



Board President's Message

Dear Colleague,

We are aware that opioid abuse, addiction, and overdose have reached epidemic levels in the United States, at different proportions in certain regions, impacting patients, families, and even health professionals and colleagues. I wanted to take this opportunity to reach out to fellow practitioners about the services offered by the Virginia Health Practitioners' Monitoring Program (HPMP). HPMP provides assistance to healthcare professionals with a substance use disorder, mental health or physical condition that may be impairing.



Arkena L. Dailey,
PT, DPT

HPMP refers healthcare practitioners for appropriate treatment and provides ongoing monitoring of progress, facilitates and supports the recovery process with the end goal of returning practitioners to safe, productive practice. For some practitioners, HPMP may serve as an alternative to disciplinary or public action.

HPMP is voluntary and confidential. For more information about HPMP, please view the [HPMP flyer](#), visit the [HPMP homepage](#), or contact the HPMP program directly at 866-206-4747.

Respectfully,

Arkena L. Dailey, PT, DPT, CIMT, FMT

The PT Licensure Compact

On March 8, 2019, Governor Northam signed into law [SB 1106](#), which permits the Commonwealth of Virginia to become part of the Physical Therapy Licensure Compact. The provisions of the Compact will become effective in Virginia on January 1, 2020.

The purpose of the Compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. This is accomplished by mutual recognition of physical therapist and physical therapist assistant licensure by Compact member states through a system of "Compact privileges."

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Contact the Board

Virginia Board of Physical Therapy

9960 Mayland Drive, Suite 300

Henrico, VA 23233

804-367-4674 – Office

804-527-4413 – Fax

ptboard@dhp.virginia.gov

<http://www.dhp.virginia.gov/PhysicalTherapy/>

Hours: 8:15 a.m.- 5:00 p.m., Monday-Friday

Board Members

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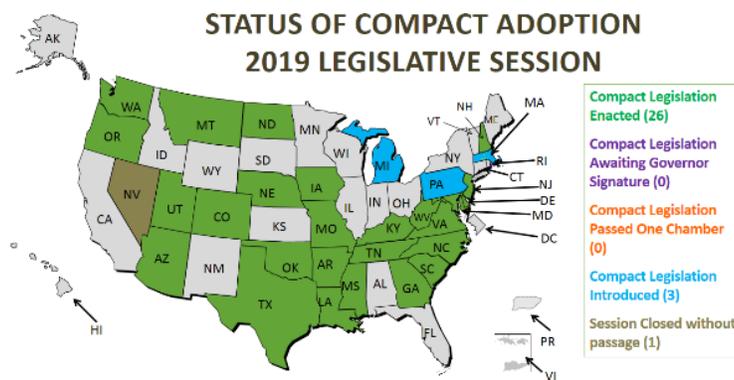
What is the PT Licensure Compact? (Cont'd)

A **“Compact Privilege”** is the authorization to work in a Compact member state other than your home state. To be eligible for a Compact Privilege, you must hold an active PT or PTA license in your home state and meet other eligibility criteria, such as having no disciplinary action against your license for at least two years. When eligibility is verified and all fees are paid, you receive the Compact Privilege and may begin legally working in the other remote state.

Also of note, the new legislation requires applicants for licensure as a physical therapist or physical therapist assistant to undergo a criminal background check as a prerequisite for licensure in Virginia. These requirements will also become effective on January 1, 2020. More information about the background check requirement can be found below.

For more information on the Compact and how the compact privilege process works, please visit the website for the Physical Therapy Licensure Compact at www.ptcompact.org.

While the provisions of the Compact will not become effective in Virginia until January 1, 2020, stay tuned to the Board’s website for updates and additional information.



Criminal Background Check Requirement for New Applicants Effective January 1, 2020



Effective January 1, 2020, the Virginia Board of Physical Therapy will require fingerprint-based state and federal (FBI) background checks for all initial PT and PTA applicants for licensure in Virginia. This includes applicants seeking licensure by examination (new applicants) and by endorsement (currently licensed applicants from another state).

The processing time for criminal background checks may vary. Notification of the results should be available to the Board within 24-48 hours if the applicant does not have a criminal history. However, if an applicant has a criminal history, the actual results may not be available for 30 days or more, depending upon the timelines for processing by the Virginia State Police (VSP) and/or the Federal Bureau of Investigation (FBI).

The criminal background check requirement is only part of the application process; applicants must comply with all other application requirements. For more information and to access applications for licensure, please visit the Board’s website.



Pending Regulatory Actions

Practice of Dry Needling

Stage: Final

Summary: The final regulatory action on dry needling includes reference to the statutory requirement for referral and direction from a medical practitioner, requirements for additional post-graduate training and the content of such training, and a requirement for informed consent.

Status: At the Department of Planning and Budget



Periodic Review of Board Regulations

Stage: Proposed

Summary: The Board has adopted proposed amendments to ensure more clarity in supervision of trainees, facilitate renewal of licensure by modifying the active practice requirement, facilitate return to practice for some PTs with inactive or lapsed licenses, coordinate rules for foreign-trained applicants with requirements of FSBPT for approval to sit for the licensing examination, recognize PT licensure in Canada as qualification for endorsement, and expand the approval of entities that may offer or accredit continuing education.

Status: At the Department of Planning and Budget

Emergency Regulations – PT Licensure Compact

Stage: Emergency/NOIRA

Summary: Legislation passed during the 2019 General Assembly Session (SB 1106) mandated that the Board of Physical Therapy promulgate regulations to implement the provisions of the Physical Therapy Licensure Compact (“Compact”) within 280 days of the legislation’s enactment. The amendments to Chapter 20 of the Board’s regulations are necessary for participation by Virginia in the Compact. The amended language includes language related to required criminal background checks for licensure, adherence to Virginia statutes and regulations while practicing in Virginia, and the state fee for having a Compact privilege in Virginia.

Status: At the Department of Planning and Budget



Pending Guidance Document – Receipt of Verbal Orders for Medications by Physical Therapists



Stage: Pending

Summary: At the August 13, 2019, Board Meeting, the Board voted to adopt a proposed Guidance Document, 112-3, Guidance on Receipt of Verbal Orders for Medications by Physical Therapists.

Status: Proposed Public Comment Period: September 2, 2019 to October 2, 2019

For more information or updates on these pending regulatory actions, please visit The Virginia Regulatory Townhall Website at <http://www.townhall.virginia.gov/index.cfm>.

Q&A – Invasive Procedures and Referrals

Question: Do certain procedures require referrals from a physician or other practitioner before a patient can be treated by a physical therapist?



Answer: The Code of Virginia, specifically [§ 54.1-3482\(D\)](#), provides the following regarding the performance of invasive procedures:

D. Invasive procedures within the scope of practice of physical therapy shall at all times be performed only under the referral and direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician.

While the term “invasive procedure” is not defined in the Code of Virginia or Board regulations, the Board has provided additional guidance on two specific areas of practice: [Guidance Document 112-14](#), [Guidance on Electromyography \(EMG\) and Sharp Debridement in the Practice of Physical Therapy](#).

To access a complete copy of the Board’s laws and regulations, visit the Board’s [Laws and Regulations Page](#).



Information for Practitioners – CBD and THC-A Oils

What is cannabidiol (CBD) oil? What is THC-A oil?

[Section 54.1-3408.3](#) of the *Code of Virginia* defines cannabidiol oil and THC-A oil:

"Cannabidiol oil" means any formulation of processed Cannabis plant extract that contains at least 15 percent cannabidiol but no more than five percent tetrahydrocannabinol, or a dilution of the resin of the Cannabis plant that contains at least five milligrams of cannabidiol per dose but not more than five percent tetrahydrocannabinol. "Cannabidiol oil" does not include industrial hemp, as defined in § 3.2-4112, that is grown, dealt, or processed in compliance with state or federal law.



"THC-A oil" means any formulation of processed Cannabis plant extract that contains at least 15 percent tetrahydrocannabinol acid but not more than five percent tetrahydrocannabinol, or a dilution of the resin of the Cannabis plant that contains at least five milligrams of tetrahydrocannabinol acid per dose but not more than five percent tetrahydrocannabinol.

Note: The CBD oil from this definition and subject to regulation by the Board of Pharmacy is not the hemp-based CBD oil that is commonly advertised in various locations.

What are the requirements for practitioners, patients, and parents/guardians?

The law currently provides for an affirmative defense for a patient, parent/legal guardian to possess cannabidiol (CBD) oil or THC-A oil as defined in [§54.1-3408.3](#) of the Code of Virginia who has been issued a valid written certification from a Board of Pharmacy-registered practitioner and who maintains a current registration with the Board of Pharmacy. Before a practitioner can issue or continue issuing written certifications, he or she must now register with the Board of Pharmacy. A patient/parent/guardian must have a written certification issued to them prior to applying for registration with the Board of Pharmacy and possessing the oils.

Only the following practitioners are eligible to obtain board registration for issuing a written certification for recommending the use of cannabidiol oil or THC-A oil: a practitioner of medicine or osteopathy licensed by the Board of Medicine, and as of July 1, 2019, a physician assistant licensed by the Board of Medicine, or a nurse practitioner jointly licensed by the Board of Medicine and the Board of Nursing. ([Va. Code § 54.1-3408.3](#))

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Information for Practitioners – CBD and THC-A Oils (Cont'd)

What are pharmaceutical processors?

A pharmaceutical processor is a facility that has obtained a permit from the Board of Pharmacy pursuant to §54.1-3408.3 to cultivate Cannabis plants for the production of cannabidiol oil or THC-A oil, and dispense the oil to patients registered by the Board of Pharmacy for treatment or to alleviate the symptoms of any diagnosed condition or disease determined by the physician to benefit from such use. As set forth in §54.1-3442.6 of the Code of Virginia, the Board may issue or renew a maximum of five permits, one for each health service area established by the Board of Health. The application process for pharmaceutical processor permits will occur in three stages: submission of initial application, awarding of conditional approval, and granting of a pharmaceutical processor permit. The Board issued conditional approval to five applicants in 2018. It is anticipated these pharmaceutical processors will be operational in late 2019, following construction and board inspection. Once operational, it will take approximately 4-6 months to grow the plants and produce the products. Thus, the oil products will likely not be available for purchase until 2020.

For more information about CBD and THC-A oil and the pharmaceutical processing program, including FAQs and registration applications, please visit the [Pharmaceutical Processors](#) page for the Board of Pharmacy.

aPTitude and oPTion Programs Discontinued

The FSBPT Board of Directors recently announced the discontinuation of two programs related to continuing competence - aPTitude, a free registry service for tracking and monitoring continuing education (CE), and oPTion, a self-directed assessment tool for physical therapists. The aPTitude and oPTion systems will close down on December 31, 2019.

If you have an aPTitude account, the program will allow you the ability to download any of the certificates of completion that you uploaded to system. If you do not download your information by December 31, 2019, you will no longer have access to this information. This [short video](#) from FSBPT provides step-by-step instructions for downloading your information.

Please contact the FSBPT at communications@fsbpt.org or (703) 299-3100 with any questions.





Recent Case Decisions

Did you know that you can access information related to disciplinary cases considered by the Board? The Board's recent case decisions and the public orders can be found on the Board's website by clicking [here](#).

For more information about the disciplinary process, please visit our website to learn more about the [Enforcement process](#) or the [Administrative Proceedings Division](#).



Notification of Changes to Issuance of Licenses

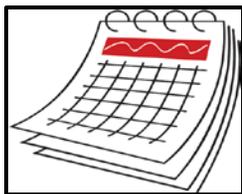
The Board of Physical Therapy is implementing a process to cease mailing hard-copy licenses on a biennial basis that bear an expiration date. A final hard copy of a license will be issued that contains no expiration date. For most currently licensed physical therapists and physical therapist assistants, this final hard copy will be issued during the biennial renewal cycle that ends on December 31, 2020. Beginning January 1, 2020, all newly issued licenses will not bear an expiration date.

State health regulatory boards, employers, insurance providers and citizens seeking verification of current licensure status of any license, registration, or permit in the Commonwealth of Virginia may obtain this information via [License Lookup](#). Information obtained via License Lookup serves as primary source verification.

Individuals may request a replacement or duplicate of a final hard-copy license through [an individual online account](#).

Upcoming Board Meetings

The Board of Physical Therapy will hold quarterly Board meetings at the Department of Health Professions, 9960 Mayland Drive, Suite 200, Richmond, VA 23233 on the following dates in 2019 and 2020:



- November 12, 2019
- February 13, 2020
- May 12, 2020
- August 11, 2020
- November 17, 2020

You can stay up-to-date by reviewing the Board's meeting minutes by clicking [here](#).