

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Thursday, June 23, 2016 8:13:36 AM

-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Wednesday, June 22, 2016 8:41 PM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS BOARD PHYSICAL THERAPY EXAMINERS

First Name: Janet R

Last Name: Bezner

Title: Associate Professor

Organization you are affiliated with: Texas State University

Email: jb25@txstate.edu

City: San Marcos

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

I have been a physical therapist for 36 years and I currently practice at Texas State University where I am a faculty member teaching in the physical therapist education program and working in the employee wellness program at the university that serves faculty and staff. I am representing myself with these comments. I support the Sunset Commission's recommendation that the Texas Board of Physical Therapy Examiners join the National Licensure Compact. Physical therapists, like most professionals, are very mobile and joining the compact will facilitate this mobility between states without undue burden on the physical therapist moving or the consumer. I recently moved to Virginia and back and the amount of red tape and money that I had to spend to do that was exorbitant in my opinion. If Texas joins the compact, it will make this process more user friendly.

Second, I oppose the recommendation to take the Continuing Competence Approval Program (CCAP) program administration away from the TPTA and the Texas Board of Physical Therapy Examiners (TBPTE) and I oppose the recommendation to remove the statutory authority that would prohibit the TBPTE from engaging in any future such arrangements. The current program ensures that quality continuing education is provided for licensees, which makes the legal requirement that I participate in continuing education meaningful rather than frivolous, as it used to be. Prior to the current arrangement whereby TPTA is administering the program, I could attend any kind of continuing education course, including some questionable courses, and receive credit. This did nothing to protect the public. The current program uses highly qualified physical therapists to review the applications thus ensuring that programs we take for credit actually teach us something, which does much more to protect the public. The TBPTE does not seem to have the resources to administer the continuing competence program required by law and to require them to do it themselves will compromise their role in ensuring that physical therapists practice legally and thus will negatively impact public protection. I believe it is a good idea to require the TBPTE to put the contract for managing the continuing competence program out for bid and make it a transparent and open process.

Any Alternative or New Recommendations on This Agency:

Allow the TBPTE to contract out the administration of the CCAP.

Allow unrestricted direct access to physical therapist services. Direct access has been shown to save money and time and is thus best for the consumer. The physician community is against this change because they fear it will take away their autonomy and their ability to earn income from seeing patients just to refer them to physical therapy. Texas needs to do the right thing that every other state has done, which is to allow the citizens of Texas to see a physical therapist without a referral from a physician.

My Comment Will Be Made Public: I agree

April 22, 2016

Sunset Advisory Commission
State of Texas

RE: Sunset Advisory Commission Staff Report, Texas Board of Physical Therapy

Dear Sunset Advisory Commission:

I am writing to provide input on the recommendations contained in the aforementioned report. My specific comments are below listed by issue number.

Issue #1: I support the recommendation to discontinue registration of facilities. It was hoped that registration would deter non-physical therapists and non-occupational therapists from calling what they do physical or occupational therapy, but as the report notes, this regulation has not had the intended effect and is in fact burdensome on physical therapists.

Issue #2: I support the recommendation to adopt the physical therapy licensure compact and to provide for licensure by endorsement. We live in a mobile world and the effort to re-license in another state is unreasonably burdensome on the licensee and does little to protect the public.

Issue #3: I DO NOT support the recommendation to remove the board's authority to delegate to other entities the responsibility of approving continuing education and continuing competence. Since PTs and PTAs are required by law to earn continuing competence units each biennium, there must be a process in place to judge the quality of the activities that qualify. Without this important quality assurance step, continuing competence becomes a money-making scheme for the providers of continuing education courses and the quality suffers. When I take a low quality course, I waste my time and money and it does nothing to assure that I provide safe and effective services for the public. I think what the SAC should ensure is that the licensing board uses an open, transparent and fair bidding process to outsource this task. The licensing board clearly and historically does not have the resources to do it, so the best option is to subcontract it out. I think there could be multiple entities that provide this service – as long as each entity that does it meets a minimal set of qualifications as the TPTA currently does. There are numerous states around the country that outsource their continuing competence program to either the state physical therapy organization in that state or to the Federation of State Boards of Physical Therapy, or to both. It's a process and relationship that works for the PTs and PTAs and for the citizens of Texas and I am not aware of evidence to the contrary.

Issue #4: I strongly support the recommendation to maintain the Texas Board of Physical Therapy Examiners under the administration of the Executive Council of Physical and Occupational Therapy Examiners.

Finally, regarding an issue that is not referenced in the SAC report, I believe that the physical therapy licensing act should be revised to allow physical therapists to evaluate and treat patients without a physician referral. The citizens of Texas are burdened by the requirement to see a physician prior to a physical therapist and the state and federal governments and private insurers saddled with increased costs that they should not have to incur. There is zero evidence that physical therapists harm the public when they are given the statutory ability to treat patients without a referral. Moreover, health care costs have been shown to increase when patients are required to see a physician first (*Physical Therapy*, 1997;77:10-18; *Health Services Research*, 2012;2:633-654). I believe that the shortage of physical therapists in the state will worsen if the law does not change soon, as physical therapists will chose to work elsewhere because of this nonsensical and out of date restriction.

Thank you for your review of the physical therapy licensing board and for the opportunity to comment on the recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet R. Bezner", with a long, sweeping horizontal line extending to the right.

Janet R Bezner, PT, DPT, PhD
Texas License #1028538