

NEW -- 2017 Continuing Competence Audit Procedure

Please Familiarize Yourself with this New Procedure !

After re-examining its Continuing Competency audit procedures and results for the past 2 bienniums, the Board approved a new audit procedure that will accelerate the deadlines to demonstrate timely compliance for those credential holders who are subject of the audit.

To determine compliance with Continued Competency requirements of 201 KAR 22:045, Board staff will randomly audit a minimum of 5% of the physical therapists and 5% of the physical therapist assistants immediately after the online renewal process has completed on March 31, 2017, to determine whether continued competency requirements were satisfied.

In addition to the random audit, Board staff will audit:

- (1) all credential holders who were privately admonished or disciplined by the Board for Continued Competency deficiencies in the last biennium;
- (2) one Board member selected randomly; and
- (3) all credential holders for whom Board staff does not have proof of completion of the Jurisprudence Examination.

The following new audit process will be initiated in April of 2017:

1. Each person to be audited will be mailed an Order of the Board via certified mail, return receipt requested. This Order will provide:
 - a. that the credential holder has no more than 30 days from receipt of the Order in which to comply by providing to the Board a CE tracking form with supporting documentation;
 - b. that the credential holder has no more than 60 days from receipt of the Order in which to satisfy any deficiencies in the documentation as identified by Board staff; and
 - c. a summary of the Board's proposed fine structure for any deficiencies that may be determined.
2. Unless an extension of time has been provided to the credential holder, the Board will initiate the complaint process against any audited credential holder who fails to timely submit proof of meeting the Continued Competency requirements within 30 days of receipt of the Order. Board staff shall report all credential holders who are non-compliant with the 30-day deadline set forth in 201 KAR 22:045 Section 2(4)(b) and (c) to the Board at its next scheduled meeting to determine whether the discipline process established in 201 KAR 22:052 should be applied.
3. If the CE requirements have not been demonstrated within the timeframe set forth in the Order, a disposition based on non-compliance with the Continued Competency requirements, as determined from the CE audit, shall be as follows:

- a. issue a **Private Admonishment** to first time offenders for Continued Competency violations with the following criteria:
 - i. for failure to timely complete the Jurisprudence Exam – base fine of \$100.00 plus \$60.00 for each deficient credit hour; or
 - ii. for failure to timely complete Continued Competency requirements (other than the Jurisprudence Exam) – base fine of \$100.00 plus \$60.00 for each deficient credit hour.
- b. issue a **Public Reprimand** for first time offenders who fail to timely complete the Continued Competency requirements **AND** the Jurisprudence Exam, (i.e., both continued competency violations) through a Settlement Agreement, plus a base fine of \$300.00 and \$60.00 for each deficient credit hour.
- c. issue a **Public Reprimand** for **repeat offenders** who fail to timely complete the Continued Competency requirements **OR** the Jurisprudence Exam through a Settlement Agreement, plus a base fine of \$500.00 and \$60.00 for each deficient credit hour.
- d. Proposed Public Reprimands and Settlement Agreements shall be accompanied by the filing of a formal complaint.
- e. All fines assessed due to CE deficiencies as determined by the Board shall be paid within 30 days of the subject credential holder being notified of the deficiency and the fine.

For those credential holders who are deemed to be deficient, they will be required to demonstrate compliance through FSBPT's aPTitude continuing competence resource. The Kentucky Board staff has already coordinated with FSBPT's Continued Competence staff regarding this new, accelerated timeline. This will help ensure that both organizations will be well-prepared to properly educate Kentucky's credential holders as to aPTitude's purpose and functionality as well as address any questions which Kentucky's credential holders may have.