



# ROB STAFSHOLT

STATE REPRESENTATIVE • 29<sup>th</sup> ASSEMBLY DISTRICT

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DATE: October 29, 2019  
RE: **Testimony on 2019 Assembly Bill 438**  
TO: Members of the Assembly Committee on Health  
FROM: Representative Rob Stafsholt and Senator Howard Marklein

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Good morning and thank you for taking the time to hear this important bill on the ratification of the Physical Therapy Licensure Compact.

The Physical Therapy Licensure Compact, is legislation that would improve public access to physical therapy services and enable new physical therapists (PTs) to move to and practice in Wisconsin. The bill achieves this by cutting regulatory red tape, providing for the mutual recognition of other member state licenses and facilitating the transfer of information between compact states.

One of the primary benefits of the compact is that it provides an opportunity for physical therapists in Wisconsin to practice in member states without acquiring multiple state licenses. It also eases the relocation of military spouses who are physical therapists to Wisconsin by allowing them to begin practicing without obtaining a duplicative single-state license. This support for spouses of relocating military members is crucial, as they are disproportionately impacted by the burden of obtaining multiple licenses to practice in multiple states.

Among the other considerable benefits of the compact is that it will facilitate cooperation between member states in regulating multi-state practice. The compact does this by streamlining the exchange of licensure, investigative and disciplinary information between member states. This is important as member states will be able to more quickly and efficiently identify cross-state bad actors while conversely enabling the practice of physical therapists in good standing, resulting in a much greater consistency of care. It also enables the use of tele-practice technologies, which will greatly ease the burden of gaining access to physical therapy services. This cross-state cooperation is especially important for patients and practices located near state borders and underserved areas, and will relieve many burdens of accessing care for rural, elderly or disabled patients, among others.

By enacting the Physical Therapy Licensure Compact, Wisconsin would join at least 24 other compact states that have already adopted the legislation.

Thank you for allowing me to testify today. We encourage you all to join me in supporting this important piece of legislation.



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# HOWARD MARKLEIN

STATE SENATOR • 17<sup>TH</sup> SENATE DISTRICT

**October 29, 2019**

**Assembly Committee on Health**

**Testimony on Assembly Bill (AB) 438**

Good morning! Thank you Chair Sanfelippo and committee members for hearing Assembly Bill 438 (AB 438), which would ratify and enter Wisconsin into the Physical Therapy Licensure Compact (PLTC).

The PLTC allows certified physical therapists in good standing to practice in multiple states by streamlining the licensing process. Allowing a multi-state license gives more freedom to physical therapists, but also would allow clinics to hire faster and fill vacancies. The PLTC removes one layer of administrative burden for professionals looking to relocate to border areas. Allowing cross state licensure will have a positive impact to rural, underserved areas of our state.

I authored this bill at the request of the Wisconsin Physical Therapy Association. Last session Rep. Stafsholt and I introduced a similar proposal in February 2018, but unfortunately ran out of time at the end of session.

The legislature has already recognized the need to eliminate unnecessary red tape for medical professionals by enrolling Wisconsin in similar compacts for nurses and physicians. This bill would extend the same benefits to physical therapists.

My district covers a large portion of southwestern Wisconsin, bordering both Illinois and Iowa. Currently, 26 other states, including neighboring Iowa, have already adopted the physical therapy licensure compact. Legislation is also being considered in Michigan, similar to my proposal. Therefore it is possible that Wisconsin resident physical therapists will soon have the same privileges in nearby states.

It is important to note that this bill keeps important safeguards in place to protect patients. By streamlining communication with other states we will be able to ensure bad actors cannot gain licensure and practice in Wisconsin. After consulting with the Physical Therapy Compact Commission (PTCC), an amendment was drafted to include FBI background checks for initial licensure in Wisconsin. This provision has been adopted by the other 26 states.

AB 438 is supported by the Wisconsin Physical Therapy Association and has received strong bipartisan support in both houses of the legislature.

Thank you again for hearing AB 438, and your timely action on the bill.





**Wisconsin Physical Therapy Association**

A CHAPTER OF THE AMERICAN PHYSICAL THERAPY ASSOCIATION

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October 29, 2019

To: Assembly Committee on Health  
Representative Sanfelippo (Chair)  
Representative Kurtz (Vice-Chair)                      Representative Felzkowski  
Representative Rodriguez                                      Representative Magnafici  
Representative Edming    Representative Kolste  
Representative Skowronski                                      Representative Riemer  
Representative Wichgers    Representative Subeck  
Representative Murphy    Representative Anderson  
Representative VanderMeer                                      Representative Vining

Re: Testimony on AB 438

Representative Sanfelippo and members of the committee, my name is Connie Kittleson and I am the Past President of the Wisconsin Physical Therapy Association. I want to thank you for the opportunity to speak in favor of Assembly Bill 438.

In 2014, the Federation of State Boards of Physical Therapy determined that an interstate physical therapy licensure compact would **improve consumer access** to physical therapy services by **reducing regulatory barriers** to interstate mobility and cross-state practice. The American Physical Therapy Association was involved in the drafting of the Physical Therapy Interstate Licensure Compact (Compact) language and continues to support its implementation.

In April of 2017, after 10 states passed the compact legislation, the Compact was officially enacted. The Compact Commission formed and passed rules clarifying provisions of the legislation and governing the process associated with practicing with a Compact Privilege. The Wisconsin Physical Therapy Association supports these rules and feels that the legislation and compact rules would allow citizens greater access to services while still maintaining all our state's expectations for continued competence in physical therapy practice and jurisprudence.

The nursing and medical professions in Wisconsin have similar compacts in Wisconsin and like the Nursing Licensure Compact and the Interstate Medical Licensure Compact, this compact will allow Wisconsin to more rapidly respond to the needs of an increasingly mobile society and improve access to care while at the same time **preserving our state's regulatory authority**.

The Compact may significantly benefit **military families**. When members of our nation's military receive permanent change of station orders, there is currently significant administrative burden for their spouses to become licensed in a new state. Many military spouses pursue careers in healthcare fields such as physical therapy because these careers are portable. However, the challenge of obtaining and renewing licensure in multiple states without the existence of an interstate compact is challenging. Given that military families move 6-9 times over the course of the service member's military career, the burden is significant. The Compact would ease that burden for military spouses as well as for service members who would like to deliver pro bono care outside of their military service.



The Compact may also help patients in **underserved areas** by giving them greater access to licensed physical therapists (PTs) and physical therapist assistants (PTAs). Decreasing the regulatory burden for cross-state practice may PTs and PTAs to more easily fulfill the needs in **both urban and rural areas** that lack adequate practitioners.

Also, as healthcare begins to incorporate more delivery of care via **telemedicine**, portability of licensure will become increasingly important. The Compact can make this process less cumbersome allow for greater access to modern methods of healthcare delivery.

With passage of the Compact, Wisconsin would still preserve its regulatory authority protecting the citizens of our state: A person practicing with a Compact Privilege would practice under the laws of the state in which the patient is located. PTs and PTAs in remote states practicing with a Compact Privilege in Wisconsin would be held accountable to the same laws and standards as PTs and PTAs whose primary license is in Wisconsin.

The structure and benefits gained by implementation of the Compact have garnered broad support from a wide variety of groups including:

- Federation of State Medical Boards (FSMB)
- National Military Family Association
- American Physical Therapy Association – Federal Physical Therapy Section
- American Telemedicine Association
- Citizen Advocacy Center (CAC)
- National Association for the Support of Long Term Care (NASL)
- Athletico Physical Therapy, Ltd.
- Cross Country Healthcare
- HPA The Catalyst

To date, **26 states have passed the Compact**. Of those **16, are actively issuing and accepting compact privileges**. An additional 4 states, including Wisconsin, have introduced the legislation this session. The state chapters for APTA of all states bordering Wisconsin have either passed, introduced or intend to introduce the legislation.

All states that have enacted the compact or introduced the compact will be amending requirements to include FBI background checks and fingerprinting per the change in compact rules. This is consistent with the enhanced nursing interstate licensure compact and the medical interstate licensure compacts that have already passed in Wisconsin. SB 390 will need to be amended to include these recently adopted rules in order for Wisconsin to be a valid compact state. We would ask for your support for BOTH SB 390 and the amendment.

The WPTA believes that now is the time for Wisconsin to pass the Physical Therapy Interstate Licensure Compact and join the states who are rapidly responding to 21<sup>st</sup> century health care needs.

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,



Connie Kittleson, PT, DPT  
Past President  
Wisconsin Physical Therapy Association



**Wisconsin Physical Therapy Association**

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October 29, 2019

TO: Assembly Committee on Health

Representative Sanfelippo (Chair)	Representative VanderMeer
Representative Kurtz (Vice-Chair)	Representative Felzkowski
Representative Rodriguez	Representative Magnafici
Representative Edming	Representative Kolste
Representative Skowronski	Representative Riemer
Representative Wichgers	Representative Subeck
Representative Murphy	Representative Anderson
	Representative Vining

FROM: James R. Cumming, PT

Vice President, Wisconsin Physical Therapy Association

**RE: Testimony on AB 438**

Chairman Sanfelippo, Vice-Chairman Kurtz and members of the committee, my name is James Cumming and I am the current Vice President of the Wisconsin Physical Therapy Association. Thank you for the opportunity to speak in favor of Assembly Bill 438.

The physical therapy interstate compact serves to help physical therapists participate in more innovative and flexible practice models. It expands our potential patient population, breaks down administrative barriers to practice, improves patient access to needed services, and provides therapists and facilities with improved flexibility for staffing needs.

Some examples of how this will impact physical therapy practice include:

1. For organizations and practices with facilities near or across state lines, it allows for faster onboarding and improved staffing flexibility, thereby relieving gaps in revenue for these businesses and ensuring patient access to medically necessary services.
2. Therapists who live in Wisconsin but near the border of the State may be able to work across state lines without the administrative wait currently incurred. Vice versa, therapists who live in participating states would be able to quickly obtain a license to practice in Wisconsin and fill open positions more quickly, assisting practices in recruitment and minimizing potential time unemployed.
3. It will be easier to hire and onboard contract or traveling therapists, allowing facilities to minimize or avoid gaps in patient access. This is especially important for rural facilities, who are often struggling to fill their open positions for many months at a time. In the current state of licensure, even when a contract therapist is hired, there is often a several week delay until they are able to obtain a Wisconsin License. This can severely affect

patient access. Once contract therapists are hired, some go on to stay in their positions permanently. Therefore, the compact will also help us to recruit new potential physical therapists to Wisconsin.

4. It will allow for therapists to utilize Telemedicine across state lines with patients in states who also participate in the compact. Telemedicine is quite useful in more rural settings, where there is limited access to services, including specialty care. For example, the Veterans Administration has instituted telephonic visits recently and have already had over 16,000 patient interactions. In addition, the compact may allow for continuity of care for patients who live in Wisconsin part time, such as retired "snowbirds". They could potentially have a visit with their PT telephonically as follow-up after they leave the state.

In summary, the physical therapy interstate compact will help Wisconsin be progressive in entering into innovative models of care, better fill physical therapy staffing needs, recruit additional physical therapists to Wisconsin, improve business by ensuring staffing needs are met, benefit physical therapists who live in bordering states and most importantly, better meet the healthcare needs of Wisconsin residents.

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





Rita B. Shapiro, PT, MA, DPT  
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29 October 2019

Chair Sanfelippo, Members  
Assembly Committee on Health

Honorable Members of the Assembly Committee on Health,

I write to support AB 438, the Physical Therapy Licensure Compact (PTLC) legislation.

Having served in the United States Navy and the Public Health Service for a combined 28 years, I would be honored to provide my perspective on the challenges that my colleagues in the military and their spouses face as it relates to being a physical therapy provider due to frequent military ordered transfers. Yes, majority of the permanent change of station (PCS) orders are for 3-4 years however, depending on the needs of the service they are at times within very short periods ranging from 12-18 months.

This poses much challenge not only due to the stresses of the move but also loss of or inability secure employment for the spouses. For growing families, the spouse must also work to provide for their family as the military income of young enlisted or of junior officers is often time quite inadequate. When this is compounded by having to apply for a new license so as to even apply for a job in the new location; I personally have observed that many just give up. What a terrible loss to the profession and to the community who could benefit from the skills and experience of these highly talented professionals.

To obtain a reciprocity leads to multitude of costs including but not limited to application fee, verification fee, national board examination results transfer to name a few. Still it can take as long as one year to get a license, and by that time the clinician has been out of practice thus making them less competitive.

Not only spouses, I know some active duty members seek to augment their income by working over weekends. I can personally attest to that as I had to do exactly that as a junior officer. However, although we all take a national examination for licensing every state has its own unique barriers. Thus, making the process more arduous than it needs to be.

It is highly encouraging to see the efforts the Federation of State Boards of Physical Therapy (FSBPT) along with the American Physical Therapy Association (APTA) and the Council of State Governments are proposing for the development and introduction of the Physical Therapy Licensure Compact (PTLC). I urge you to adopt and pass the PTLC to help ease the challenges of obtaining multiple licenses to practice physical therapy so that the highly qualified providers can integrate into the community and be employed to provide valuable physical therapy services.

Thank you for giving this issue your strong consideration.

Very Respectfully  
*RBShapiro*

Rita B. Shapiro

October 29, 2019

To: Chairman Sanfelippo, Members, Assembly Committee on Health  
Fr: Lindsay Dolan, Student Physical Therapist  
Re: Support of AB 438

Representative Sanfelippo and members of the committee, my name is Lindsay Dolan and I am a student in the UW-Madison Doctorate of Physical Therapy Program as well as an active member of the Wisconsin Physical Therapy Association. Thank you for the opportunity to speak in favor of Assembly Bill 438 and I want to thank Rep. Stafsholt and Sen. Marklein for authoring this legislation.

I am honored to add the perspective of a student who will be entering the profession in two years. Not only would an interstate physical therapy (PT) licensure compact improve consumer access to PT services, but it would further open opportunities for new professionals like me.

For example, I plan to start my career as a travel PT, fulfilling shortages in staffing across the country. Travel PTs are of increasing importance for facilities, specifically clinics in rural or urban communities. Furthermore, travel PTs sign contracts ranging in length—anywhere from 6 weeks to 6 months. Many travel PTs chose to live nomadically and therefore travel between states to fulfill the staffing needs and begin their new contract. Similar to military families who move frequently, the Compact would significantly benefit travel PTs by lessening the administrative burden to become licensed in a new state. Therefore, the Compact would increase the amount of available PTs and ease access to care.

Additionally, students today will begin our careers alongside the advancement and implementation of telemedicine, allowing us to practice at the cutting edge of our scope while overcoming geographic barriers. This innovative technology allows PTs to provide patient care in rural areas that lack access to quality healthcare in a remote and cost-efficient manner. However, in order to provide our services, PTs must hold a license or a compact privilege from the state their patients are based in. The PT licensure compact would allow us to be part of telemedicine's modern service model expanding our care over multiple states. Telemedicine is a key component to help PTs provide care in rural areas with inadequate access in a cost-efficient manner.

I also want to provide context about the proposed amendment to this compact bill. As a student PT, background checks and fingerprinting are not new to our world. Prior to entering the program, a background check was conducted, and many employers require this entering PT as well as many medical programs. I will be subject to this requirement should this legislation pass, and I fully understand and support the amendment. In the healthcare field, we see patients in their most vulnerable state and view background checks and fingerprinting as necessary for patient protection. It is simply a process we respect and have come to expect.

Thank you for your time and allowing me to speak. Your support of Assembly Bill 438 will have a positive impact on the start of our careers as PTs and the future patients we treat. I would be happy to answer any questions that you may have.





"Get Moving, Keep Moving, Enjoy Life"

October 29<sup>th</sup>, 2019

To: Assembly Committee on Health  
Representative Sanfelippo (Chair), Representative Kurtz (Vice-Chair), Representative Rodriguez, Representative Edming, Representative Skowronski, Representative Wichgers, Representative Murphy, Representative VanderMeer, Representative Felzkowski, Representative Magnafici, Representative Kolste, Representative Riemer, Representative Subeck, Representative Anderson and Representative Vining

Fr: Brett Roberts, PT, DPT  
Legislative Committee Chair - Wisconsin Physical Therapy Association

Re: **Testimony in support of AB 438**

Representative Sanfelippo and members of the committee, my name is Dr. Brett Roberts and I am Legislative Chair of the Wisconsin Physical Therapy Association as well as a small business owner with businesses located in Central and Southwestern Wisconsin. I want to thank you for the opportunity to speak in favor of Assembly Bill 438.

As an owner of multiple practices across the state, many in rural areas such as Arcadia, Plainfield, and Amherst, I understand the recruiting challenges that a rural location can create. As my colleagues have previously stated passage of this compact would help improve consumer access to physical therapy services, especially in the rural border areas of our state. With the current Opioid epidemic disproportionately impacting these rural areas, easing the regulatory burden to allow for the more-timely hiring, on-boarding, and ultimately provision of services will help be a solution to the challenges we face in our rural markets.

In determining eligibility for a license, a physical therapist must pass a national board exam. This exam is based on best clinical practice and your geographic location does not determine what topics are to be tested. This approach to determining clinical competency, lends itself to the portability of licensure across state lines, while continuing to preserve our state's regulatory authority on the practice of physical therapy.

As the use of telemedicine in our profession continues to grow, the ability of our therapists to obtain compact privileges, will allow us to assist patients outside the borders of Wisconsin. While these patients may not be direct citizens of our state, this growth will allow our business to continue to expand, making a positive economic impact in our local markets. The ability to use telemedicine would allow for the additional hiring of employees to meet the demand of this new market.

To date, **26 states have passed the Compact**. Wisconsin is used to being a leader in the health care arena. The WPTA believes that now is the time for Wisconsin to pass the Physical Therapy Interstate Licensure Compact and join the states who are rapidly responding to 21<sup>st</sup> century health care needs. In other words, it's time that we move "Forward" with Ab 438.

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

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