

Telehealth Resource: Licensure Resource Licensure Considerations for School-based Physical Therapists (PTs)

The COVID-19 public health emergency (PHE) has emphasized the need to understand licensure requirements across state lines. The students and families we serve have become increasingly mobile as they navigate the pandemic. Some families are sending children to stay with relatives or losing housing. When students are enrolled in one state's Local Education Agency (LEA) but reside in another state, the licensure of the state of residence prevails. The responsibilities for provision of free appropriate public education and all relevant evaluation and intervention services are determined by residency. The purpose of the Individuals with Disabilities Education Act (IDEA) is:

“...to ensure all children with disabilities, **residing in the State** between the ages of 3 and 21, have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.” [CFR §300.1]

School-based physical therapists should consult with administrators of and legal counsel for their LEA, public school unit (PSU), or school district to understand how the state educational agency (SEA) and the LEAs, district, or charter school are interpreting “residing in the State.” This may include the specific state legislative definition of ‘resident’, relevant timeframes or duration of residency, the actual location of the student and custodial parents, and other relevant residency considerations.

The licensure rules, state practice act, and physical therapy licensure board rules for the state where the student is currently residing should be examined to determine:

- If a compact, agreement, or dual licensure exists between the relevant states to recognize licensure from your state to practice;
- What procedures, fees, documentation, and/or approval requirements apply;
- If the state where the student currently resides has waived, suspended, or ‘holds harmless’ licensure requirements during declared public health emergency; and
- Other relevant regulations as indicated in the state practice act and licensure rules.

State may have different PHE waivers, licensure decisions, compacts, and/or requirements in place. If no waiver or agreement for evaluation and service provision exists between states, providing services via telehealth to a student residing outside of the state where you hold licensure would likely be viewed as practicing without a license. Therefore, providing evaluation, intervention, or any skilled service would violate licensure requirements and be subject to disciplinary action (potentially in both states) and legal liability.

APTA Resources

PT Licensure Compact

- ✓ [PT Licensure Compact \(PTLC\) article](#)
- ✓ [PTLC map \(indicates status of each state\)](#)

Telehealth Legislation and Regulation

- ✓ [Federal and state legislation and regulations](#)
- ✓ [State Actions Permitting PTs to provide telehealth](#)

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