

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency Alabama Board of Physical Therapy  
Rule No. 700-X-2-.13  
Rule Title: Schedule of Fees Set by the Board

\_\_\_\_\_ New  Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? \_\_\_\_\_ NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? \_\_\_\_\_ YES

Is there another, less restrictive method of regulation available that could adequately protect the public? \_\_\_\_\_ NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? \_\_\_\_\_ YES

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? \_\_\_\_\_ NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? \_\_\_\_\_ YES

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Does the proposed rule have an economic impact? \_\_\_\_\_ YES

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *M. K. Harmer*  
Date *JAN. 23, 2013*

**ALABAMA BOARD OF PHYSICAL THERAPY**

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: 700-X-2-.13 Schedule of Fees Set by the Board


INTENDED ACTION: The Alabama Board of Physical Therapy proposes to amend the Schedule of Fees Set by the Board.

SUBSTANCE OF PROPOSED ACTION: The proposed amendment to rule 700-X-2-.13 will add fees for Continuing Education Providers to have courses reviewed for approval.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing or in person through the close of business on March 7, 2013. Those wishing to present views in person should contact the Board of Physical Therapy at 334/242-4064.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: March 7, 2013.

CONTACT PERSON AT AGENCY: Nettie Katharin Horner  
Executive Director  
Board of Physical Therapy  
100 North Union Street, Suite 724  
Montgomery, AL 36130-5040  
(334) 242-4064  
[nk.horner@pt.alabama.gov](mailto:nk.horner@pt.alabama.gov)

  
\_\_\_\_\_  
Nettie Katharin Horner  
Executive Director

Fiscal Note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

- (1) The Board members determined the need to establish a fee to providers of Continuing Education Courses for review of courses for approval so that licensees can be assured they are receiving professional information that will assist them in their profession and in turn will protect the public from incompetent practice of physical therapy.
- (2) This is a necessary fee to CE Vendors to have their courses reviewed for approval. The Board will contract with a vendor to provide review of non-live event courses, and their fee is \$150/course. The Board Office reviews live event courses which does not involve reviewing content for which the fee will be \$75/course. These will be short-term fees for course reviews until October 2013 when we will move to having all courses reviewed by ProCERT through the Federation of State Boards of Physical Therapy.
- (3) We do not foresee any adverse affect of the regulation on competition. We sent out a RFP to 155 licensees and their proposed fees were on average higher than the fees licensees had been paying to the PT Association to have courses reviewed.
- (4) There should be no effect on the cost of living and doing business in the geographical area in which this regulation is implemented.
- (5) There should be no effect on employment in the geographical area in which this regulation would be implemented.
- (6) The revenue for implementing and enforcing the regulation should be minimal and would come from office operation in the budget.
- (7) CE vendors are the only ones who will bear the increase in cost from this regulation.
- (8) Vendors are used to paying a fee to have courses reviewed for approval, but their courses must be pre-approved for licensees to take them and pay their cost to take the courses
- (9) There should be no effect of the regulation on the environment and public health.
- (10) The only detrimental effect on the environment and/or public health if the regulation is not implemented would be the licensees would have no pre-approved courses to take to fulfill their renewal requirement.

In considering whether to approve or disapprove this rule, please read the following:

- (1) The absence of the rule would not necessarily endanger the public health, safety, or welfare, but it might prevent licensees from having approved courses to take for their renewal requirements.
- (2) Yes, there is a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare.
- (3) Having courses reviewed for approval can assure the public that licensees are taking good courses to assure they are practicing with reasonable skill and safety.
- (4) The rule only affects vendors of continuing education who are required to pay a fee for having courses reviewed for approval.
- (5) No.
- (6) Yes.
- (7) ?

**700-X-2-.13 Schedule of Fees Set by the Board**

Application Fee – Endorsement or Examination – (PT or PTA).....	\$110
Annual Renewal Fee (PT).....	\$ 70
Annual Renewal Fee (PTA).....	\$ 50
Restoration Fee.....	\$ 50
Verification of AL Licensure.....	\$ 15
Directory of Licensees (PT).....	\$ 50
(PTA).....	\$ 50
Copy Records.....	\$1 /pg
Temporary License Section 34-24-215 (a) Code of AL 1975.....	\$100
<u>Continuing Education Vendor Fee for Review of Non-Live Event Courses</u>	<u>\$150/course</u>
<u>Continuing Education Vendor Fee for Review of Live Event Courses</u>	<u>\$ 75/course</u>

**Authors:** Wiley J. Christian III; John K. Cormier; Ron Bass; Andy Gustafson; Sonja K. Enfinger; Mitzi Tuttle; Amy Hall Smith; Vince Molyneux, John Cormier, Jay Segal, Eric Dekle, Mitzi Watson, Mary Jolley, Wiley J. Christian.

**Statutory Authority:** Code of Alabama 1975, §§34-24-193, 34-24-211, 34-24-214, 34-24-215(a), 34-24-216.

**History:** **Original rule filed:** March 7, 2007; effective April 11, 2007.

**Amended:** Filed January 22, 2013;