

**The University of the State of New York
STATE EDUCATION DEPARTMENT
Office of the Professions
New York State Board for Physical Therapy**

Friday March 20, 2026
10:30 a.m. – 2:30 p.m.
New York State Education Department
89 Washington Avenue
Albany, NY

AGENDA

1. Meeting Convened
2. Approval of November 21, 2025 Meeting Minutes
3. Executive Secretary's Report
4. APTA New York Report
5. NPTE Exam Appeal Statistics
6. Old Business
7. Discussion – PTA Supervision Regulations
8. Executive Session
9. Adjournment

New York State Board for Physical Therapy

Friday November 21, 2025

10:30 a.m. – 2:30 p.m.

New York State Education Department

1411 Broadway, 10th Floor

New York, NY

Members Present: Andrew Opett -Chair
Catherine Leonard – Vice Chair
Lawrence Shapiro (Albany Office)
Nathaniel Mosher
Jennifer McDonald
Kathleen Febos Kilkenny

Staff: Stephanie Maes, Executive Secretary
Christina Beaudin, Board Staff
Noah Fatata, Board Staff

Guests: Katherine Herlihy - Whiteman Osterman & Hanna LLP
Eileen Renaud – APTA NY
Mike Masaracchio – APTA NY
Michael Tisbe – APTA NY
Catherine Slattery - OPD
Kellie Murphy – Executive Secretary

1. Meeting Convened

The meeting was called to order at 10:33 a.m. by Executive Secretary (ES) Maes

2. Executive Session

The Board entered Executive Session at 10:37 am for a presentation by Catherine Slattery, Director of Prosecutions in the Office of Professional Discipline.

3. Minutes

A motion was made to approve minutes of the March 7, 2025, and June 20, 2025, meetings (Opett/Leonard). The minutes were approved as drafted.

4. Executive Secretary report

ES Maes provided information on the Professional Assistance Program (PAP).

The bill that would amend §6738 of Education Law as it relates to supervision of Physical Therapist Assistants was delivered to the Governor. If signed, it will go into effect 12 months after the signing.

A possible public member for the board was identified. She is a student at SUNY Binghamton. An informal interview will take place next week.

5. FSBPT Annual Education Meeting

ES Maes provided a summary of the FSBPT Annual Education Meeting. Sessions included content related to the healthy practice resource, which address the wellbeing of a provider. Started internal conversations about the potential to offer CE for programs like this. Workforce data collection was also a topic of discussion. It is challenging to collect this data in NY's current licensing system.

Dr. Opett attended the meeting as the Board's voting delegate and a member of FSBPT's Education Committee. He highlighted sessions on professional boundaries/sexual misconduct, referral for imaging, and the PT compact.

Dr. McDonald provided a summary of the FSBPT Leadership Issues Forum (LIF) meeting she attended in July.

The board will soon be asked to choose delegates for the 2026 LIF and Annual Education Meeting.

6. Licensing and NPTE Exam Appeal Statistics

Licensing and registration statistics for the last 5 years were presented. There are currently ~27,000 PTs and 7,000 PTAs. Question regarding whether there is a shortage of PTs and PTAs in New York State. Board members noted that there are often vacancies that remain unfilled. There was a question about whether graduates are leaving the state for Compact States. It was noted in NYC that they come for the experience but may leave because they want the compact. Program directors would likely need to be surveyed to determine how many graduates stay in NY vs. how many leave. A board member commented on PTA scholarships due to the shortage. If they sign on for employment for 2 years after completing a PTA program, the employer will reimburse the cost.

Most candidates requesting NPTE Exam appeals are from non-CAPTE institutions. A question was posed whether the Department would consider capping the examination attempts. There is concern that a candidate who has taken the PT exam dozens of times over multiple years may not be competent to practice.

7. Discussion – Use of AI in Physical Therapy Practice

The board discussed the use of AI in Physical Therapy practice. A draft document that the Occupational Therapy Board has been discussing was shared. It may be helpful to include a similar statement in the Physical Therapy Guidelines. ES Maes will draft a statement for future discussion.

8. Old Business

Physical Therapy Guidelines are undergoing a legal review.

A legal review of Education Law § 6736(b)(3) and current Department policy regarding continuing education and the practice of physical therapy was also requested. OP's long-standing

view is that continuing education involving hands-on physical therapy instruction constitutes the practice of physical therapy. As such, only licensed and currently registered physical therapists in New York State are permitted to provide such instruction, unless they are exempt under NYS Education Law.

Practice Questions

The board discussed whether an EMR that generates a plan of care document with an area for the physician to sign their agreement can be used as a script. The board confirmed this is acceptable.

The board office has received questions related to scope of practice and lasers/light therapy, including the class of lasers allowable. The Board for Medicine developed a table defining classes of lasers, and which can be used by non-licensed vs. licensed personnel. ES Maes will collect more information and report back to the board.

Can a script with no name, only a signature, be used as a referral? And if questions arise, how do you contact the referring provider? The board confirmed they receive and use scripts like this. The provider's name should be on intake notes.

The board discussed PTAs signing notes. The board confirmed that a PTA on staff can sign notes. If a student, the PT may need to co-sign for reimbursement purposes.

9. New Business

Election of Chair/Co-Chair

Motion to reappoint Andy Opett and Catherine Leonard as Chair and Co-Chair, respectively (Febos/McDonald). Motion unanimously approved.

Pelvic Health/Therapy

The board discussed with Kellie Murphy, Executive Secretary for Occupational Therapy, the role of PTs/OTs in pelvic therapy.

Imaging Referrals

APTA NY representatives initiated a conversation regarding imaging referrals by Physical Therapists. The association would need to work with both OP and Department of Health. PTs are not currently on the list of approved providers. There is overall support from the board. Before proceeding this must be discussed with senior leadership

10. Future Meeting Dates

March 20, 2026, in Albany

June 26, 2026, in Albany

November 20, 2026, in NYC (afternoon meeting)

11. Adjournment

Motion to adjourn at 1:19 pm (Febos/Mosher). Motion approved

NPTE Exam Appeal Statistics

PT/PTA Appeals 2025				
Month	Number of Appeals	Repeat Appeals	CAPTE Accredited	Non-Capte
January	12	8 or 66%	2 or 16%	10 or 84%
February	29	25 or 86%	2 or 7%	27 or 93%
March	17	17 or 100%	1 or 6%	16 or 94%
April	10	9 or 90%	2 or 20%	8 or 80%
May	30	30 or 100%	1 or 3%	29 or 97%
June	15	13 or 86%	2 or 13%	13 or 87%
July	16	14 or 87%	1 or 6%	15 or 94%
August	38	35 or 92%	0 or 0%	38 or 100%
September	24	22 or 92%	0 or 0%	24 or 100%
October	19	14 or 74%	4 or 21%	15 or 79%
November	26	22 or 84%	2 or 8%	24 or 92%
December	33	27 or 81%	3 or 9%	30 or 90%
Total	269	236 or 87.7%	20 or 7.4%	249 or 92.5%

PT/PTA Appeals 2026				
Month	Number of Appeals	Repeat Appeals	CAPTE Accredited	Non-Capte
January	18	17 or 94%	1 or 6%	17 or 94%
February	35	34 or 97%	1 or 3%	34 or 97%
March	28			

