



U.S. Department
of Veterans Affairs

NATIONAL STANDARD OF PRACTICE: KINESIOTHERAPIST

September 2023

PURPOSE: This report provides a summary of internal and external feedback received for the draft Kinesiotherapist VA national standard of practice during the comment solicitation period from July to September 2022.

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Executive Summary

The Department of Veterans Affairs (VA) is establishing national standards of practice for health care professionals who have a license, certification, registration, or other State requirement. The VA national standards of practice are a standardized set of services that all health care professionals in a given occupation can perform while employed by VA if their VA medical facility performs such services and they have the proper education, training, and skill to perform the services. As part of a comprehensive development process to establish each occupation's national standard of practice, VA affords the public, Veterans, professional associations, VA employees, unions, and other interested parties the opportunity to provide feedback on the national standard of practice prior to finalization and publication in VA policy.

Kinesiotherapists are allied health professionals with a national registration who use functional tests, measures, and evidence-based modalities to improve human function, movement, and well-being of their patients physically, physiologically, and psychologically. On July 29, 2022, VA sent a letter to the Council on Professional Standards for Kinesiotherapy to inform that Council of VA's intent to follow their registration standards for the national standard of practice for Kinesiotherapy and provided them with an opportunity to discuss the proposed national standard of practice with VA. In addition, from July 29 to September 27, 2022, VA posted the proposed national standard of practice for VA Kinesiotherapists on the Federal Register ([87 FR 45857](#)) for public comment and within VA's intranet for VA employee comment.

The proposed national standard of practice for Kinesiotherapists received 34 total comments across all platforms—33 comments from VA employees and one comment from the national registration body for Kinesiotherapists. VA reviewed all comments received and made one change in response to a comment.

This report provides a summary of comments received on the proposed Kinesiotherapist national standard of practice from VA employees and the registration body. It also provides VA's response to the comments.

Authority

Chapters 73 and 74 of title 38 of the United States Code (U.S.C.) and 38 U.S.C. 303 permit the Secretary to further regulate the Department of Veterans Affairs health care professions to make certain that VA's health care system provides safe and effective health care by qualified health care professionals to ensure the well-being of those Veterans who have borne the battle.

On November 12, 2020, VA published an interim final rule confirming that VA health care professionals may practice their health care profession consistent with the scope and requirements of their VA employment, notwithstanding any State license, registration, certification, or other requirements that unduly interfere with their practice. 38 CFR 17.419; 85 FR 71838. Specifically, this rulemaking confirmed VA's current practice of allowing VA health care professionals to deliver health care services in a State other than the health care professional's State of licensure, registration, certification, or other State requirement, thereby enhancing Veterans' access to critical VA health care services. The rulemaking also confirmed VA's authority to establish national standards of practice for its health care professionals which would standardize a health care professional's practice in all VA medical facilities.

The rulemaking explained that a national standard of practice describes the tasks and duties that a VA health care professional practicing in the health care profession may perform and may be permitted to undertake. Having a national standard of practice means that individuals from the same VA health care profession may provide the same type of tasks and duties regardless of the VA medical facility where they are located or the State license, registration, certification, or other State requirement they hold. VA emphasized in the rulemaking and reiterates here that VA will determine, on an individual basis, that a health care professional has the necessary education, training, and skills to perform the tasks and duties detailed in the national standard of practice and will only be able to perform such tasks and duties after the tasks and duties have been incorporated into the individual's privileges, scope of practice, or functional statement. The rulemaking explicitly did not create any such national standards and directed that all national standards of practice would be subsequently created via policy.

Consistent with 38 CFR 17.419, VA is developing national standards of practice via policy. There will be one overarching national standard of practice directive that will generally describe the Veterans Health Administration (VHA) policy and have each individual national standard of practice as an appendix to the directive. The directive and all appendices will be accessible on VHA Publications website at: <https://vaww.va.gov/vhapublications/> (internal) and <https://www.va.gov/vhapublications/> (external) once published.

Purpose

As the Nation's largest integrated health care system, it is critical that VA develops national standards of practice to ensure Veterans receive the same high-quality care regardless of where they enter the system and to ensure that VA health care professionals can efficiently meet the needs of Veterans when practicing within the scope of their VA employment. National standards are designed to increase Veterans' access to safe and effective health care, thereby improving health outcomes.

The importance of this initiative has been underscored by the COVID-19 pandemic. With an increased need for mobility in our workforce, including through VA's Disaster Emergency Medical Personnel System, creating a uniform standard of practice better supports VA health care professionals who already practice across State lines. As a national health care organization, VA often has health care professionals primarily based out of a VA medical center in one State travel to smaller community-based outpatient clinics in neighboring States to ensure access to care for Veterans.

In addition, the development of national standards of practice aligns with VA's long-term deployment of a new electronic health record (EHR). National standards of practice are critical for optimal EHR implementation to enable the specific roles for each health care profession in EHR to be consistent across the Veterans Health Administration (VHA) and to support increased interoperability between VA and the Department of Defense (DoD). DoD has historically standardized practice for certain health care professionals, and VHA closely partnered with DoD to learn from their experience.

As a national health care system, it is also imperative that VA can recruit and retain health care professionals, to ensure there is access to health care regardless of where the Veteran resides. VA needs the flexibility to hire qualified health care professionals from any State to meet the staffing needs of a VA health care facility where recruitment or retention is difficult. This flexibility is especially beneficial in recruiting spouses of active service members who frequently move across the country and can be subject to delays in starting new employment due to needing to obtain an additional State requirement to practice in the new State.

Development Process

To establish VA's national standards of practice, VA is using a robust, interactive process that is based on the guidance outlined in [Executive Order 13132](#) to preempt State law. All standards undergo a deliberate review process, both within VA and externally, to ensure that the draft national standard is consistent with VA's team-based approach to care, results in the highest quality of care for Veterans, is implementable on an enterprise level, and is legally supportable. The process includes consultation with internal and external stakeholders, including State licensing boards, VA employees, professional associations, Veterans Service Organizations, labor partners, and others.

For each identified VA occupation, a workgroup comprised of health care professionals conducts State variance research to identify internal best practices that may not be authorized under every State license, certification, or registration, but would enhance the practice and efficiency of the profession throughout the agency. The workgroup is comprised of VA employees who are health care professionals in the identified occupation; they may consult with internal stakeholders at any point throughout the process. If a best practice is identified that is not currently authorized by every State, the workgroup determines what education, training, and skills are required to perform such task or duty. The workgroup then drafts a proposed VA national standard of practice using the data gathered during the State variance research and incorporates internal stakeholder feedback to date.

The proposed national standard of practice is internally reviewed, to include by an interdisciplinary workgroup consisting of representatives from Quality Management; VA Medical Center Chief of Staff; Academic Affiliates; Veterans Integrated Services Network Chief Nursing Officer; Ethics; Workforce Management and Consulting; Surgery; Credentialing and Privileging; Veterans Integrated Services Network Chief Medical Officer; and EHR Modernization.

Externally, the proposed national standard of practice is provided to our partners in DoD. In addition, VA labor partners are engaged informally as part of a pre-decisional collaboration. Consistent with EO 13132, a letter is sent to each State board and certifying organization that includes the proposed national standard and an opportunity to further discuss the national standard with VA. After the States and certifying organizations have received notification, the proposed national standard of practice is published to the Federal Register for 60 days to obtain feedback from the public, including professional associations and unions. At the same time, the proposed national standard is published on an internal VA site to obtain feedback from VA employees. Feedback from State boards, professional associations, unions, VA employees, and any other person or organization who provides comments via the Federal Register will be reviewed. VA will make appropriate revisions in light of the comments, including those that present evidence-based practice and alternatives that help VA meet our mission and goals, and that are better for Veterans or VA health care professionals. VA may also make additional changes outside the scope of the comments during its own internal review processes after the conclusion of the comment period. This document provides a summary of the comments received and VA's response to the comments.

VA Kinesiotherapists: Feedback on National Standard

VA Kinesiotherapists are allied health professionals registered with the Council on Professional Standards for Kinesiotherapy (COPSKT) through its Board of Registration for Kinesiotherapists. Kinesiotherapists are competent in the administration of scientifically based musculoskeletal, neurological, ergonomic, biomechanical, psychosocial, and task-specific functional tests and measures combined with other evidence-based modalities used to improve human function, movement, and well-being of the Veteran physically, physiologically, and psychologically. Kinesiotherapists provide acute, sub-acute, or post-acute rehabilitative therapy and wellness interventions focusing on therapeutic exercise, mobility, reconditioning, education, and behavior change emphasizing the psychological as well as physical interventions to enhance outcomes for a holistic approach to rehabilitation. According to COPSKT, VA employs more than half the registered Kinesiotherapists in the United States.

VA's proposed national standard of practice for Kinesiotherapists did not propose to preempt any current State requirements and instead proposed to confirm that all Kinesiotherapists follow the Board of Registration for Kinesiotherapists standards from COPSKT. Currently, all VA Kinesiotherapists follow this standard; therefore, there would be no change in practice for any Kinesiotherapist in VA.

On July 29, 2022, VA posted the proposed national standard of practice for Kinesiotherapists on the [Federal Register](#) (FR 2022-16326) and within VA's intranet for public and employee feedback, respectively. The proposed national standard of practice remained open for comment for 60 days,

through September 27, 2022. A copy of the national standard of practice for Kinesiotherapists that was posted for feedback is in [Appendix A](#).

The Under Secretary for Health also sent letters to COPSKT and its Board of Registration for Kinesiotherapists to inform them of VA's intent to follow their registration standards and provide them with an opportunity to provide feedback directly to VA. Copies of those letters are in [Appendix B](#).

VA specifically sought feedback on five areas:

1. *Are there any required trainings for the aforementioned practices that we should consider?*
2. *Are there any factors that would inhibit or delay the implementation of the aforementioned practices for VA health care professionals in any State?*
3. *Is there any variance in practice that we have not listed?*
4. *What should we consider when preempting conflicting State laws, regulations, or requirements regarding supervision of individuals working toward obtaining their license or unlicensed personnel?*
5. *Is there anything else you would like to share with us about these national standards of practice?*

Commenters internal to the VA could, in addition to leaving specific comments and suggestions, choose to provide concurrence or non-concurrence on the proposed national standard. Concurrence denotes overall agreement with the standard while non-concurrence denotes that the national standard in its original form presents significant clinical, legal, or patient safety concerns. Employees could also select not applicable if the national standard did not pertain to their area of expertise.

The national standard of practice for Kinesiotherapists received 0 comments on the Federal Register, 33 comments by VA employees, and feedback from the registration body for Kinesiotherapists. Out of the 33 employee comments, there were 22 employees who *concurred*, 1 employee who *non-concurred*, and 10 employees who selected *not applicable*.

Registration Body Feedback

COPSKT and the Board of Registration for Kinesiotherapists jointly acknowledged and endorsed VA's proposed standard for Kinesiotherapists. The Board of Registration and COPSKT also confirmed that they had no input for the five areas for which VA solicited feedback. However, they did request minor stylistic changes and requested to change the title of the occupation from "Kinesiotherapists" to "Registered Kinesiotherapist (RKT)".

VA appreciates the feedback. VA agrees with the stylistic change of removing the word "the" before the words "human function" in the first paragraph of the proposed national standard and made that change to the national standard of practice. The remaining stylistic changes were no longer applicable based on separate changes to the draft made by VA. As to the request to change the title, this national standard of practice applies to all VA Kinesiotherapists, including those who were hired before a registration was required and therefore do not possess this registration. Therefore, VA will keep the current title unchanged.

Public and VA Employee Feedback

All commenters had the opportunity to provide responses to the five areas on which VA solicited feedback, and VA responds to any questions or concerns raised by the commenters in response to those areas below.

VA received comments from employees that were supportive of the draft national standard of practice, as well as comments that were not responsive to the specific national standard of practice. VA does not further address these comments below.

“This is a strong practice model.” – Comment from VA employee

1. Are there any required trainings for the aforementioned practices that we should consider?

Comments: One employee suggested that additional training might be needed for the use of modalities such as ultrasound and electrical stimulation, as training received through Kinesiotherapists’ education and registration may not always be sufficient. They suggested requiring verification of competencies at VA medical facilities before Kinesiotherapists can use these modalities.

Response: VA appreciates this suggestion. The modalities listed by the individual are not new to VA; all employees are appropriately trained in modalities relevant to their practice and facility through VA’s well-established credentialing process, which is outlined in [VHA Directive 1100.20, Credentialing of Health Care Providers](#) and is in compliance with the Joint Commission HR Standards and the Board of Registration and Continuing Competency for Kinesiotherapy. The credentialing process includes competency assessments, which are “hands-on” assessments performed to ensure the employee is competent in a skill or task. If any employee is found to lack sufficient training in any skill or task required by the national standard of practice, their position description or their functional statement, additional training will be provided prior to credentialing. Nationwide training for all VA Kinesiotherapists is not expected to be required because of this national standard of practice. VA will always ensure that all Kinesiotherapists have the appropriate education and training before they are credentialed to perform any new task.

2. Are there any factors that would inhibit or delay the implementation of the aforementioned practices for VA health care professionals in any State?

Comments: One employee asked how the national standard of practice applies to Kinesiotherapists who were hired into the position prior to the current VA qualification standards that require Kinesiotherapists to have a Council on Professional Standards for Kinesiotherapy registration (known as being “grandfathered”).

Response: VA appreciates this question. As stated in Directive 1900, VA National Standards of Practice, all national standards apply to employees grandfathered into their respective positions unless otherwise noted in the national standard. Kinesiotherapists do have employees who are grandfathered. VA Handbook 5005, Staffing, Part II, Appendix G32 includes a grandfathering

provision for employees who, on the effective date of the qualification standard, were considered to have met all qualification requirements for the title, series, and grade held, including education and registration that are part of the basic requirements of the occupation.

As the national standard of practice does not state otherwise, Kinesiotherapists who have been grandfathered into the position per the qualification standards will still practice as outlined in the national standard of practice.

VA notes that the qualification standards are not changing due to the implementation of the national standards of practice.

3. Is there any variance in practice that we have not listed?

There was no variance identified from any of the commenters.

4. What should we consider when preempting conflicting State laws, regulations, or requirements regarding supervision of individuals working toward obtaining their license or unlicensed personnel?

Comments: While one employee noted the importance of supervision for uncertified Kinesiotherapists, they did not suggest or imply that preemption over any State would be needed for Kinesiotherapists' supervision as a result of this national standard of practice.

5. Is there anything else you would like to share with us about these national standards of practice?

Comment: The employee who non-concurred expressed concern about broad language of the role of Kinesiotherapists and recommended using more specific language from COPSKT.

Response: VA appreciates this feedback; however, the first paragraph of the national standard is intended to provide a general overview of what the professionals in that occupation are trained to perform, and it is not intended to provide an exhaustive or specific list of all duties and practices a health care professional of that occupation may perform.

Conclusion

VA considered all comments received; VA is making one stylistic change to the Kinesiotherapist national standard of practice based on the comments for the reasons described above.

The final national standard of practice for Kinesiotherapists will be an appendix to VHA Directive 1900, VA National Standards of Practice and accessible on VHA Publications website at: <https://vaww.va.gov/vhapublications/> (internal) and <https://www.va.gov/vhapublications/> (external) once published. In accordance with VHA's national policy process, the national standard of practice for Kinesiotherapists will be reviewed and recertified at minimum on a five-year cycle.

Appendix A: Draft National Standard of Practice for Kinesiotherapists

Appendix A includes the draft national standard of practice for Kinesiotherapists posted to the Federal Register and within VA on July 29, 2022, for individuals to provide feedback on. The final national standard of practice for Kinesiotherapists is written into VHA Directive 1900, VA National Standards of Practice, posted at <https://vaww.va.gov/vhapublications/> (internal) and <https://www.va.gov/vhapublications/> (external).

1. Kinesiotherapists are allied health professionals competent in the administration of scientifically based musculoskeletal, neurological, ergonomic, biomechanical, psychosocial, and task-specific functional tests and measures combined with other evidence-based modalities used to improve the human function, movement, and well-being of the Veteran physically, physiologically, and psychologically. Kinesiotherapists provide acute, sub-acute or post-acute rehabilitative therapy and wellness interventions focusing on therapeutic exercise, mobility, reconditioning, education, and behavior change emphasizing the psychological as well as physical interventions to enhance outcomes for a holistic approach to rehabilitation.
2. Kinesiotherapists in the Department of Veterans Affairs (VA) possess the education and registration from Council on Professional Standards for Kinesiotherapy (COPSKT), which is a national board for Kinesiotherapists, required by VA qualification standards, as more specifically described in VA Handbook 5005, Staffing, Part II, Appendix G21.
3. This national standard of practice confirms Kinesiotherapists practice in accordance with Board of Registration for Kinesiotherapists standards from COPSKT, available at: <https://akta.org/>. As of July 2021, Kinesiotherapists in VA follow this national registration.

Appendix B: VA Under Secretary for Health Letters

Letter	Organization	Responded to VA
 <p>Letter to Council on Professional Standards for Kinesiotherapy</p>	<p>Council on Professional Standards for Kinesiotherapy</p>	<p>Yes</p>
 <p>Letter to Board of Registration for Kinesiotherapists</p>	<p>Board of Registration for Kinesiotherapists</p>	<p>Yes</p>