SELECTED PHYSICAL THERAPY TREATMENTS AND RELATED DUTIES AS DELEGATED BY THE PHYSICAL THERAPIST TO ASSIST THE PHYSICAL THERAPIST IN PATIENT/CLIENT/RESIDENT-RELATED ACTIVITIES.

D. PHYSICAL THERAPY AIDE. "PHYSICAL THERAPY AIDE" MEANS A SUPPORTIVE WORKER WHO HAS BEEN TRAINED ON THE JOB TO PERFORM TASKS ASSIGNED BY A SUPERVISING REGISTERED PHYSICAL THERAPIST.

These terms are crucial to the understanding and interpretation of the rule, it is reasonable and in the best interest of the public that those who interpret this rule thoroughly understand the meaning of these terms as they apply to the rule. The terms used may not be common usage, as the purpose is to clarify the usage under enforcement.

7 MCAR § 4.014 APPLICATION. AN APPLICANT FOR ADMISSION TO A REGISTRATION EXAMINATION TO PRACTICE PHYSICAL THERAPY SHALL FILE AN APPLICATION WITH THE BOARD. IF THE BOARD FINDS THAT THE APPLICATION IS COMPLETE AND THAT ALL OF THE REQUIREMENTS OF MINNESOTA STATUTE SECTION 148.70 AND OF 7 MCAR §§ 4.013 4.030 HAVE BEEN MET, IT SHALL ADVISE THE APPLICANT OF THE DATE AND PLACE OF THE EXAMINATION.

The Board must have adequate information to evaluate the applicant's qualifications to take the qualifying examination. This rule fulfills the requirements of Minn. Stat. 148.70 (1980).

7 MCAR § 4.015 CONTENTS OF THE APPLICATION. THE APPLICATION MUST BE SUBMITTED ON FORMS PREPARED BY THE BOARD. TO BE COMPLETE THE APPLICATION MUST INCLUDE THE FOLLOWING INFORMATION.

- A. A NOTARIZED OR CERTIFIED COPY OF THE ORIGINAL DIPLOMA, DEGREE OR CERTIFICATE OR EVIDENCE SATISFACTORY TO THE BOARD, TAKING INTO CONSIDERATION THE QUALIFICATIONS FOR APPLICANTS SET OUT IN MINN. STAT. § 148.70, INDICATING THAT THE APPLICANT HAS SATISFACTORILY COMPLETED AN APPROVED CURRICULUM IN PHYSICAL THERAPY AS SET OUT IN MINN. STAT. § 148.705, CLAUSES (A) AND (B) AND HAS BEEN GRADUATED FROM A SCHOOL OF PHYSICAL THERAPY APPROVED BY THE BOARD;

In some instances an applicant will attempt to take a qualifying examination prior to completion of the requirements of their physical therapy educational program. Since Minn. Stat. 148.70 precludes an applicant from taking a qualifying examination prior to completion of all didactic requirements, an original or certified copy of a

degree, certificate or diploma is necessary as proof that the applicant has completed all the didactic and clinical educational requirements in an approved program.

- B. A RECOMMENDATION BY ONE PHYSICIAN DULY LICENSED TO PRACTICE MEDICINE IN THE UNITED STATES OR CANADA AND ONE PHYSICAL THERAPIST DULY REGISTERED TO PRACTICE PHYSICAL THERAPY IN THE UNITED STATES OR CANADA.

A recommendation by one physical therapist and one physician will provide identification of the applicant and will verify the applicant's capacity to practice competently.

- C. A RECENT FULL-FACED NOTARIZED PHOTOGRAPH ATTACHED TO THE APPLICATION;
AND

An unmounted recent photograph with notarization will provide proof to the examiner that the applicant is the person to whom the entrance examination is given.

- D. AN ACCOUNTING OF TIME BEGINNING WITH HIGH SCHOOL EDUCATION.

Information on past employment history provides additional and pertinent sources for references regarding the applicant's competence and character.

7 MCAR § 4.016 APPLICATION DEADLINE. ALL APPLICATIONS FOR EXAMINATION MUST BE FULLY COMPLETED IN ACCORDANCE WITH 7 MCAR S 4.015 AND FORWARDED TO THE SECRETARY OF THE BOARD. AN APPLICATION MUST BE POSTMARKED NO LATER THAN 30 DAYS BEFORE THE DATE OF THE EXAMINATION.

A thirty day period following completion of an application is necessary to process the information and to obtain the examination from the testing agency.

7 MCAR § 4.017 EXAMINATION. THE EXAMINATION, AS DESCRIBED IN MINNESOTA STATUTES SECTION 148.72; SUBDIVISION 3, MUST BE THE PROFESSIONAL EXAMINATION SERVICE PHYSICAL THERAPY EXAMINATION OR A COMPARABLE NATIONALLY RECOGNIZED EXAMINATION.

THE PASSING SCORE IS ONE STANDARD DEVIATION BELOW THE MEAN OF ALL PERSONS TAKING THE EXAMINATION.

Currently, the Professional Examination Service's (P.E.S.) Physical Therapy Examination is the only nationally recognized examination for physical therapists. Other examinations may be developed, it is important to allow the Board in the future, to adopt such an examination. The passing score of one standard deviation below the mean is based upon performance standards of recent graduates of educational programs in Minnesota.

7 MCAR § 4.018 INELIGIBILITY FOR EXAMINATION. IF THE BOARD DETERMINES THAT AN APPLICANT IS INELIGIBLE FOR EXAMINATION, THE BOARD SHALL NOTIFY THE APPLICANT OF THIS DETERMINATION AND THE GROUNDS FOR IT. THE APPLICANT MAY BE GRANTED A HEARING IN ACCORDANCE WITH THE PROVISIONS OF RULE ME 63 OF THE BOARD OF MEDICAL EXAMINERS BY FILING A STATEMENT OF ISSUES WITH THE BOARD WITHIN 20 DAYS AFTER RECEIVING NOTICE FROM THE BOARD. AFTER THE HEARING, THE BOARD SHALL NOTIFY THE APPLICANT IN WRITING OF ITS DECISION.

Any applicant who is ineligible for examination based on the applicant's credentials has a right to appeal the Board's decision by requesting a hearing under 7 MCAR § 4.063 (ME 63, 1979). This procedure allows the applicant due process.

7 MCAR § 4.019 REGISTRATION WITHOUT EXAMINATION. THE BOARD MAY REGISTER A PERSON AS A PHYSICAL THERAPIST IN THIS STATE WITHOUT EXAMINATION IF THAT PERSON COMPLETES OR PRESENTS EVIDENCE SATISFACTORY TO THE BOARD OF HAVING PASSED AN EXAMINATION IN ACCORDANCE WITH MINNESOTA STATUTE SECTION 148.70 ADMINISTERED BY A STATE LICENSING AGENCY. AN APPLICANT FOR REGISTRATION WITHOUT EXAMINATION SHALL SUBMIT AN APPLICATION ON FORMS PROVIDED BY THE BOARD WITH THE FOLLOWING INFORMATION:

If an applicant has successfully completed a Board approved examination and is currently practicing in another state, it is unnecessary to retest. This will also decrease the cost to the applicant and agency while maintaining competent practice of physical therapy in the state.

- A. A NOTARIZED OR CERTIFIED COPY OF A CURRENT LICENSE OR CERTIFICATE TO PRACTICE PHYSICAL THERAPY, IF ANY, ISSUED BY THE DULY ACCREDITED EXAMINING AGENCY OF THE STATE OR FOREIGN COUNTRY IN WHICH THE APPLICANT HAS BEEN LICENSED OR CERTIFIED.

This registration option is based upon the assumption that the applicant has already met the examination requirements in another state and it is not cost-efficient nor serving any protective function to require that the examination be retaken. However, it is reasonable and in the best interest of the public to require some documentation of having taken the examination, to insure that all of Minnesota's requirements for testing were met.

- B. AN ORIGINAL OR CERTIFIED COPY OF A DIPLOMA, DEGREE, OR CERTIFICATE OR EVIDENCE SATISFACTORY TO THE BOARD INDICATING THAT THE APPLICANT HAS SATISFACTORILY COMPLETED AN APPROVED CURRICULUM IN PHYSICAL THERAPY AS PROVIDED IN MINN. STATUTE SECTION 148.70 HAS BEEN GRANTED FROM A SCHOOL OF PHYSICAL THERAPY APPROVED BY THE BOARD; AND

In some instances an applicant will attempt to become registered as a physical therapist prior to the completion of the requirements of their physical therapy education program. Since Minn. Stat. 148.70 precludes registraion prior to the completion of all didactic requirements, an original or certified copy of a degree, certificate, or diploma is necessary as proof that the applicant has completed all the didactic and clinical educational requirements in an approved program.

C. A LIST OF THE APPLICANT'S PHYSICAL THERAPY EMPLOYMENT DURING THE PAST FIVE YEARS.

Information on the past employment provides pertinent sources for reference regarding the applicant's competence and character.

7 MCAR § 4.020 REQUIREMENTS FOR FOREIGN-TRAINED APPLICANTS. AN APPLICANT FOR REGISTRATION WHO IS A FOREIGN-TRAINED PHYSICAL THERAPIST MUST FULFILL THE FOLLOWING REQUIREMENTS, PROVIDING CERTIFIED ENGLISH TRANSLATIONS OF BOARD-REQUIRED RELEVANT DOCUMENTATION:

This rule relates to the registration of foreign-trained physical therapists. It is reasonable and necessary to establish a separate route of registration requirements for foreign trained physical therapists which will take into consideration the differences with foreign physical therapists training programs and will help to insure that the applicants are able to function in an American medical employment situation.

A. THE APPLICANT MUST PRESENT EVIDENCE OF COMPLETION OF PHYSICAL THERAPY SCHOOLING EQUIVALENT TO THAT REQUIRED IN MINNESOTA STATUTE SECTION 148.705 AND 7 MCAR § 4.017. THIS EVIDENCE WILL BE EVALUATED BY THE PHYSICAL THERAPY COUNCIL WITH THE ASSISTANCE OF A CREDENTIALS EVALUATION SERVICE FAMILIAR WITH EDUCATIONAL STANDARDS AND PROFESSIONAL QUALIFICATION. AGENCIES PROVIDING EVALUATION SERVICES MUST BE APPROVED BY THE AMERICAN PHYSICAL THERAPY ASSOCIATION OR MEET ITS STANDARDS. THE APPLICANT SHALL BE RESPONSIBLE FOR THE EXPENSES INCURRED BY THE EVALUATION.

Due to differences in international education standards for physical therapists and the inability of this Board to accurately assess foreign educational records an external organization is necessary to evaluate the credentials of foreign trained applicants. At present, there are two credential evaluation services approved by the American Physical Therapy Association: The International Educational Research Foundation, Incorporated, Los Angeles and

the International Consultant's of Delaware, Newark, Delaware.

These agencies provide evaluations at no charge to the Board since the applicant pays a fee directly to the credentials evaluation service. Since the cost of the evaluation is not prohibitive and since it may lead to the applicants registration, having the applicant fund the evaluation is reasonable. It would also represent a reduced program cost for the public.

- B. THE APPLICANT MUST ACHIEVE A SCORE OF AT LEAST 550 ON THE TEST OF ENGLISH AS A FOREIGN LANGUAGE, OR A SCORE OF AT LEAST 85 PERCENT ON THE MINNESOTA BATTERY TEST.

Language skills are essential for health care personnel. In order to evaluate basic competency in the use of English, applicants are required to take an English proficiency test. The level of proficiency is set at 550 on the Test of English as a Foreign Language (TOEFL) or 85% on the Minnesota Battery Test. This level of performance is the minimum standard for foreign students for acceptance at the University of Minnesota. The test is available at the Student Counseling Bureau at the University of Minnesota and is offered nationally through TOEFL, Princeton, New Jersey.

- C. THE APPLICANT MUST HAVE PRACTICED SATISFACTORILY FOR AT LEAST SIX MONTHS UNDER THE SUPERVISION OF A REGISTERED PHYSICAL THERAPIST AT A BOARD-APPROVED FACILITY. A FACILITY THAT OFFERS SUCH PRACTICE MUST PROVIDE A BROAD BASE OF EXPERIENCE INCLUDING A VARIETY OF PHYSICAL AGENTS, THERAPEUTIC EXERCISES, EVALUATION PROCEDURES, AND PATIENT DIAGNOSIS. SUPERVISION MUST BE PROVIDED BY A REGISTERED PHYSICAL THERAPIST WITH AT LEAST THREE YEARS OF CLINICAL EXPERIENCE. A PROPOSED OUTLINE OF CLINICAL EXPERIENCES MUST BE APPROVED BY THE PHYSICAL THERAPY COUNCIL BEFORE THE FACILITY BEGINS OFFERING THE EXPERIENCE.

Based on American Physical Therapy Association recommendations, a minimum of six months supervised practice at a Board approved facility is necessary to expose foreign trained physical therapists to the health care delivery system and specifically to the practice of physical therapy in the United States. This is set forth in Minn. Stat. 148.72 subd. 2 and 7 MCAR 4.009c (ME, 9c, 1979).

- D. THE APPLICANT MUST SATISFACTORILY COMPLETE THE BOARD-APPROVED EXAMINATION AS STATED IN MINNESOTA STATUTE SECTION 148.72, SUBDIVISION 3.

The foreign trained applicant, as any other applicant who has not been previously examined in another state of the United States, must meet the requirements as set forth in 7 MCAR 4.009c (ME 9, 1979).

7 MCAR § 4.021 ADDRESS. EVERY PHYSICAL THERAPIST SHALL PROVIDE THE BOARD WITH A CURRENT ADDRESS. A PHYSICAL THERAPIST WHO MOVES FROM THE ADDRESS ON THE PHYSICAL THERAPIST'S REGISTRATION SHALL NOTIFY THE BOARD OF THE CHANGE WITHIN 30 DAYS.

It is necessary for the Board to have the current address of a registrant to handle registration, surveys and complaints and other matters pertinent to the council

7 MCAR § 4.022 INITIATION AND TERMINATION OF TREATMENT. A PHYSICAL THERAPIST MAY NOT, WITHOUT THE EXPRESS DIRECTION OF THE PRESCRIBING PHYSICIAN, INITIATE OR TERMINATE TREATMENT. IN AN EMERGENCY, HOWEVER, THE PHYSICAL THERAPIST MAY MODIFY OR TERMINATE TREATMENT THAT IS NOT BENEFICIAL TO THE PATIENT OR THAT IS NOT TOLERATED BY THE PATIENT. IN THAT CASE THE PHYSICAL THERAPIST SHALL NOTIFY THE PRESCRIBING PHYSICIAN PROMPTLY.

Initiating and terminating physical therapy treatment is an integral part of the physician's medical plan and is primarily at the physician's discretion. In instances where treatment is not beneficial or tolerated by the patient, it is important that a physical therapist be given the discretion to modify or terminate treatment with the stipulation that the ordering physician be promptly notified.

7 MCAR § 4.023 DURATION OF TREATMENT PLAN. THE DURATION OF A PHYSICAL THERAPY TREATMENT PLAN SHALL BE DESIGNATED BY THE PRESCRIBING PHYSICIAN.

Since the duration of treatment is ultimately determined by the patient's diagnosis, condition, projected response to treatment and progress, the physician, in consultation with the physical therapist, is the most qualified person to determine the duration of treatment orders.

7 MCAR § 4.024 REPORTS. THE PHYSICAL THERAPIST SHALL SUBMIT WRITTEN REPORTS TO THE PRESCRIBING PHYSICIAN AT INTERVALS DETERMINED BY THE PRESCRIBING PHYSICIAN CONCERNING THE CONDITION AND PROGRESS OF THE PATIENT IN THERAPY. REPORTS SHOULD INCLUDE AN INITIAL EVALUATION, PROGRESS NOTES, AND A DISCHARGE NOTE. REPORTS MUST BE MADE MORE FREQUENTLY THAN DESIGNATED BY THE PRESCRIBING PHYSICIAN IF THE PATIENT'S CONDITION WARRENTS.

Communication with the physician regarding the patient's condition, responses to the treatment and progress are in the best interest of the patient. It is only through communication to the physician that orders may be changed or terminated to best meet the needs of the patient.

7 MCAR § 4.025 PRESCRIPTIONS. EVERY PHYSICAL THERAPIST SHALL RETAIN ALL PATIENT RECORDS INCLUDING PRESCRIPTIONS RECEIVED FOR AT LEAST SEVEN YEARS, OR SIX YEARS AFTER THE PATIENT'S MAJORITY. THE PHYSICAL THERAPIST SHALL PROVIDE ACCESS TO THESE RECORDS TO THE BOARD.

The retention of prescriptions should be consistent with guidelines utilized by hospitals and physicians in that physical therapy is an integral part of a patient's medical care. The wording of this rule reflects the current Minnesota Medical Association and American Medical Association guidelines. The rule also enables the board to fulfill it's regulatory responsibilities by providing access to records. Such access is necessary to evaluate a complaint concerning the competency or appropriateness of care rendered by a physical therapist.

7 MCAR § 4.026 DELEGATION OF DUTIES. THE PHYSICAL THERAPIST MAY DELEGATE PATIENT TREATMENT PROCEDURES ONLY TO A PHYSICAL THERAPIST ASSISTANT WHO HAS SUFFICIENT DIDACTIC AND CLINICAL PREPERATION. THE REGISTERED PHYSICAL THERAPIST MAY NOT DELEGATE THE FOLLOWING ACTIVITIES TO THE PHYSICAL THERAPIST ASSISTANT OR TO OTHER SUPPORTIVE PERSONNEL: PATIENT EVALUATION, TREATMENT PLANNING, INITIAL TREATMENT, CHANGE OF TREATMENT, AND INITIAL OR FINAL DOCUMENTATION.

THE REGISTERED PHYSICAL THERAPIST MUST OBSERVE THE PATIENT'S STATUS BEFORE AND AFTER THE TREATMENT ADMINISTERED BY AN AIDE. THE AIDE MAY PERFORM TASKS RELATED TO THE PREPARATION OF PATIENT AND EQUIPMENT FOR TREATMENT, HOUSEKEEPING, TRANSPORTATION, CLERICAL DUTIES, DEPARTMENTAL MAINTENANCE, AND SELECTED TREATMENT PROCEDURES. THE TASKS MUST BE PERFORMED UNDER THE DIRECT SUPERVISION OF A REGISTERED PHYSICAL THERAPIST WHO IS READILY AVAILABLE FOR ADVICE, INSTRUCTION, OR IMMEDIATE ASSISTANCE.

THE REGISTERED PHYSICAL THERAPIST IS RESPONSIBLE FOR ALL DUTIES DELEGATED TO THE PHYSICAL THERAPIST ASSISTANT OR TASKS ASSIGNED TO THE PHYSICAL THERAPY AIDE.

It is not always practical for the supervising physical therapist to be accessible for the purpose of assigning specific treatments and supervising physical therapy assistants and aides. Very often it is in the best interest of the patient, when the treatment required is within the capabilities of the physical therapist for the physical therapist or a supervised physical therapy assistant or aide to initiate certain specific therapeutic procedures rather than to wait for the physician. Therefore it is reasonable and in the best interest of any patients to establish guidelines for when the physical therapist may assign treatment and supervise the work of physical therapy assistants and aides.

7 MCAR § 4.027 OBSERVATION AND DOCUMENTATION OF DELEGATED DUTIES. WHEN COMPONENTS OF A PATIENT'S TREATMENT ARE DELEGATED TO A PHYSICAL THERAPIST ASSISTANT, A REGISTERED PHYSICAL THERAPIST MUST PROVIDE ON-SITE OBSERVATION OF THE TREATMENT AND DOCUMENTATION OF ITS APPROPRIATENESS AT LEAST EVERY SIX TREATMENT SESSIONS.

Many of the duties of the physical therapist are of a routine nature which are within the educational and professional capacity of the physical therapy assistant or aide. It is reasonable for the physical therapy assistant or aide to be able to perform these services, helping to relieve the physical therapist of the more routine tasks while still allowing him or her to use any information obtained from the treatment sessions. However, it is reasonable for the supervising physical therapist to review the work of the physical therapist assistant or aide on a regular ongoing basis, to insure that the procedures are being carried out correctly, and that the interests of the public who may be under their care are being protected.

7 MCAR § 4.028 SUPERVISION OF PHYSICAL THERAPIST ASSISTANTS. A REGISTERED PHYSICAL THERAPIST MAY SUPERVISE NO MORE THAN TWO PHYSICAL THERAPIST ASSISTANTS.

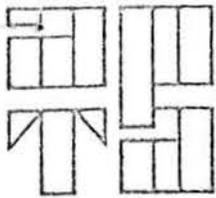
This recognizes the great demand of time placed upon the supervising physical therapist by the act of supervision and the other requirements in this rule. So as to insure that all physical therapy assistants and aides are being adequately and thoroughly supervised, and that the physical therapist will have the time for the supervision, it is reasonable that the number of physical therapist assistants and aides that a physical therapist may supervise be limited to two. It would be in the interest of the public who may be under the care of a physical therapist assistant or aide that the time and resources of the supervising physical therapist not be spread out too thin.

7 MCAR S 4.029 RENEWAL OF REGISTRATION. WHEN THEY RENEW THEIR REGISTRATION EACH YEAR IN COMPLIANCE WITH MINNESOTA STATUTES SECTION 148.73, PHYSICAL THERAPISTS MUST SUBMIT LISTS OF LOCATIONS OR INSTITUTIONS WHERE THEY HAVE PRACTICED DURING THE PAST FIVE YEARS. APPLICANTS FOR REREGISTRATION WHO HAVE NOT PRACTICED THE EQUIVALENT OF EIGHT FULL WEEKS DURING THE PAST FIVE YEARS ARE REQUIRED TO ACHIEVE A PASSING SCORE ON RETAKING THE REGISTRATION EXAMINATION OR COMPLETE A COUNCIL APPROVED CLINICAL EXPERIENCE WITH A BROAD BASE OF TREATMENT MODALITIES AND PATIENT DIAGNOSIS.

It is imperative that the Board have an up-to-date record of a registered physical therapist's history so that the Board will be able to send correspondence to the registrant regarding his or her registration and so the Board will be able to obtain references and work information about the registration when and if an investigation is necessary. Requiring training for those physical therapists who have not practiced physical therapy for at least eight full weeks over the previous five years based on the logic that a person who practices physical therapy is more likely to maintain or develop competence than one who does not. An individual not active in physical therapy for a period of five years will be required to participate in a Council approved refresher program of no less than eight weeks and/or retake the qualifying registration examination. In order to enforce this rule it is imperative that the Board have an up-to-date record of a registered physical therapist's history.

REPEALER. RULE ME 9 OF THE BOARD OF MEDICAL EXAMINERS IS REPEALED.

This rule is proposed to regulate the practice of physical therapy and to replace the existing rule ME 9 of the Board of Medical Examiners. This is done so as to reflect changes in the practice and changes in society overall. Since ME 9 will not be used if this rule is approved, it is reasonable and necessary that ME 9 be repealed.



minnesota chapter

american physical therapy association

2353 rice street north,

st. paul, minnesota 55113

January 12, 1984

State Board of Medical Examiners
Art Poore, Executive Secretary
717 Delaware Street SE, Suite #352
Minneapolis, MN 55414

SUBJECT: Proposed Rule Regarding the Practice of Physical Therapy

We have reviewed the rule and do not find any significant concern with the regulations, and strongly support the provisions relating to the physical therapist assistant and physical therapy aide. Some corrections need to be made in provisions 4.022, 4.023, 4.024, and 4.025 in the usage of the term "prescribing" and "prescription" which is not consistent with the statutory language of "direction and order". We are certain these changes can be accomplished without difficulty however.

We appreciate the opportunity to make comment.

Yours truly,

Dennis Isernhagen, RPT

DI/lib



MINNESOTA MEDICAL ASSOCIATION

Delwin K. Ohrt, M.D.
CHAIRMAN OF THE BOARD

Donald C. Bell, M.D.
PRESIDENT

Thomas G. Briggs, M.D.
PRESIDENT-ELECT

Douglas A. Shaw
CHIEF EXECUTIVE OFFICER

Area 612 Phone 378-1875

January 19, 1984

Arthur W. Poore
Executive Secretary
Minnesota Board of Medical Examiners
717 Delaware Street SE, Suite 352
Minneapolis, MN 55414

Dear Mr. Poore:

The Minnesota Medical Association is pleased to offer comments on the Proposed Rule Regarding the Practice of Physical Therapy. These comments are "not an objection" to the rule, rather comments on terms which seem unclear and need further clarification.

7 MCAR §4.022 initiation and termination of treatment

A physical therapist may not, without the express direction of the prescribing physician, initiate or terminate treatment. In an emergency, however, the physical therapist may modify or terminate treatment that is not beneficial to the patient or that is not tolerated by the patient. In that case the physical therapist shall notify the prescribing physician promptly.

The word "promptly" is vague and should be replaced with the word "immediately" or a specific time should be set to clarify when the physical therapist needs to notify the prescribing physician.

7 MCAR §4.026 Delegation of duties.

The physical therapist may delegate patient treatment only to a physical therapist assistant who has sufficient didactic and clinical preparation. The registered physical therapist may not delegate the following activities to the physical therapist assistant or to other supportive personnel: patient evaluation, treatment planning, initial treatment, change of treatment, and initial or final documentation.

The registered physical therapist must observe the patient's status before and after the treatment administered by an aide. The aide may perform tasks related to preparation of patient and equipment for treatment, housekeeping, transportation, clerical duties, departmental maintenance, and

Arthur W. Poore
January 19, 1984
Page 2.

selected treatment procedures. The tasks must be performed under the direct supervision of a registered physical therapist who is readily available for advice, instruction, or immediate assistance.

The registered physical therapist is responsible for all duties delegated to the physical therapist assistant or tasks assigned to the physical therapy aide.

The phrase "selected treatment procedures" is unclear. It should be more clearly defined to protect the therapist and clearly limit the aide.

7 MCAR §4.028 Supervision of physical therapist assistants.

A registered physical therapist may supervise no more than two physical therapist assistants.

No mention is made of physical therapist aides. Aides should be included under the supervision section, and more specifically, the number of aides should be designated.

Thank you for the opportunity to express the concerns of the Minnesota Medical Association. While non-controversial in nature, the changes noted would clarify the proposed rule, allowing the rule to stand without question.

At your earliest opportunity, please forward to me the Statement of Need and Reasonableness which accompanies this rule.

Sincerely,



Linda K. Lacher
Division of Policy Analysis and Advocacy

LKL:ban

cc: Dr. Richard Tompkins