

Performance
Evaluation &
Research Division
(PERD)

PERD’s Objectives:

To determine if there is a continued need for licensure by the Board of Physical Therapy (Board), assess whether the Board complied with the general provisions of Chapter 30 and other applicable laws, to determine if the Board’s fees generate excessive revenue when compared to the Board’s normal expenses, to evaluate the Board’s website for user-friendliness and transparency, and to determine to what extent the Board’s facility generally meets the requirements for the Americans with Disabilities Act (ADA).

Key Recommendations:

The Board should:

Consider utilizing the State Treasurer’s Office lockbox to reduce risk of fraud.

Provide the public with remote attendance instructions for its teleconference meetings.

Identify proper authorization to hold executive sessions as required by law.

Provide a status update to its licensees within six months of a complaint starting against them.

Consider measures it needs to take to improve handicap accessibility under the ADA.

September 2023

Regulatory Board Review: Board of Physical Therapy

Agency Purposes:

The purpose of the Board is to protect the public through its licensing process, and to be the regulatory and disciplinary body for licensed physical therapists, physical therapy assistants, and athletic trainers throughout the state.

What Did PERD Find?

The Board is necessary to protect the public and complies with most of the provisions of Chapter 30 of West Virginia Code.

Table 2 Board of Physical Therapy Budget Information FY 2017 through FY 2022					
Fiscal Year	Beginning Cash Balance	Revenues	Expenditures	Ending Cash Balance	End-of-Year Cash as a Percentage of Annual Expenditures
2017	\$997,179	\$355,981	\$305,929	\$1,047,230	342%
2018	\$1,047,230	\$284,612	\$389,204	\$942,639	242%
2019	\$942,639	\$294,847	\$269,086	\$968,400	360%
2020	\$968,400	\$271,672	\$261,319	\$978,753	375%
2021	\$978,753	\$287,600	\$246,239	\$1,020,113	414%
2022	\$1,020,113	\$245,405	\$253,137	\$1,012,381	400%
Avg.	\$992,386	\$290,019	\$287,486	\$994,919	396%
<i>Source: Our Advanced Solutions with Integrated Systems (OASIS), Cash Balance report (WV-FIN-GL-151). PERD calculations of percentages.</i>					

PERD also found the following:

- The Board is financially self-sufficient but has accumulated a cash balance that is nearly four times its actual annual expenditures. Despite this large cash balance, when compared with its normal expenses the Board’s current fees do not generate excessive revenue. However, given the Board’s large cash balance, the legislative auditor expects it could see more fund transfers depending on expenditures.
- The Board’s enabling statute does not require anyone to report potential practice act or rules violations, including sexual misconduct with patients and controlled substance diversion.
- The Board has established continuing education requirements and maintains due process rights for licensees.
- The Board’s website needs modest improvement to enhance user-friendliness and transparency.
- The building entrance, hallways, restrooms, and fire alarm systems either do not generally meet ADA requirements or may hinder physical access to the Board.