

UNAPPROVED MINUTES

BOARD OF PHYSICAL THERAPY MEETING MINUTES

The Virginia Board of Physical Therapy met on Friday, August 22, 2008 at the Department of Health Professions, 9960 Mayland Drive, 2nd Floor, Conference Room #1, Richmond, Virginia. The following members were present:

George Maihafer, Ph.D, P.T.
Maureen E. Lyons, P.T.
Peggy H. Belmont, P.T.
Damien Howell, P.T.
Robert Izzo, P.T.
Lorraine C. Quinn, P.T.A.

Board members absent:

J. R. Locke

DHP staff present for the meeting included:

Lisa R. Hahn, Executive Director
Sandra Whitley Ryals, Director
Elaine Yeatts, Senior Policy Analyst
Annie B. Artis, Licensure Operations Manager
Melissa Currier, Administrative Assistant

Representatives from the Office of the Attorney General were present for the meeting:

Amy Marschean, Senior Assistant Attorney General

Guests present for the meeting included:

Lisa D. Shoaf, Virginia Physical Therapy Association
John Miller, Virginia Physical Therapy Association
Shawne Soper, Sheltering Arms
Jane Hill, Johnston Memorial Hospital

CALLED TO ORDER

Dr. Maihafer, Chair, called the board meeting to order at 9:30 a.m.

ORDERING OF THE AGENDA

The agenda was ordered as written.

PUBLIC COMMENT PERIOD

There was no public comment.

AGENCY DIRECTOR'S REPORT – Sandra Whitley Ryals

Ms. Ryals gave a report regarding patient care disciplinary case processing times. She reported on the quarterly performance measurement from 2004 through 2008. Ms. Ryals discussed the clearance rate, the age of pending caseloads and the time to disposition of cases. She stated the goal of the agency is to resolve 90% of complaints related to patient care within 250 business days by the end of Fiscal Year 2010. Ms. Ryals stated the percent of cases resolved within 250 business days jumped to 73% during the last quarter; the previous quarter the percentage was only 55%.

ACCEPTANCE OF MINUTES

Board Meeting – February 15, 2008

Upon a motion by Mr. Howell and seconded by Ms. Belmont the Board voted to approve the April 25, 2008 Board Meeting minutes.

The members voting yes were Ms. Belmont, Mr. Howell, Mr. Izzo, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

Formal Administrative Hearing – April 25, 2008

Upon a motion by Mr. Howell and seconded by Mr. Izzo the Board voted to approve the April 25, 2008 Formal Administrative Hearing minutes.

The members voting yes were Ms. Belmont, Mr. Howell, Mr. Izzo, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Introduction

Ms. Hahn introduced Melissa Currier, Administrative Assistant, to the Board. Ms. Currier recently joined the board and handles licensing for the Board of Audiology and Speech-Language Pathology, as well as provides assistance to the other

Three boards. She also informed the board that Denise Christian, Administrative Assistant, handles the licensing for the Board of Physical Therapy; Holly Manke, Administrative Assistant, handles licensing for the Board of Long-Term Care Administrators and ShaRon Clanton, Administrative Assistant, handles licensing for the Board of Funeral Directors and Embalmers. Ms. Hahn commented that we have a talented staff and that she commended the staff for a job well done.

Dr. Maihafer welcomed Ms. Currier to the Board.

Licensee Statistics

Direct Access Certification

Ms. Hahn stated there are currently 151 physical therapists licensed with direct access certification. Dr. Maihafer stated that we have a low percentage of physical therapists applying for direct access.

Licensed Physical Therapists

Ms. Hahn reported there are currently 5,306 active licensed physical therapists and 2,043 physical therapist assistants.

Disciplinary Statistics

Ms. Hahn stated there are currently three cases at the administrative proceedings level; one case at probable cause, one case at the informal level and one applicant has appealed. She stated there are currently eight open cases and three cases at the investigative level. Ms. Hahn stated since January 1, 2008, this Board has met the 60 day probable cause standard by 100%. The average number of days that a case remains in probable cause stage is now 5.

Virginia Performs

Ms. Hahn stated that for the quarter ending December 31, 2007, that the board met and exceeded the agency's goal with 100% rating for issuing licenses in less than 30 days. She stated customer satisfaction within the two year goal is 97%; we are currently at 94%. Ms. Hahn further stated that the patient care cases closed within 250 is currently at 80%.

Budget

Revenue and Expenditures

Ms. Hahn reported that the cash balance for expenditures as of June 30, 2007 was \$425,926 and total revenues were \$119,060. The direct and allocated expenditures were \$363,039 and the ending cash balance at the end of June 30, 2008 was \$183,097

2008 Calendar

Ms. Hahn stated the next board meeting is scheduled for November 7, 2008. She stated that she and Dr. Maihafer will create a new calendar for 2009.

FSBPT 2008 Annual Meeting

Ms. Hahn stated the Federation of State Boards of Physical Therapy (FSBPT) annual conference is scheduled for September 11-15, 2008 in Minneapolis, MN. She informed the Board that Ms. Lyons, Ms. Quinn and she will be attending the conference.

NEW BUSINESS

Practice Review Tool (PRT) FSBPT

Ms. Hahn stated the Federation of State Boards of Physical Therapy has a Practice Review Tool (PRT) that is a new initiative created to allow physical therapists to compare their knowledge, skills and abilities to current entry-level practice. She informed the board that the states of Arizona and North Carolina award licensees who take the course, 10 hours of Type 1 continuing education credits. Ms. Hahn suggested that the Board consider accepting the PRT for continuing education. Ms. Yeatts stated that since FSBPT is not listed in the regulations as a Type I CEU provider, our licensees will be unable to receive Type I credit for the PRT course. She stated that Type II CEU hours; however, may be awarded.

Upon a motion by Mr. Howell and seconded by Mr. Izzo the board voted to approve the awarding of 10 CEU hours for the PRT course as Type II credits.

There was further discussion regarding the course. Ms. Hahn explained that if FSBPT runs their course through APTA, VPTA or other approved organizations, Type 1 CEU hours could be awarded. Dr. Maihafer asked that further research be done to ascertain what Arizona and North Carolina used as their rationale for approving Type I CEU credits for the course. He also asked that more information be obtained at the FSBPT annual conference in September by Ms. Hahn, Ms. Quinn and Ms. Lyons. There was

additional discussion regarding if this tool should be used for re-entry or sanctions. Ms. Hahn indicated that she would be in contact with FSBPT to obtain additional information.

The board agreed to table the motion until the next meeting.

VPTA Survey Results

Ms. Hahn stated that in May, 2008 the Virginia Physical Therapy Association sent out surveys to 517 physical therapists and physical therapist assistants who held expired licenses. She stated that Julia Rice, Executive Director of VPTA reported that 50 responses were received. Ms. Hahn stated that 22 of the responses received indicated they would consider returning to practice; however, they found the traineeship requirements burdensome and problematic. She stated that Ms. Rice recommended a review and possible reconsideration of the current traineeship requirements found in the regulations under 18VAC112-20-136 and 18VAC112-20-140.

FSBPT Report on Virginia Physical Therapy Schools

Ms. Hahn reported that she reviewed Virginia schools and their performance in regard to the passage rate of the national examination. She highlighted the low performing schools with the board. Ms. Hahn stated that it would be helpful to add a link to our website listing Virginia Physical Therapy Schools and their pass rate on the national examination.

Upon a motion by Mr. Howell and seconded by Ms. Lyons the board voted to hyperlink the score reports from the FSBPT website to the Department of Health Professions website.

The members voting yes were Ms. Belmont, Mr. Howell, Mr. Izzo, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

Legislative and Regulatory Report – Elaine Yeatts

Ms. Yeatts stated she had no report in the regard to the regulations. She further stated that the regulations governing the practice of physical therapy and the direct access regulations will be adopted on November 7, 2008. Ms. Yeatts stated the next board meeting is scheduled after the final adoption of the direct access regulations; therefore, an extension should be requested from the Governor's office.

Upon a motion by Mr. Howell and seconded by Ms. Lyons the board voted to request a six month extension for the Emergency Direct Access regulations.

The members voting yes were Ms. Belmont, Mr. Howell, Mr. Izzo, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

Regulatory Action – Adoption of Exempt Regulation Public Participation Guidelines

Ms. Yeatts recommended that the Board adopt the model Public Participation Guidelines (PPG) regulations as an exempt action.

Upon a motion by Mr. Howell and seconded by Ms. Belmont the board voted to repeal Chapter 10 and adopt Chapter 11, the Model Public Participation Guidelines.

The members voting yes were Ms. Belmont, Mr. Howell, Mr. Izzo, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

PT Student Performing Evaluations

The Board clarified that the performance of patient evaluations is the responsibility of the supervising licensed physical therapist. The Board advised that further clarification be found in Section 18VAC112-20-120(A) of the regulations.

ADJOURNMENT

With all business concluded, upon a motion by Mr. Howell and seconded by Mr. Izzo the meeting was adjourned at 10:37 a.m.

George Maihafer, Ph.D., PT.
Chair

Lisa R. Hahn
Executive Director

Date

Date