ALABAMA BOARD OF PHYSICAL THERAPY
ADMINISTRATIVE CODE

CHAPTER 700-X-3
PROFESSIONAL CONDUCT

700-X-3-.02 Unbecoming Conduct/Conduct Detrimental To The Best Interest Of The Public Prohibited.

(1) "Unbecoming Conduct" is defined as incompetent, illegal, unethical, unprofessional, or dishonorable conduct which violates those standards which have become accepted as obligations reasonably necessary for the protection of the public interest and for professional accountability.

(2) Certain Conduct Specifically Prohibited. While the statements of conduct apply universally, the application or interpretations are usually based on specific individual circumstances. The determination as to what constitutes unbecoming conduct shall be solely within the judgment of the Board of Physical Therapy. The Board finds that and declares that unbecoming conduct shall include, but not be limited to, the following either singularly, in part, or in combination:

(a) Practicing with an expired license or privilege.

(b) Willful or grossly negligent failure to comply substantially with provisions of laws, rules or regulations governing the practice of the profession in Alabama or any other state.

(c) Abandoning or neglecting a patient in need of immediate professional care without making reasonable arrangements for the continuation of such care.

(d) Willfully harassing, abusing, or intimidating a patient, co-worker, student, volunteer, or any individual either physically or verbally while practicing physical therapy.

(e) Suggesting to a patient referred by one practitioner that the patient seek the services of another practitioner without first consulting the referring practitioner.

(f) Guaranteeing that satisfaction or a cure will result from the performance of professional services.

(g) Administering excessive tests or treatment; use of treatment procedures or equipment not warranted by the condition of the patient.

(h) Claiming that the quality of services is greater than the quality of services performed by other physical therapists or other physical therapist assistants.

(i) Using the word "doctor" in offering to perform professional services without also indicating the discipline in which the licensee holds a doctorate.

(j) Accepting and undertaking the performance of responsibilities which the licensee or privilege holder knows or has reason to know that he or she is not qualified to perform, or performing without adequate supervision or direction, services which the licensee or privilege holder is authorized to perform only under the supervision or direction of licensed persons or privilege holders.

(k) Delegating responsibilities to a person when the licensee or privilege holder delegating such responsibilities knows or has reason to know that such person is not qualified by education, by experience, by privilege or by licensure to perform them.

(l) Failing to exercise appropriate supervision or direction over persons who are authorized to practice only under the supervision or direction of the licensed or privileged professional.

(m) Failing to maintain appropriate records which accurately reflect the evaluation and treatment for each patient.

(n) Revealing personally identifiable facts, data, or information obtained in a practitioner capacity without the prior consent of the patient or client, except as authorized or required by law.

(o) Failing to make available to a patient, or, upon a patient's request, to another licensed or privileged health care practitioner consistent with that practitioner's authorized scope of practice, copies of reports, tests, records, or evaluations relating to the patient, or failing to complete forms or reports required for the reimbursement of a patient by a third party.

(p) Endorsing equipment, products or services to the patient and the lay public if any remuneration is received in return for such endorsement without notifying the patient or lay person that you would profit from the sale of the equipment, products or services.

(q) Failing to report known incompetent, illegal or unprofessional conduct.

(r) Engaging in sexual misconduct. Sexual misconduct, for the purpose of this section, includes but is not limited to the following:

1. Engaging in or soliciting sexual relationships with a patient currently under your care.

2. Sexually harassing patients under your care.

(s) Charging unreasonable or fraudulent fees for services performed or not performed.

(t) Interfering with or refusing to cooperate in an investigation or disciplinary proceeding conducted by the Board, the Physical Therapy Compact Commission or other any governmental agency where cooperation is required.

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Statutory Authority: Code of Ala. 1975, §§3-24-191; 3-24-193, 34-24-220.
History: Filed September 30, 1982. **Amended:** Filed: September 9, 1993; effective October 14, 1993. **Amended:** Filed December 5, 1995; effective January 9, 1996. **Amended:** Filed July 8, 1997; effective August 12, 1997. **Amended:** Filed November 18, 2009; effective December 23, 2009. **Amended:** Filed January 17, 2014; effective February 21, 2014. **Repealed and New Rule:** Filed May 12, 2017; effective June 26, 2017. Repeal and **New Rule:** Filed June 21, 2019; effective August 5, 2019. **Amended:** Published April 30, 2024; effective June 14, 2024.