



**Board of Physical Therapy
Meeting Minutes
April 4, 2022 – 10:00 a.m.
Teleconference Attendance**

On April 4, 2022, the Board of Physical Therapy met via teleconference. Login information was published with the agenda on the DOH website and through GovDelivery.

MEMBERS PRESENT

Jennifer Aglubat, PT, DPT, Vice Chair
Rodney Copes, PT
Kathryn Dale, PT, DSc, Chair
Jeffrey Foucier, PT, DPT
Destini Jammeh, PTA
Dana Johnson, Public Member

STAFF PRESENT

Renee Fullerton, Executive Director
Allyson McIver, Program Manager
Davis Hylkema, Program Associate
Joan Simmons, Administrative Assistant
Lilia Lopez, AAG
Anita Nath, Supervising Staff Attorney

GUESTS:

Jackie Barry
Deborah Broers
Lori Clary (DOH)
Rachel Cozby
Connie Maria
Joanna Miyao
Stacy Spencer
Peter Winn

GUEST SPEAKERS:

None

OPEN SESSION

1. CALL TO ORDER

Kathryn Dale, PT, DSc, Chair, called the meeting to order at 10:01 a.m.

- 1.1. Introductions – The board, staff, and guests introduced themselves.
- 1.2. Approval of Agenda – The April 4, 2022 agenda was approved as presented.

MOTION: A motion was made and seconded to approve the April 4, 2022 agenda. The motion passed.

- 1.3. Approval of Meeting Minutes – The February 7, 2022, meeting minutes were approved as presented.

MOTION: A motion was made and seconded to approve the February 7, 2022 meeting minutes. The motion passed.

2. FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT) UPDATES

2.1. FSBPT Update

Dr. Aglubat provided updates from the FSBPT. FSBPT grants to support members' electronic systems have been provided and awarded to four states. Due to lack of interest, the May 2022 FSBPT meeting has been canceled and replaced with a virtual meeting to be held August 19, 2022 – August 21, 2022.

2.1.1. FSBPT For the Love of Regulating seminar notes and observations

Dr. Fouchier provided a summary from the February 11 – 13, 2022 FSBPT seminar.

2.2. Physical Therapy Compact Update

Dr. Aglubat informed the board that the executive board will be meeting on April 12, 2022, to further discuss the compact.

2.2.1. Compact commission annual meeting

Dr. Dale and Dr. Fouchier will attend the FSBPT annual conference as delegate and backup delegate on October 27-29th.

The PT Compact Commission will hold its 2022 annual meeting in person on Sunday, October 30. In-person attendance at the PTCC annual meeting is mandatory for all Compact Delegates, and the board's compact delegate is Dr. Aglubat. Dr. Aglubat had not realized this was mandatory and requested to go if funding is available for a third board member to travel and attend the annual meeting.

3. RETURN TO PRACTICE FOR PT/PTA

The board reviewed WAC 246-915-350(4)(a) and continued discussion on what the board should consider as evidence of continuing competency satisfactory to the board when a licensee is reactivating a license and has not been in active practice for three years.

- Dr. Fouchier identified a number of concerns and potential avenues for further research.

MOTION: A motion was made and seconded to approve the submission and draft of a summary of information to include Dr. Fouchier's feedback on the two white papers to submit to FSBPT as a formal review of their work. The motion passed.

4. STUDENT PRESENTATION REVIEW

The board discussed updating the student PowerPoint presentation, and shared thoughts on the last presentation.

Ms. Fullerton asked the board for final feedback and staff will provide the final draft to present to the board for approval.

5. NEWSLETTER

The board reviewed the proposed newsletter drafted by the program.

Ms. Lopez shared with the board areas that need editing. Mr. Hylkema will send the document to Ms. Lopez so those edits can be documented.

Dr. Foucrier mentioned edits to his bio are needed and will forward the information to DOH staff.

MOTION: A motion was made and seconded to approve the newsletter publication through GovDelivery once the final edits from Ms. Lopez and Dr. Foucrier are in place. The motion passed.

6. APPLICATION ENDORSEMENT PROCESS

Staff shared the process update and findings with the board regarding physical therapy license endorsements.

Ms. Fullerton informed the board that the necessary change would be for the board to make a motion.

MOTION: A motion was made and seconded to consider endorsement applications as routine applications. The motion passed.

7. CONTINUING EDUCATION WAIVER/EXTENTION REQUEST PROCESS

Ms. McIver shared the process for continuing education and continuing competency waiver and extension requests. The board considered alternatives to a single board member reviewing and approving requests such as a panel decision, or a pre-approved matrix for program staff to process requests.

The board decided to have requests for continuing competency extensions or waivers reviewed by a disciplinary panel.

8. BOARD COMMUNICATION BEST PRACTICES

Ms. Lopez shared with the board some communication best practices relevant to the Open Public Meetings Act, Public Records Act, and records retention requirements.

9. 2022 LEGISLATIVE UPDATE

Mr. Copes provided an update on the Patient Safety Improvement Task Force meetings he has been participating in with Dr. Shah and others.

Ms. Fullerton provided the board with updates on SSB 5753 and ESHP 1329.

SSB 5753

This was DOH requested legislation that included changes to many different boards and commission statutes. The changes to the Board of Physical Therapy were intended to help with the disciplinary load of the board and increase the board size to better represent different PT practice areas and classify the board as class 5 with a \$250/day pay rate. This has been passed by the house and senate and signed by Governor Inslee.

The impact on the board is:

- Composition: 5 PTs, 1 public consumer, 1 PTA
- Removed outdated language from initial creation of the board
- Quorum: Updated quorum language from three to a majority of the board members appointed and serving constitutes quorum
- Compensation: Board is designated as a class 5 group

ESHB 1329

This bill made modernization updates to the Open Public Meetings Act

Relevant language includes:

- Requirement to provide opportunity for public comment at or before every regular meeting at which final action is taken. One possible approach to this is to move the public forum up to the beginning of the agenda instead of the end.

Encourage the board to maintain electronic access to meetings

- Encourage the board to make a recording of meetings available for at least 6 months following the meeting.

10. Provide CORRESPONDENCE FOLLOW-UP

Ms. Lopez reported to the board her updated findings on RCW laws protecting access to licensees' contact information for commercial purposes in regard to the PT Compact Commission's request for use of PT and PTAs names and email addresses.

MOTION: A motion was made and seconded to approve the inclusion on the license renewal form of a QR Code as well as an URL directing licensees to the PT Compact website to obtain more information. The motion passed.

Ms. McIver shared recent communication the program received from the board of occupational therapy regarding continuity of care in a school district setting where one school may have an OT creating care plans, and the student transfers to a school where they only have a PT providing care.

Ms. Fullerton informed the board the draft will be worked on with the help of Dr. Dale and Ms. McIver. The draft will be presented to the board at the next meeting.

11. LISTS and LABELS APPLICATION REVIEW

11.1. Therapeutic Movement Seminars

MOTION: A motion was made and seconded to approve the lists and labels for Therapeutic Movement Seminars. The motion passed.

11.2. Renew Massage CEU, LLC

MOTION: A motion was made and seconded to deny the lists and labels for Renew Massage CEU, LLC. The motion passed.

12. 2022 BOARD RETREAT

The board began planning goals and considering locations for a 2022 board retreat.

Ms. Fullerton suggested a retreat date in the fall of 2022 in the Olympia area and discussed the budget for this event.

The board has agreed to hold the board retreat on October 3 – 4, 2022 in the Olympia area. Ms. Fullerton reminded the board the retreat is open to the public.

Topics to include in the retreat are the creation of the mission and vision statement and using those statements to create a strategic plan.

13. OPEN FORUM

There were no public comments.

14. PROGRAM REPORT

14.1. Budget report

Ms. Fullerton updated the board on the budget and shared the fact that Department fiscal staff are working on a fiscal analysis of the profession and anticipate the analysis to be available later this year. Today's budget report, which includes expenses through February 2022, continues to show the moderating of the fund balance drop due to actual expenses being better than the projected expenses so far this biennium.

14.2. Rulemaking update

Ms. McIver updated the board on the two rules in process. The first is regarding the update to the physical therapy compact's effective date and the second rule is to discontinue the requirement that foreign trained applicants pass all sections of the TOEFL test in one sitting. A public hearing was held on March 8 and a CR 103 form for each rule was drafted and is currently in the department review process.

14.3. Planning for upcoming meetings

As of now, the June 13, 2022 and August 1, 2022 board meetings are scheduled to be held virtually.

14.4. Other

None

15. ADJOURNMENT

The meeting adjourned at 1:25 p.m.

Allyson McIver, Program Manager

Kathryn Dale, PT, DSc, Chair