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Board of Physical Therapy Meeting Minutes August 12, 2024

Labor & Industries, 7273 Linderson Way SW, Tumwater, WA 98501

Members Present: Rodney Copes, Physical Therapist, Vice-chairperson; Jennifer Aglubat, Physical Therapist; Kathryn Dale, Physical Therapist, Chairperson; Jeffrey Foucrier, Physical Therapist; Celeste Misko, Physical Therapist

Members Absent: Destini Jammeh, Physical Therapist Assistant.

Staff Present: Allyson McIver, Program Manager; Jennifer Santiago, Executive Director; Marianne Richter, Policy Analyst; Lilia Lopez, Senior Counsel; Madissen Schatz, Assistant Program Manager; Na'Taya Harris, Administrative Assistant; Catherine Reiter-Roner, Supervising Staff Attorney; Shawna Fox, Director of OHP

Guests and Other Participants: Erica Owens, Washington APTA Executive Director; Melissa Johnson, APTA Washington; Lisa VanHaagen, public guest

1. Call to Order

On Monday August 12, at 10:03 a.m., Chairperson Dale officially called the meeting to order.

1.1 Introductions

Following the call to order, Chairperson Dale facilitated introductions, allowing each board member and department staff to be acknowledged. Attendees joining virtually also had the opportunity to introduce themselves.

1.2 Approval of Agenda

Chairperson Dale presented the proposed agenda, seeking approval from the board. No objections were raised, and a motion to approve was initiated by Dr. Aglubat, Dr. Foucrier seconded the motion, and it was unanimously approved.

1.3 Approval of June 10, 2024, Meeting Minutes

The board considered minutes from the previous meeting held on June 10, 2024. Dr. Foucrier moved for approval, Dr. Misko seconded, and the motion passed unanimously.

2. Open Forum

Chairperson Dale initiated the open forum session, providing an opportunity for the public to address any issues not presented on the meeting agenda. Ms. McIver advised the public to please use the hand raise feature if they wish to address the board. No comments were received. Chairperson Dale closed the open forum.

3. Federation of State Boards of Physical Therapy

3.1 Compact Commission Updates

Dr. Aglubat presented the compact commission updates to the board. The compact commission held a special meeting on June 17, 2024 to adopt amendments to the commission's rules, bylaws, and policy and procedures. The commission amended the rules 1.1, 2.3, and 3.5 to clarify the expiration date off the home-state license and compact privilege. There was also an amendment to the time frame of how long the compact holder must report a change in the home state, which changed the time frame from 30 days to 60 days. The PT compact commission bylaws were amended to establish a process for a member state to identify a contingent delegate rather than an alternate delegate. Rhode Island has joined the compact commission making them the 38th state to join the compact commission.

3.2 Leadership Issues Forum (LIF) report out

Chairperson Dale and Ms. McIver shared their report from the LIF conference. They covered topics ranging from the cross profession minimum data set, artificial intelligence, NPTE updates, to FSBPT updates, and they learned about the healthy practice resource. There will be no NPTE exam fee cost increase before 2028. The healthcare regulatory research institute (HRRI) had an orientation to provide evidence based regulatory research, they are currently working on behaviors/disciplinary measures both at entry and ongoing continuing competence workforce issues, practitioner well-being, the use of AI and technology as well as care and delivery. The Exam Licensure Disciplinary Database (ELDD) gave each state a consumer protection rating, Washington continues to score at the highest level.

4. Board Commission Committee (BCC) Leadership Conference Report Out

Chairperson Dale and Vice Chairperson Copes reported to the board their key takeaways from the Boards, Commissions, and Committees conference that took place on June 18th. Chairperson Dale shared Secretary Shaw's new program, Be Well WA. This approach is to address mental health, physical health, and nutritional health throughout the state. Vice-Chairperson Copes shared his takeaways about the Office of Investigative and Legal Services presentation, and he highlighted their work and their role in how they process complaints, investigations, and compliance. Ms. Santiago shared that she highly encourages the board involvement and sharing their ideas on topics covered at the BCC conference. Ms. Fox also

shared her invitation to help diversify the agenda for next year's conference and invited the board members to join the planning committee for next year's conference.

5. Fall 2024 Newsletter Planning

The board discussed report statistics from the Spring 2024 newsletter. The board also decided on topics to include in the newsletter as well as who will be covering which topics for the fall newsletter. The newsletter will be reviewed by the board in October. The newsletter will be released in November 2024.

6. Work Force Data

Ms. McIver shared updates regarding implementing the engrossed substitute house bill 1503. Ms. McIver provided a quick overview of the bill. She stated that this bill requires the department to collect seven specific data points from all licensees at initial licensure. At renewal the licensee will need to provide updates to the first set of information they provided and to also add on if they're currently practicing along with their primary and secondary practice locations. The department is only going to be implementing this statute, any additional rules to add questions would have to wait until after this legislation has been implemented and will depend on the profession's existing statutory authority to do so. Dr. Foucrier clarified that no other information was included, just strictly demographic information, which Ms. McIver confirmed.

7. Initial License and Endorsement Requirement Rules Workshop

7.1 Public Comment

The board reviewed the draft language and approved board staff to move forward in the rulemaking process. The public comment section was opened during today's workshop for public feedback. Ms. McIver invited public comments, no written or verbal comments were received.

7.2 Board Discussion

Ms. McIver provided the board with a review of the draft rules and opened the discussion up to the board for further comments. Dr. Aglubat asked for clarification regarding the language inconsistencies within the draft. The board, Ms. Lopez, and Ms. Santiago discussed the proper way to reference an RCW within the draft rules. The board did not have any further recommendations or considerations for this draft of the rules and decided to move forward in the rulemaking process. Dr. Aglubat motioned to approve the draft rules Dr. Misko seconded, and the motion passed unanimously.

8. Updating the Compact Effective Date

The board considered initiating the rulemaking in order to update the compact effective date following the recent compact commission rules changes. Ms. McIver recapped the board's status on this item, as of June 4, 2024 the compact commission was considering updates to their rules. The commission passed these rules as of June 17, 2024. Therefore,

the board will also be updating their rules to reflect the compact effective date. The board discussed the approval of authorizing board staff to file a CR-105 to begin the expedited rulemaking process to update the effective date in WAC 246-915A-010. Dr. Aglubat motioned to approve the expedited rulemaking process to update the effective date in WAC 246-915A-010, Dr. Foucrier seconded the motion. The motion was passed unanimously by the board.

9. Compact Privilege Intramuscular Needling Endorsement Eligibility

The board discussed if compact privilege holders who met the training and education requirements are eligible for the intramuscular needling endorsement. Ms. McIver stated that there is a compact privilege holder that has applied for the dry needling endorsement, they meet the training and educational requirements. The board discussed if compact privilege holders are eligible for the dry needling endorsement, considering statutory language and definitions. Chairperson Dale presented the question to the board, are the compact privilege holders eligible to hold the dry needling endorsement, as long as they meet Washington states training and educational requirements. The board agreed that yes, the compact holders are eligible for the dry needling endorsement considering they follow the state's training and educational requirements. Dr. Foucrier motioned to approve compact privilege holders that meet the training and educational requirements are eligible to hold the dry needling endorsement. Dr. Misko seconded the motion. The motion passed unanimously by the board.

10. Intramuscular Needling Endorsement Updates

The board discussed the updates and progress regarding the intramuscular needling endorsements.

10.1 The board reviewed the procedure document and approved for board chair signature

Ms. McIver shared with the board that an intramuscular needling endorsement procedure document was created, the board did not have any questions or discussion this document and approved it. The document will be sent to Chairperson Dale for her signature of approval. Ms. McIver did update the board on how this process was going, every CAPTE accredited program has been covering all the topics. The department will stop pulling transcripts to help speed up the endorsement process. Dr. Aglubat question that since the statute states that a minimum 150 of hours of 150 treatment sessions, so can physical therapists continue further past the 150 hours. Ms. McIver clarified that they cannot go on providing dry needling after they have submitted their endorsement application because that is essentially the qualified provider attesting that they're ready for the endorsement and the training period has ended.

10.2 Board Staff Presented the Application Data Collected

Ms. McIver presented the application data to the board and reviewed each section of the data. There were three applicants that applied for the dry needling endorsement through the military pathway. This data will help the board to see who is applying for the endorsement and how physical therapists are completing the training.

10.3 Board Staff Shared the Updated Application

Ms. McIver reviewed the application packet with the board. The application did require an instruction sheet that is now with the application. This has helped to reduce questions regarding how to fill out the application. Dr. Aglubat asked if the same staff that are handling the endorsements the same staff that are handling the initial licensure of the applicants. Ms. Santiago confirmed that the same staff process the physical therapy endorsements and initial licensing of the applicants for physical therapy. Dr. Aglubat followed up with another question regarding the timeframe of initial licensure considering initial licensing and endorsements are now being handled by the same staff across the board. Ms. Johnson asked if the application process for these endorsements will be offered online. Ms. Santiago shared that once HELMS is active, it will be available online.

11. Program Report

Ms. McIver and Ms. Santiago provided the board with the program report.

11.1 Budget Report

Ms. McIver updated the board regarding the budget report. This report is for the period of July 1st 2023, to June 30, 2024 we had a starting fund balance of -905,949.00 dollars and by the end of June the board had an ending fund balance of -802,993.00 The budget is showing signs of improvements with the negative 802,000.00. The estimated revenue versus the actual revenue is down slightly but overall, close. The expense report was broken down into categories for the board to review.

11.2 Rulemaking Update

Ms. McIver shared updates regarding the 1724 rulemaking, plans to update the compact effective date, and shared that dry needling rulemaking is complete, although we are well into the implementation phase.

11.3 Board Member Recruitment Update

The governor's office has a recommendation packet for the public member recruitment. Interviews for the physical therapy assistant position is complete, and Ms. McIver is working on preparing the recommendation packet for the governor's office.

11.4 Planning for Upcoming Meetings

The board will review the newsletter at the October meeting. The board will also review the updated exception application matrix, review of the draft language for

the updated compact effective date, and possibly holding the hearing for the 1724 rules. Lastly, the board will hold the elections for chair and vice-chair positions for 2025 at the October meeting. Workforce data updates will hopefully be shared at the October meeting, as department staff is currently working on this data. The board discussed interest in holding a retreat in 2025.

12. Consent Agenda

None.

13. Adjournment

Chairperson Dale formally adjourned the meeting at 11:49 a.m. A motion to adjourn the meeting was initiated by Dr. Aglubat seconded by Dr. Foucrier, and unanimously approved by the board.

Washington State Board of Physical Therapy

On File

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