

DEPARTMENT OF REGULATORY AGENCIES

Physical Therapy Licensure

COLORADO PHYSICAL THERAPY LICENSURE RULES AND REGULATIONS

4 CCR 732-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Rule 1 - Delegation of Duties

The purpose of this rule is to clarify the special practice authorities addressed in § 12-41-113, C.R.S.

- A. A physical therapist performing an initial examination and evaluation shall be the therapist of record for that patient unless an authorized physical therapist transfers the responsibility to another physical therapist through documentation in the patient records.
- B. A physical therapist shall rely on their expertise and decision making capability when determining the most appropriate utilization of an unlicensed person to provide for the delivery of service that is safe, effective, and efficient.
- C. A physical therapist may supervise no more than three unlicensed personnel at one time. Unlicensed personnel for the purposes of these rules and the Physical Therapy Practice Act include physical therapist assistants, physical therapy aides, and physical therapist students.
- D. The physical therapist of record must personally perform and cannot delegate to unlicensed individuals the interpretation of referrals, initial examinations and evaluations, diagnosis and prognosis, development and modification of plans of care, determination of discharge criteria, and supervision of all care rendered to the patient/client. These procedures may be transferred to another physical therapist through documentation in the patient records.
- E. The term "wound debridement" as used in section 12-41-113(3), C.R.S., refers to sharp, enzymatic, selective, and pharmacological wound debridement and can only be performed by a licensed physical therapist unless otherwise authorized by Colorado law. A physical therapist may not delegate such wound debridement to unlicensed personnel, but may delegate soft or non-selective wound debridement to a physical therapist assistant.

Rule 2 - Supervision of Physical Therapist Assistants

The purpose of this rule is to specify supervisory requirements for physical therapist assistants who meet the qualifications under § 12-41-113(1), C.R.S.

- A. This rule applies to all licensed physical therapists who utilize physical therapist assistants in their practice. A physical therapist is responsible for all care provided by physical therapist assistants under his or her supervision.
- B. For the purposes of these rules and regulations, the physical therapist may supervise the physical therapist assistant performing all acts that are included in the practice of physical therapy as defined in § 12-41-103(6), C.R.S., except for the therapies and procedures identified in Rule 1(D) above or acts that are otherwise prohibited by law. Physical therapist assistants may perform soft or non-selective wound debridement as noted in Rule 1(E), but may not perform sharp, enzymatic, selective, and pharmacological wound debridement.
- C. The physical therapist is responsible for the performance of all services performed by the physical

therapist assistant. That responsibility requires the physical therapist to assure those services are performed with a degree of care and skill that would be expected of the licensed physical therapist. The physical therapist is legally accountable for the performance of the physical therapist assistants operating under his or her responsible direction and supervision.

- D. Section 12-41-113(1), C.R.S., requires a physical therapist to provide responsible direction and supervision of an unlicensed person identified as a physical therapist assistant. Responsible direction and supervision is hereby defined as direction and supervision provided by a physical therapist that assumes accountability for the delegated acts of the unlicensed person identified as a physical therapist assistant.
- E. The following condition must be met before a physical therapist can utilize a physical therapist assistant: a licensed physical therapist must be designated and recorded in the patient/client records as responsible for supervising the care and interventions provided by the physical therapist assistant. That physical therapist must consistently provide for the planning, evaluating, and supervising of all care rendered to the patient/client.
- F. A physical therapist assistant may not supervise other physical therapist assistants or unlicensed personnel.

Rule 3 - Supervision of Unlicensed Personnel Who Are Not Physical Therapist Assistants

The purpose of this rule is to clarify the supervision requirements for other unlicensed persons providing physical therapy services under the supervision of a physical therapist who are not qualified to practice as a physical therapist assistant as defined by § 12-41-113(1), C.R.S.

- A. A physical therapist is responsible for the care provided by other unlicensed personnel under his or her supervision. All other unlicensed persons participating in the delivery of physical therapy who are not physical therapist assistants as defined by § 12-41-113(1), C.R.S., shall be deemed as physical therapy aides.
- B. A physical therapist may supervise no more than three (3) unlicensed personnel at one time. Unlicensed personnel for the purposes of this rule and the Physical Therapy Practice Act include physical therapist assistants, physical therapy aides, and physical therapist students.
- C. Section 12-41-113(1), C.R.S., requires a physical therapist to provide direct supervision of physical therapy aides. Direct supervision shall mean supervision that is on the premises and in the same building where any such unlicensed personnel are practicing.
- D. A physical therapist shall periodically evaluate and observe the performance of the physical therapy aides under his or her supervision to ensure that the intervention rendered meets the standard of care.
- E. A physical therapist assumes accountability for the delegated acts of the unlicensed person defined as a physical therapy aide.
- F. Wound debridement and joint mobilization shall not be delegated to physical therapy aides.

Rule 4 - The Authorized Practice Of Physical Therapy By A Person Not Licensed In Colorado

The purpose of this rule is to outline the following conditions under which a physical therapist not licensed in Colorado may practice for a temporary period of time under § 12-41-114(1)(f), C.R.S.:

- A. The entity wishing to employ or engage the services of a visiting, unlicensed physical therapist must notify the Director at least one week prior to the start date and must document the need for

employing or engaging the services of a visiting, unlicensed physical therapist. This requirement also applies to continuing education courses.

- B. The visiting, unlicensed physical therapist must possess a current and active license or registration in good standing in another state or country and provide a copy of the license to the Director at least one week prior to practicing in Colorado.

Rule 5 - Licensing of Foreign-Trained Applicants

The purpose of this rule is to establish procedures for determining whether a foreign-trained applicant has substantially equivalent education and training as required pursuant to § 12-41-111(1)(a), C.R.S.

- A. A foreign-trained applicant must have education and training in physical therapy substantially equivalent to the entry-level education and training required at accredited physical therapy programs in the United States in effect at the time of the applicant's graduation. This includes an assessment of the applicant's general and professional education as well as training in wound debridement and administration of topical and aerosol medications.
- B. Applicants who wish to have their general and professional education considered "substantially equivalent" must submit their credentials to the Foreign Credentialing Commission of Physical Therapy ("FCCPT") or International Consultants of Delaware ("ICD"). The credentialing agencies shall use the Coursework Evaluation Tool for Foreign-Educated Physical Therapists as developed by the Federation of State Boards of Physical Therapy ("FSBPT") and evaluate the applicant's credentials against the requirements at accredited physical therapy programs in place at the time of the applicant's graduation. The Director will not accept a credentials evaluation from an organization not listed in this rule.
- C. All expenses associated with the credential evaluation are the responsibility of the applicant.
- D. Failure to have a credentials evaluation pursuant to the terms of this rule will result in the Director denying the application.
- E. In the event a foreign-trained applicant's general education is found to be deficient, the applicant may take and pass subject examinations from the College-Level Examination Program (CLEP) to overcome the deficiency in general education.
- F. In the event a foreign-trained applicant's professional education is found to be deficient, the applicant will need to overcome the deficiency by obtaining a master or doctorate degree at an accredited physical therapy program.
- G. Degrees obtained in a transitional program are not equivalent to a professional entry-level physical therapy degree and will not be accepted for initial licensure.

Rule 6 - Applicants by Endorsement Requiring an Internship

The purpose of this rule is to delineate the internship requirements for applicants by endorsements under §12-41-109(3)(c)(I) & (II), C.R.S., that require the completion of an internship.

- A. The applicant shall make arrangements with a Colorado licensed and practicing physical therapist to supervise the internship.
- B. The supervisor shall immediately notify the Director in writing of the establishment of the internship and submit a plan for supervision using the Clinical Performance Instrument (CPI) for the Director's approval.

- C. The internship shall consist of the actual practice by the intern-applicant of physical therapy as defined in 12-41-103(6), C.R.S., and the following:
1. Supervision by a licensed physical therapist on the premises where physical therapy services are being rendered.
 2. A minimum of 240 hours in no longer than a six-month period shall constitute an internship.
- D. The supervising physical therapist must file a written report at the completion of the internship. This report must indicate successful completion of the CPI for the Director's approval.

Rule 7 - Reinstatement of Expired Licenses

The purpose of this rule is to establish the qualifications and procedures for applicants seeking reinstatement of expired licenses pursuant to § 12-41-112(4), C.R.S.; § 24-34-102(8)(d) & (10), C.R.S.; and § 24-34-105, C.R.S.

- A. An applicant seeking reinstatement of an expired license shall complete a reinstatement application and pay a reinstatement fee.
- B. If the license has been expired for more than two years, but less than five years, an applicant will have to establish "competency to practice" under § 24-34-102(8)(d)(II)(A) & (D), C.R.S., as follows by submitting:
1. Verification of licensure in good standing from another state along with proof of active physical therapy practice in that state with a minimum of 400 hours per year for the two years immediately preceding the date of application. The work experience shall be attested as to the number of hours.
- Or
2. Evidence of completing thirty-two hours per year in physical therapy continuing education courses since the date the license expired.
- C. An applicant seeking to reinstate a license that has been expired for more than five years will need to demonstrate "competency to practice" as required in § 24-34-102(8)(d)(II)(B) & (F), C.R.S., by one of the following methods:
1. Verification of licensure in good standing from another state along with proof of active physical therapy practice in that state with a minimum of 400 hours per year for the two years immediately preceding the date of application. The work experience shall be attested as to the number of hours.
- Or
2. Practice for six months on probationary status with a practice monitor subject to the terms established by the Director.
 3. Completion of a 240-hour internship within 6 months using the Clinical Performance Instrument (CPI) as the professional standard and measure of continued competency.
- Or
4. Any other means as approved by the Director.

An applicant for reinstatement who has actively practiced in Colorado on an expired license in violation of § 12-41-106, C.R.S., is subject to denial of application, disciplinary action, and/or other penalties as authorized in the Physical Therapists Practice Act at § 12-41-101 et seq., C.R.S., and in accordance with § 24-34-102 et seq., C.R.S.

Rule 8 - Use of Titles Restricted

The purpose of this rule is to clarify the use of titles and educational degrees under § 12-41-104, C.R.S.

- A. Obtaining a physical therapy license does not automatically entitle or confer upon the licensee the right to use the title “Dr.” or “Doctor” .
- B. A licensed physical therapist can use the title “Doctor” or “Dr.” only when such licensee has, in fact, been awarded a physical therapy doctorate degree (D.P.T.), or another academic or clinical doctorate degree (e.g., Ph.D., Sc.D.) from an accredited program by a nationally recognized accrediting agency as required in § 6-1-707, C.R.S., pertaining to the use of titles and degrees.
- C. A physical therapist holding a doctorate degree may include the title “Doctor” or “Dr.” only when accompanied by the words of the conferred degree following his/her legal name and after the title “P.T.”, for example: “Dr. Jane/John Doe, P.T., D.P.T.” or “Dr. Jane/John Doe, P.T., Ph.D.”
- D. A physical therapist not holding a physical therapy doctorate or transitional doctorate degree may not use the title D.P.T.

Rule 9 - Declaratory Orders

The purpose of this rule is to establish procedures for the handling of requests for declaratory orders filed pursuant to the Colorado Administrative Procedures Act at § 24-4-105(11), C.R.S.

- A. Any person or entity may petition the Director for a declaratory order to terminate controversies or remove uncertainties as to the applicability of any statutory provision or of any rule or order of the Director.
- B. The Director will determine, at her discretion and without notice to petitioner, whether to rule upon such petition. If the Director determines that she will not rule upon such a petition, the Director shall promptly notify the petitioner of her action and state the reasons for such decision.
- C. In determining whether to rule upon a petition filed pursuant to this rule, the Director will consider the following matters, among others:
 - 1. Whether a ruling on the petition will terminate a controversy or remove uncertainties as to the applicability to petitioner of any statutory provisions or rule or order of the Director.
 - 2. Whether the petition involves any subject, question or issue that is the subject of a formal or informal matter or investigation currently pending before the Director or a court involving one or more petitioners.
 - 3. Whether the petition involves any subject, question or issue that is the subject of a formal or informal matter or investigation currently pending before the Director or a court but not involving any petitioner.
 - 4. Whether the petition seeks a ruling on a moot or hypothetical question or will result in an advisory ruling or opinion.
 - 5. Whether the petitioner has some other adequate legal remedy, other than an action for

declaratory relief pursuant to CRCP 57, which will terminate the controversy or remove any uncertainty as to the applicability to the petitioner of the statute, rule, or order in question.

D. Any petition filed pursuant to this rule shall set forth the following:

1. The name and address of the petitioner and whether the petitioner is licensed pursuant to Title 12, Article 41.
2. The statute, rule, or order to which the petition relates.
3. A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule, or order in question applies or potentially applies to the petitioner.

E. If the Director determines that she will rule on the petition, the following procedures shall apply:

1. The Director may rule upon the petition based solely upon the facts presented in the petition. In such a case:
 - a. Any ruling of the Director will apply only to the extent of the facts presented in the petition and any amendment to the petition.
 - b. The Director may order the petitioner to file a written brief, memorandum, or statement of position.
 - c. The Director may set the petition, upon due notice to petitioner, for a non-evidentiary hearing.
 - d. The Director may dispose of the petition on the sole basis of the matters set forth in the petition.
 - e. The Director may request the petitioner to submit additional facts in writing. In such event, such additional facts will be considered as an amendment to the petition.
 - f. The Director may take administrative notice of facts pursuant to the Colorado Administrative Procedures Act at § 24-4-105(8), C.R.S., and may utilize her experience, technical competence, and specialized knowledge in the disposition of the petition.
2. If the Director rules upon the petition without a hearing, she shall promptly notify the petitioner of her decision.
3. The Director may, at her discretion, set the petition for hearing, upon due notice to petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The hearing notice to the petitioner shall set forth, to the extent known, the factual or other matters that the Director intends to inquire.

For the purpose of such a hearing, to the extent necessary, the petitioner shall have the burden of proving all the facts stated in the petition; all of the facts necessary to show the nature of the controversy or uncertainty; and the manner in which the statute, rule, or order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the Director to consider.

- F. The parties to any proceeding pursuant to this rule shall be the Director and the petitioner. Any other person may seek leave of the Director to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the Director. A petition to intervene shall set forth the same matters as are required by Section D of this Rule. Any reference to a "petitioner" in this rule also refers to any person who has been granted leave to intervene by the Director.
- G. Any declaratory order or other order disposing of a petition pursuant to this rule shall constitute agency action subject to judicial review pursuant to the Colorado Administrative Procedures Act at § 24-4-106, C.R.S.

RULE 10 - REQUIREMENTS FOR PHYSICAL THERAPISTS TO PERFORM PHYSICAL THERAPY ON ANIMALS

The purpose of this rule is to implement the requirements of HB 07 1126 [§12-41-125 (2) (b)] regarding the authority of physical therapists to treat animals.

- A. A physical therapist must have the knowledge, skill, ability and documented competency to perform an act that is within the scope of practice for physical therapists.
- B. The Director shall maintain a data base of all physical therapists that are qualified pursuant to this rule to practice physical therapy on animals in this state.
- C. All physical therapists that choose to practice physical therapy on animals shall provide the Director of the Division of Registrations (Director) with such therapist's name, current address, education and qualifications to perform physical therapy on animals for inclusion in the data base referenced in part b of this rule. Information in the data base shall be open to public inspection at all times. Forms for physical therapists to provide such information shall be provided by the Director.
- D. A physical therapist that desires to perform physical therapy on animals must comply with the following requirements:

1. EDUCATION

- i. Minimum of 80 contact hours over and above entry level human physical therapy program. course work for non-human animals:

1. FOUNDATION/CLINICAL SCIENCES

- a. Gross and applied non-human animal anatomy/physiology
- b. Wound healing and response of tissues to disuse and remobilization in the non-human animal
- c. Animal behavior
- d. Animal restraint
- e. Zoonotic and infectious diseases

2. EXAMINATION/EVALUATION/PROGNOSIS/PT DIAGNOSIS

- a. Medical and surgical management of orthopedic, neurological, critically injured, geriatric, arthritic and obese non-human animals

- b. gait and other movement analyses

3. INTERVENTION/PLAN OF CARE/OUTCOME

- a. Therapeutic exercise applied to non-human animals
- b. Therapeutic modalities
- c. Outcome assessment and documentation

2. CLINICAL EXPERIENCE

- i. Documented successful completion of a minimum of 120 hours under the supervision of a licensed physical therapist listed in the data base maintained by DORA to perform physical therapy of animals or a licensed veterinarian.
- C. Prior to performing physical therapy on an animal the physical therapist shall obtain veterinary medical clearance of the animal by a Colorado licensed veterinarian and must document such clearance in the animal patient's record.
- D. Veterinary medical clearance means:
- 1. The veterinarian has previously examined the animal patient and has provided a differential diagnosis if appropriate.
 - 2. The veterinarian has cleared the animal for physical therapy.
- E. It is expected that the physical therapist and the veterinarian will continue professional collaboration as necessary for the well being of the animal patient.
- F. Once veterinary medical clearance has been received the physical therapist is responsible for developing the plan of care for the animal patient's physical therapy.
- G. The animal patient's record must include the verbal or written veterinary medical clearance. If verbal clearance is received the physical therapist must document the verbal clearance in the animal patient's record, including the name of the veterinarian, date and time clearance was received.
- H. Complaints received in the office of physical therapy licensure that include allegations of a violation related to physical therapy of an animal will be forwarded to the Colorado state board of veterinary medicine for its review and advisory recommendation to the Director. The Director retains the final authority by statute for decisions related to discipline of any physical therapist.

RULE 11 - REQUIREMENTS FOR PHYSICAL THERAPISTS TO PERFORM DRY NEEDLING

- A. Dry needling is a physical intervention that uses a filiform needle to stimulate trigger points, diagnose and treat neuromuscular pain and functional movement deficits; is based upon Western medical concepts; requires an examination and diagnosis, and treats specific anatomic entities selected according to physical signs. Dry needling does not include the stimulation of auricular or distal points.
- B. Dry needling as defined pursuant to this rule is within the scope of practice of physical therapy.
- C. A physical therapist must have the knowledge, skill, ability, and documented competency to perform an act that is within the physical therapist's scope of practice.

- D. To be deemed competent to perform dry needling a physical therapist must meet the following requirements:
1. Documented successful completion of a dry needling course of study. The course must meet the following requirements:
 - a. A minimum of 46 hours of face-to-face IMS/dry needling course study; online study is not considered appropriate training.
 - b. Two years of practice as a licensed physical therapist prior to using the dry needling technique.
- E. A provider of a dry needling course of study must meet the educational and clinical prerequisites as defined in this rule, D(1) (a) &(b) and demonstrate a minimum of two years of dry needling practice techniques. The provider is not required to be a physical therapist.
- F. A physical therapist performing dry needling in his/her practice must have written informed consent for each patient where this technique is used. The patient must sign and receive a copy of the informed consent form. The consent form must, at a minimum, clearly state the following information:
1. Risks and benefits of dry needling
 2. Physical therapist's level of education and training in dry needling
 3. The physical therapist will not stimulate any distal or auricular points during dry needling.
- H. When dry needling is performed this must be clearly documented in the procedure notes and must indicate how the patient tolerated the technique as well as the outcome after the procedure.
- I. Dry needling shall not be delegated and must be directly performed by a qualified, licensed physical therapist.
- J. Dry needling must be performed in a manner consistent with generally accepted standards of practice, including clean needle techniques, and standards of the center for communicable diseases.
- K. The physical therapist must be able to supply written documentation, upon request by the Director, which substantiates appropriate training as required by this rule. Failure to provide written documentation is a violation of this rule, and is prima facie evidence that the physical therapist is not competent and not permitted to perform dry needling.
- L. This rule is intended to regulate and clarify the scope of practice for physical therapists.

Editor's Notes

History

Rules 7, 10, 11 Eff. 11/30/2007.