



Physical Therapy Board of California

STATE AND CONSUMER SERVICES AGENCY – EDMUND G. BROWN JR., GOVERNOR

Physical Therapy Board of California

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1 Briefing Paper

AGENDA ITEM# 14C

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3 Date: 1/04/12

4 Prepared for: PTBC Members

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6 SUBJECT: Continuing Competency

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8 **Purpose:** Identify Continuing Competency Program Components in Need of Review.

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10 **Background:** In November of 2009, California Code of Regulations (CCR) 1399.90-1399.99
11 was enacted to require all physical therapists and physical therapist assistants renewing their
12 license to complete a required number of hours of continuing competency activity. These
13 requirements became effective for licensees with October 31st 2010 renewal expiration. Auditing
14 of licensee compliance started with a 10% sample rate. After the first quarter of audits, it was
15 determined that an increase of sample size to 20% was required, due to lack of compliance.
16 Since its inception Continuing Competency has struggled with workload versus staffing
17 problems. Now, with just over a year of the new requirement, we have a useful data sample to
18 make an affective analysis of the program.

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20 **Analysis:** After 16 months of qualified renewals, it has become apparent that the auditing of
21 licensees compliance requires additional staff to maintain the current sample size. Due to
22 priority, the licensee compliance audits started with 2 employees working on the project part
23 time. Unfortunately the project coordinator left state service in May of 2011. This, in turn,
24 created an additional burden on the workload, causing a backlog of almost a year. The PTBC
25 has had to divert staff resources from other units (application, licensing, and enforcement) to
26 address problems of the Continuing Competency program. The prioritization of applications,
27 licensing, license maintenance and enforcement, hinders the PTBC from conducting timely and
28 effective audits of licensee compliance.

29 There are a number of other components of the Continuing Competency program that
30 require attention as well, such as, Auditing of the Recognized Approval Agencies. The auditing
31 process of Recognized Approval Agencies is currently in its infancy. The audits of Recognized

32 Approval Agencies started in January of 2012. As a first step, a Records Compliance Template
33 (RCT) was sent to each Recognized Approval Agency. This will allow the PTBC to create a
34 database of Recognized Approval Agencies, Approved Providers as well as Approved Courses.
35 The database will help the PTBC target the most appropriate Recognized Approval Agencies,
36 Approved Providers and Approved Courses in need of audit.

37 A Continuing Competency team has been formed, comprised of staff from the
38 Applications, Licensing, and Enforcement units. They are tasked with creating new audit
39 processes, troubleshooting and streamlining of the existing processes, as well as form creation
40 and website maintenance, in an effort to make the program more efficient. All the while, this
41 team, with the exception of one staff member is still responsible for duties in their home units.

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43 **Action Requested:** To conduct an effective Continuing Competency program, additional staff
44 will need to be acquired. This would require a Budget Change Proposal (BCP). The funding for
45 additional staff could be offset by imposing a fee to cover the costs of the program as pursuant
46 to Section 2676(c) of the Business and Professions Code.

47 Section 2676(c) of the Business and Professions Code

48 (a) A person renewing his or her license or approval shall submit proof satisfactory to the board
49 that, during the preceding two years, he or she has completed the required number of
50 continuing education hours established by regulation by the board, or such other proof of
51 continuing competency as the board may establish by regulation. Required continuing
52 education shall not exceed 30 hours every two years.

53 (b) The board shall adopt and administer regulations including, but not limited to, continuing
54 education intended to ensure the continuing competency of persons licensed or approved
55 pursuant to this chapter. The board may establish different requirements for physical
56 therapists and physical therapist assistants. The board may not require the completion of an
57 additional postsecondary degree or successful completion of an examination as a condition
58 of renewal, but may recognize these as demonstrative of continuing competency. This
59 program shall include provisions requiring random audits of licensees and holders of
60 approval in order to ensure compliance.

61 (c) **The administration of this section may be funded through professional license fees,**
62 **continuing education provider and course approval fees, or both. The fees shall not**
63 **exceed the amounts necessary to cover the actual costs of administering this**
64 **section.**