
Kentucky State Board of Physical Therapy

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Re: Opinion and Declaratory Ruling regarding state law governing pre-credentialing employment by the Kentucky State Board of Physical Therapy

This correspondence is in response to various inquiries over the years asking for information, advice, or an opinion from the Kentucky State Board of Physical Therapy on several issues regarding pre-credentialing employment by persons educated, trained, and experienced in physical therapy, but who have not yet earned a license to practice physical therapy or a certificate to practice as a physical therapist's assistant.

Please keep in mind that this correspondence is an opinion of the Board based solely on the facts set forth, which will be summarized below. The Board has authorized this opinion as an Opinion and Declaratory Ruling pursuant to KRS 13A.130(3) and KRS 13A.010(2)(b) as the agency with jurisdiction to interpret the statutes and regulations governing the practice of physical therapy in the Commonwealth of Kentucky.

I. Pre-credentialing employment.

The Board is presented with the question whether an individual, who has earned a recognized degree from an accredited institution in physical therapy or physical therapist's assisting, may be employed in a health care facility where services are provided to the public. The key fact here is that such person has obtained a degree but for whatever reason has not taken the necessary board examination, has not passed the necessary board examination, or has simply for whatever reason not been granted a license or certificate from the Board.

Persons who are not yet credentialed may work in health care settings where services are provided to the public. However, KRS 327.050(10)(a) exempts from the requirements of KRS Chapter 327, the Physical Therapy Practice Act, the following persons: "A student of physical therapy from engaging in the clinical practice under the supervision of a licensed physical therapist, as part of the student's educational program."

Thus, a student under those conditions only is not subject to the requirements of KRS Chapter 327. However, the Board fields numerous inquiries concerning persons who are no longer students and who have graduated with a degree in physical therapy. While awaiting the taking of and the passing of the necessary board examination, such

a person must apply for, qualify for, and be issued by the Board a temporary permit from the Board to begin practice while awaiting examination results. Those specific provisions for the granting of a temporary credential are set forth in KRS 327.050(5).

Unless granted a temporary permit, any person not credentialed by the Board may not provide physical therapy services to the public, may not call himself/herself a physical therapist or physical therapist's assistant, and may not bill for physical therapy services. The Board places the burden of proving that such person is not infringing upon the practice of physical therapy and the terms and phrases reserved for physical therapists upon such person.

In the context of a health care facility or medical office, the person who does not hold a temporary permit and who is not already a licensed physical therapist or certified physical therapist's assistant may have limited, direct contact with the public which does not encompass the "practice of physical therapy" as defined by KRS 327.010(1).

II. Conclusion.

As the agency authorized by the Kentucky General Assembly to regulate the practice of physical therapy in this state, the Board is empowered to interpret its statutes and regulations. In summary, it is imperative that persons educated, trained, and experienced in physical therapy obtain an appropriate credential from the Board, including a temporary permit when applicable, while employed in a health care facility or professional office which provides physical therapy services to the public.

Sincerely yours,

Kentucky State Board of Physical Therapy
Joan S. Dalton, P.T., Chair

By:

Rebecca E. Klusch, Executive Director

cc: Board members

Revised 3/15/01