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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
12/12/2023	.	
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The Committee on Health Policy (Harrell) recommended the following:

Senate Amendment (with title amendment)

Between lines 3154 and 3155

insert:

Section 52. Section 486.112, Florida Statutes, is created to read:

486.112 Physical Therapy Licensure Compact.—The Physical Therapy Licensure Compact is hereby enacted into law and entered into by this state with all other jurisdictions legally joining therein in the form substantially as follows:



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ARTICLE I

PURPOSE AND OBJECTIVES

(1) The purpose of the compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The compact preserves the regulatory authority of member states to protect public health and safety through their current systems of state licensure. For purposes of state regulation under the compact, the practice of physical therapy is deemed to have occurred in the state where the patient is located at the time physical therapy is provided to the patient.

(2) The compact is designed to achieve all of the following objectives:

(a) Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses.

(b) Enhance the states' ability to protect the public's health and safety.

(c) Encourage the cooperation of member states in regulating multistate physical therapy practice.

(d) Support spouses of relocating military members.

(e) Enhance the exchange of licensure, investigative, and disciplinary information between member states.

(f) Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.

ARTICLE II



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40 DEFINITIONS

41 As used in the compact, and except as otherwise provided,
42 the term:

43 (1) "Active duty military" means full-time duty status in
44 the active uniformed service of the United States, including
45 members of the National Guard and Reserve on active duty orders
46 pursuant to 10 U.S.C. chapter 1209 or chapter 1211.

47 (2) "Adverse action" means disciplinary action taken by a
48 physical therapy licensing board based upon misconduct,
49 unacceptable performance, or a combination of both.

50 (3) "Alternative program" means a nondisciplinary
51 monitoring or practice remediation process approved by a state's
52 physical therapy licensing board. The term includes, but is not
53 limited to, programs that address substance abuse issues.

54 (4) "Compact privilege" means the authorization granted by
55 a remote state to allow a licensee from another member state to
56 practice as a physical therapist or physical therapist assistant
57 in the remote state under its laws and rules.

58 (5) "Continuing competence" means a requirement, as a
59 condition of license renewal, to provide evidence of
60 participation in, and completion of, educational and
61 professional activities relevant to the practice of physical
62 therapy.

63 (6) "Data system" means the coordinated database and
64 reporting system created by the Physical Therapy Compact
65 Commission for the exchange of information between member states
66 relating to licensees or applicants under the compact, including
67 identifying information, licensure data, investigative
68 information, adverse actions, nonconfidential information



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69 related to alternative program participation, any denials of
70 applications for licensure, and other information as specified
71 by commission rule.

72 (7) "Encumbered license" means a license that a physical
73 therapy licensing board has limited in any way.

74 (8) "Executive board" means a group of directors elected or
75 appointed to act on behalf of, and within the powers granted to
76 them by, the commission.

77 (9) "Home state" means the member state that is the
78 licensee's primary state of residence.

79 (10) "Investigative information" means information,
80 records, and documents received or generated by a physical
81 therapy licensing board pursuant to an investigation.

82 (11) "Jurisprudence requirement" means the assessment of an
83 individual's knowledge of the laws and rules governing the
84 practice of physical therapy in a specific state.

85 (12) "Licensee" means an individual who currently holds an
86 authorization from a state to practice as a physical therapist
87 or physical therapist assistant.

88 (13) "Member state" means a state that has enacted the
89 compact.

90 (14) "Physical therapist" means an individual licensed by a
91 state to practice physical therapy.

92 (15) "Physical therapist assistant" means an individual
93 licensed by a state to assist a physical therapist in specified
94 areas of physical therapy.

95 (16) "Physical therapy" or "the practice of physical
96 therapy" means the care and services provided by or under the
97 direction and supervision of a licensed physical therapist.



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127 which uses results from the Federal Bureau of Investigation
128 record search on criminal background checks to make licensure
129 decisions in accordance with subsection (2).

130 (e) Comply with the commission's rules.

131 (f) Use a recognized national examination as a requirement
132 for licensure pursuant to the commission's rules.

133 (g) Have continuing competence requirements as a condition
134 for license renewal.

135 (2) Upon adoption of the compact, a member state has the
136 authority to obtain biometric-based information from each
137 licensee applying for a compact privilege and submit this
138 information to the Federal Bureau of Investigation for a
139 criminal background check in accordance with 28 U.S.C. s. 534
140 and 34 U.S.C. s. 40316.

141 (3) A member state must grant the compact privilege to a
142 licensee holding a valid unencumbered license in another member
143 state in accordance with the terms of the compact and rules.

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145 ARTICLE IV

146 COMPACT PRIVILEGE

147 (1) To exercise the compact privilege under the compact, a
148 licensee must satisfy all of the following conditions:

149 (a) Hold a license in the home state.

150 (b) Not have an encumbrance on any state license.

151 (c) Be eligible for a compact privilege in all member
152 states in accordance with subsections (4), (7), and (8).

153 (d) Not have had an adverse action against any license or
154 compact privilege within the preceding 2 years.

155 (e) Notify the commission that the licensee is seeking the



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156 compact privilege within a remote state.

157 (f) Meet any jurisprudence requirements established by the
158 remote state in which the licensee is seeking a compact
159 privilege.

160 (g) Report to the commission adverse action taken by any
161 nonmember state within 30 days after the date the adverse action
162 is taken.

163 (2) The compact privilege is valid until the expiration
164 date of the home license. The licensee must continue to meet the
165 requirements of subsection (1) to maintain the compact privilege
166 in a remote state.

167 (3) A licensee providing physical therapy in a remote state
168 under the compact privilege must comply with the laws and rules
169 of the remote state.

170 (4) A licensee providing physical therapy in a remote state
171 is subject to that state's regulatory authority. A remote state
172 may, in accordance with due process and that state's laws,
173 remove a licensee's compact privilege in the remote state for a
174 specific period of time, impose fines, and take any other
175 necessary actions to protect the health and safety of its
176 citizens. The licensee is not eligible for a compact privilege
177 in any member state until the specific period of time for
178 removal has ended and all fines are paid.

179 (5) If a home state license is encumbered, the licensee
180 loses the compact privilege in any remote state until the
181 following conditions are met:

182 (a) The home state license is no longer encumbered.

183 (b) Two years have elapsed from the date of the adverse
184 action.



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185 (6) Once an encumbered license in the home state is
186 restored to good standing, the licensee must meet the
187 requirements of subsection (1) to obtain a compact privilege in
188 any remote state.

189 (7) If a licensee's compact privilege in any remote state
190 is removed, the licensee loses the compact privilege in all
191 remote states until all of the following conditions are met:

192 (a) The specific period of time for which the compact
193 privilege was removed has ended.

194 (b) All fines have been paid.

195 (c) Two years have elapsed from the date of the adverse
196 action.

197 (8) Once the requirements of subsection (7) have been met,
198 the licensee must meet the requirements of subsection (1) to
199 obtain a compact privilege in a remote state.

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201 ARTICLE V

202 ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES

203 A licensee who is active duty military or is the spouse of
204 an individual who is active duty military may choose any of the
205 following locations to designate his or her home state:

206 (1) Home of record.

207 (2) Permanent change of station location.

208 (3) State of current residence, if it is different from the
209 home of record or permanent change of station location.

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211 ARTICLE VI

212 ADVERSE ACTIONS

213 (1) A home state has exclusive power to impose adverse



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214 action against a license issued by the home state.

215 (2) A home state may take adverse action based on the
216 investigative information of a remote state, so long as the home
217 state follows its own procedures for imposing adverse action.

218 (3) The compact does not override a member state's decision
219 that participation in an alternative program may be used in lieu
220 of adverse action and that such participation remain nonpublic
221 if required by the member state's laws. Member states must
222 require licensees who enter any alternative programs in lieu of
223 discipline to agree not to practice in any other member state
224 during the term of the alternative program without prior
225 authorization from such other member state.

226 (4) A member state may investigate actual or alleged
227 violations of the laws and rules for the practice of physical
228 therapy committed in any other member state by a physical
229 therapist or physical therapist assistant practicing under the
230 compact who holds a license or compact privilege in such other
231 member state.

232 (5) A remote state may do any of the following:

233 (a) Take adverse actions as set forth in subsection (4) of
234 article IV against a licensee's compact privilege in the state.

235 (b) Issue subpoenas for both hearings and investigations
236 which require the attendance and testimony of witnesses and the
237 production of evidence. Subpoenas issued by a physical therapy
238 licensing board in a member state for the attendance and
239 testimony of witnesses or for the production of evidence from
240 another member state must be enforced in the latter state by any
241 court of competent jurisdiction, according to the practice and
242 procedure of that court applicable to subpoenas issued in



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243 proceedings pending before it. The issuing authority shall pay
244 any witness fees, travel expenses, mileage, and other fees
245 required by the service laws of the state where the witnesses or
246 evidence is located.

247 (c) If otherwise permitted by state law, recover from the
248 licensee the costs of investigations and disposition of cases
249 resulting from any adverse action taken against that licensee.

250 (6) (a) In addition to the authority granted to a member
251 state by its respective physical therapy practice act or other
252 applicable state law, a member state may participate with other
253 member states in joint investigations of licensees.

254 (b) Member states shall share any investigative,
255 litigation, or compliance materials in furtherance of any joint
256 or individual investigation initiated under the compact.

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258 ARTICLE VII

259 ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT COMMISSION

260 (1) COMMISSION CREATED.—The member states hereby create and
261 establish a joint public agency known as the Physical Therapy
262 Compact Commission:

263 (a) The commission is an instrumentality of the member
264 states.

265 (b) Venue is proper, and judicial proceedings by or against
266 the commission may be brought solely and exclusively in a court
267 of competent jurisdiction where the principal office of the
268 commission is located. The commission may waive venue and
269 jurisdictional defenses to the extent it adopts or consents to
270 participate in alternative dispute resolution proceedings.

271 (c) The compact may not be construed to be a waiver of



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272 sovereign immunity.
273 (2) MEMBERSHIP, VOTING, AND MEETINGS.—
274 (a) Each member state has and is limited to one delegate
275 selected by that member state’s physical therapy licensing board
276 to serve on the commission. The delegate must be a current
277 member of the physical therapy licensing board who is a physical
278 therapist, a physical therapist assistant, a public member, or
279 the board administrator.
280 (b) A delegate may be removed or suspended from office as
281 provided by the law of the state from which the delegate is
282 appointed. Any vacancy occurring on the commission must be
283 filled by the physical therapy licensing board of the member
284 state for which the vacancy exists.
285 (c) Each delegate is entitled to one vote with regard to
286 the adoption of rules and bylaws and shall otherwise have an
287 opportunity to participate in the business and affairs of the
288 commission.
289 (d) A delegate shall vote in person or by such other means
290 as provided in the bylaws. The bylaws may provide for delegates’
291 participation in meetings by telephone or other means of
292 communication.
293 (e) The commission shall meet at least once during each
294 calendar year. Additional meetings may be held as set forth in
295 the bylaws.
296 (f) All meetings must be open to the public, and public
297 notice of meetings must be given in the same manner as required
298 under the rulemaking provisions in article IX.
299 (g) The commission or the executive board or other
300 committees of the commission may convene in a closed, nonpublic



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301 meeting if the commission or executive board or other committees
302 of the commission must discuss any of the following:

303 1. Noncompliance of a member state with its obligations
304 under the compact.

305 2. The employment, compensation, or discipline of, or other
306 matters, practices, or procedures related to, specific employees
307 or other matters related to the commission's internal personnel
308 practices and procedures.

309 3. Current, threatened, or reasonably anticipated
310 litigation against the commission, executive board, or other
311 committees of the commission.

312 4. Negotiation of contracts for the purchase, lease, or
313 sale of goods, services, or real estate.

314 5. An accusation of any person of a crime or a formal
315 censure of any person.

316 6. Information disclosing trade secrets or commercial or
317 financial information that is privileged or confidential.

318 7. Information of a personal nature where disclosure would
319 constitute a clearly unwarranted invasion of personal privacy.

320 8. Investigatory records compiled for law enforcement
321 purposes.

322 9. Information related to any investigative reports
323 prepared by or on behalf of or for use of the commission or
324 other committee charged with responsibility for investigation or
325 determination of compliance issues pursuant to the compact.

326 10. Matters specifically exempted from disclosure by
327 federal or member state statute.

328 (h) If a meeting, or portion of a meeting, is closed
329 pursuant to this subsection, the commission's legal counsel or



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330 designee must certify that the meeting may be closed and must
331 reference each relevant exempting provision.

332 (i) The commission shall keep minutes that fully and
333 clearly describe all matters discussed in a meeting and shall
334 provide a full and accurate summary of actions taken and the
335 reasons therefor, including a description of the views
336 expressed. All documents considered in connection with an action
337 must be identified in the minutes. All minutes and documents of
338 a closed meeting must remain under seal, subject to release only
339 by a majority vote of the commission or order of a court of
340 competent jurisdiction.

341 (3) DUTIES.—The commission shall do all of the following:

342 (a) Establish the fiscal year of the commission.

343 (b) Establish bylaws.

344 (c) Maintain its financial records in accordance with the
345 bylaws.

346 (d) Meet and take such actions as are consistent with the
347 provisions of the compact and the bylaws.

348 (4) POWERS.—The commission may do any of the following:

349 (a) Adopt uniform rules to facilitate and coordinate
350 implementation and administration of the compact. The rules have
351 the force and effect of law and are binding in all member
352 states.

353 (b) Bring and prosecute legal proceedings or actions in the
354 name of the commission, provided that the standing of any state
355 physical therapy licensing board to sue or be sued under
356 applicable law is not affected.

357 (c) Purchase and maintain insurance and bonds.

358 (d) Borrow, accept, or contract for services of personnel,



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359 including, but not limited to, employees of a member state.

360 (e) Hire employees and elect or appoint officers; fix the
361 compensation of, define the duties of, and grant appropriate
362 authority to such individuals to carry out the purposes of the
363 compact; and establish the commission's personnel policies and
364 programs relating to conflicts of interest, qualifications of
365 personnel, and other related personnel matters.

366 (f) Accept any appropriate donations and grants of money,
367 equipment, supplies, materials, and services and receive, use,
368 and dispose of the same, provided that at all times the
369 commission avoids any appearance of impropriety or conflict of
370 interest.

371 (g) Lease, purchase, accept appropriate gifts or donations
372 of, or otherwise own, hold, improve, or use any property, real,
373 personal, or mixed, provided that at all times the commission
374 avoids any appearance of impropriety or conflict of interest.

375 (h) Sell, convey, mortgage, pledge, lease, exchange,
376 abandon, or otherwise dispose of any property, real, personal,
377 or mixed.

378 (i) Establish a budget and make expenditures.

379 (j) Borrow money.

380 (k) Appoint committees, including standing committees
381 composed of members, state regulators, state legislators or
382 their representatives, and consumer representatives, and such
383 other interested persons as may be designated in the compact and
384 the bylaws.

385 (l) Provide information to, receive information from, and
386 cooperate with law enforcement agencies.

387 (m) Establish and elect an executive board.



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388 (n) Perform such other functions as may be necessary or
389 appropriate to achieve the purposes of the compact consistent
390 with the state regulation of physical therapy licensure and
391 practice.

392 (5) THE EXECUTIVE BOARD.—

393 (a) The executive board may act on behalf of the commission
394 according to the terms of the compact.

395 (b) The executive board shall be composed of the following
396 nine members:

397 1. Seven voting members who are elected by the commission
398 from the current membership of the commission.

399 2. One ex-officio, nonvoting member from the recognized
400 national physical therapy professional association.

401 3. One ex-officio, nonvoting member from the recognized
402 membership organization of the physical therapy licensing
403 boards.

404 (c) The ex-officio members shall be selected by their
405 respective organizations.

406 (d) The commission may remove any member of the executive
407 board as provided in its bylaws.

408 (e) The executive board shall meet at least annually.

409 (f) The executive board shall do all of the following:

410 1. Recommend to the entire commission changes to the rules
411 or bylaws, compact legislation, fees paid by compact member
412 states, such as annual dues, and any commission compact fee
413 charged to licensees for the compact privilege.

414 2. Ensure compact administration services are appropriately
415 provided, contractually or otherwise.

416 3. Prepare and recommend the budget.



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417 4. Maintain financial records on behalf of the commission.
418 5. Monitor compact compliance of member states and provide
419 compliance reports to the commission.
420 6. Establish additional committees as necessary.
421 7. Perform other duties as provided in the rules or bylaws.
422 (6) FINANCING OF THE COMMISSION.—
423 (a) The commission shall pay, or provide for the payment
424 of, the reasonable expenses of its establishment, organization,
425 and ongoing activities.
426 (b) The commission may accept any appropriate revenue
427 sources, donations, and grants of money, equipment, supplies,
428 materials, and services.
429 (c) The commission may levy and collect an annual
430 assessment from each member state or impose fees on other
431 parties to cover the cost of the operations and activities of
432 the commission and its staff. Such assessments and fees must
433 total to an amount sufficient to cover the commission's annual
434 budget as approved each year for which revenue is not provided
435 by other sources. The aggregate annual assessment amount must be
436 allocated based upon a formula to be determined by the
437 commission, which shall adopt a rule binding upon all member
438 states.
439 (d) The commission may not incur obligations of any kind
440 before securing the funds adequate to meet such obligations; nor
441 may the commission pledge the credit of any of the member
442 states, except by and with the authority of the member state.
443 (e) The commission shall keep accurate accounts of all
444 receipts and disbursements. The receipts and disbursements of
445 the commission are subject to the audit and accounting



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446 procedures established under its bylaws. However, all receipts
447 and disbursements of funds handled by the commission must be
448 audited yearly by a certified or licensed public accountant, and
449 the report of the audit must be included in and become part of
450 the annual report of the commission.

451 (7) QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION.—

452 (a) The members, officers, executive director, employees,
453 and representatives of the commission are immune from suit and
454 liability, whether personally or in their official capacity, for
455 any claim for damage to or loss of property or personal injury
456 or other civil liability caused by or arising out of any actual
457 or alleged act, error, or omission that occurred, or that the
458 person against whom the claim is made had a reasonable basis for
459 believing occurred, within the scope of commission employment,
460 duties, or responsibilities. However, this paragraph may not be
461 construed to protect any such person from suit or liability for
462 any damage, loss, injury, or liability caused by the
463 intentional, willful, or wanton misconduct of that person.

464 (b) The commission shall defend any member, officer,
465 executive director, employee, or representative of the
466 commission in any civil action seeking to impose liability
467 arising out of any actual or alleged act, error, or omission
468 that occurred within the scope of commission employment, duties,
469 or responsibilities, or that the person against whom the claim
470 is made had a reasonable basis for believing occurred within the
471 scope of commission employment, duties, or responsibilities.
472 However, this subsection may not be construed to prohibit any
473 member, officer, executive director, employee, or representative
474 of the commission from retaining his or her own counsel or to



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475 require the commission to defend such person if the actual or
476 alleged act, error, or omission resulted from that person's
477 intentional, willful, or wanton misconduct.

478 (c) The commission shall indemnify and hold harmless any
479 member, officer, executive director, employee, or representative
480 of the commission for the amount of any settlement or judgment
481 obtained against that person arising out of any actual or
482 alleged act, error, or omission that occurred within the scope
483 of commission employment, duties, or responsibilities, or that
484 such person had a reasonable basis for believing occurred within
485 the scope of commission employment, duties, or responsibilities,
486 provided that the actual or alleged act, error, or omission did
487 not result from the intentional, willful, or wanton misconduct
488 of that person.

489
490 ARTICLE VIII

491 DATA SYSTEM

492 (1) The commission shall provide for the development,
493 maintenance, and use of a coordinated database and reporting
494 system containing licensure, adverse action, and investigative
495 information on all licensees in member states.

496 (2) Notwithstanding any other provision of state law to the
497 contrary, a member state shall submit a uniform data set to the
498 data system on all individuals to whom the compact is applicable
499 as required by the rules of the commission, which data set must
500 include all of the following:

501 (a) Identifying information.

502 (b) Licensure data.

503 (c) Investigative information.



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504 (d) Adverse actions against a license or compact privilege.

505 (e) Nonconfidential information related to alternative
506 program participation.

507 (f) Any denial of application for licensure and the reason
508 for such denial.

509 (g) Other information that may facilitate the
510 administration of the compact, as determined by the rules of the
511 commission.

512 (3) Investigative information in the system pertaining to a
513 licensee in any member state must be available only to other
514 member states.

515 (4) The commission shall promptly notify all member states
516 of any adverse action taken against a licensee or an individual
517 applying for a license in a member state. Adverse action
518 information pertaining to a licensee in any member state must be
519 available to all other member states.

520 (5) Member states contributing information to the data
521 system may designate information that may not be shared with the
522 public without the express permission of the contributing state.

523 (6) Any information submitted to the data system which is
524 subsequently required to be expunged by the laws of the member
525 state contributing the information must be removed from the data
526 system.

527

528 ARTICLE IX

529

RULEMAKING

530 (1) The commission shall exercise its rulemaking powers
531 pursuant to the criteria set forth in this article and the rules
532 adopted thereunder. Rules and amendments become binding as of



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533 the date specified in each rule or amendment.

534 (2) If a majority of the legislatures of the member states
535 rejects a rule by enactment of a statute or resolution in the
536 same manner used to adopt the compact within 4 years after the
537 date of adoption of the rule, such rule does not have further
538 force and effect in any member state.

539 (3) Rules or amendments to the rules must be adopted at a
540 regular or special meeting of the commission.

541 (4) Before adoption of a final rule by the commission, and
542 at least 30 days before the meeting at which the rule will be
543 considered and voted upon, the commission must file a notice of
544 proposed rulemaking on all of the following:

545 (a) The website of the commission or another publicly
546 accessible platform.

547 (b) The website of each member state physical therapy
548 licensing board or another publicly accessible platform or the
549 publication in which each state would otherwise publish proposed
550 rules.

551 (5) The notice of proposed rulemaking must include all of
552 the following:

553 (a) The proposed date, time, and location of the meeting in
554 which the rule or amendment will be considered and voted upon.

555 (b) The text of the proposed rule or amendment and the
556 reason for the proposed rule.

557 (c) A request for comments on the proposed rule or
558 amendment from any interested person.

559 (d) The manner in which interested persons may submit
560 notice to the commission of their intention to attend the public
561 hearing and any written comments.



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562 (6) Before adoption of a proposed rule or amendment, the
563 commission must allow persons to submit written data, facts,
564 opinions, and arguments, which must be made available to the
565 public.

566 (7) The commission must grant an opportunity for a public
567 hearing before it adopts a rule or an amendment if a hearing is
568 requested by any of the following:

569 (a) At least 25 persons.

570 (b) A state or federal governmental subdivision or agency.

571 (c) An association having at least 25 members.

572 (8) If a scheduled public hearing is held on the proposed
573 rule or amendment, the commission must publish the date, time,
574 and location of the hearing. If the hearing is held through
575 electronic means, the commission must publish the mechanism for
576 access to the electronic hearing.

577 (a) All persons wishing to be heard at the hearing must
578 notify the executive director of the commission or another
579 designated member in writing of their desire to appear and
580 testify at the hearing at least 5 business days before the
581 scheduled date of the hearing.

582 (b) Hearings must be conducted in a manner providing each
583 person who wishes to comment a fair and reasonable opportunity
584 to comment orally or in writing.

585 (c) All hearings must be recorded. A copy of the recording
586 must be made available on request.

587 (d) This article may not be construed to require a separate
588 hearing on each rule. Rules may be grouped for the convenience
589 of the commission at hearings required by this section.

590 (9) Following the scheduled hearing date, or by the close



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591 of business on the scheduled hearing date if the hearing was not
592 held, the commission shall consider all written and oral
593 comments received.

594 (10) If no written notice of intent to attend the public
595 hearing by interested parties is received, the commission may
596 proceed with adoption of the proposed rule without a public
597 hearing.

598 (11) The commission shall, by majority vote of all members,
599 take final action on the proposed rule and shall determine the
600 effective date of the rule, if any, based on the rulemaking
601 record and the full text of the rule.

602 (12) Upon determination that an emergency exists, the
603 commission may consider and adopt an emergency rule without
604 prior notice, opportunity for comment, or hearing, provided that
605 the usual rulemaking procedures provided in the compact and in
606 this article are retroactively applied to the rule as soon as
607 reasonably possible, in no event later than 90 days after the
608 effective date of the rule. For the purposes of this subsection,
609 an emergency rule is one that must be adopted immediately in
610 order to do any of the following:

611 (a) Meet an imminent threat to public health, safety, or
612 welfare.

613 (b) Prevent a loss of commission or member state funds.

614 (c) Meet a deadline for the adoption of an administrative
615 rule established by federal law or rule.

616 (d) Protect public health and safety.

617 (13) The commission or an authorized committee of the
618 commission may direct revisions to a previously adopted rule or
619 amendment for purposes of correcting typographical errors,



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620 errors in format, errors in consistency, or grammatical errors.
621 Public notice of any revisions must be posted on the website of
622 the commission. The revision is subject to challenge by any
623 person for a period of 30 days after posting. The revision may
624 be challenged only on grounds that the revision results in a
625 material change to a rule. A challenge must be made in writing
626 and delivered to the chair of the commission before the end of
627 the notice period. If a challenge is not made, the revision
628 takes effect without further action. If the revision is
629 challenged, the revision may not take effect without the
630 approval of the commission.

631

632 ARTICLE X

633 OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

634 (1) OVERSIGHT.—

635 (a) The executive, legislative, and judicial branches of
636 state government in each member state shall enforce the compact
637 and take all actions necessary and appropriate to carry out the
638 compact's purposes and intent. The provisions of the compact and
639 the rules adopted pursuant thereto shall have standing as
640 statutory law.

641 (b) All courts shall take judicial notice of the compact
642 and the rules in any judicial or administrative proceeding in a
643 member state pertaining to the subject matter of the compact
644 which may affect the powers, responsibilities, or actions of the
645 commission.

646 (c) The commission is entitled to receive service of
647 process in any such proceeding and has standing to intervene in
648 such a proceeding for all purposes. Failure to provide service



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649 of process to the commission renders a judgment or an order void
650 as to the commission, the compact, or the adopted rules.

651 (2) DEFAULT, TECHNICAL ASSISTANCE, AND TERMINATION.—

652 (a) If the commission determines that a member state has
653 defaulted in the performance of its obligations or
654 responsibilities under the compact or the adopted rules, the
655 commission must do all of the following:

656 1. Provide written notice to the defaulting state and other
657 member states of the nature of the default, the proposed means
658 of curing the default, and any other action to be taken by the
659 commission.

660 2. Provide remedial training and specific technical
661 assistance regarding the default.

662 (b) If a state in default fails to cure the default, the
663 defaulting state may be terminated from the compact upon an
664 affirmative vote of a majority of the member states, and all
665 rights, privileges, and benefits conferred by the compact may be
666 terminated on the effective date of termination. A cure of the
667 default does not relieve the offending state of obligations or
668 liabilities incurred during the period of default.

669 (c) Termination of membership in the compact may be imposed
670 only after all other means of securing compliance have been
671 exhausted. The commission shall give notice of intent to suspend
672 or terminate a defaulting member state to the governor and
673 majority and minority leaders of the defaulting state's
674 legislature and to each of the member states.

675 (d) A state that has been terminated from the compact is
676 responsible for all assessments, obligations, and liabilities
677 incurred through the effective date of termination, including



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678 obligations that extend beyond the effective date of
679 termination.

680 (e) The commission does not bear any costs related to a
681 state that is found to be in default or that has been terminated
682 from the compact, unless agreed upon in writing between the
683 commission and the defaulting state.

684 (f) The defaulting state may appeal the action of the
685 commission by petitioning the U.S. District Court for the
686 District of Columbia or the federal district where the
687 commission has its principal offices. The prevailing member
688 shall be awarded all costs of such litigation, including
689 reasonable attorney fees.

690 (3) DISPUTE RESOLUTION.—

691 (a) Upon request by a member state, the commission must
692 attempt to resolve disputes related to the compact which arise
693 among member states and between member and nonmember states.

694 (b) The commission shall adopt a rule providing for both
695 mediation and binding dispute resolution for disputes as
696 appropriate.

697 (4) ENFORCEMENT.—

698 (a) The commission, in the reasonable exercise of its
699 discretion, shall enforce the compact and the commission's
700 rules.

701 (b) By majority vote, the commission may initiate legal
702 action in the United States District Court for the District of
703 Columbia or the federal district where the commission has its
704 principal offices against a member state in default to enforce
705 compliance with the provisions of the compact and its adopted
706 rules and bylaws. The relief sought may include both injunctive



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707 relief and damages. In the event judicial enforcement is
708 necessary, the prevailing member shall be awarded all costs of
709 such litigation, including reasonable attorney fees.

710 (c) The remedies under this article are not the exclusive
711 remedies of the commission. The commission may pursue any other
712 remedies available under federal or state law.

714 ARTICLE XI

715 DATE OF IMPLEMENTATION OF THE PHYSICAL THERAPY COMPACT AND
716 ASSOCIATED RULES; WITHDRAWAL; AND AMENDMENTS

717 (1) The compact becomes effective on the date that the
718 compact statute is enacted into law in the tenth member state.
719 The provisions that become effective at that time are limited to
720 the powers granted to the commission relating to assembly and
721 the adoption of rules. Thereafter, the commission shall meet and
722 exercise rulemaking powers necessary for the implementation and
723 administration of the compact.

724 (2) Any state that joins the compact subsequent to the
725 commission's initial adoption of the rules is subject to the
726 rules as they exist on the date that the compact becomes law in
727 that state. Any rule that has been previously adopted by the
728 commission has the full force and effect of law on the day the
729 compact becomes law in that state.

730 (3) Any member state may withdraw from the compact by
731 enacting a statute repealing the same.

732 (a) A member state's withdrawal does not take effect until
733 6 months after enactment of the repealing statute.

734 (b) Withdrawal does not affect the continuing requirement
735 of the withdrawing state's physical therapy licensing board to



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736 comply with the investigative and adverse action reporting
737 requirements of this act before the effective date of
738 withdrawal.

739 (4) The compact may not be construed to invalidate or
740 prevent any physical therapy licensure agreement or other
741 cooperative arrangement between a member state and a nonmember
742 state which does not conflict with the provisions of the
743 compact.

744 (5) The compact may be amended by the member states. An
745 amendment to the compact does not become effective and binding
746 upon any member state until it is enacted into the laws of all
747 member states.

748
749 ARTICLE XII

750 CONSTRUCTION AND SEVERABILITY

751 The compact must be liberally construed so as to carry out
752 the purposes thereof. The provisions of the compact are
753 severable, and if any phrase, clause, sentence, or provision of
754 the compact is declared to be contrary to the constitution of
755 any member state or of the United States or the applicability
756 thereof to any government, agency, person, or circumstance is
757 held invalid, the validity of the remainder of the compact and
758 the applicability thereof to any government, agency, person, or
759 circumstance is not affected thereby. If the compact is held
760 contrary to the constitution of any member state, the compact
761 remains in full force and effect as to the remaining member
762 states and in full force and effect as to the member state
763 affected as to all severable matters.

764 Section 53. Subsection (10) of section 456.073, Florida



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765 Statutes, is amended to read:

766 456.073 Disciplinary proceedings.—Disciplinary proceedings
767 for each board shall be within the jurisdiction of the
768 department.

769 (10) (a) The complaint and all information obtained pursuant
770 to the investigation by the department are confidential and
771 exempt from s. 119.07(1) until 10 days after probable cause has
772 been found to exist by the probable cause panel or by the
773 department, or until the regulated professional or subject of
774 the investigation waives his or her privilege of
775 confidentiality, whichever occurs first.

776 (b) The department shall report any significant
777 investigation information relating to a nurse holding a
778 multistate license to the coordinated licensure information
779 system pursuant to s. 464.0095; any investigative information
780 relating to a physical therapist or physical therapist assistant
781 holding a compact privilege under the Physical Therapy Licensure
782 Compact to the data system pursuant to s. 486.112; any
783 significant investigatory information relating to a psychologist
784 practicing under the Psychology Interjurisdictional Compact to
785 the coordinated licensure information system pursuant to s.
786 490.0075;~~7~~ and any significant investigatory information
787 relating to a health care practitioner practicing under the
788 Professional Counselors Licensure Compact to the data system
789 pursuant to s. 491.017,~~7~~ ~~and any significant investigatory~~
790 ~~information relating to a psychologist practicing under the~~
791 ~~Psychology Interjurisdictional Compact to the coordinated~~
792 ~~licensure information system pursuant to s. 490.0075.~~

793 (c) Upon completion of the investigation and a



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794 recommendation by the department to find probable cause, and
795 pursuant to a written request by the subject or the subject's
796 attorney, the department shall provide the subject an
797 opportunity to inspect the investigative file or, at the
798 subject's expense, forward to the subject a copy of the
799 investigative file. Notwithstanding s. 456.057, the subject may
800 inspect or receive a copy of any expert witness report or
801 patient record connected with the investigation if the subject
802 agrees in writing to maintain the confidentiality of any
803 information received under this subsection until 10 days after
804 probable cause is found and to maintain the confidentiality of
805 patient records pursuant to s. 456.057. The subject may file a
806 written response to the information contained in the
807 investigative file. Such response must be filed within 20 days
808 of mailing by the department, unless an extension of time has
809 been granted by the department.

810 (d) This subsection does not prohibit the department from
811 providing the complaint and any information obtained pursuant to
812 the department's investigation ~~such information~~ to any law
813 enforcement agency or to any other regulatory agency.

814 Section 54. Subsection (5) of section 456.076, Florida
815 Statutes, is amended to read:

816 456.076 Impaired practitioner programs.—

817 (5) A consultant shall enter into a participant contract
818 with an impaired practitioner and shall establish the terms of
819 monitoring and shall include the terms in a participant
820 contract. In establishing the terms of monitoring, the
821 consultant may consider the recommendations of one or more
822 approved evaluators, treatment programs, or treatment providers.



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823 A consultant may modify the terms of monitoring if the
824 consultant concludes, through the course of monitoring, that
825 extended, additional, or amended terms of monitoring are
826 required for the protection of the health, safety, and welfare
827 of the public. If the impaired practitioner is a physical
828 therapist or physical therapist assistant practicing under the
829 Physical Therapy Licensure Compact pursuant to s. 486.112, a
830 psychologist practicing under the Psychology Interjurisdictional
831 Compact pursuant to s. 490.0075, or a health care practitioner
832 practicing under the Professional Counselors Licensure Compact
833 pursuant to s. 491.017, the terms of the monitoring contract
834 must include the impaired practitioner's withdrawal from all
835 practice under the compact unless authorized by a member state.
836 ~~If the impaired practitioner is a psychologist practicing under~~
837 ~~the Psychology Interjurisdictional Compact pursuant to s.~~
838 ~~490.0075, the terms of the monitoring contract must include the~~
839 ~~impaired practitioner's withdrawal from all practice under the~~
840 ~~compact.~~

841 Section 55. Subsection (5) is added to section 486.023,
842 Florida Statutes, to read:

843 486.023 Board of Physical Therapy Practice.—

844 (5) The board shall appoint an individual to serve as the
845 state's delegate on the Physical Therapy Compact Commission, as
846 required under s. 486.112.

847 Section 56. Section 486.028, Florida Statutes, is amended
848 to read:

849 486.028 License to practice physical therapy required.—A No
850 person may not shall practice, or hold herself or himself out as
851 being able to practice, physical therapy in this state unless



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852 she or he is licensed under ~~in accordance with the provisions of~~
853 this chapter or holds a compact privilege in this state under
854 the Physical Therapy Licensure Compact as specified in s.

855 486.112. ~~however, Nothing in This chapter does not shall~~
856 prohibit any person licensed in this state under any other law
857 from engaging in the practice for which she or he is licensed.

858 Section 57. Section 486.031, Florida Statutes, is amended
859 to read:

860 486.031 Physical therapist; licensing requirements;
861 exemption.—

862 (1) To be eligible for licensing as a physical therapist,
863 an applicant must:

864 (a) ~~(1)~~ Be at least 18 years old;

865 (b) ~~(2)~~ Be of good moral character; and

866 (c) 1. ~~(3)~~ ~~(a)~~ Have ~~been~~ graduated from a school of physical
867 therapy which has been approved for the educational preparation
868 of physical therapists by the appropriate accrediting agency
869 recognized by the Council for Higher Education Accreditation or
870 its successor Commission on Recognition of Postsecondary
871 ~~Accreditation~~ or the United States Department of Education at
872 the time of her or his graduation and have passed, to the
873 satisfaction of the board, the American Registry Examination
874 before ~~prior to~~ 1971 or a national examination approved by the
875 board to determine her or his fitness for practice as a physical
876 therapist under this chapter ~~as hereinafter provided;~~

877 2. ~~(b)~~ Have received a diploma from a program in physical
878 therapy in a foreign country and have educational credentials
879 deemed equivalent to those required for the educational
880 preparation of physical therapists in this country, as



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881 recognized by the appropriate agency as identified by the board,
882 and have passed to the satisfaction of the board an examination
883 to determine her or his fitness for practice as a physical
884 therapist under this chapter ~~as hereinafter provided~~; or

885 3.(e) Be entitled to licensure without examination as
886 provided in s. 486.081.

887 (2) A person licensed as a physical therapist in another
888 state who is practicing under the Physical Therapy Licensure
889 Compact pursuant to s. 486.112, and only within the scope
890 provided therein, is exempt from the licensure requirements of
891 this section.

892 Section 58. Section 486.081, Florida Statutes, is amended
893 to read:

894 486.081 Physical therapist; issuance of license without
895 examination to person passing examination of another authorized
896 examining board; fee; exemption.-

897 (1) The board may grant ~~cause~~ a license without
898 examination, to be issued by ~~through~~ the department, ~~without~~
899 ~~examination~~ to any applicant who presents evidence satisfactory
900 to the board of having passed the American Registry Examination
901 before ~~prior to~~ 1971 or an examination in physical therapy
902 before a similar lawfully authorized examining board of another
903 state, the District of Columbia, a territory, or a foreign
904 country, if the standards for licensure in physical therapy in
905 such other state, district, territory, or foreign country are
906 determined by the board to be as high as those of this state, as
907 established by rules adopted under ~~pursuant to~~ this chapter. Any
908 person who holds a license pursuant to this section may use the
909 words "physical therapist" or "physiotherapist" or the letters



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910 "P.T." in connection with her or his name or place of business
911 to denote her or his licensure hereunder. A person who holds a
912 license pursuant to this section and obtains a doctoral degree
913 in physical therapy may use the letters "D.P.T." and "P.T." A
914 physical therapist who holds a degree of Doctor of Physical
915 Therapy may not use the title "doctor" without also clearly
916 informing the public of his or her profession as a physical
917 therapist.

918 (2) At the time of filing an ~~making~~ application for
919 licensure without examination under ~~pursuant to the terms of~~
920 this section, the applicant shall pay to the department a
921 nonrefundable fee not to exceed \$175, as determined ~~fixed~~ by the
922 board, ~~no part of which will be returned.~~

923 (3) A person licensed as a physical therapist in another
924 state who is practicing under the Physical Therapy Licensure
925 Compact pursuant to s. 486.112, and only within the scope
926 provided therein, is exempt from the licensure requirements of
927 this section.

928 Section 59. Section 486.102, Florida Statutes, is amended
929 to read:

930 486.102 Physical therapist assistant; licensing
931 requirements; exemption.—

932 (1) To be eligible for licensing by the board as a physical
933 therapist assistant, an applicant must:

934 (a) ~~(1)~~ Be at least 18 years old;

935 (b) ~~(2)~~ Be of good moral character; and

936 (c) 1. ~~(3)~~ ~~(a)~~ Have ~~been~~ graduated from a school providing
937 giving a course of at least ~~not less than~~ 2 years for physical
938 therapist assistants, which has been approved for the



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939 educational preparation of physical therapist assistants by the
940 appropriate accrediting agency recognized by the Council for
941 Higher Education Accreditation or its successor Commission on
942 Recognition of Postsecondary Accreditation or the United States
943 Department of Education, at the time of her or his graduation
944 and have passed to the satisfaction of the board an examination
945 to determine her or his fitness for practice as a physical
946 therapist assistant under this chapter as hereinafter provided;

947 2.(b) Have ~~been~~ graduated from a school providing ~~giving~~ a
948 course for physical therapist assistants in a foreign country
949 and have educational credentials deemed equivalent to those
950 required for the educational preparation of physical therapist
951 assistants in this country, as recognized by the appropriate
952 agency as identified by the board, and passed to the
953 satisfaction of the board an examination to determine her or his
954 fitness for practice as a physical therapist assistant under
955 this chapter as hereinafter provided;

956 3.(e) Be entitled to licensure without examination as
957 provided in s. 486.107; or

958 4.(d) Have been enrolled between July 1, 2014, and July 1,
959 2016, in a physical therapist assistant school in this state
960 which was accredited at the time of enrollment; and

961 a.1. Have ~~been~~ graduated or be eligible to graduate from
962 such school no later than July 1, 2018; and

963 b.2. Have passed to the satisfaction of the board an
964 examination to determine his or her fitness for practice as a
965 physical therapist assistant as provided in s. 486.104.

966 (2) A person licensed as a physical therapist assistant in
967 another state who is practicing under the Physical Therapy



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968 Licensure Compact pursuant to s. 486.112, and only within the
969 scope provided therein, is exempt from the licensure
970 requirements of this section.

971 Section 60. Section 486.107, Florida Statutes, is amended
972 to read:

973 486.107 Physical therapist assistant; issuance of license
974 without examination to person licensed in another jurisdiction;
975 fee; exemption.—

976 (1) The board may grant ~~cause~~ a license without
977 examination, to be issued by ~~through~~ the department, without
978 ~~examination~~ to any applicant who presents evidence to the board,
979 under oath, of licensure in another state, the District of
980 Columbia, or a territory, if the standards for registering as a
981 physical therapist assistant or licensing of a physical
982 therapist assistant, as applicable ~~the case may be,~~ in such
983 other state are determined by the board to be as high as those
984 of this state, as established by rules adopted under ~~pursuant to~~
985 this chapter. Any person who holds a license pursuant to this
986 section may use the words "physical therapist assistant," or the
987 letters "P.T.A.," in connection with her or his name to denote
988 licensure hereunder.

989 (2) At the time of filing an ~~making~~ application for
990 licensing without examination under ~~pursuant to the terms of~~
991 this section, the applicant shall pay to the department a
992 nonrefundable fee not to exceed \$175, as determined ~~fixed~~ by the
993 board, ~~no part of which will be returned.~~

994 (3) A person licensed as a physical therapist assistant in
995 another state who is practicing under the Physical Therapy
996 Licensure Compact pursuant to s. 486.112, and only within the



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997 scope provided therein, is exempt from the licensure
998 requirements of this section.

999 Section 61. Section 486.125, Florida Statutes, is amended
1000 to read:

1001 486.125 Refusal, revocation, or suspension of license;
1002 administrative fines and other disciplinary measures.—

1003 (1) The following acts constitute grounds for denial of a
1004 license or disciplinary action, as specified in s. 456.072(2) or
1005 s. 486.112:

1006 (a) Being unable to practice physical therapy with
1007 reasonable skill and safety to patients by reason of illness or
1008 use of alcohol, drugs, narcotics, chemicals, or any other type
1009 of material or as a result of any mental or physical condition.

1010 1. In enforcing this paragraph, upon a finding of the State
1011 Surgeon General or the State Surgeon General's designee that
1012 probable cause exists to believe that the licensee is unable to
1013 practice physical therapy due to the reasons stated in this
1014 paragraph, the department shall have the authority to compel a
1015 physical therapist or physical therapist assistant to submit to
1016 a mental or physical examination by a physician designated by
1017 the department. If the licensee refuses to comply with such
1018 order, the department's order directing such examination may be
1019 enforced by filing a petition for enforcement in the circuit
1020 court where the licensee resides or serves as a physical therapy
1021 practitioner. The licensee against whom the petition is filed
1022 may shall not be named or identified by initials in any public
1023 court records or documents, and the proceedings must shall be
1024 closed to the public. The department shall be entitled to the
1025 summary procedure provided in s. 51.011.



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1026 2. A physical therapist or physical therapist assistant
1027 whose license is suspended or revoked pursuant to this
1028 subsection shall, at reasonable intervals, be given an
1029 opportunity to demonstrate that she or he can resume the
1030 competent practice of physical therapy with reasonable skill and
1031 safety to patients.

1032 3. Neither the record of proceeding nor the orders entered
1033 by the board in any proceeding under this subsection may be used
1034 against a physical therapist or physical therapist assistant in
1035 any other proceeding.

1036 (b) Having committed fraud in the practice of physical
1037 therapy or deceit in obtaining a license as a physical therapist
1038 or as a physical therapist assistant.

1039 (c) Being convicted or found guilty regardless of
1040 adjudication, of a crime in any jurisdiction which directly
1041 relates to the practice of physical therapy or to the ability to
1042 practice physical therapy. The entry of any plea of nolo
1043 contendere is ~~shall be~~ considered a conviction for purpose of
1044 this chapter.

1045 (d) Having treated or undertaken to treat human ailments by
1046 means other than by physical therapy, as defined in this
1047 chapter.

1048 (e) Failing to maintain acceptable standards of physical
1049 therapy practice as set forth by the board in rules adopted
1050 pursuant to this chapter.

1051 (f) Engaging directly or indirectly in the dividing,
1052 transferring, assigning, rebating, or refunding of fees received
1053 for professional services, or having been found to profit by
1054 means of a credit or other valuable consideration, such as an



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1055 unearned commission, discount, or gratuity, with any person
1056 referring a patient or with any relative or business associate
1057 of the referring person. ~~Nothing in This chapter may not shall~~
1058 be construed to prohibit the members of any regularly and
1059 properly organized business entity which is comprised of
1060 physical therapists and which is recognized under the laws of
1061 this state from making any division of their total fees among
1062 themselves as they determine necessary.

1063 (g) Having a license revoked or suspended; having had other
1064 disciplinary action taken against her or him; or having had her
1065 or his application for a license refused, revoked, or suspended
1066 by the licensing authority of another state, territory, or
1067 country.

1068 (h) Violating a lawful order of the board or department
1069 previously entered in a disciplinary hearing.

1070 (i) Making or filing a report or record which the licensee
1071 knows to be false. Such reports or records shall include only
1072 those which are signed in the capacity of a physical therapist.

1073 (j) Practicing or offering to practice beyond the scope
1074 permitted by law or accepting and performing professional
1075 responsibilities which the licensee knows or has reason to know
1076 that she or he is not competent to perform, including, but not
1077 limited to, specific spinal manipulation.

1078 (k) Violating any provision of this chapter or chapter 456,
1079 or any rules adopted pursuant thereto.

1080 (2) (a) The board may enter an order denying licensure or
1081 imposing any of the penalties in s. 456.072(2) against any
1082 applicant for licensure or licensee who is found guilty of
1083 violating any provision of subsection (1) ~~of this section~~ or who



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1084 is found guilty of violating any provision of s. 456.072(1).

1085 (b) The board may take adverse action against a physical
1086 therapist's or a physical therapist assistant's compact
1087 privilege under the Physical Therapy Licensure Compact pursuant
1088 to s. 486.112 and may impose any of the penalties in s.
1089 456.072(2), if a physical therapist or physical therapist
1090 assistant commits an act specified in subsection (1) or s.
1091 456.072(1).

1092 (3) The board may ~~shall~~ not reinstate the license of a
1093 physical therapist or physical therapist assistant or approve
1094 ~~cause~~ a license to be issued to a person it has deemed
1095 unqualified until such time as it is satisfied that she or he
1096 has complied with all the terms and conditions set forth in the
1097 final order and that such person is capable of safely engaging
1098 in the practice of physical therapy.

1099 Section 62. Paragraph (j) is added to subsection (10) of
1100 section 768.28, Florida Statutes, to read:

1101 768.28 Waiver of sovereign immunity in tort actions;
1102 recovery limits; civil liability for damages caused during a
1103 riot; limitation on attorney fees; statute of limitations;
1104 exclusions; indemnification; risk management programs.—

1105 (10)

1106 (j) For purposes of this section, the individual appointed
1107 under s. 486.023(5) as the state's delegate on the Physical
1108 Therapy Compact Commission, when serving in that capacity
1109 pursuant to s. 486.112, and any administrator, officer,
1110 executive director, employee, or representative of the Physical
1111 Therapy Compact Commission, when acting within the scope of his
1112 or her employment, duties, or responsibilities in this state, is



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1113 considered an agent of the state. The commission shall pay any
1114 claims or judgments pursuant to this section and may maintain
1115 insurance coverage to pay any such claims or judgments.

1116 Section 63. Section 486.025, Florida Statutes, is amended
1117 to read:

1118 486.025 Powers and duties of the Board of Physical Therapy
1119 Practice.—The board may administer oaths, summon witnesses, take
1120 testimony in all matters relating to its duties under this
1121 chapter, establish or modify minimum standards of practice of
1122 physical therapy as defined in s. 486.021, including, but not
1123 limited to, standards of practice for the performance of dry
1124 needling by physical therapists, and adopt rules pursuant to ss.
1125 120.536(1) and 120.54 to implement this chapter. The board may
1126 also review the standing and reputability of any school or
1127 college offering courses in physical therapy and whether the
1128 courses of such school or college in physical therapy meet the
1129 standards established by the appropriate accrediting agency
1130 referred to in s. 486.031(1)(c) ~~s. 486.031(3)(a)~~. In determining
1131 the standing and reputability of any such school and whether the
1132 school and courses meet such standards, the board may
1133 investigate and personally inspect the school and courses.

1134 Section 64. Paragraph (b) of subsection (1) of section
1135 486.0715, Florida Statutes, is amended to read:

1136 486.0715 Physical therapist; issuance of temporary permit.—

1137 (1) The board shall issue a temporary physical therapist
1138 permit to an applicant who meets the following requirements:

1139 (b) Is a graduate of an approved United States physical
1140 therapy educational program and meets all the eligibility
1141 requirements for licensure under ch. 456, s. 486.031(1)(a), (b),



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1142 and (c)1. s. ~~486.031(1)-(3)(a)~~, and related rules, except
1143 passage of a national examination approved by the board is not
1144 required.

1145 Section 65. Paragraph (b) of subsection (1) of section
1146 486.1065, Florida Statutes, is amended to read:

1147 486.1065 Physical therapist assistant; issuance of
1148 temporary permit.—

1149 (1) The board shall issue a temporary physical therapist
1150 assistant permit to an applicant who meets the following
1151 requirements:

1152 (b) Is a graduate of an approved United States physical
1153 therapy assistant educational program and meets all the
1154 eligibility requirements for licensure under ch. 456, s.
1155 486.102(1)(a), (b), and (c)1. s. ~~486.102(1)-(3)(a)~~, and related
1156 rules, except passage of a national examination approved by the
1157 board is not required.

1158
1159 ===== T I T L E A M E N D M E N T =====

1160 And the title is amended as follows:

1161 Delete line 341

1162 and insert:

1163 act; creating s. 486.112, F.S.; creating the Physical
1164 Therapy Licensure Compact; providing a purpose and
1165 objectives of the compact; defining terms; specifying
1166 requirements for state participation in the compact;
1167 authorizing member states to obtain biometric-based
1168 information from and conduct criminal background
1169 checks on licensees applying for a compact privilege;
1170 requiring member states to grant the compact privilege



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1171 to licensees if they meet specified criteria;
1172 specifying criteria licensees must meet to exercise
1173 the compact privilege under the compact; providing for
1174 the expiration of the compact privilege; requiring
1175 licensees practicing in a remote state under the
1176 compact privilege to comply with the laws and rules of
1177 that state; subjecting licensees to the regulatory
1178 authority of remote states where they practice under
1179 the compact privilege; providing for disciplinary
1180 action; specifying circumstances under which licensees
1181 are ineligible for a compact privilege; specifying
1182 conditions that a licensee must meet to regain his or
1183 her compact privilege after an adverse action;
1184 specifying locations active duty military personnel
1185 and their spouses may use to designate their home
1186 state for purposes of the compact; providing that only
1187 a home state may impose adverse action against a
1188 license issued by that state; authorizing home states
1189 to take adverse action based on investigative
1190 information of a remote state, subject to certain
1191 requirements; directing member states that use
1192 alternative programs in lieu of discipline to require
1193 the licensee to agree not to practice in other member
1194 states while participating in the program, unless
1195 authorized by the member state; authorizing member
1196 states to investigate violations by licensees in other
1197 member states; authorizing member states to take
1198 adverse action against compact privileges issued in
1199 their respective states; providing for joint



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1200 investigations of licensees under the compact;
1201 establishing the Physical Therapy Compact Commission;
1202 providing for the venue and jurisdiction for court
1203 proceedings by or against the commission; providing
1204 construction; providing for commission membership,
1205 voting, and meetings; authorizing the commission to
1206 convene closed, nonpublic meetings under certain
1207 circumstances; specifying duties and powers of the
1208 commission; providing for membership and duties of the
1209 executive board of the commission; providing for
1210 financing of the commission; providing for qualified
1211 immunity, defense, and indemnification of the
1212 commission; requiring the commission to develop and
1213 maintain a coordinated database and reporting system
1214 for certain information about licensees under the
1215 compact; requiring member states to submit specified
1216 information to the system; requiring that information
1217 contained in the system be available only to member
1218 states; requiring the commission to promptly notify
1219 all member states of reported adverse action taken
1220 against licensees or applicants for licensure;
1221 authorizing member states to designate reported
1222 information as exempt from public disclosure;
1223 providing for the removal of submitted information
1224 from the system under certain circumstances; providing
1225 for commission rulemaking; providing construction;
1226 providing for state enforcement of the compact;
1227 providing for the default and termination of compact
1228 membership; providing for appeals and costs; providing



1229 procedures for the resolution of certain disputes;
1230 providing for enforcement against a defaulting state;
1231 providing construction; providing for implementation
1232 and administration of the compact and associated
1233 rules; providing that compact states that join after
1234 initial adoption of the commission's rules are subject
1235 to such rules; specifying procedures for compact
1236 states to withdraw from the compact; providing
1237 construction; providing for amendment of the compact;
1238 providing construction and severability; amending s.
1239 456.073, F.S.; requiring the Department of Health to
1240 report certain investigative information to the data
1241 system; amending s. 456.076, F.S.; requiring
1242 monitoring contracts for certain impaired
1243 practitioners participating in treatment programs to
1244 contain specified terms; amending s. 486.023, F.S.;
1245 requiring the Board of Physical Therapy Practice to
1246 appoint an individual to serve as the state's delegate
1247 on the Physical Therapy Compact Commission; amending
1248 ss. 486.028, 486.031, 486.081, 486.102, and 486.107,
1249 F.S.; exempting physical therapists and physical
1250 therapist assistants from licensure requirements if
1251 they are practicing in this state pursuant to a
1252 compact privilege under the compact; amending s.
1253 486.125, F.S.; authorizing the board to take adverse
1254 action against the compact privilege of physical
1255 therapists and physical therapist assistants for
1256 specified prohibited acts; amending s. 768.28, F.S.;
1257 designating the state delegate and other members or



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1258 employees of the commission as state agents for the
1259 purpose of applying sovereign immunity and waivers of
1260 sovereign immunity; requiring the commission to pay
1261 certain claims or judgments; authorizing the
1262 commission to maintain insurance coverage to pay such
1263 claims or judgments; amending ss. 486.025, 486.0715,
1264 and 486.1065, F.S.; conforming cross-references;
1265 providing appropriations; providing effective