**02-393**

Office of Professional and Occupational Regulation

**BOARD OF EXAMINERS IN PHYSICAL THERAPY**

2025-2026 Regulatory Agenda

AGENCY UMBRELLA-UNIT NUMBER: **02-393**

AGENCY NAME: Department of Professional & Financial Regulation, Office of Professional and Occupational Regulation, **Board of Examiners in Physical Therapy**

CONTACT INFORMATION for thE agency **RULEMAKING LIAISON**: Penny Vaillancourt, Director, OPOR, 35 State House Station, Augusta, ME 04333, 207-441-7153, penny.vaillancourt@maine.gov

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None.

**EXPECTED 2025-2026 RULE-MAKING ACTIVITY:**

Expected rulemaking will be to implement legislation governing licensure by endorsement and provisional licensure, telehealth services and continuing education requirements as a condition of licensure renewal. A review for conformance with statutes and current rules will be conducted and updated as may be necessary, including an update to discontinue the use of the terms “handicap,” “handicapped” and “hearing impaired” pursuant to 36 M.R.S. § 2557, sub-§2.

The Board will delete the character references for initial licensing. The Board may also review and update the code of professional practice as may be necessary.

**CHAPTER 1: Definitions**

STATUTORY BASIS: 32 M.R.S. § 3112(5)(C)

PURPOSE: The chapter defines certain professional terms used throughout the Board’s rules. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 2: General Provisions**

STATUTORY BASIS: 32 M.R.S. § 3112(5)(C)

PURPOSE: The chapter contains provisions describing the conduct of meetings and hearings, acting on requests for advisory rulings, complaint and investigation procedures and record keeping. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 3: Licensure Requirement for Physical Therapists and Physical Therapist Assistants**

STATUTORY BASIS: 32 M.R.S. §§ 3112(5)(A), (B), and (C), 3114-A, 3116

PURPOSE: The chapter states the requirements for issuance of a license to practice physical therapy, including application, education, experience, and references. The Board may review this chapter for conformance with law and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 4: Standards for Supervision of Physical Therapist Assistants and Physical Therapy Aids**

STATUTORY BASIS: 32 M.R.S. §§ 3112(5)(C), 3113-B(6)

PURPOSE: The chapter establishes the standards by which physical therapist assistants and physical therapy aids will be supervised. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 5: Enforcement and Disciplinary Procedures**

STATUTORY BASIS: 32 M.R.S. § 3112(5)

PURPOSE: The chapter outlines enforcement and disciplinary procedures used by the Board, including grounds for discipline and clarification of terms. The Board may review this chapter for conformance with statutes and make updates as may be necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 6: Code of Ethics**

STATUTORY BASIS: 32 M.R.S. §§ 3112(5)(C), (E), (F), and (G), 3117-A

PURPOSE: The chapter sets the standards of professional practice of physical therapy. The Board may review this chapter and make changes to reflect current practice expectations for the protection of the public being served.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER 7: Fees**

STATUTORY AUTHORITY: 32 M.R.S. §§ 3112(5)(C) and (D), 3114-A(2)(B)

PURPOSE: The chapter establishes fees and is subject to repeal because fees for this program are now established by the Director of the Office of Professional and Occupational Regulation (OPOR) in Chapter 10 of OPOR’s rules, as authorized by 10 M.R.S. § 8003(2-A)(D).

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not Contemplated

**CHAPTER NUMBER and Title: N/A**

STATUTORY BASIS: 32 M.R.S. § 3116-B

PURPOSE: The Board may adopt rules to establish the continuing education requirements for renewal of licensure..

SCHEDULE FOR ADOPTION: Within the year.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER AND TITLE: N/A**

STATUTORY BASIS: 32 M.R.S. § 3120

PURPOSE: To adopt rules to establish standards of practice and appropriate restrictions for the various types and forms of telehealth services.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

**CHAPTER NUMBER and Title: N/A**

STATUTORY BASIS: 10 M.R.S. § 8003-H, § 8003-5-A(D)(7)

PURPOSE: The Board may adopt rules to establish a process to issue a license by endorsement or to grant provisional licenses to applicants from other jurisdictions.

SCHEDULE FOR ADOPTION: Within the year.

AFFECTED PARTIES: Licensees and members of the public.

CONSENSUS-BASED RULE DEVELOPMENT: N/A