

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date August 31, 2020
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) PT 1 and 5	
4. Subject Supervision of students	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.165 (1) (g)
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The Physical Therapy Examining Board conducted an evaluation of its rules relating to the supervision of physical therapist students and physical therapist assistant students to ensure the rules are consistent with current professional practices and applicable Wisconsin statutes. As a result, updates have been made to do all of the following: <ul style="list-style-type: none"><li>• Create definitions of "physical therapist," "physical therapist assistant," "physical therapist assistant student," "physical therapist student," and "student."</li><li>• Clarify that the holder of a temporary license as a physical therapist may not provide supervision of a physical therapist assistant, physical therapist student, physical therapist assistant student, or any unlicensed personnel.</li><li>• Establish requirements for the supervision of physical therapist students and physical therapist assistant students.</li></ul>	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. No local governmental units participated in the development of this EIA.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole.  The Department estimates one-time administrative costs of \$558.98. These costs may be absorbed in the agency budget.	

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit to implementing the rule is establishing clear requirements for supervision, specifically the supervision of physical therapist students and physical therapist assistant students. If the rule is not implemented, the requirements for supervision will remain unclear.

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16. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is clear requirements for supervision, specifically the supervision of physical therapist students and physical therapist assistant students.

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17. Compare With Approaches Being Used by Federal Government

None

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

**Illinois:**

The Illinois Statutes provide an exception to practice without a license for the practice of physical therapy by a physical therapy student or a physical therapist assistant student under the on-site supervision of a licensed physical therapist. The physical therapist must be readily available for direct supervision and instruction to ensure the safety and welfare of the patient (225 ILCS 90/2).

**Iowa:**

The Iowa Statutes provide that students of physical therapy who practice physical therapy under the supervision of a licensed physical therapist in connection with the regular course of instruction at a school of physical therapy are not required to be licensed to practice physical therapy (Code of Iowa § 148A.3).

**Michigan:**

Rules of the Michigan Board of Physical Therapy provide for delegation of acts, tasks, or functions to and supervision of unlicensed persons, including students enrolled in accredited physical therapist or physical therapist assistant educational programs approved by the board. A physical therapist is required to provide "direct supervision" of students, which means the physical therapist is physically present and immediately available for direction and supervision when patients or clients are present at the time the act, task, or function is performed, and the physical therapist has direct contact with the patient or client during each visit (Mich Admin Code, R 338.7139).

**Minnesota:**

The Minnesota Statutes provide for the supervision of and delegation of tasks to student physical therapists and student physical therapist assistants (2019 Minnesota Statutes, Section 148.706).

A licensed physical therapist is required to provide on-site supervision of a student physical therapist. "On-site supervision" means the physical therapist is easily available for instruction to the student physical therapist. The physical therapist must have direct contact with the patient during at least every second treatment session by the student physical therapist. Telecommunications, except within the facility, does not meet the requirement of on-site supervision (2019 Minnesota Statutes, Section 148.65, Subd. 5.).

A student physical therapist assistant is required to be under the direct supervision of a physical therapist, or the direct supervision of a physical therapist and physical therapist assistant. "Direct supervision" means the physical therapist is physically present and immediately available to provide instruction to the student physical therapist assistant. (2019 Minnesota Statutes, Section 148.65, Subd. 6.).

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19. Contact Name

Dale Kleven

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20. Contact Phone Number

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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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