

Mississippi Secretary of State
125 S. Congress Street, Jackson, MS 39201

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME MS State Board of Physical Therapy		CONTACT PERSON Stephanie Boyette	TELEPHONE NUMBER (601) 359-2918	
ADDRESS PO Box 55707		CITY Jackson	STATE MS	ZIP 39296
EMAIL sboyette@msbpt.ms.gov	SUBMIT DATE 6/14/2024	Name or number of rule(s): Title 30, Part 3103, Chapter 3, Rule 3.1		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: An amendment to include direct access to the regulations as prescribed by law §73-23-35 (Senate Bill 2072).

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. Section §73-23-43(1)(e) Rev. 2008

List all rules repealed, amended, or suspended by the proposed rule: Title 30, Part 3103, Chapter 3, Rule 3.1

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

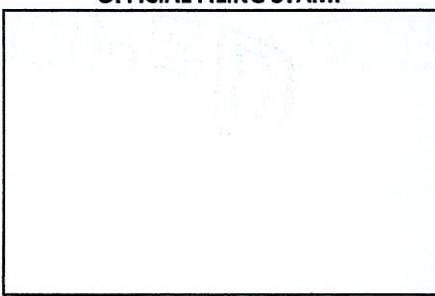
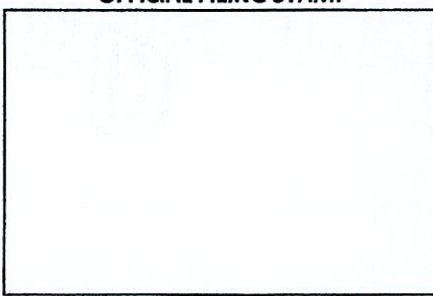
ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
☒ Original filing ☐ Renewal of effectiveness To be in effect in _____ days Effective date: ☐ Immediately upon filing ☒ Other (specify): <u>July 1, 2024</u>	Action proposed: ☐ New rule(s) ☐ Amendment to existing rule(s) ☐ Repeal of existing rule(s) ☐ Adoption by reference Proposed final effective date: ☐ 30 days after filing ☐ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: ☐ Adopted with no changes in text ☐ Adopted with changes ☐ Adopted by reference ☐ Withdrawn ☐ Repeal adopted as proposed Effective date: ☐ 30 days after filing ☐ Other (specify): _____

Printed name and Title of person authorized to file rules: Stephanie Boyette, Executive Director

Signature of person authorized to file rules: Stephanie Boyette

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
 Accepted for filing by <u>27542 JBB</u>	 Accepted for filing by	 Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

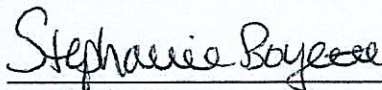
FINDING OF IMMINENT PERIL TO THE PUBLIC WELFARE

The Mississippi State Board of Physical Therapy is legislatively established to ensure that physical therapy is provided for the safe practice pursuant to the *Mississippi Physical Therapy Practice Law*, Title 73, Chapter 23 of the Mississippi Code of 1972, as amended. The scope of the physical therapist was expanded, effective July 1, 2024, in order to allow physical therapists licensed or privileged to practice to treat with or without a prescription or referral from a physician, dentist, osteopath, podiatrist, chiropractor, physician assistant or nurse practitioner if the physical therapist meets certain criteria. It is necessary that Part 3103, Rule 3.1 be made effective July 1, 2024 for the protection of the public health, safety, or welfare. Specifically, given the number of parties (including unlicensed personnel) employed in places where physical therapy is practiced, the Board finds it necessary to implement this Rule effective July 1, 2024 to properly carry out inspections and monitoring of the physical therapy practice and to address the ongoing problem of accurate identification of professionals who are licensed or authorized to practice physical therapy.

For the foregoing reasons and pursuant to Sections 25-43-3.108 and 25-43.3.113 of the Mississippi Code of 1972, as amended, the attached Part 3103 Rule 3.1 shall be effective July 1, 2024 with the Mississippi Secretary of State and shall remain in effect until the earlier of the following: (a) 120 days after the effective date of its adoption as an emergency rule or (b) the effective date of the final Part 3103 Rule 3.1 adopted by the Mississippi State Board of Physical Therapy.

ADOPTED BY:

Mississippi State Board of Physical Therapy

 6/14/24

Stephanie Boyette
Executive Director

Date