



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 20-055

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

1. Statutory Authority

Consider adding a comment to the rule summary explaining that this rule implements the statutory authority recently granted to the Physical Therapy Examining Board in 2019 Wisconsin Act 138. The Act created s. 448.52 (1m) (c), Stats., which authorizes the Board to promulgate rules related to the supervision of physical therapy students and physical therapy assistant students.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. PT 5.01 (1), delete the added text “physical therapist licensed under s. 448.53 (1), Stats., or granted a physical therapist compact privilege by the board”. The statutes and rules already define the term physical therapist to include individuals who received a license from the Board as well as individuals who hold compact privileges. Likewise, delete the similar language added to ss. PT 5.02 (1) and 5.03 (1).

b. In s. PT 5.03, consider replacing the phrase “physical therapist student or physical therapist assistant student” with the term “student” where appropriate. This change would be consistent with the definition of the term student in s. PT 1.02 (11w).

c. Consider clarifying the supervisor’s responsibilities under s. PT 5.03 (3) and (4).

With regard to par. (a) of each subsection, if the purpose of stating that a supervisor retains full professional responsibility for a student’s actions is to authorize the Board to discipline a supervisor for a student’s misconduct, consider adding a provision to s. PT 7.025

specifying that it is unprofessional conduct for a supervisor to fail to satisfy the standards in s. PT 5.03.

With regard to par. (b) of each subsection, it is not necessary to state that a supervisor retains responsibility for his or her own actions when choosing what tasks to delegate. Consider replacing par. (b) with a direct requirement that a supervisor must delegate treatment plans and programs to a student in a manner consistent with the student's education, training, and experience.