

UNAPPROVED
BOARD OF PHYSICAL THERAPY
MEETING MINUTES

The Virginia Board of Physical Therapy convened for a board meeting on Friday, February 15, 2013 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

The following members were present:

Peggy Belmont, PT, Vice-President
Melissa Wolff-Burke, PT, EdD
Robert Maroon, PT
Sarah Schmidt, P.T.A.
Michael Styron, PT, MBA
J.R. Locke, Citizen Member

The following member was absent for the meeting:

George Maihafer, PT, Ph.D., President

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Dr. Dianne Reynolds-Cane, Agency Director
Elaine Yeatts, Senior Policy Analyst
Missy Currier, Board Operations Manager

BOARD COUNSEL

Erin Barrett, Assistant Attorney General

Quorum:

With 6 members present, a quorum was established.

GUEST PRESENT

Leslie Adrian, PT, MS, MPA, Director of Professional Standards, FSBPT
Sharon Zirges, Sentara Home Care, Chesapeake, Virginia
Denise Robertson, Rehab Management Inc. (RMI)

CALLED TO ORDER

Peggy Belmont, Vice-President, called the board meeting to order at 10:14 a.m.

ORDERING OF THE AGENDA

The agenda was amended to include a report by Dr. Reynolds-Cane and then accepted by the members.

ACCEPTANCE OF MINUTES

- Upon a motion by Mr. Maroon and properly seconded by Mr. Locke, the Board voted to accept the minutes of the November 16, 2012 board meeting. The motion passed unanimously.

INFORMAL CONFERENCES HELD

Ms. Belmont shared that informal conferences were held on the following days and that the minutes are located on the board's website and on regulatory Townhall:

- (1) November 15, 2012
- (2) November 16, 2012

PUBLIC COMMENT

There was no public comment

AGENCY DIRECTOR'S REPORT – Dr. Reynolds-Cane

Dr. Reynolds-Cane addressed the board by giving a brief overview of the 2013 General Assembly Session and the positive outcome the Agency had this year on the three bills DHP submitted.

Dr. Reynolds-Cane also shared that she had been appointed by Secretary William Hazel to Co-Chair the Virginia Health Innovation Plan Workforce Advisory Group along with VHCF Executive Director Debbie Oswalt. The group is charged with addressing healthcare and workforce issues.

PRESENTATION – Leslie Adrian, Federation of State Boards of Physical Therapy (FSBPT)

Leslie Adrian, Director of Professional Standards for FSBPT presented on the pilot program being developed for the Supervised Clinical Practice Performance Evaluation Tool. Ms. Adrian provided the rationale for the Tool, the process used in developing the Tool and the elements that will be included. Ms. Adrian indicated that a deadline of July 2013 is scheduled for the launch of the program but strongly emphasized that they will not release the Tool until FSBPT knows 100% that the product is ready.

Ms. Hahn expressed how pleased Virginia is to be one of the pilot states to participate in the Foreign Evaluation Tool and that our board is very anxious to test out the program.

EXECUTIVE DIRECTOR'S REPORT - Lisa R. Hahn

FY13 Budget

Ms. Hahn reported that the cash balance as of June 30, 2012 was \$298,364; the revenue for FY13 was \$729,790; the direct and allocated expenditures were \$291,162; the ending cash balance as of December 31, 2012 was \$736,992. Ms. Hahn stated that the cash will sustain the board for the next two years.

Ms. Hahn reported that there was an unintentional error made this year during renewals that resulted in the incorrect renewal fees being processed. She explained to the board that they had approved a one-time fee decrease in 2010 as required by law to stay within 10% of the board's over/under budget. During this renewal cycle, the decreased fee did not get changed back to the original fee and therefore licensees paid the reduced fee again in 2012. Ms. Hahn added that although this was unintentional, it will serve to keep the board within the 10% as required by law. She concluded that provisions have already been put in place for the next renewal cycle.

Discipline Statistics

Ms. Hahn reported that in addition to the statistics included in the agenda, as of February 12th there were 27 open cases; 8 were in Investigations; 14 were at the probable cause level; 4 cases were at the Informal Conference level; and 1 case was at the Formal level and was being heard following the board meeting.

Virginia Performs

Ms. Hahn reported the clearance rate for the 3rd Quarter ending March 31, 2012 was 133%. The age of our pending case load over 250 days was at 10%; the time to disposition is at 100% of cases closed within 250 days. The licensing standard of less than 30 days for issuance has been met 100% of the time. The customer satisfaction rating was 95.2% but the rating had not been updated since September 2011. Ms. Hahn concluded that in Quarter 3, the board received 6 cases and closed 8.

Licensee Statistics

Ms. Hahn reported that in addition to the statistics included in the agenda, as of February 12th there were 6,085 active physical therapists; 2,454 active physical therapist assistants, and 667 with Direct Access Certification.

Ms. Hahn further reported that approximately 500 PT's had not renewed as well as many PTA's which initiated discussion about whether the board wanted to send an email reminder to expired licensees.

Upon a motion by J.R. Locke and properly seconded by Sarah Schmidt, the board voted to have staff issue an email notification to PT's and PTA's reminding them to renew their license if they are still practicing in Virginia. The motion passed unanimously.

NPTE Results

Ms. Hahn shared the following Virginia NPTE exam results for PT's:

January 2013 – 53.8 passage rate (39 total took exam; 18 failed and 21 passed)

- **US Educated:** 29 took exam; 10 passed first attempt; 7 passed repeated attempt; 12 failed (5 first attempt and 7 repeated attempts).
- **Foreign Educated:** 10 took exam; 2 passed first attempt; 2 passed repeat; 6 failed repeat.

Ms. Hahn concluded that she will report the NPTE US Pass Rates at the next board meeting when they become available.

2013 PT/PTA Examination Schedule

Ms. Hahn stated that the exam schedule is available on the website.

Title Protection

Ms. Hahn reported she had been emailed regarding a concern about high school programs using the term "Physical Therapy" to describe pre-health career majors and whether or not the use of the term was title protected. Ms. Hahn shared that she consulted with Board Counsel Erin Barrett about the concern and wanted the members to know that the way the statute is written, the term "Physical Therapy" itself is not title protected. Ms. Hahn did remind the board that PT's and PTA's are title protected under the law.

Board Meeting Calendar

Ms. Hahn gave the following 2013 board meeting calendar dates; May 24th, August 23rd, and November 22nd.

NEW BUSINESS

Petition for Rule-Making (18VAC112-20-131)(B)(1) – Elaine Yeatts

Ms. Yeatts initiated discussion on the petition the board received requesting consideration for a change in continued competency requirements for renewal of an active license. After much discussion, a motion was made by Ms. Wolff-Burke and properly seconded by Ms. Schmidt to Fast-Track adding the following language to 18VAC112-20-131(B)(1):

- **18VAC112-20-131. Continued competency requirements for renewal of an active license.**

B. To document the required hours, the licensee shall maintain the Continued Competency Activity and Assessment Form that is provided by the board and that shall indicate completion of the following:

1. A minimum of 15 of the contact hours required for physical therapists and 10 of the contact hours required for physical therapist assistants shall be in Type 1 face-to-face courses. For the purpose of this section, "course" means an organized program of study, classroom experience or similar educational experience that is directly related to the clinical practice of physical therapy and approved or provided by one of the following organizations or any of its components:

- a. The Virginia Physical Therapy Association;
- b. The American Physical Therapy Association;
- c. Local, state or federal government agencies;
- d. Regionally accredited colleges and universities;
- e. Health care organizations accredited by ~~the Joint Commission on Accreditation of Healthcare Organizations (JCAHO)~~ a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services to assure compliance with Medicare conditions of participation;
- f. The American Medical Association - Category I Continuing Medical Education course; and
- g. The National Athletic Trainers Association.

The motion passed by a majority vote of 5 members. J.R. Locke abstained from voting.

Regulatory Report – Elaine Yeatts

Ms. Yeatts reviewed the status of regulations pertaining to **18VAC112-20**:

- Traineeship changes, continuing education – Final – Remain at Secretary's Office.

Ms. Yeatts concluded that the Legislative/Regulatory Committee will complete their review of regulations at another meeting to be scheduled sometime in March. At that time, the Committee will develop amended language for consideration by the full board at its meeting scheduled in May 2013.

ADJOURNMENT

With all business concluded the meeting was adjourned at 11:32 a.m.

Peggy Belmont, PT, Chair

Lisa R. Hahn, MPA, Executive Director

Date

Date

DRAFT