



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: August 23, 2022

TIME: 2:33 PM

WSR 22-17-143

Agency: Department of Health- Board of Physical Therapy

Subject of possible rule making: WAC 246-915-120 - Foreign Educated Applicants. The Board of Physical Therapy (board) is considering updating internet-based Test of English as a Foreign Language (ibTOEFL) scoring requirements to bring them into alignment with the Federation of State Boards of Physical Therapy (FSBPT) guidelines. The board is considering creating a pathway for foreign trained applicants who hold an active license and have been practicing in the United States for a certain period of time. Additionally, there are some minor edits needed to clarify the language of the rule without changing its effect.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.74.023

Reasons why rules on this subject may be needed and what they might accomplish: On June 13, 2022, the board authorized staff to open WAC 246-915-120 and initiate rulemaking. The board will review and determine if amendments to the TOEFL's minimum passing score are necessary to protect the public without creating unnecessary barriers for licensure. Washington state's current passing score requirements were originally established based on the FSBPT's passing score recommendation. The FSBPT's minimum passing score recommendations have since been updated. To come into alignment with the FSBPT's recommendation, Washington state would have to lower the minimum passing score for the writing and speaking tests, and raise the minimum passing score requirements for the reading and listening tests. Consistent licensing standards between states will help support a framework of equality and increased mobility for physical therapists and physical therapy assistants. Additionally, FSBPT research has shown that candidates who meet their recommended criteria are more likely to pass the National Physical Therapy Exam (NPTE).

The board will consider creating a pathway for foreign educated applicants who hold an active license and have been practicing in the United States for a certain period of time. This change should be considered because current practice requires a foreign educated physical therapist or a physical therapist assistant who has been practicing in the United States, to be held to the same standards as a newly licensed physical therapist or physical therapy assistant educated at a program not approved by the Commission on Accreditation in Physical Therapy Education (CAPTE). This does not take real life experience in practicing, communicating with patients, or continuing education, which every jurisdiction requires, into consideration.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rulemaking.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

(If necessary)

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Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. Rulemaking notices will be emailed via GovDelivery.

Date: August 23, 2022

Name: Kathryn Dale, PT, DSC

Title: Board Chair

Signature:

A handwritten signature in black ink, appearing to read "Kathryn Dale", is written over a horizontal line.