

NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS

Kathleen O. Arney, PT, MA
Executive Director

December 19, 2016

Joint Legislative Commission on Governmental Operations
16 West Jones Street
Raleigh, NC 27601

To Whom It May Concern:

The North Carolina Board of Physical Therapy Examiners respectfully asks for consideration of a proposed fee increase for PT/PTA License Renewals to \$120.00 in 2017 (see attached Proposed Rule 21 NCAC 48F. 0102. Fees.) The current fee for License Renewal is \$100.00 annually. Statute allows for the annual license renewal fee to go up to \$120.00 (see below).

The statutory authority for this Rule change is in the North Carolina Physical Therapy Practice Act - G.S. 90-270.33. Fees:

The Board may collect fees established by its rules, but those fees shall not exceed the following schedule for the specified items:

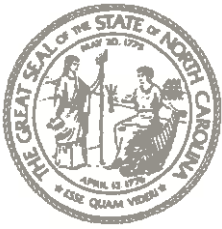
(1) Each application for licensure.....	\$150.00
(2) License Renewal.....	\$120.00
(3) Transfer/verification/replace certificate.....	\$ 30.00
(4) Examination retake.....	\$ 60.00
(5) Late renewal	\$ 20.00
(6) Licensure revival (in addition to renewal)	\$ 30.00
(7) Directory	\$ 10.00
(8) Licensee lists or labels	\$ 60.00

The current North Carolina Physical Therapy Board Rule's referencing Fees is:

21 NCAC 48F. 0102. Fees

(a) The following fees are charged by the Board:

- (1) application for physical therapist licensure, one hundred fifty dollars (\$150.00);
- (2) application for physical therapist assistant licensure, one hundred fifty dollars (\$150.00);
- (3) **renewal for all persons, one hundred dollars (\$100.00);**
- (4) penalty for late renewal, twenty dollars (\$20.00) plus renewal fee;
- (5) revival of license lapsed less than five years, thirty dollars (\$30.00) plus renewal fee;
- (6) transfer of licensure information fee, including either the examination scores or licensure verification or both, thirty dollars (\$30.00);
- (7) retake examination, sixty dollars (\$60.00);
- (8) certificate replacement or duplicate, thirty dollars (\$30.00);
- (9) directory of licensees, ten dollars (\$10.00);
- (10) licensee list or labels or any portion thereof for physical therapists, sixty dollars (\$60.00);
- (11) licensee list or labels or any portion thereof for physical therapist assistants, sixty dollars (\$60.00);
- and
- (12) processing fee for returned checks, maximum allowed by law.



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- (b) The application fee is not refundable.
(c) Payment of application fees listed in Subparagraphs (a)(1) and (2) of this Rule must be made by certified check, cash, credit card or debit card.

History Note: Authority G.S. 25-3-506; 90-270.29; 90-270.33; Eff. February 1, 1976; Readopted Eff. September 30, 1977; Amended Eff. August 1, 1998; October 1, 1995; October 1, 1994; November 1, 1991; August 1, 1991; Temporary Amendment Eff. October 1, 1999; Amended Eff. July 1, 2013; December 1, 2006; August 1, 2002; August 1, 2000

The rationale for the Proposed Rule Increase is:

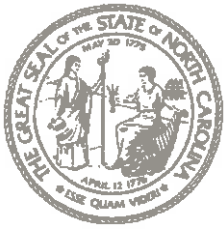
- License renewal fees have not been increased since the year 2000.
- In addition, the Board is experiencing increased legal expenses.
- The increase in the number of licensees (6502 since 2000) has required additional staff to provide better technology, including website resources and monitoring for and consumer access to information, online complaint filing and customer service for public protection.

The fiscal impact is noted on the attached sheet (Attachment 1). The rows highlighted in yellow illustrate the fiscal impact to the private sector of the proposed \$20.00 dollar license renewal fee increase. Also attached is the proposed rule 21 NCAC 48F .0102 (Attachment 2).

Thank you for your time and consideration of our proposed rule change.

Sincerely,

Kathy O. Arney, PT, MA
Executive Director, NCBPTE
karney@ncptboard.org
(P) 919-490-6393
(W) www.ncptboard.org
(F) 919-490-5106
18 West Colony Place #140
Durham, North Carolina 27705



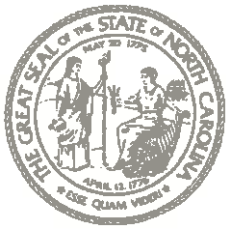
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Attachment 1

Kathleen O. Arney, PT, MA
Executive Director

Attachment - Impact Statement North Carolina Board of Physical Therapy Examiners (NCBPTE)

	21 NCAC 48F. 0102. Fees	NCBPTE Current Fees	NCBPTE Actual Revenues FY 7/1/15- 6/30/16	NCBPTE Budgeted Revenue FY - \$100 7/1/16- 6/30/17	NCBPTE Proposed Fees on 8/1/2017	NCBPTE Projected Revenue with Fee Increase 8/1/2017
Applications						
	Licensee Fee PT Exam Out of State	\$150.00	\$3,600.00	\$5,000.00	\$150.00	\$5,000.00
	License Fee PTA Exam Out of State	\$150.00	\$150.00	\$200.00	\$150.00	\$200.00
	Licensee Fee PT Exam	\$150.00	\$51,600.00	\$45,000.00	\$150.00	\$45,000.00
	Licensee Fee PTA Exam	\$150.00	\$29,100.00	\$24,500.00	\$150.00	\$24,500.00
	Licensee Fee PT Endorsement	\$150.00	\$62,550.00	\$65,000.00	\$150.00	\$65,000.00
	License Fee PTA Endorsement	\$150.00	\$17,400.00	\$14,500.00	\$150.00	\$17,400.00
License Renewals						
	Renewals PT	\$100.00	\$744,230.00	\$756,000.00	\$120.00	\$907,200.00
	Renewals PTA	\$100.00	\$242,310.00	\$341,000.00	\$120.00	\$409,200.00
License Transfers						
	Transfer Fee PT/PTA	\$30.00	\$21,600.00	\$20,000.00	\$60.00	\$20,000.00
Exam Retake						
	Retake Fee PT	\$60.00	\$4,680.00	\$1,500.00	\$60.00	\$1,500.00
	Retake Fee PTA	\$60.00	\$6,120.00	\$1,000.00	\$60.00	\$1,000.00
License Revivals						
	Revival Fee PT	\$30.00	\$7,950.00	\$7,000.00	\$30.00	\$7,000.00
	Revival Fee PTA	\$30.00	\$2,100.00	\$2,800.00	\$30.00	\$2,800.00
Licensee Lists						
	Licensee List PT/PTA	\$60.00	\$8,490.00	\$7,000.00	\$60.00	\$7,000.00
	License Renewal increase by \$20.00 represents an increase of projected revenue in FY 2018, which is the Total Impact on the Private Sector due to the proposed rule change					\$219,400.00



NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS

Attachment 2

Kathleen O. Arney, PT, MA
Executive Director

1 21 NCAC 48F .0102 is proposed for amendment as follows:

2 |

3 21 NCAC 48F .0102 FEES

4 (a) The following fees are charged by the Board:

- 5 (1) application for physical therapist licensure, one hundred fifty dollars (\$150.00);
- 6 (2) application for physical therapist assistant licensure, one hundred fifty dollars (\$150.00);
- 7 (3) renewal for all persons, one hundred ~~twenty~~ dollars ~~(\$100.00); (\$120.00);~~
- 8 ~~(4) penalty for late renewal, twenty dollars (\$20.00) plus renewal fee;~~
- 9 ~~(5) (4) revival of license lapsed less than five years, thirty dollars (\$30.00) plus renewal fee;~~
- 10 ~~(6) (5) transfer of licensure information fee, including either the examination scores or licensure~~
- 11 ~~verification or both, thirty dollars (\$30.00);~~
- 12 ~~(7) (6) retake examination, sixty dollars (\$60.00);~~
- 13 ~~(8) (7) certificate replacement or duplicate, thirty dollars (\$30.00);~~
- 14 ~~(9) directory of licensees, ten dollars (\$10.00);~~
- 15 ~~(10) (8) licensee list or labels or any portion thereof for physical therapists, sixty dollars (\$60.00);~~
- 16 ~~(11) (9) licensee list or labels or any portion thereof for physical therapist assistants, sixty dollars (\$60.00);~~
- 17 and
- 18 ~~(12) (10) processing fee for returned checks, maximum allowed by law.~~

19 (b) The application fee is not refundable.

20 (c) Payment of application fees listed in Subparagraphs (a)(1) and (2) of this Rule must be made by certified check,
21 cash, credit card or debit card.

23 *History Note: Authority G.S. 25-3-506; 90-270.29; 90-270.33;*

24 *Eff. February 1, 1976;*

25 *Readopted Eff. September 30, 1977;*

26 *Amended Eff. August 1, 1998; October 1, 1995; October 1, 1994; November 1, 1991; August 1,*
27 *1991;*

28 *Temporary Amendment Eff. October 1, 1999;*

29 *Amended Eff. August 1, 2017; July 1, 2013; December 1, 2006; August 1, 2002; August 1, 2000.*

1 **21 NCAC 48F .0102 is proposed for amendment as follows:**

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3 **21 NCAC 48F .0102 FEES**

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NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

☒ Notice with a scheduled hearing

☐ Notice without a scheduled hearing

☐ Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 13. If a hearing is scheduled, complete block 5.

Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncptboard.org/>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☐ ADOPTION:

☐ READOPTION with substantive changes:

☐ READOPTION without substantive changes:

X AMENDMENT: 21 NCAC 48F .0102 Fees

☐ REPEAL:

4. Proposed effective date: August 1, 2017

5. Is a public hearing planned? X Yes ☐ No

If yes: Public Hearing date: March 15, 2017

Public Hearing time: 2:00 p.m.

Public Hearing Location: Siena Hotel, 1505 East Franklin Street, Chapel Hill, NC 27514

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s): The proposed amendments to this rule will revise license renewal fees. These fees have not been revised since 2000, however there has been a steady increase in licensees since then. The increase in the number of licensees (6502 since 2000) has required hiring additional staff personnel to provide better technology, including website resources and monitoring for and consumer access to information, online complaint filing and customer service for public protection. In addition, the Board is experiencing increased legal expenses.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

☐ Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Kathy O. Arney, PT, MA

Address: NC Board of PT Examiners

18 West Colony Place, Suite 140

Durham, NC 27705

Phone (optional): 919-490-6393

Fax (optional): 919-490-5106

E-Mail (optional): karney@ncptboard.org

10. Comment Period Ends: March 20, 2017

11. Fiscal impact (check all that apply).

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected
Analysis submitted to Board of Transportation
- ☐ Local funds affected
- ☐ Substantial economic impact ($\geq \$1,000,000$)
- ☐ Approved by OSBM
- ☒ No fiscal note required by G.S. 150B-21.4
- ☐ No fiscal note required by G.S. 150B-21.3A(d)(2)

12. Rule-making Coordinator:

Kathy O. Arney, PT, MA

Address: NC Board of PT Examiners

18 West Colony Place, Suite 140

Durham, NC 27705

Phone: 919-490-6393

E-Mail: karney@ncptboard.org

Agency contact, if any: Same as above

Phone: Same as above

E-mail: Same as above

13. The Agency formally proposed the text of this rule(s) on

Date: January 17, 2017

14. Signature of Agency Head* or Rule-making Coordinator:

Kathy O. Arney, PT, MA

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Kathy O. Arney, PT, MA

Title: Rulemaking Coordinator