




TO: Professional Practice Committee

FROM: David H. Hamilton 

SUBJECT: Proposed Amendment of Sections 52.43 and 77.1 of the Regulations of the Commissioner of Education Relating to the Education Requirements for Licensure as a Physical Therapist

DATE: June 11, 2024

AUTHORIZATION(S):



SUMMARY

Issue for Discussion

Should the Board of Regents amend sections 52.43 and 77.1 of the Regulations of the Commissioner of Education relating to the education requirements for licensure as a physical therapist?

Reason for Consideration

Required by State statute (Chapter 594 of the Laws of 2023).

Proposed Handling

The proposed amendment will be presented to the Professional Practice Committee for discussion at the June 2024 meeting of the Board of Regents. A copy of the proposed rule (Attachment A) is attached.

Procedural History

A Notice of Proposed Rule Making will be published in the State Register on June 26, 2024. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

Since approximately 2006, all New York education programs in physical therapy have been registered to award the Doctor of Physical Therapy (DPT). The doctorate is the national standard for accredited programs and for licensure as a physical therapist in New York and other jurisdictions. Physical therapists graduating from doctorate level

programs receive extensive training in the evaluation of patients' condition. This education prepares physical therapists to treat and rehabilitate a broad range of neuromusculoskeletal injuries and are an integral part of New York's health care system.

Education Law §6734 currently requires an applicant for licensure as a physical therapist to receive a master's or higher degree in physical therapy or an equivalent degree, as determined by the Department. To conform New York's physical therapist education program licensure requirements with national standards and the current requirements of New York education programs, Chapter 594 of the Laws of 2023 (Chapter 594), effective October 25, 2024, amends the Education Law to require a doctoral degree in physical therapy for licensure or the equivalent as determined by the Department, rather than a master's degree or higher. Additionally, Chapter 594 clarifies that the amendment shall not be construed to affect the validity of existing licenses and permits.

Proposed Amendment

The proposed amendment of sections 52.43 and 77.1 of the Commissioner's regulations implements Chapter 594 by replacing the prior requirement of a master's degree or higher in physical therapy with the requirement of a doctoral degree in physical therapy, or the equivalent, as a requirement for licensure.

Related Regents Items

Not applicable.

Recommendation

Not applicable.

Timetable for Implementation

It is anticipated that the proposed amendment will be presented to the Board of Regents for permanent adoption at the October 2024 Regents meeting, after publication in the State Register and the expiration of the 60-day public comment period required under the State Administrative Procedures Act. If adopted at the October 2024 meeting, the proposed rule will become effective as a permanent rule on October 25, 2024.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 6504, 6507, 6731, and 6734 of the Education Law and Chapter 594 of the Laws of 2023.

1. Subdivision (b) of section 52.43 of the Regulations of the Commissioner of Education is amended to read as follows:

(b) Curriculum. In addition to meeting all applicable provisions of this Part, to be registered as a program leading to licensure in physical therapy which meets the requirements of section 77.1 of this Title, the program shall result in a [master's or higher] doctoral degree in physical therapy or its equivalent, and shall require the student to have completed [at least 150 semester credit hours or its equivalent of postsecondary study, including] a total of 90 semester credit hours, or their equivalent, in the following areas:

- (1) basic health sciences;
- (2) medical sciences;
- (3) clinical sciences: examination and evaluation;
- (4) clinical sciences: interventions;
- (5) related professional; and
- (6) clinical education.

2. Subdivision (b) of section 77.1 of the Regulations of the Commissioner of Education is amended to read as follows:

(b) To meet the professional education requirement for licensure in this State, the applicant shall present evidence of:

(1) a [master's or higher] doctoral degree in physical therapy from a program registered by the department or accredited by an acceptable accrediting agency, or determined by the department to be the equivalent. [; or

(2) completion of a program satisfactory to the department which is substantially equivalent to a master's degree program in physical therapy registered by the department and which culminates in the degree or diploma accepted by the civil authorities of the country in which the studies were completed as satisfying the educational requirements for the practice of physical therapy in that country.]