



# EXECUTIVE SUMMARY

The 2018 Annual Report provides an overview of the accomplishments and activities the Physical Therapy Compact

Commission (PTCC) achieved throughout the year in each of the areas important to its success including

- expansion into new states through legislative activity,
- implementation and subsequent activation in existing Compact member states,
- issuance of compact privileges to PTs and PTAs,
- revision of governance documents and development of new documents,
- committee work to address specific issues and enforce compliance,
- development of new marketing and information materials, and
- communication with interested stakeholders.

- 6 Active States
- 21 Member States
- 64 Compact Privileges
- 49 PT & PTA Users

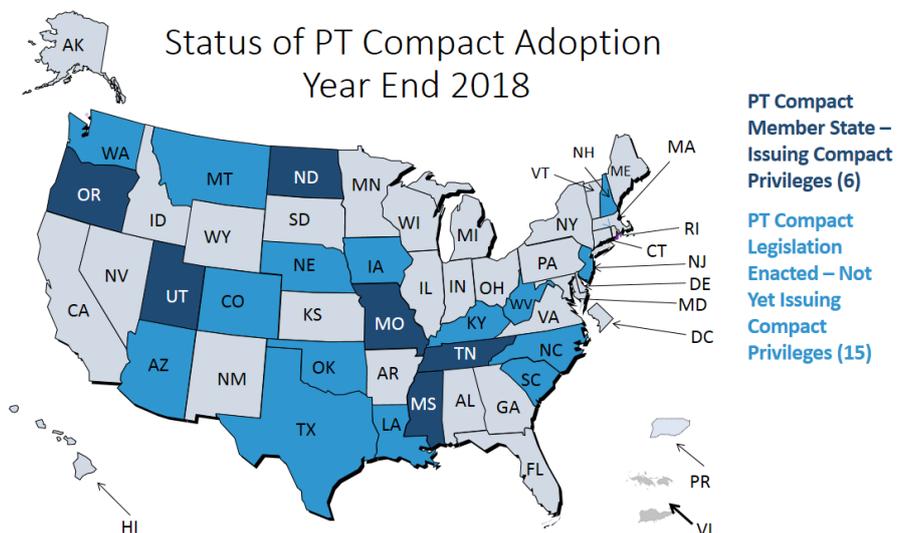
As the report demonstrates, 2018 was a year of learning and growing for the PTCC. The PTCC was effective because of the strong volunteer leadership of its members and the ability to problem solve and work in a transparent and intentional way to achieve several important milestones while building a solid foundation for even more growth in the coming years.

# LEGISLATIVE ACTIVITY

Seven additional states (Iowa, Louisiana, Nebraska, New Jersey, Oklahoma, South Carolina, and West Virginia) enacted the PT Compact model legislation in 2018, thus increasing the PTCC to twenty-one members from states across the country. Bills were also considered in the state legislatures of Florida, Kansas, Pennsylvania, and Wisconsin but were not enacted before the close of session.

## IMPLEMENTATION

By the end of 2018, six of the twenty-one Compact member states fully implemented the requirements of the PT Compact, allowing them to be the first to begin issuing and accepting compact privileges for both physical therapists (PTs) and physical therapist assistants (PTAs). As of December 31, 2018, Oregon, Mississippi, Missouri, North Dakota, Tennessee, and Utah were all actively participating in the issuance and acceptance of compact privileges.



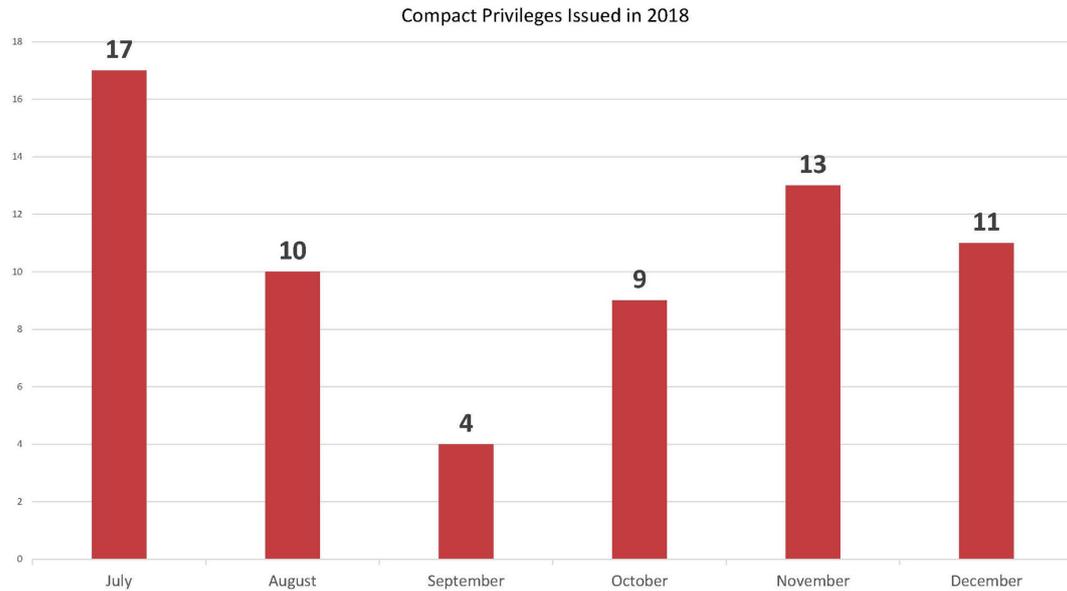
# IMPLEMENTATION ISSUES

Several states encountered unexpected delays in their efforts to implement the requirements of the PT Compact. Though not all inclusive, the primary reasons were the refusal of the Federal Bureau of Investigation (FBI) to grant the state board the ability to do a national criminal background check (CBC); lack of access to all required data elements due to state legal counsel interpretations; and the length of process for state boards to adopt state rules related to the PT Compact. However, in some cases, implementation simply began late in the year due to the fact legislation was more recently enacted in the 2018 legislative session. The PTCC continues working closely with each state to resolve issues and uses lessons learned to mitigate similar delays in the future.

State	Primary Reason for Delay	State	Primary Reason for Delay
AZ	Rules Adoption	NH	FBI CBC Approval
CO	Rules Adoption	NJ	Data Sharing
IA	Rules Adoption	OK	FBI CBC Approval
KY	FBI CBC Approval	SC	FBI CBC Approval
LA	Data Sharing	TX	Rules Adoption
MT	FBI CBC Approval	WA	Rules Adoption
NC	FBI CBC Approval	WV	FBI CBC Approval
NE	Data Sharing		

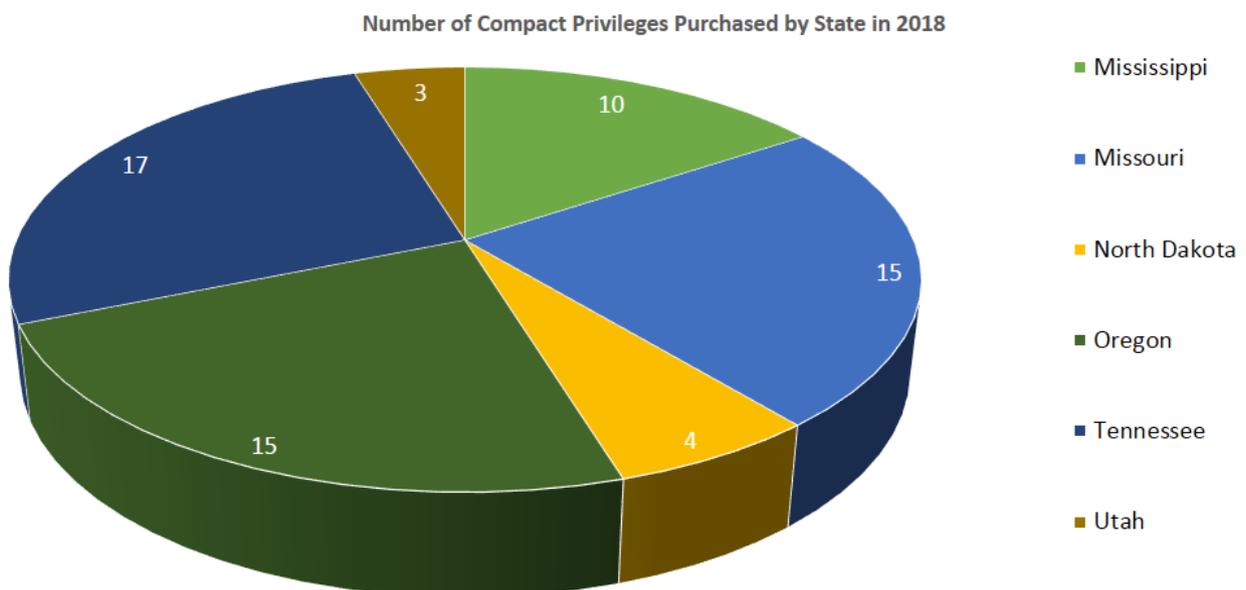
\* As of December 31, 2018

# COMPACT PRIVILEGE ISSUANCE



Through its agreements with and support from the Federation of State Boards of Physical Therapy (FSBPT), the PTCC was able to complete work on the development of an advanced custom software system that uses the data provided by Compact member states to handle the online verification of, eligibility for, and purchasing of compact privileges within minutes.

The first compact privilege was issued on July 9, 2018. Since that date a total of 64 compact privileges were purchased by 31 PTs and 18 PTAs .



# COMPACT BUDGET AND REVENUE SUMMARY

2018 PTCC Budget = \$207,416

2018 PTCC Expenses = \$207,674

2018 PTCC Gross Revenue = \$2,880\*

2018 State Gross Revenue from Compact Privileges = \$3,096

2019 Projected PTCC Gross Revenue = \$12,105\*

\*Excludes revenue remitted to states

## GOVERNANCE ACTIVITIES

The PTCC proved the effectiveness of the Commission governance structure by using the expertise and knowledge of its committees to identify, discuss, and effectively address several unforeseen issues during 2018. Working in coordination, through dozens of meetings, the PTCC volunteer committees accomplished the following activities:

- ✓ Drafted and Adopted Amendments to the PTCC Rules\*
- ✓ Drafted and Adopted Amendments to the PTCC Bylaws\*
- ✓ Drafted and Adopted the Initial Policy and Procedures Manual\*
- ✓ Reviewed and Resolved Compliance Issues

\*Refer to Appendix

# COMMUNICATIONS & OUTREACH

The PTCC made great strides in marketing and communicating the availability and value of the PT Compact. Communications with PTs and PTAs were conducted both directly through regular emails to a cultivated distribution list consisting of more than 1,900 individuals and through several informational webinars conducted for staffing companies and individuals throughout the year.

In addition, the PTCC participated in several events and interviews conducted by media, companies, and membership organizations dedicated to the physical therapy profession, such as blogs, podcasts, websites, and national conventions. New marketing materials, such as FAQs, system walkthroughs, fee and jurisprudence charts, and more, were developed to assist individuals in understanding the process to become eligible for and purchase compact privileges. Those new resources were added to the ever growing materials and information available on the organization's website at [ptcompact.org](http://ptcompact.org).



# New Materials and Resources Developed

- Frequently Asked Questions
- Eligibility Requirements to Obtain a Compact Privilege
- PT Compact Privilege Fees, Jurisprudence Requirements, and Waiver Chart
- Guidance on the Home State Eligibility Requirement
- Guidance for Active Duty Military and Spouses Regarding Flexibility for Selecting a Home State
- Primary Responsibilities of Compact Privilege Holders
- Step-By-Step Guide to Using the Compact Privilege Purchasing System
- State Implementation Checklist
- State Fee Guidance

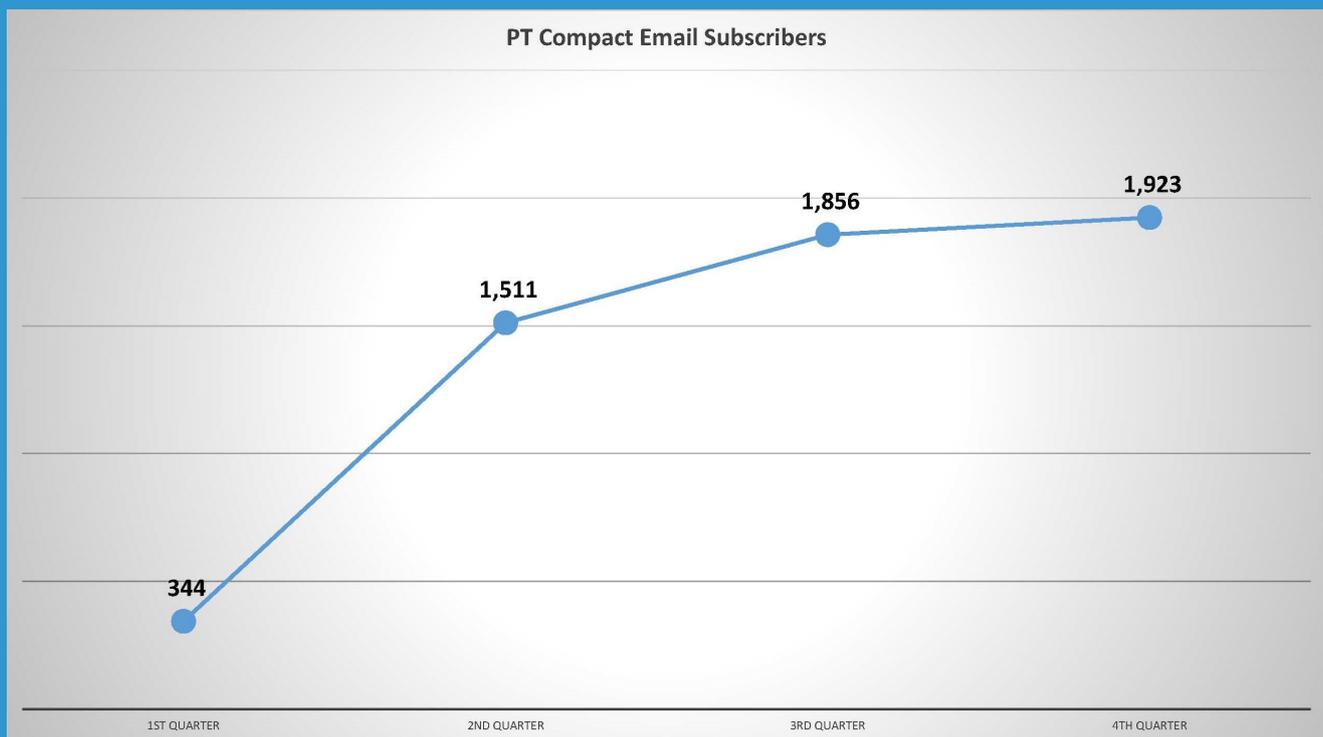
## Informational Webinars

The PTCC provided informational webinars to various staffing companies working with PTs and PTAs throughout the country.



# Email Communication

The PTCC sent important updates throughout the year to a growing email distribution list.



## Twitter

The PTCC began a Twitter account, @PTCompact, on June 28, 2018. By year end the account had 131 followers.

## Multimedia Communication

The PTCC share information through interviews, blogs, and articles in various physical therapy focused media outlets.



# CONSUMER EXPERIENCE

Response from PTs and PTAs was overwhelmingly positive to the availability of the new fast and effective way to get a compact privilege in a remote state.

"I am a traveller, and the compact process is so much simpler and more convenient than applying for a whole new license."

"[The] process is very quick and easy. Affordable!"

"Thank you SO MUCH for getting this off the ground!"

"[Commission Staff] is very timely, helpful and professional in all my dealings with [them]. Thank you for all the hard work made by each and every person involved in the creation of this compact licensure!!!"

# THANKS TO OUR VOLUNTEERS

The PTCC committees, consisting of volunteers from member states, are the lifeblood of the organization and made the accomplishments of 2018 possible through the donation of their time and talents (rosters as of 2018 Annual Meeting).

## Member Board Delegates

Name	Jurisdiction	Name	Jurisdiction
Michael Clinton	Arizona	Kathy Arney	North Carolina
Carolyn Armstrong	Colorado	Jeanne DeKrey	North Dakota
Venus Vendoures-Walsh	Iowa	Kelly Berry	Oklahoma
Scott Majors	Kentucky	Troy Costales	Oregon
Charlotte Martin	Louisiana	Judd Warren	South Carolina
Deborah McDonald	Mississippi	Michael Sobowale	Tennessee
Connie Clarkston	Missouri	Mark Steinagel	Utah
Jenn Lorengo	Montana	Andy Wodka	Washington
Claire Covert-ByBee	Nebraska	Nonnie Ramsey	West Virginia
Joe Shanley	New Hampshire	Dave Relling (FSBPT)	Non-Voting, Ex Officio
Barbara Behrens	New Jersey	Angela Shuman (APTA)	Non-Voting, Ex Officio
Harvey Aikman	Texas		

## Executive Board

- Troy Costales, Chair - Oregon
- Kathy Arney, Vice Chair - North Carolina
- Jeanne DeKrey, Secretary/Treasurer - North Dakota
- Harvey Aikman, Member-At-Large - Texas
- Connie Clarkston, Member-At-Large - Missouri
- Joseph Shanley, Member-At-Large - New Hampshire
- Michael Sobowale, Member-At-Large - Tennessee
- David Relling, Ex Officio - FSBPT
- Angela Shuman, Ex Officio - APTA

# Rules and Bylaws Committee

- Kathy Arney - North Carolina
- Scott Majors - Kentucky
- Joseph Shanley - New Hampshire
- Andrew Wodka - Washington

## Finance Committee

- Jeanne DeKrey - North Dakota
- Dawn Christian - Montana
- Tina Kelley - New Hampshire
- Mark Steinagel - Utah

## Minutes Approval

### Committee

- Connie Clarkston - Missouri
- Scott Majors - Kentucky
- Mark Steinagel - Utah

## Elections Committee

- Mark Steinagel - Utah
- Andrew Wodka - Washington

## Policy Task Force

- Barbara Behrens - New Jersey
- Ron Barredo - Tennessee
- Cheris Frailey - Colorado
- Karen Gordon - Texas
- Stacia Hall - North Carolina
- Charlotte Martin - Louisiana
- Blake Maresh - Washington
- Joseph Shanley - New Hampshire
- Scott Majors - Kentucky
- Mark Steinagel - Utah

# 2018 Meetings

Meeting	Dates
Executive Board	1/9/2018
Compact Commission	2/9/2018
Executive Board	3/28/2018
Rules and Bylaws Committee	4/16/2018
Rules and Bylaws Committee	4/19/2018
Executive Board	4/24/2018
Executive Board	5/30/2018
Compact Commission	6/5/2018
Rules and Bylaws Committee	6/20/2018
Rules and Bylaws Committee	7/19/2018
Executive Board	8/15/2018
Policy Task Force	8/21/2018
Policy Task Force	9/12/2018
Rules and Bylaws Committee	9/13/2018
Executive Board	9/19/2018
Executive Board	10/18/2018
Compact Commission	10/28/2018

Minutes available at [ptcompact.org](http://ptcompact.org)

For more information contact the PT Compact Commission at 703-562-8500 or [info@ptcompact.org](mailto:info@ptcompact.org).



PT · COMPACT

## 2018 PT Compact Annual Report Appendix

- Appendix A
  - 2018 PT Compact Rules Amendments to 2.1 Regarding FBI CBC Adopted by the Commission June 5, 2018
  - 2018 PT Compact Rules Amendments Adopted by the Commission October 28, 2018
- Appendix B - 2018 PT Compact Bylaws Amendments Adopted by the Commission October 28, 2018
- Appendix C - PT Compact Commission Policy and Procedure Manual Effective as of October 28, 2018
- Appendix D - Independent Accountant's Report on Applying Agreed-Upon Procedures and Financials



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# Appendix A



# PT • COMPACT

## 2018 Physical Therapy Compact Commission Rules Amendments to 2.1 Regarding FBI CBC Adopted by the Commission June 5, 2018

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

### Rule 2.1 – Criminal Background Check

(A) To avoid default, member states must have completed all required processes, requirements, and applications necessary to request receive an Originating Agency Identification (ORI) Number the ability to receive the results of the Federal Bureau of Investigation record search on criminal background checks, as required by the Compact.

~~(1) States that were members of the Compact as of November 5, 2017, shall complete the requirements specified in paragraph (A) of this rule within six (6) months of the adoption of this rule.~~

~~(2) States that join the Compact after November 5, 2017, shall complete the requirements specified in Physical Therapy Compact Commission Rules As of November 5, 2017 paragraph (A) of this rule within six (6) months of the effective date of the legislation to implement the Compact in that state.~~

(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 Federal Bureau of Investigation (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 Federal Bureau of Investigation Criminal Background Check requirement means that the member state's licensing board is using the results of the Federal Bureau of Investigation 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.



# PT • COMPACT

## 2018 Physical Therapy Compact Commission Rules Amendments Adopted by Commission October 28, 2018

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

### 1) Rule 1.1 - Definitions

**Reason: To conform with the model Compact language to include the words “or is applying for a license or compact privilege”.**

Rule 1.1 – Definitions

(K) “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.

### 2) Rule 2.1 – Criminal Background Check

**Reason: To improve language and clarify that when the statute refers to 42 USC 14616, it really means the other section 40316 of Title 34.**

Change:

- (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 ~~Federal Bureau of Investigation (FBI)~~ 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 ~~Federal Bureau of Investigation~~ FBI Criminal Background Check requirement means that the member state’s licensing board is using the results of the ~~Federal Bureau of Investigation~~ FBI record search on criminal background checks in making licensure decision 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.

**3) Chapter 2 – Member State Participation**

**Reason: To add a rule delineating all the requirements a member state needs to complete before issuing compact privileges in order to avoid any confusion in the future.**

Change:

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.

**4) Rule 3.1 - Compact Privilege Eligibility, Adverse Actions, and Encumbrances**

**Reason: To clarify the need to share the “Home State” address and allow states to require the notification of the physical locations compact privilege holders will be working.**

Change:

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 thirty (30) 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.

**5) Rule 3.2- Self-Reporting of an Encumbrance or Adverse Action on a License**

**Reason: Article IV (1)(h) of the Compact says notice must be provided within 30 days of the date the adverse action is taken. The Rule needs to conform with the Compact language.**

Change:

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 ~~two (2) business~~ thirty (30) days of the effective date.

**6) Rule 3.3 - Eligibility for Compact Privilege after an Adverse Action or Encumbrance**  
**Reason: To clarify and reword so it is consistent with Article IV 5, 6, and 7 of the Compact.**

Change:

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. ~~Board order of the adverse action.~~

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.

**7) Rule 3.5 –Expiration or Termination of a Compact Privilege**

**Reason: To add language addressing the eligibility of someone who has a revoked license and/or has a licensed revoked while holding compact privileges.**

Change:

(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.

(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 terminate.
  - 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.
- 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.

(C) 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.

**8) Rule 3.6 - Participation in an Alternative Program**

**Reason: To conform with the model Compact language to include the words "without prior authorization from the other member state".**

Change:

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.

**9) Rule 3.7 – Joint Investigations**

**Reason: To clarify the confidentiality of party states sharing investigatory information.**

Change:

Rule 3.7 – Joint Investigations

(A) 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.

~~(B) All investigatory information provided to member states shall be confidential, filed under seal, and used only for investigatory or disciplinary matters.~~

**10) Rule 3.8 – Jurisprudence**

**Reason: To specify if jurisprudence requirements are only for initial compact privilege purchase or can also be required at renewal/repurchase.**

Change:

Rule 3.8 – Jurisprudence

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 that may be completed after the issuance of the compact privilege, the deadline to complete the jurisprudence requirement is thirty (30) days.

A member state may choose to have a jurisprudence requirement in accordance with Section 4.A.7 of the Compact for both initial purchase and renewal of a compact privilege.

**11) Rule 4.1 – Active Duty Military Personnel or Their Spouses**

**Reason: To maintain the language within the same rule regarding "active duty military".**

Change:

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.

**12) Rule 6.7 – Indicating Availability of Investigatory Information**

**Reason: To clarify that member states will share investigatory information directly.**

Change:

Rule 6.7 – Indicating Availability of Investigatory 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 the member’s state statute or regulations. The actual investigative information shall be shared directly with the party state and not through the Commission.



P T • C O M P A C T

# Appendix B



# PT • COMPACT

## 2018 Physical Therapy Compact Commission Bylaws Amendments Adopted by the Commission October 28, 2018

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

### **Recommended Bylaws Amendments**

- 1) **Article V. Section 4 – Suspension and Termination of Membership in the Compact**  
**Reason: To clarify roles of the Executive Board in the suspension and termination process, as well as, other items that need to be better explained to provide transparency in the process.**

Change:

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 ~~has reason to believe~~ 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 ~~the following steps shall be followed:~~
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. ~~A representative of the Commission shall~~ Provide remedial training and specific technical assistance regarding the default to meet with representatives, including the Delegate of the Member State, ~~including to discuss the potential default and identify~~ potential ways to cure the default.
- C. 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.
- D. Following a vote to suspend membership, a representative of the Commission shall ~~Commission staff 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.

- E. If the ~~Commission determines upon a majority vote that the~~ default is not timely cured, ~~upon a majority vote of the Commission;~~ 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 to the Governor and legislative leadership shall be sent by certified mail.~~ 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.

**2) Article VI. Section 11 – Conflict of Interest**

**Reason: To clarify the actions necessary if a conflict of interest arises.**

Change:

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.

**3) Article VII. Sections 1 and 2– Committees and Task Forces**

**Reason: To specify term lengths for standing committees of the Executive Board and full Commission.**

Change:

Section 1. 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 member terms will expire at the close of the following year's annual Commission meeting.

Section 2. Standing Committees of the Executive Board

A. Finance Committee

The Committee will consist of at least three members. The Secretary/Treasurer shall serve as Chair of the Committee. Committee member terms will expire at the close of the following year's annual Commission meeting.

B. Rules and Bylaws Committee

The Committee will consist of at least three members. The Vice Chair shall serve as Chair of the Committee. Committee member terms will expire at the close of the following year's annual Commission meeting.



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# Appendix C



# POLICY & PROCEDURE MANUAL

EFFECTIVE AS OF OCTOBER 28, 2018

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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

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. 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.
4. 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.
5. 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

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 fee 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.

Effective as of 10/28/18

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.

Effective as of 10/28/18

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](mailto: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](mailto:military@ptcompact.org).

Effective as of 10/28/18

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 – Section 3.C

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

DATE APPROVED: October 28, 2018

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.

Effective as of 10/28/18

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 – Section 3.C

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

DATE APPROVED: October 28, 2018

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.

Effective as of 10/28/18

## Remittal of State Compact Privilege Fees

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 total amount of compact privilege fees collected on behalf of each state, less 3.5% in banking and processing fees.

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

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. Where the PTCC Executive Board, in consultation with legal counsel, 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.

3. 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.

Effective as of 10/28/18

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

Policy:

Compact privilege holders must notify the PTCC of a change of home state address within thirty (30) 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](http://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

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 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.
2. The request shall be specific regarding the time frame to be covered and documents needed (medical records, personnel records, policies, time records, etc.)
3. 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.
4. Party state will facilitate obtaining requested records as allowed by state law and PTCC rules, including but not limited to subpoenas and formal requests.
5. 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 Bylaw - 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 28, 2018

Policy:

Member states must report any new adverse actions taken on a license 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 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.

POLICY NUMBER: 3.3  
AREA: Discipline  
AUTHORITY: PT Compact Bylaw - 6.3 and 6.4  
PURPOSE: To establish the procedure for the reversal of adverse actions.  
DATE APPROVED: 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 Bylaw - 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 28, 2018

Policy:

Member states must report the addition and removal of any encumbrances on a license to the PTCC.

Procedure:

1. Member states will send an electronic notification the Compact Administrator of any active licensee that has an encumbrance or restriction on their license.
2. Member states placing new encumbrances or restrictions on a license 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 or restrictions on a license 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 Bylaw – 3.5 and 3.9

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

DATE APPROVED: October 28, 2018

Policy:

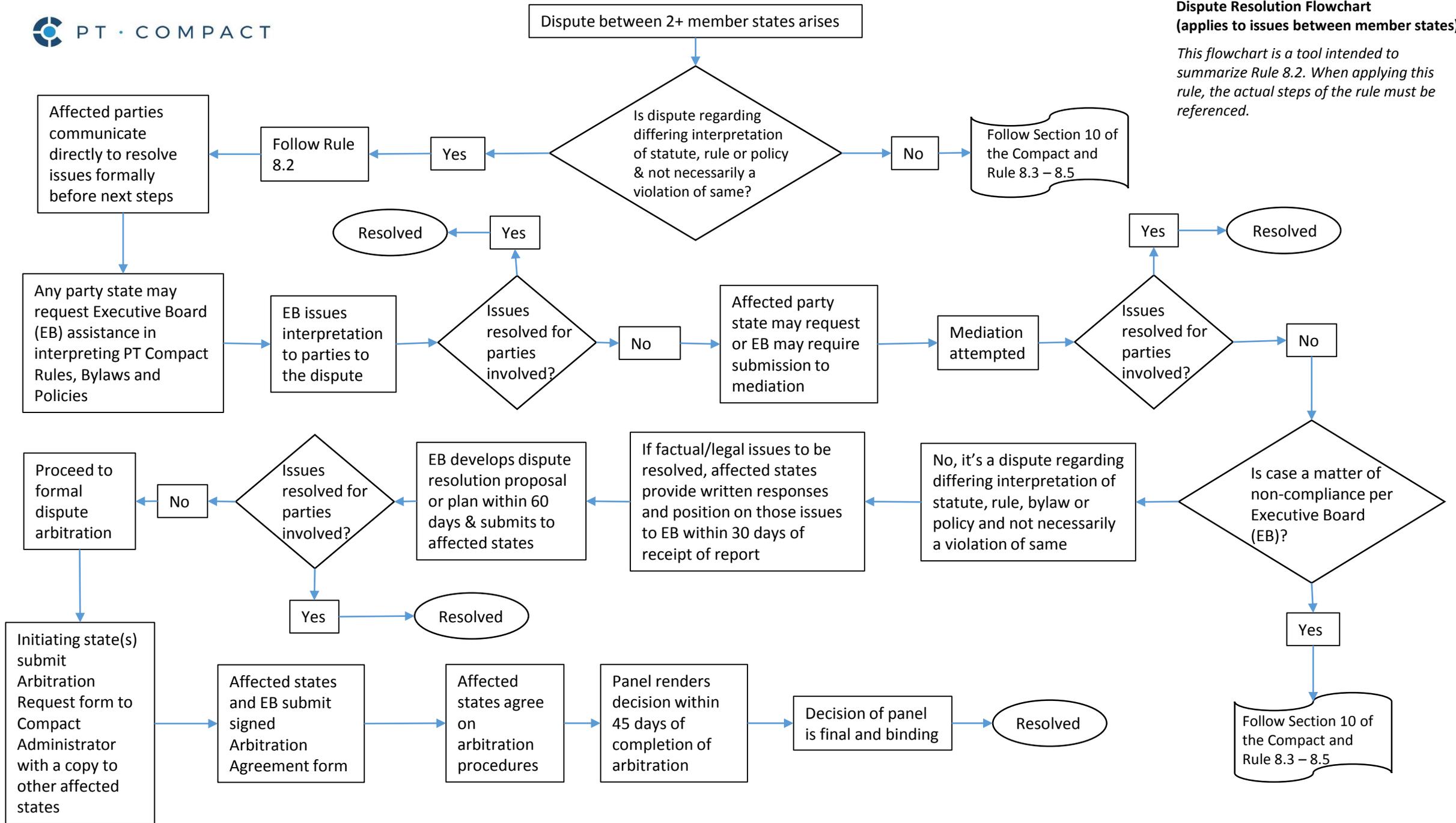
The Physical Therapy Compact Commission (PTCC) will terminate compact privileges if an individual is found to have violated PT Compact Law, Rules, Bylaws, or Polices or if notified by a party state that in accordance with due process and that state's laws an individual has violated the state's laws, rules, bylaws or policies.

Procedure:

1. Upon termination of a compact privilege, the PTCC will send electronic notification to the individual that all associated compact privileges were terminated.
2. 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.

**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.*



**Non-compliance & Enforcement**

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

PT Compact Executive Board (EB) receives allegation of member state non-compliance

Compact Administrator communicate with parties directly to resolve issues informally before next steps

Issues resolved informally?

Yes

Resolved

Does member state alleged to be in non-compliance need assistance with PT Compact interpretation?

Yes

State contacts EB to request interpretation assistance.

Issues resolved to satisfaction of EB. Compact Administrator prepares written report. No further action required.

No

No, issue remains unresolved.

Compact Administrator provides EB report of non-compliance allegations including informal resolution efforts.

Does EB determine that the state may be non-compliant?

Resolved

No

EB provides notice to state(s) citing allegation(s) of non-compliance

Yes

State(s) provide a response regarding alleged noncompliance to EB within 45 days

EB, Compact Administrator, and legal counsel develop/propose plan for voluntary resolution within 60 days

Does state agree with EB's proposed plan for resolution and cures non-compliance?

Yes

Plan Executed

Resolved

Follow Section 10 of Compact, Rules 8.4, 8.5

No

EB conducts investigation to examine evidence relevant to allegation(s)

State provided opportunity to submit response to preliminary findings with 20 days

EB or Investigator prepares report including summary of findings, submits to party state within 45 days after conclusion of investigation

State provides comments or corrections within 14 days

EB determines, base on preponderance of the evidence standard, if violation(s) of Compact exist

If EB substantiates allegations, conference scheduled with non-compliant state to determine if violation(s) may be remedied within 45 days

Is there agreement to resolution?

Yes

Resolved

No

Follow Section 10 of Compact, Rules 8.4, 8.5

EB orders arbitration before 3 member panel

Involved state(s) signs Arbitration Agreement form

All parties shall agree on procedures

The panel renders decision within 45 days of the completion of the arbitration

Decision of panel is final and binding

Resolved

*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.*



PT · COMPACT

# Appendix A



# PT • COMPACT

## 2018 Physical Therapy Compact Commission Rules Amendments to 2.1 Regarding FBI CBC Adopted by the Commission June 5, 2018

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

### Rule 2.1 – Criminal Background Check

(A) To avoid default, member states must have completed all required processes, requirements, and applications necessary to request receive an Originating Agency Identification (ORI) Number the ability to receive the results of the Federal Bureau of Investigation record search on criminal background checks, as required by the Compact.

~~(1) States that were members of the Compact as of November 5, 2017, shall complete the requirements specified in paragraph (A) of this rule within six (6) months of the adoption of this rule.~~

~~(2) States that join the Compact after November 5, 2017, shall complete the requirements specified in Physical Therapy Compact Commission Rules As of November 5, 2017 paragraph (A) of this rule within six (6) months of the effective date of the legislation to implement the Compact in that state.~~

(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 Federal Bureau of Investigation (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 Federal Bureau of Investigation Criminal Background Check requirement means that the member state's licensing board is using the results of the Federal Bureau of Investigation 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.



# PT • COMPACT

## 2018 Physical Therapy Compact Commission Rules Amendments Adopted by Commission October 28, 2018

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

### 1) Rule 1.1 - Definitions

**Reason: To conform with the model Compact language to include the words “or is applying for a license or compact privilege”.**

Rule 1.1 – Definitions

(K) “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.

### 2) Rule 2.1 – Criminal Background Check

**Reason: To improve language and clarify that when the statute refers to 42 USC 14616, it really means the other section 40316 of Title 34.**

Change:

- (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 ~~Federal Bureau of Investigation~~ 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 ~~Federal Bureau of Investigation~~ FBI Criminal Background Check requirement means that the member state’s licensing board is using the results of the ~~Federal Bureau of Investigation~~ FBI record search on criminal background checks in making licensure decision 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.

**3) Chapter 2 – Member State Participation**

**Reason: To add a rule delineating all the requirements a member state needs to complete before issuing compact privileges in order to avoid any confusion in the future.**

Change:

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.

**4) Rule 3.1 - Compact Privilege Eligibility, Adverse Actions, and Encumbrances**

**Reason: To clarify the need to share the “Home State” address and allow states to require the notification of the physical locations compact privilege holders will be working.**

Change:

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 thirty (30) 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.

**5) Rule 3.2- Self-Reporting of an Encumbrance or Adverse Action on a License**

**Reason: Article IV (1)(h) of the Compact says notice must be provided within 30 days of the date the adverse action is taken. The Rule needs to conform with the Compact language.**

Change:

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 ~~two (2) business~~ thirty (30) days of the effective date.

**6) Rule 3.3 - Eligibility for Compact Privilege after an Adverse Action or Encumbrance**  
**Reason: To clarify and reword so it is consistent with Article IV 5, 6, and 7 of the Compact.**

Change:

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. ~~Board order of the adverse action.~~

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.

**7) Rule 3.5 –Expiration or Termination of a Compact Privilege**

**Reason: To add language addressing the eligibility of someone who has a revoked license and/or has a licensed revoked while holding compact privileges.**

Change:

(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.

(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 terminate.
  - 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.
- 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.

(C) 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.

**8) Rule 3.6 - Participation in an Alternative Program**

**Reason: To conform with the model Compact language to include the words "without prior authorization from the other member state".**

Change:

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.

**9) Rule 3.7 – Joint Investigations**

**Reason: To clarify the confidentiality of party states sharing investigatory information.**

Change:

Rule 3.7 – Joint Investigations

(A) 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.

~~(B) All investigatory information provided to member states shall be confidential, filed under seal, and used only for investigatory or disciplinary matters.~~

**10) Rule 3.8 – Jurisprudence**

**Reason: To specify if jurisprudence requirements are only for initial compact privilege purchase or can also be required at renewal/repurchase.**

Change:

Rule 3.8 – Jurisprudence

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 that may be completed after the issuance of the compact privilege, the deadline to complete the jurisprudence requirement is thirty (30) days.

A member state may choose to have a jurisprudence requirement in accordance with Section 4.A.7 of the Compact for both initial purchase and renewal of a compact privilege.

**11) Rule 4.1 – Active Duty Military Personnel or Their Spouses**

**Reason: To maintain the language within the same rule regarding "active duty military".**

Change:

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.

**12) Rule 6.7 – Indicating Availability of Investigatory Information**

**Reason: To clarify that member states will share investigatory information directly.**

Change:

Rule 6.7 – Indicating Availability of Investigatory 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 the member’s state statute or regulations. The actual investigative information shall be shared directly with the party state and not through the Commission.



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# Appendix B



# PT • COMPACT

## 2018 Physical Therapy Compact Commission Bylaws Amendments Adopted by the Commission October 28, 2018

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

### **Recommended Bylaws Amendments**

#### **1) Article V. Section 4 – Suspension and Termination of Membership in the Compact**

**Reason: To clarify roles of the Executive Board in the suspension and termination process, as well as, other items that need to be better explained to provide transparency in the process.**

#### Change:

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 ~~has reason to believe~~ 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 ~~the following steps shall be followed:~~
  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. ~~A representative of the Commission shall~~ Provide remedial training and specific technical assistance regarding the default to meet with representatives, including the Delegate of the Member State, including to discuss the potential default and identify potential ways to cure the default.
- C. 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.
- D. Following a vote to suspend membership, a representative of the Commission shall ~~Commission staff 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.

- E. If the Commission determines upon a majority vote that the default is not timely cured, ~~upon a majority vote of the Commission~~, 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 to the Governor and legislative leadership shall be sent by certified mail.~~ 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.

**2) Article VI. Section 11 – Conflict of Interest**

**Reason: To clarify the actions necessary if a conflict of interest arises.**

Change:

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.

**3) Article VII. Sections 1 and 2– Committees and Task Forces**

**Reason: To specify term lengths for standing committees of the Executive Board and full Commission.**

Change:

Section 1. 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 member terms will expire at the close of the following year's annual Commission meeting.

Section 2. Standing Committees of the Executive Board

A. Finance Committee

The Committee will consist of at least three members. The Secretary/Treasurer shall serve as Chair of the Committee. Committee member terms will expire at the close of the following year's annual Commission meeting.

B. Rules and Bylaws Committee

The Committee will consist of at least three members. The Vice Chair shall serve as Chair of the Committee. Committee member terms will expire at the close of the following year's annual Commission meeting.



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# Appendix C



# POLICY & PROCEDURE MANUAL

EFFECTIVE AS OF OCTOBER 28, 2018

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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

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. 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.
4. 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.
5. 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

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 fee 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.

Effective as of 10/28/18

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.

Effective as of 10/28/18

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](mailto: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](mailto:military@ptcompact.org).

Effective as of 10/28/18

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 – Section 3.C

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

DATE APPROVED: October 28, 2018

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.

Effective as of 10/28/18

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 – Section 3.C

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

DATE APPROVED: October 28, 2018

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.

Effective as of 10/28/18

## Remittal of State Compact Privilege Fees

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 total amount of compact privilege fees collected on behalf of each state, less 3.5% in banking and processing fees.

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

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. Where the PTCC Executive Board, in consultation with legal counsel, 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.

3. 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.

Effective as of 10/28/18

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

Policy:

Compact privilege holders must notify the PTCC of a change of home state address within thirty (30) 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](http://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

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 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.
2. The request shall be specific regarding the time frame to be covered and documents needed (medical records, personnel records, policies, time records, etc.)
3. 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.
4. Party state will facilitate obtaining requested records as allowed by state law and PTCC rules, including but not limited to subpoenas and formal requests.
5. 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 Bylaw - 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 28, 2018

Policy:

Member states must report any new adverse actions taken on a license 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 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.

POLICY NUMBER: 3.3  
AREA: Discipline  
AUTHORITY: PT Compact Bylaw - 6.3 and 6.4  
PURPOSE: To establish the procedure for the reversal of adverse actions.  
DATE APPROVED: 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 Bylaw - 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 28, 2018

Policy:

Member states must report the addition and removal of any encumbrances on a license to the PTCC.

Procedure:

1. Member states will send an electronic notification the Compact Administrator of any active licensee that has an encumbrance or restriction on their license.
2. Member states placing new encumbrances or restrictions on a license 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 or restrictions on a license 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 Bylaw – 3.5 and 3.9

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

DATE APPROVED: October 28, 2018

Policy:

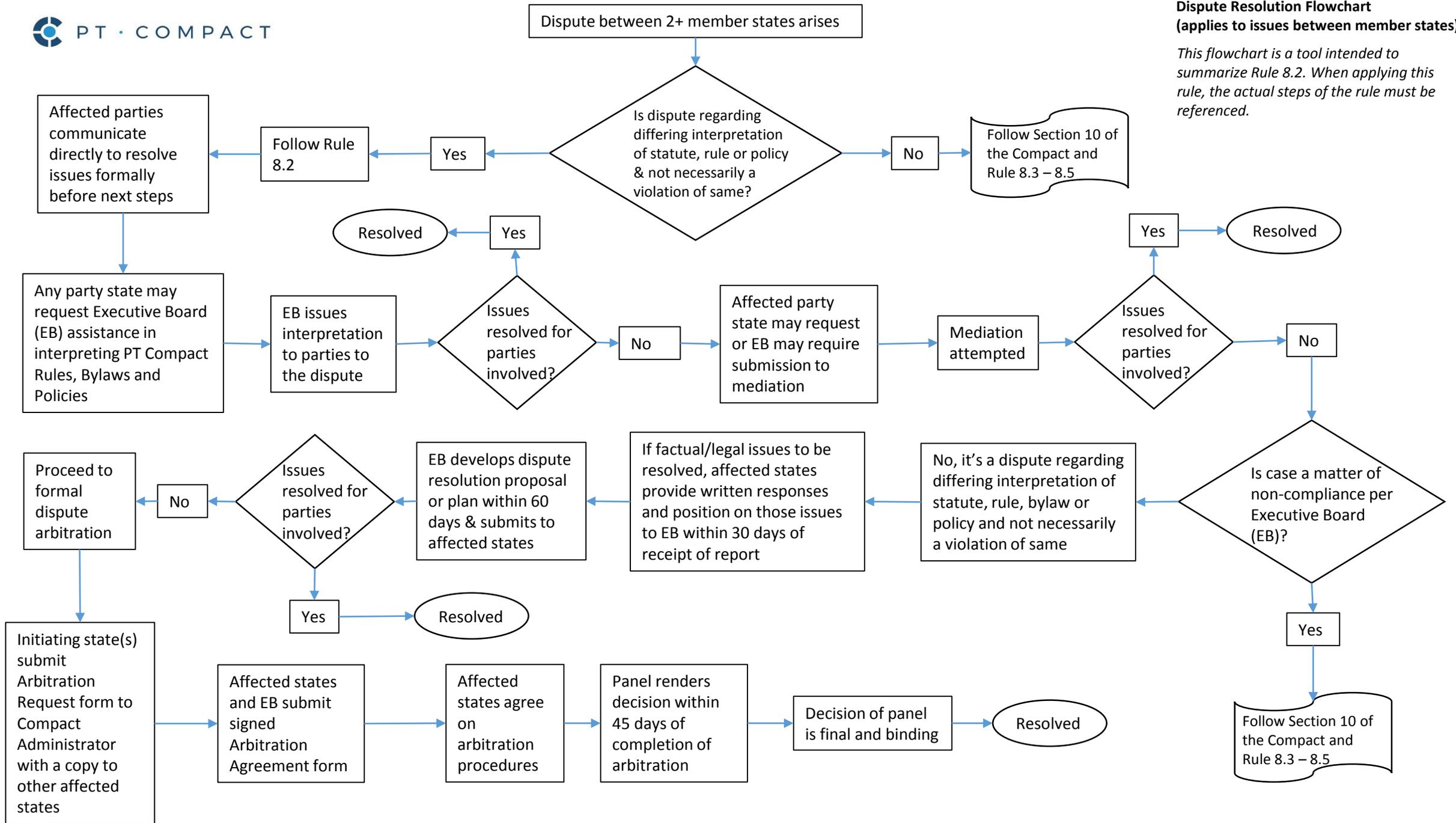
The Physical Therapy Compact Commission (PTCC) will terminate compact privileges if an individual is found to have violated PT Compact Law, Rules, Bylaws, or Polices or if notified by a party state that in accordance with due process and that state's laws an individual has violated the state's laws, rules, bylaws or policies.

Procedure:

1. Upon termination of a compact privilege, the PTCC will send electronic notification to the individual that all associated compact privileges were terminated.
2. 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.

**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.*



**Non-compliance & Enforcement**

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

PT Compact Executive Board (EB) receives allegation of member state non-compliance

Compact Administrator communicate with parties directly to resolve issues informally before next steps

Issues resolved informally?

Yes

Resolved

Does member state alleged to be in non-compliance need assistance with PT Compact interpretation?

Yes

State contacts EB to request interpretation assistance.

Issues resolved to satisfaction of EB. Compact Administrator prepares written report. No further action required.

No

No, issue remains unresolved.

Compact Administrator provides EB report of non-compliance allegations including informal resolution efforts.

Does EB determine that the state may be non-compliant?

Resolved

No

EB provides notice to state(s) citing allegation(s) of non-compliance

Yes

State(s) provide a response regarding alleged noncompliance to EB within 45 days

EB, Compact Administrator, and legal counsel develop/propose plan for voluntary resolution within 60 days

Does state agree with EB's proposed plan for resolution and cures non-compliance?

Yes

Plan Executed

Resolved

Follow Section 10 of Compact, Rules 8.4, 8.5

No

EB conducts investigation to examine evidence relevant to allegation(s)

State provided opportunity to submit response to preliminary findings with 20 days

EB or Investigator prepares report including summary of findings, submits to party state within 45 days after conclusion of investigation

State provides comments or corrections within 14 days

EB determines, base on preponderance of the evidence standard, if violation(s) of Compact exist

If EB substantiates allegations, conference scheduled with non-compliant state to determine if violation(s) may be remedied within 45 days

Is there agreement to resolution?

Yes

Resolved

No

Follow Section 10 of Compact, Rules 8.4, 8.5

EB orders arbitration before 3 member panel

Involved state(s) signs Arbitration Agreement form

All parties shall agree on procedures

The panel renders decision within 45 days of the completion of the arbitration

Decision of panel is final and binding

Resolved

*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.*



PT · COMPACT

# Appendix D

T A T E



TRYON

A Professional Corporation

Certified Public

Accountants

and Consultants

## Independent Accountant's Report on Applying Agreed-Upon Procedures

To the Physical Therapy Compact Commission,  
Licensing Compact Administration Services Corporation,  
and the Federation of State Boards of Physical Therapy, Inc.

We have performed the procedures described in Appendix A, which were agreed to by the Physical Therapy Compact Commission (PTCC), Licensing Compact Administration Services Corporation (LCASO), and the Federation of State Boards of Physical Therapy, Inc. (the Federation) in relation to PTCC and LCASO solely to assist the PTCC, LCASO, and the Federation in complying with the management agreements between the Federation and LCASO and LCASO and PTCC.

The sufficiency of these procedures is solely the responsibility of the PTCC, LCASO, and the Federation. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

A detailed description of the agreed-upon procedures and results have been included in Appendices A and B, which begin on page two of this report. We have provided details related to all discrepancies noted during the engagement to management of the Federation. Management is responsible for determining whether such items require any further investigation.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion on the internally prepared financial schedules. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Physical Therapy Compact Commission, Licensing Compact Administration Services Corporation, and the Federation of State Boards of Physical Therapy, Inc. and is not intended to be, and should not be, used by anyone other than these specified parties without the PTCC's, LCASO's, and Federation's written consent.

Washington, DC  
April 24, 2019

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## 2018 COMPACT BALANCE SHEET

In Thousands	2018
<b>ASSETS</b>	
Cash & Cash Equivalents	\$ 3,588
Accounts Receivable	\$ 473
Total Assets	\$ 4,061
<b>LIABILITIES &amp; NET ASSETS</b>	
Due to LCASO/ FSBPT	\$ 184,472
Total Liabilities	\$ 184,472
Net Assets Unrestricted	\$ (180,411)
<b>TOTAL LIABILITIES and NET ASSETS</b>	\$ 4,061

## 2018 COMPACT FINANCIALS

In Thousands	2018
<b>REVENUE</b>	
Compact Privileges	\$ 2,880
Forgiveness of Debt (FSBPT)	\$ 0
<b>Total Revenue</b>	<b>\$ 2,880</b>
<b>EXPENSES</b>	
Professional Fees & Contracted Services	\$ 175,882
Staff travel, Meals and Lodging	\$ 1,432
Bank Service Charges	\$ 164
Booth and Program Costs	\$ 668
Insurance	\$ 2,615
Office Supplies, Postage & Misc	\$ 1,614
Telephone and internet	\$ 916
<b>Total Expenses</b>	<b>\$ 183,291</b>
<b>Net Income (Loss)</b>	<b>\$ (180,411)</b>