

## **Minnesota Board of Physical Therapy**

### **NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING**

#### **Proposed Amendments to Rules Governing Renewal Requirements, Continuing Education, and Continuing Competence for Physical Therapists and Physical Therapist Assistants, Minnesota Rules, Chapter 5601**

**OAH Docket No. 82-9041-34878**

5601.1700 Renewal of Licensure  
5601.2100 Continuing Education Requirements  
5601.2200 Two-Year Continuing Education Cycle  
5601.2300 Categories of Credited Activities  
5601.2400 Category 1 Credit  
5601.2600 Verification of Compliance  
5601.3200 Code of Ethical Practice

#### **Proposed Repeal to Rules Governing Continuing Education for Physical Therapists and Physical Therapist Assistants, Minnesota Rules, Chapter 5601**

5601.2200, subp. 2. Two-Year Continuing Education Cycle

**Introduction.** The Minnesota Board of Physical Therapy (“Board”) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until 4:30 p.m. on January 25, 2018.

**Agency Contact Person.** You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is:

Erin DeTomaso, Executive Director  
Minnesota Board of Physical Therapy  
2829 University Avenue, SE, Suite 420  
Minneapolis, MN 55414  
(612) 627-5406  
TTY users may call the Board at 1-800-627-3529  
Erin.detomaso@state.mn.us

You may also review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions> .]

**Subject of Rules and Statutory Authority.** The proposed rules are about the renewal of licensure, continuing education requirements, and ethics. The statutory authority to adopt the

rules is *Minnesota Statutes*, sections 148.66(1) and 148.74. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on January 25, 2018 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. **Public comments should be submitted electronically at <https://minnesotaoah.granicusideas.com>.** Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Department hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on January 25, 2018. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, Braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The Board may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

**Statement of Need and Reasonableness.** The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at:

Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

**Adoption and Review of Rules.** If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Board submits the rules to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

30. November 2017  
Date

Erin DeTomaso  
Erin DeTomaso  
Executive Director