



NANCY VANDERMEER

STATE REPRESENTATIVE • 70th ASSEMBLY DISTRICT

TO: Honorable Members of the Committee on Public Benefits, Licensing, and State-Federal Relations

FROM: State Representative Nancy VanderMeer

DATE: November 20, 2019

SUBJECT: Testimony in Support of Senate Bill 546

Thank you Chairman Kapenga and members of the Senate Committee on Public Benefits, Licensing, and State-Federal Relations for holding a hearing on SB 546 today. This legislation seeks to clarify what determines "supervision" of a student PTA or student PT by a Physical Therapist (PT) or Physical Therapist Assistant (PTA). The bill provides statutory direction to the Department of Safety and Professional Services, along with the Physical Therapy Examining Board (PTEB) to define in rules what supervision of PT and PTA students entails.

Currently, students are only addressed in statute in regards to not needing a license if assisting in addressing the physical therapist's plan of care. The Physical Therapy Examining Board has passed clear rules concerning the supervision of PTAs and of unlicensed personnel, however students are not directly addressed. This is causing clinical sites to default to the requirements for unlicensed personnel which requires the Physical Therapist to be on premise. Yet, students are clearly a separate category in statute when addressing individuals who do not need a license ((Chapter 448.52 (1m) (b) and (c)).

Clinical sites that historically accepted and trained SPTAs under the direct supervision of a PTA and the general supervision of a PT are no longer accepting SPTAs for these clinical affiliations because they do not consistently have a PT on premise (example: PTAs carrying out the physical therapist's plan of care in school settings and in-home care). There are a number of educational programs in Wisconsin that are having difficulty finding sites to place students for their necessary hands-on clinical education required for their students to graduate. For example, our office was initially contacted about this issue by Shari Berry from Western Technical College. Shari is the Program Head of their Physical Therapy Assistant Program and is here to speak as well.

In addition to the situation being a frustration for students, it is anticipated that if the legislature does not take action to provide clarification on this issue, a significant workforce shortage in this area will ensue. To be clear, this legislation is needed because the agency needs direct statutory authority to promulgate rules rather than rely on past practices of agency guidelines.

Thank you again for the opportunity to testify here today. I ask that you join Senator Testin and myself in supporting this legislation. I would be happy to answer any questions you may have at this time.



PATRICK TESTIN

STATE SENATOR

DATE: November 20, 2019

RE: **Testimony on 2019 Senate Bill 546**

TO: Senate Committee on Public Benefits, Licensing and State-Federal Relations

FROM: Senator Patrick Testin

Thank you members of the Senate Committee on Public Benefits, Licensing and State-Federal Relations for accepting my testimony on Senate Bill 546.

Currently, the training and placement of Student Physical Therapist Assistants (SPTAs) and Student Physical Therapists (SPTs) has become an issue due to the lack of clarity in our statutes, which do not address the “supervision” of a student.

The Physical Therapy Examining Board (PTEB) has passed clear rules concerning the supervision of PTAs and of unlicensed personnel. However, students are not directly addressed. This is causing clinical sites to default to the requirements for unlicensed personnel, which requires the physical therapist to be on premise.

Clinical sites that historically accepted and trained SPTAs under the direct supervision of a PTA and the general supervision of a PT are no longer accepting these students for these clinical affiliations because they do not consistently have a PT on premise.

There are nine PTA educational programs in Wisconsin that are having difficulty finding sites to provide the hands-on clinical education required for their students to graduate. In addition to this being a frustration for the students, it is anticipated that this may result in a significant workforce shortage.

To correct this issue, SB 546 will provide statutory direction to the Department of Safety and Professional Services, along with the Physical Therapy Examining Board (PTEB) to define in rules what supervision of PT and PTA students entails.

Thank you again for listening to my testimony and I hope that you will join me in supporting this bill.

TO: Chairman Kapenga, Members of the Committee on Public Benefits, Licensing and State-Federal Relations.

FR: Shari Berry

DA: November 20, 2019

RE: Support of Senate Bill 546

My name is Shari Berry. I am a physical therapist and live in Tomah, WI where I worked at Tomah Memorial Hospital from 1994 to 2005. I then took a fulltime teaching position in the physical therapist assistant (PTA) program at Western Technical College in La Crosse. I am still teaching at Western and I have been the program director for the past 10 years. I also serve on the Physical Therapy Examining Board in the role of chairperson. I have been on the board for the past 9 years and the chair for the past 3 years. I am here today to share information on this issue and to answer any questions you may have related to SB 546.

This bill seeks to clarify a section of statute that has created years of confusion in the state. Numerous interpretations have been rendered over the years with the issue demanding attention in the fall of 2016. At that time a physical therapist in a school district asked the PTEB for a specific opinion or interpretation of the rules regarding supervision for a student physical therapist assistant (PTA). The board, to answer the question, asked for an interpretation of the statute from legal counsel. That interpretation and ensuing board discussion made it clear to all involved that supervision of the student PTA needed to be clarified. The board therefore attempted to clarify this issue by proposing a rule writing project for PT Chapter 5. Specifically, the board hoped to add language to PT Chapter 5.02 which addresses supervision of unlicensed personnel. Unfortunately, rule writing was not an option as there was not a specific statute that would allow for promulgation of rules. The only way to clarify rule was to add specific statutory language. As a result, I reached out to Rep. VanderMeer who has been extremely helpful over the past years. I am sincerely thankful to her and to Senators Testin, Nass, Schachtner and Kooyenga for their support.

For clarity, it is important to know that clinical experiences in PT and PTA education utilize a one-to-one or one-to-two model where one clinical instructor supervises one or two students. The most common model in PTA education is a one-to-one model. There are 7 PTA schools in the Wisconsin Technical college system and 2 private schools that offer the PTA degree. Each of those programs accepts between 15 and 24 students annually and each of those programs has three clinical experiences. If you use 20 students as an average number of students in each program, 540 clinical sites/ instructors are needed each year. Additionally, there are 6 PT schools in the state who also place students in the same settings as the PTA schools. Clinical site availability is therefore a challenge each year. Western Technical College has lost numerous clinical site placements over the years due to the site not having the capacity for the PTs to handle the demands of clinical placement for both PT and PTA students. Specifically, skilled nursing facilities, home health and school settings struggle with this issue the most. Students end up traveling greater distances and spending more money on clinical education each year. In the worst-case scenario, a student who cannot be placed in the required clinical fieldwork will end up with a delayed graduation and delayed entry into the work force.

While a licensed PT is the only qualified clinical supervisor for a student PT, a PT or a licensed PTA is qualified to supervise the student PTA. The PTA who supervises a student PTA is working as a team with a PT just as with any other delegated task (PT Chapter 5.01). The American Physical Therapy Association recognizes the issue of clinical site availability on a national level and has clearly stated it's support of licensed PTAs supervising student PTAs in its position statement titled, "SUPERVISION OF STUDENT PHYSICAL THERAPIST ASSISTANTS HOD P06-11-09-17 [Amended HOD P06-00-19- 31; HOD 06-96-20-35; HOD 06-95-20-11] [Position]." (Copy of full statement below)

Clarifying this statute and writing rule will allow PTA programs to place students in required clinical experiences with clear information on supervision that is in alignment with current practice and professional standards. It is LONG overdue, and I humbly ask for you to move this bill forward.

Copy of SUPERVISION OF STUDENT PHYSICAL THERAPIST ASSISTANTS HOD P06-11-09-17 [Amended HOD P06-00-19- 31; HOD 06-96-20-35; HOD 06-95-20-11] [Position]

Student physical therapist assistants, when participating as part of a physical therapist assistant education curriculum, and when acting in accordance with American Physical Therapy Association policy and applicable state laws and regulations, are qualified to perform selected physical therapy interventions under the direction and supervision of either the physical therapist alone or the physical therapist and physical therapist assistant working as a team.

When the student physical therapist assistant is participating in the delivery of physical therapy services while being supervised by the physical therapist alone or the physical therapist and physical therapist assistant working as a team, the physical therapist or the physical therapist assistant is physically present and immediately available at all times. The physical therapist or the physical therapist assistant will have direct contact with the patient/client during each visit as visit is defined in the Guide to Physical Therapist Practice.

The physical therapist maintains responsibility for patient/client management at all times, including appropriate utilization of the physical therapist assistant as described in Direction and Supervision of the Physical Therapist Assistant, and for interventions performed by the student physical therapist assistant. Relationship to Vision 2020: Autonomous Practice; Professionalism; (Practice Department, ext 3176)

TO: Chairman Kapenga, Members of the Committee on Public Benefits, Licensing and State-Federal Relations.

FR: Emily Kastner

DA: November 20, 2019

RE: Support of Senate Bill 546

My name is Emily Kastner and I am also a second year student in the PTA program at Western Technical College. I am representing myself and my comments are also reflective of the PTA students who are here today as well.

In addition to the comments made by Amber, I wanted to highlight a few personal considerations regarding clinical education. Specifically, I want to speak to the financial and personal challenges that clinical internships pose. At this time, we are required to complete three external internships in three different settings. Since entering the program, we have been warned that we will most likely need to travel at least one hour each way for two of the three internships as there are not enough available in the La Crosse area. We have entered the program knowing that there will be increased travel cost for at least two of our required internships. This increased cost comes at the same time of year we are paying for tuition, registering for our national exam, and applying for licensure in the state. It also comes during the second year of the program that is extremely challenging academically so we are only able to work a few hours on the weekend while balancing our class schedule during the week.

I, like 8 of my classmates, already have a four-year degree. The rest of my classmates have at least one year of college experience before starting the PTA program as well. We are managing our current cost of education while carrying past school debt. Three of my classmates also have families that they support with financial and time demands accordingly. We are aware of the associated financial cost and time cost with our clinical placements and accept them as a means to achieving our goals. Your support of this bill however could allow our school to continue to develop clinical sites and possibly gain more sites, closer to school, which could ultimately reduce some of these stressors.

Please consider supporting this bill to enhance the clinical experience and to help reduce the hidden costs of education.

Thank you!

TO: Chairman Kapenga, Members of the Committee on Public Benefits, Licensing and State-Federal Relations.

FR: Amber Orlikowski

DA: November 20, 2019

RE: Support of Senate Bill 546

My name is Amber Orlikowski and I am a second-year student in the PTA program at Western Technical College. I am representing myself and my comments are reflective of the PTA students who are here today as well. We are seeking your support for SB 546.

In less than 10 days we will be going out on our first external clinical experience. Up to this point we have been practicing on each other with clinical skills and we have had the opportunity to work in a wellness clinic with PT students at the University of Wisconsin- La Crosse. We are all very excited, and a little nervous, to be headed to the clinic. We understand that being in a clinical setting will allow us to work with actual patients where we can practice our clinical skills in a supervised setting. We anticipate learning a lot in two short weeks as we see how effective our interventions can be with real patients versus "pretending" with each other.

In addition to practicing our technical skills, the clinical experience offers us a chance to explore and understand the role of the PTA. As I mentioned we have had the opportunity to work with PT students from UWL. That experience has allowed us to explore the role of the PT as well as work on establishing a trusting work relationship with a PT. The clinical experience will allow us to better understand the role of the PTA in a clinic. It will allow us to explore questions such as:

- How do you make clinical and critical decisions regarding patients while staying in the scope of work of a PTA?
- How do you work with multiple PT providers, who may want different things, and maintain your own sense of autonomy?
- How do you develop the multiple PT/ PTA relationships that you are responsible for?

Having a licensed PTA as a clinical instructor allows us to see firsthand how these questions are answered as well as provides a mentor for us for our future careers.

Please consider moving this bill forward as a way to support and enhance the clinical experience for PTA students across the state.

Thank you!



Wisconsin Physical Therapy Association

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November 20, 2019

To: Senate Committee on Public Benefits, Licensing and State-Federal Relations

Senator Kapenga, Chair

Senator Craig, Vice-Chair

Senator LeMahieu

Senator Johnson

Senator Hansen

Re: Testimony on Senate Bill 546

Chairman Kapenga and members of the committee, my name is Dennis Kaster and I am the President of the Wisconsin Physical Therapy Association. I want to thank you for the opportunity to speak in favor of Senate Bill 546.

Currently statutes only address physical therapist (PT) students and physical therapist assistant (PTA) students with regards to licensure. Neither need a license if they are assisting in addressing the physical therapist's plan of care. The **supervision of students is not addressed in statute or rules**. Historically in Wisconsin, the practice has been that PT students are supervised a PT and PTA students are supervised either by a PT or by a PTA who is working under the general the supervision of a PT. The PTEB has passed clear rules regarding the supervision of PTAs and of unlicensed personnel, however, we have no clear guidelines for student.

This **lack of clarity** has resulted in facilities diverting from historical practice and defaulting to the supervision of unlicensed personnel, yet students are clearly a separate category of unlicensed individuals with regards to licensure requirement in statute. Defaulting to the direct on-site supervision of a PT has caused **limited access to hands-on training for our PTA students**. There are numerous practice settings where the PT may not be on site (schools, long term care, home care). Many of these facilities are no longer accepting PTA students for their clinical rotations. Obtaining hands-on clinical training is critical for their education and required for graduation. **With nine PTA schools in the state, this lack of clarity threatens the graduation of numerous potential practitioners at a time when access to quality healthcare is a priority.**

This legislation simply seeks to clarify in statutes and rules what determines "supervision" of a student PTA or student PT by a PT or PTA. This legislation will provide statutory direction to the Department of Safety and Professional Services, along with the Physical Therapy Examining Board (PTEB) to define in rules what supervision of student PTs and student PTAs entails.

I thank you for your time and for allowing me to speak. I would be happy to answer any questions that you may have.

Sincerely,

Dennis Kaster, PT

President

Wisconsin Physical Therapy Association