

April 12, 2024

The Legislative/Regulatory Committee of the Virginia Board of Physical Therapy convened on Friday, April 12, 2024, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT

Susan Szasz Palmer, MLS, Board Member, Committee Chair
Megan Bureau, PT, DPT, Board Member
Mira H. Mariano, PT, PhD, Board Member, Board President

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING

Erin Barrett, Director of Legislative and Regulatory Affairs
Sarah Georgen, Licensing and Operations Supervisor
Matt Novak, Policy and Economic Analyst
Melanie Pagano, Deputy Executive Director
Brent Saunders, Senior Assistant Attorney General, Board Counsel
Corie Tillman Wolf, Executive Director

OTHER GUESTS PRESENT:

R. Dodson
Joseph Gianfortoni, MD*
Ken Hutcheson
Paige Roberts
Melissa Wyatt

**Participant indicates attendance to count toward continuing education requirements*

CALL TO ORDER

Ms. Szasz Palmer called the meeting to order at 10:00 a.m. and asked the Board members and staff to introduce themselves.

With three Committee members present at the meeting, a quorum was established.

Ms. Szasz Palmer read the mission of the Board, which is also the mission of the Department of Health Professions.

Ms. Szasz Palmer reminded the Board members and audience about microphones, computer agenda materials, breaks, sign-in sheets, and attendance for continuing education requirements.

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF THE AGENDA

Ms. Szasz Palmer opened the floor to any additional items to add to the agenda.

Upon a **MOTION** by Dr. Bureau and properly seconded by Dr. Mariano, the Board voted to accept the agenda as presented. The motion carried unanimously (3-0).

PUBLIC COMMENT

Dr. Joseph Gianfortoni, MD, provided public comment requesting the Board to convene a regulatory advisory panel to provide specialization and technical assistance for discussion of pelvic floor therapy and the definition of invasive procedures.

DISCUSSION AND COMMITTEE RECOMMENDATIONS

Discussion of Practice of Pelvic Floor Therapy and Definition of Invasive Procedure

Ms. Szasz Palmer opened the meeting to discussion of the practice of pelvic floor therapy and the definition of an invasive procedure. The Committee discussed factors that could potentially be addressed by Board guidance or regulatory amendments.

The Committee discussed the importance of informed consent for all procedures performed, not just invasive procedures, and recent recommendations of the APTA Academy of Pelvic Health regarding the use of chaperones. The Committee requested additional information related to the definitions of pelvic floor therapy and invasive procedures. Ms. Tillman Wolf agreed to gather additional data and information related to federal recent legislation introduced on women's health and post-partum treatment, a comparison of information available from other jurisdictions, information related to enhanced training for pelvic floor therapy, as well as information from the APTA Academy of Public Health as it applies to these topics.

The Committee agreed to convene another Legislative/Regulatory Committee Meeting to discuss the information for further consideration.

Discussion of Use and Impact of Artificial Intelligence (AI) and Digital Technology in the Practice of Physical Therapy

Ms. Tillman Wolf stated that the Board received a question from a licensee prompting a discussion of the use and impact of artificial intelligence (AI) and digital technology in the practice of physical therapy.

The Committee discussed technological advancements that may impact digital practice as it applies to the consumer, the licensee, and the role of currently established telehealth practice.

The Committee discussed including a portion of the existing Guidance Document 112-21, "Guidance on Telehealth" that could provide recommendations and addresses digital technologies in more general terms with telehealth included under the umbrella of digital practice. The Committee agreed to review a draft of proposed amendments to the Guidance Document at the next Legislative/Regulatory Committee Meeting for further consideration.

Review of Guidance Documents for Reclassification

Ms. Barrett provided information for the Committee’s consideration related to the reclassification of Guidance Documents.

Upon a **MOTION** by Dr. Bureau, properly seconded by Dr. Mariano, the Committee voted to submit Guidance Documents 112-1: “By-Laws of the Board of Physical Therapy,” 112-17: “Sanction Reference Manual,” 112-22: “Procedures for Auditing Continued Competency Requirements,” and 112-23: “Guidelines for Processing Applications for Licensure” to Board Counsel for review and recommendation to the Board President as presented. The motion carried unanimously (3-0).

Review and Revise Guidance Document 112-3, Board Guidance on Receipt of Verbal Orders for Medications by Physical Therapists

The Committee discussed Guidance Document 112-3, “Board Guidance on Receipt of Verbal Orders for Medications by Physical Therapists” and determined that no edits were necessary.

Upon a **MOTION** by Dr. Mariano, properly seconded by Dr. Bureau, the Committee voted to recommend to the full Board the readoption of Guidance Document 112-3, “Board Guidance on Receipt of Verbal Orders for Medications by Physical Therapists” as presented. The motion carried unanimously (3-0).

Development of Guidance or Policy Document - Processing National Physical Therapy Examination (NPTE) Appeals

The Committee discussed the proposed document on the processing of National Physical Therapy (NPTE) examination appeals. The Committee discussed inclusion of language that the Board would consider no more than one appeal request from an applicant.

Upon a **MOTION** by Dr. Mariano, properly seconded by Dr. Bureau, the Committee voted to recommend to the full Board the adoption of a policy document on processing appeals to the exam attempt limits for the National Physical Therapy Examination (NPTE) as amended. The motion carried unanimously (3-0).

NEXT STEPS

Ms. Szasz Palmer stated that the recommendations of the Committee as outlined in the motions would be presented to the full Board for consideration at the next scheduled Board meeting on May 14, 2024, and that another Legislative/Regulatory Committee Meeting would be scheduled for a later date for discussion on unfinished business.

ADJOURNMENT

Ms. Szasz Palmer called for any objections to adjourn the meeting. Hearing no objections and with all business concluded, the meeting adjourned at 11:17 a.m.

Corie Tillman Wolf, J.D., Executive Director

Date