

259 CMR 7.00: CONTINUING COMPETENCE

Section

- 7.01: Continuing Competence Requirements
- 7.02: Verification/Approval of Registrant's Continuing Competence Activities
- 7.03: Verification/Approval of Provider Continuing Competence Programs and Activities
- 7.04: Waivers and Exemption from Continuing Competence
- 7.05: Appeals on Continuing Competence Matters

7.01: Continuing Competence Requirements

(1) Licensed physical therapists, physical therapist assistants, occupational therapists, and occupational therapy assistants (hereinafter collectively "physical therapy and occupational therapy professionals") are required, as a condition of license renewal, to complete a minimum of 24 points of Board recognized activities for maintaining continuing competence during the preceding biennial renewal period. For each renewal period, each physical and occupational therapy professional's continuing competency points must include two points in ethics, laws and regulations governing practice in the Commonwealth of Massachusetts, or some combination thereof. Provided, however, that no sooner than four years following April 29, 2022, the Board will review the continuing competence offerings in ethics and law and regulations governing practice in the Commonwealth of Massachusetts in order to assess the continued validity of this mandated subject-matter material, including the breadth, depth, and variety of materials offered to licensees as well as compliance with its mandate. For new physical therapy or occupational therapy professionals licensed by examination, this continuing competence requirement commences following their first renewal period after initial licensure.

Note: Athletic trainer continuing competence requirements are contained within the license renewal requirement at 259 CMR 4.03(2)(b), provided however that athletic trainers are subject to the mandated subject-matter material of two points in ethics, laws and regulations per renewal period contained in 259 CMR 7.01(1) and subject to the documentation, waiver and disciplinary requirements contained in the remaining sections of 259 CMR 7.00. For lapsed, expired, suspended, revoked, or surrendered licenses, continuing competence requirements as part of reinstatement are contained within 259 CMR 2.05: *Requirements for Reinstatement of a Lapsed/Expired License*.

(2) Board-approved continuing competence activities must relate to the science or contemporary clinical practice of physical therapy or occupational therapy and to the licensee's current or anticipated professional roles and responsibilities of the following type and variety.

(a) Publication. Published books, chapters of published books and/or articles in peer reviewed journals authored by the physical therapy or occupational therapy professional may be submitted for Board approval. A maximum of 22 of the total 24 points for activities to maintain continuing competence may be credited per book. A maximum of two points may be credited per book chapter or article published in a peer-reviewed journal.

(b) Presentation and Instruction. Presenters and instructors of academic courses, workshops, or seminars.

1. Academic Courses. Faculty may be credited with four points per academic credit awarded by the accredited degree-granting institution of higher education for a course.

2. Continuing Education Courses, Workshops and Seminars. Instructors may be credited one point for activities to maintain continuing competence for each contact hour of the activity taught by the instructor.

Such Board-approved instruction and presentation may count towards no more than ten of the required 24 points for activities to maintain continuing competence per renewal period and points will be awarded only for first time instruction and presentation of courses, workshops or seminars. Subsequent instruction and presentation of courses, workshops or seminars will be awarded ½ the respective value of points.

(c) Academic Coursework. Fully completed academic coursework, by the licensee, from an accredited, degree-granting institution of higher education may be submitted for no more than six of the required 24 points for activities to maintain continuing competence per renewal period, with one point per academic credit awarded by the accredited degree-granting institution of higher education.

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONALS

7.01: continued

(d) Continuing Competence Programs. Fully completed continuing competence programs may be submitted for up to 24 points, one point per contact hour or equivalent as awarded by the provider.

(e) Other continuing competence activities approved by the American Occupational Therapy Association, Inc. or the American Physical Therapy Association may be submitted for no more than six of the required 24 points for activities to maintain continuing competence per renewal period.

(3) Only those continuing competence activities which are completed during the required continuing competence period, 24 months prior to each renewal date, will be acceptable as qualifying continuing competence activities for that period.

(4) All continuing competence activities other than Board approved continuing competence programs set forth in 259 CMR 7.03(2) are subject to approval by the Board.

7.02: Verification/Approval of Registrant's Continuing Competence Activities

(1) At the time of license renewal, each physical therapy and occupational therapy professional is required to submit to the Board a signed statement on a form provided by the Board attesting under the pains and penalty of perjury to satisfaction of the continuing competence requirements.

(2) For each continuing competence point earned by participation in a continuing competence program or academic coursework, a physical therapy or occupational therapy professional must be able to provide documentation of the following:

- (a) the title of the program or course, course outline/objectives and faculty with qualifications;
- (b) the number of hours spent in the program or course;
- (c) the date(s) and location that the program or course was given; and
- (d) the name of the Board-recognized entity that reviewed and approved the program or course. Board recognized entities include, but are not limited to, APTA, FSBPT, AOTA and such other entities identified in 259 CMR 7.03(2).

(3) For each continuing competence activity point earned from publication of books, chapters of books and/or articles in refereed journals, a physical therapy or occupational therapy professional must be able to provide documentation of the following information:

- (a) the title of the book, chapter or article and, in the case of a chapter or article, the title of the book or name of the journal in which it appears;
- (b) the date of publication; and
- (c) the names of any co-authors.

The Board may require the physical therapy or occupational therapy professional to provide a copy of the book, chapter or article submitted in fulfillment of the continuing competence activity requirements.

(4) For each continuing competence activity point earned by the teaching of courses, workshops or seminars or participation in other activities pursuant to 259 CMR 7.01(2)(e), the physical therapy or occupational therapy professional must be able to document the following information:

- (a) the title of the course or other activity;
- (b) date(s) the course or other activity was presented or participated in and, in the case of a course, all previous dates the course was presented and if revised, the nature and extent of such revisions;
- (c) institution or sponsoring agency;
- (d) the number of hours the physical therapy or occupational therapy professional spent teaching or participating in the other activity; and
- (e) such other documentation as the Board may require.

259 CMR: BOARD OF ALLIED HEALTH PROFESSIONALS

7.02: continued

- (5) The Board may review and/or randomly audit the documentation of any physical therapy or occupational therapy professional's continuing competence requirements and may request the documentation described in 259 CMR 7.02(1) through (4) or additional documentation for two prior licensure renewal/periods. The Board shall determine whether the activity/program documentation submitted meets all criteria for continuing competence as specified in 259 CMR 7.00.
- (6) Continuing competence activities which do not meet the requirements of 259 CMR 7.00 may be rejected in part or in whole by the Board.
- (7) Any incomplete or inaccurate documentation of continuing competence activities may be rejected in part or in whole by the Board.
- (8) The Board may determine such additional requirements that must be fulfilled in order to allow a physical therapy or occupational therapy professional who has not met the continuing competence requirement to renew his or her license.
- (9) Failure to complete or provide required documentation of completion of continuing competence requirements may result in non-renewal of a license or disciplinary action.
- (10) Falsification of reports of continuing competence activities or misrepresentation of any material fact concerning the completion of such continuing competence activities by a licensee shall constitute grounds for disciplinary action by the Board.

7.03: Verification/Approval of Provider Continuing Competence Programs and Activities

- (1) For a program or activity to be eligible for approval for continuing competence points, the program or activity content shall directly relate to the practice of occupational therapy or physical therapy in the Commonwealth and the educational objectives shall exceed a basic level of knowledge as it relates to physical therapy or occupational therapy professional practice.
- (2) Programs or activities meeting the requirements of 259 CMR 7.03(1) and endorsed or sponsored by the following organizations shall be deemed approved for continuing competence points:
 - (a) The activity or program is presented or conducted by a graduate or undergraduate physical therapy or occupational therapy school, program or department accredited by the Accreditation Council for Occupational Therapy Education or the Commission on Accreditation in Physical Therapy Education;
 - (b) The activity or program has been reviewed and approved for continuing competence credit by the Federation of State Boards of Physical Therapy, the American Physical Therapy Association, the American Occupational Therapy Association, Inc., the Board of Certification, Inc., or a state, regional or professional society or association in the field of physical or occupational therapy;
 - (c) The activity or program has been approved for continuing competence credit by a governmental agency in any other state, province, territory or political subdivision of the United States or Canada which is responsible for the licensure, certification or registration of physical therapists or occupational therapists; or
 - (d) The activity or program has been reviewed and approved by a local, state or federal governmental health agency, health institution or an accredited community or teaching hospital.

The Board may approve other organizations sponsoring or endorsing continuing competence programs or activities by way of policy published on the Board's website.
- (3) The Board may approve other continuing competence programs or activities that comply with 259 CMR 7.03(1) if the organization providing the program or activity or the physical therapy or occupational therapy professional submits to the Board the following information at least 90 days prior to commencement of the program or offering the activity or at the time of an audit:

7.03: continued

- (a) name, date, and location of continuing competence program or activity;
- (b) detailed description of the program or activity content;
- (c) description of the educational objectives;
- (d) description of each instructor's education, training, and experience background; and
- (e) continuing competence contact hours or other equivalent unit offered for completing the program or activity.

(4) The Board shall revoke the approval of any continuing competence program or activity for failure of the provider or licensee to comply with the provisions of 259 CMR 7.03.

7.04: Waivers of Continuing Competence Requirements

(1) The Board may waive the continuing competence requirement for any physical therapy or occupational therapy professional who, for reasons of health, disability, out of state military service, or undue hardship, cannot meet the requirements.

(2) An application for a waiver, containing all supporting documentation, shall be submitted to the Board on a form provided by the Board at least 45 days before the end of the licensee's renewal cycle.

(3) Waivers of continuing competence requirements shall be effective for no more than one renewal period.

(4) After expiration of a waiver, a physical therapy or occupational therapy professional may apply for a waiver for up to an additional renewal period.

(5) If a temporary waiver is granted, the physical therapy or occupational therapy professional shall comply with all continuing competence requirements for all subsequent renewal periods, after such time that the waiver expires unless a subsequent waiver is granted.

7.05: Appeals on Continuing Competence Matters

Any individual who wishes to appeal the decision of the Board regarding continuing competence matters must submit a letter of appeal to the Board within 21 days of the receipt of the Board's decision. The person making the appeal must supply the Board with any requested additional data and may be asked to appear before the Board. The Board reserves the right, upon request of a physical therapy or occupational therapy professional, to allow the physical therapy or occupational therapy professional to practice physical therapy or occupational therapy during the Board's appeals process.

REGULATORY AUTHORITY

259 CMR 7.00: M.G.L. c. 112, § 23M.