

August 13, 2024

The Virginia Board of Physical Therapy convened for a full Board meeting on Tuesday, August 13, 2024, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

BOARD MEMBERS PRESENT

Mira H. Mariano, PT, PhD, President
Susan Szasz Palmer, MLS, Vice-President
Megan Bureau, PT, DPT
Melissa Fox, PT, DPT
Elizabeth Locke, PT, PhD
Srilekha Palle, PT, DPT

BOARD MEMBERS NOT PRESENT:

Rebecca Duff, PTA, DHSc

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING

Sarah Georgen, Licensing and Operations Supervisor
James Jenkins, RN, Agency Chief Deputy Director
Annette Kelley, MS, CSAC, Deputy Executive Director
Laura Mueller, Senior Licensing Program Coordinator
Arne Owens, Agency Director
Matt Novak, Policy and Economic Analyst
James Rutkowski, Assistant Attorney General, Board Counsel
Corie Tillman Wolf, JD, Executive Director

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

OTHER GUESTS PRESENT:

R. Dodson
H. Simpson
P. Roberts
Kenneth Hutcheson, Virginia Physical Therapy Association
Anthony Grillo, PT, Virginia Physical Therapy Association

CALL TO ORDER

Dr. Mariano called the meeting to order at 9:01 a.m. and asked the Board members and staff to introduce themselves.

With six Board members present at the meeting, a quorum was established.

Dr. Mariano read the mission of the Board, which is also the mission of the Department of Health Professions.

Dr. Mariano 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 MINUTES

Dr. Mariano opened the floor to any edits or corrections regarding the draft minutes for a Board meeting held on May 14, 2024, and a Telephone Conference Call held on July 18, 2024.

Ms. Tillman Wolf requested a correction to the Legislative and Regulatory Report of the May 14, 2024, Board meeting minutes related to Mr. Novak's name.

Upon a **MOTION** by Dr. Fox, and properly seconded by Dr. Palle, the Board voted to approve the minutes as amended. The motion carried unanimously (6-0).

ORDERING OF THE AGENDA

Dr. Mariano opened the floor to any additional items to add to the agenda.

Ms. Tillman Wolf noted that Mr. Novak would provide the Legislative and Regulatory Report instead of Ms. Barrett.

Upon a **MOTION** by Dr. Locke, and properly seconded by Ms. Szasz Palmer, the Board voted to accept the agenda as amended. The motion carried unanimously (6-0).

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARING

Dr. Mariano called the public hearing to order at 9:07 a.m. to receive public comments on the Board's Proposed Regulations for Regulatory Reduction, Regulations Governing the Practice of Physical Therapy (18VAC112-20-10 et seq.). There was no comment on the proposed regulations.

Dr. Mariano stated that the comment period for these proposed regulations would end on October 11, 2024.

The public hearing concluded at 9:08 a.m.

AGENCY REPORT

Mr. Owens welcomed Board Members and thanked them for their service and contribution to the profession.

Mr. Owens reported on the new protocols for enhanced security in the Perimeter Center known as “Expect the Check,” which is standard security precaution for many government agencies in the Commonwealth of Virginia.

Mr. Owens spoke about the successful 2024 General Assembly Session and legislative efforts and approval of the budget, which included the addition of full-time DHP positions due to the increase of licensees and investigative cases. He stated that legislative proposals for the upcoming 2025 General Assembly have been submitted for consideration.

Mr. Owens reported on staff retention efforts through the study of agency salaries.

With no questions, Mr. Owens concluded his report.

STAFF REPORTS

Executive Director’s Report – Corie E. Tillman Wolf, J.D., Executive Director

Welcome and Congratulations

Ms. Tillman Wolf announced Ms. Pagano’s retirement effective August 2024. She welcomed Annette Kelley as the new Deputy Executive Director of the Board. She further welcomed Coralyn Powell as a new member of the unit.

Board Updates

Ms. Tillman Wolf reported that CE Broker, the continuing education management system discussed and approved by the Board at its May meeting, will be launched on October 1, 2024.

Ms. Tillman Wolf reported on the completion of the Business Process Reengineering review of the licensure process and stated that updates had been made to the Board’s website. Board staff hopes to finalize journey maps for Physical Therapist (PT) and Physical Therapist Assistants (PTA) students in Virginia. Ms. Tillman Wolf stated the two main takeaways of the project were (1) to provide clear online information for applicants and licensees, and (2) to continue to identify and implement technology tools to improve the applicant and licensee experience.

Ms. Tillman Wolf stated that the Legislative/Regulatory Committee meeting will be scheduled for an upcoming date.

Ms. Tillman Wolf thanked Board members and staff for their efforts to bring the Board current with probable cause review.

FSBPT Updates

Ms. Tillman Wolf provided information on recent and upcoming meetings of The Federation of State Boards of Physical Therapy (FSBPT). The Regulatory Training for Board Members and Staff was held on May 16-18, 2024, in Alexandria, Virginia, and was attended by Dr. Bureau and Dr. Fox (in person), and Dr. Mariano and Ms. Georgen (virtually). The Leadership Issues Forum (LIF) meeting was held on July 13-14, 2024, in Arlington, Virginia, and was attended by Dr. Mariano and Ms. Tillman Wolf (in person). The upcoming Annual Meeting will be held October 31-November 2, 2024, in Cedar Rapids, Iowa, with the current Board President (Mariano) and Vice-President (Szasz Palmer) attending as Delegate and Alternate Delegate, respectively.

Ms. Tillman Wolf informed the Board of the launch of FBSPT's new STOPit anonymous reporting system for suspected cases of cheating on the National Physical Therapy Examination (NPTE).

Ms. Tillman Wolf reported on the Exam, Licensure, and Discipline Database (ELDD) "Consumer Protection Rating" report provided by the FSBPT. She announced that Virginia was compliant with the reporting of license information, FSBPT identification, and disciplinary actions. Further, she reported that she participated in a recent video created by the FSBPT on the benefits of the ELDD system.

Virginia and National Trends

Ms. Tillman Wolf provided information on where Virginia stands with regard to some of the national topics and trends discussed at the recent regulatory training and LIF meetings, including collection of workforce data, use of disciplinary guidelines, licensure by endorsement pathways for non-CAPTE graduates, participation in the Physical Therapy Compact, reporting to the ELDD system, and implementation of application programming interface (API) system to allow for automatic data transfer of information with the FSBPT.

PT Compact Updates

Ms. Tillman Wolf reported on the national status of the Physical Therapy Compact (PT Compact), including new states that have enacted legislation or have begun issuing privileges. She reported that thirty-eight jurisdictions have passed legislation to join the Compact and that thirty-one jurisdictions are currently issuing privileges as of August 2024.

Ms. Tillman Wolf stated that the Physical Therapy Compact Commission (PTCC) held a special meeting on June 17, 2024, to vote upon amendments to the rules and bylaws of the PT Compact. Further, she reported that the Executive Committee of the PT Compact recently reviewed the legislation of two jurisdictions for material deviations. She asked Board members to be on the lookout for upcoming Compact newsletters with more information.

Ms. Tillman Wolf reported that 1,420 practitioners have purchased 2,016 new or renewal Compact privileges in Virginia since January 2020.

Expenditure and Revenue Summary as of May 31, 2024

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of May 31, 2024.

Cash Balance as of June 30, 2023	\$1,974,162
YTD FY 2024 Revenue	\$ 159,454
Less: YTD FY 2024 Direct and Allocated Expenditures	\$ 717,420
Cash Balance as of May 31, 2024	\$1,416,196

2024 Board Meetings and Tentative 2025 Board Meeting Dates

Ms. Tillman Wolf announced the remaining 2024 Board meeting schedule and the proposed 2025 Board meeting schedule.

- November 8, 2024
- February 21, 2025
- May 8, 2025
- August 21, 2025
- November 7 or 14, 2025

With no questions, Ms. Tillman Wolf concluded her report.

Discipline Report – Annette Kelley, MS, CSAC, Deputy Executive Director

As of June 30, 2024, Ms. Kelley reported the following disciplinary statistics:

- 32 Open cases:
 - 19 Patient Care Cases:
 - 3 at Informal Conferences
 - 0 at Formal Hearings
 - 6 at Enforcement
 - 7 at Probable Cause
 - 3 at Administrative Proceedings Division
 - 13 Non-Patient Care Cases:
 - 4 at Informal Conferences
 - 0 at Formal Hearings
 - 3 at Enforcement
 - 5 at Probable Cause
 - 1 at Administrative Proceedings Division
- 7 cases were listed at Compliance

Ms. Kelley reported the following Total Cases Received and Closed:

- Q1 2022 – 11/12
- Q2 2022 – 9/8
- Q3 2022 – 15/18
- Q4 2022 – 3/10
- Q1 2023 – 15/21
- Q2 2023 – 13/18

- Q3 2023 – 10/8
- Q4 2023 – 4/5
- Q1 2024 – 10/14
- Q2 2024 – 27/4
- Q3 2024 – 10/15
- Q4 2024 – 9/29

With no questions, Ms. Kelley concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Supervisor

Licensure Statistics – All Licenses

Ms. Georgen presented licensure statistics that included the following information and trends in license count:

License	Q3 2024	Q4 2024	Change +/-
Physical Therapist	9,640	9,896	+256
Physical Therapist Assistant	3,835	3,904	+69
Total PT's and PTA.'s	13,475	13,800	+325
Direct Access Certification	1,268	1,274	+6

Examination Statistics

Ms. Georgen presented the Physical Therapist and Physical Therapist Assistant examination statistics from July 2024 administrations and provided information on the examination trends.

CE Broker

Ms. Georgen provided an update on the implementation of CE Broker as a continuing education management system for licensure renewals.

Licensure Renewal Notifications

Ms. Georgen provided information on the upcoming renewal notifications for licenses expiring on December 31, 2024.

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT

Mr. Rutkowski provided an update on a court case involving the Board.

BOARD MEMBER AND COMMITTEE REPORTS

Report from Leadership Issues Forum – Mira Mariano

Dr. Mariano provided a brief update on the LIF meeting and topics discussed including the importance of collection of workforce data, recent updates regarding efforts to address the use of the initials “DPT” by individuals not practicing physical therapy, FSBPT taskforce updates related to informed consent, efforts to create a school educator module related to boundary violations, and recent updates to the NPTE examination structure to include scenario-based and video content questions. Dr. Mariano further reported that there were no plans to increase NPTE examination fees through 2028.

With no questions, Dr. Mariano concluded her report.

Report from FSBPT Regulatory Workshop – Megan Bureau, PT, DPT, Melissa Fox, PT, DPT, Mira Mariano, PT, PhD, OCS

Dr. Fox, Dr. Bureau, and Dr. Mariano provided brief reports on the FSBPT Regulatory Workshop, highlighting discussions related to FSBPT jurisprudence assessment modules, virtual meeting participation, and the facilitation of national and state information sharing.

With no questions, they concluded their reports.

LEGISLATIVE AND REGULATORY REPORT

Mr. Novak provided an update on the regulatory actions currently in process.

With no questions, Mr. Novak concluded his report.

ELECTIONS

Dr. Mariano stated that in accordance with the Bylaws, during the first meeting of the organizational year, the Board shall elect from its members a President and Vice-President.

Dr. Mariano provided remarks regarding the process for making additional floor nominations.

President

Dr. Mariano opened the floor for nominations for President of the Board of Physical Therapy.

Ms. Tillman Wolf announced that Ms. Szasz Palmer, Dr. Palle, and Dr. Locke had submitted written nomination forms for the position of President.

Dr. Mariano opened the floor for any additional nominations for President of the Board of Physical Therapy. There were no other nominations. The nominations were closed.

Dr. Mariano called for a voice vote regarding the nominations of Ms. Szasz Palmer, Dr. Palle, and Dr. Locke for the position of President. One vote was voiced for Dr. Palle (Palle), one vote was voiced for Ms. Szasz Palmer (Bureau), and four votes were voiced for Dr. Locke (Locke, Fox, Szasz Palmer, and Mariano).

Upon a majority vote of 4-1-1, Dr. Locke was elected for the position of President of the Board of Physical Therapy.

Vice-President

Dr. Mariano opened the floor for nominations for Vice-President of the Board of Physical Therapy.

Ms. Tillman Wolf announced that Ms. Szasz Palmer had submitted a written nomination form for the position of Vice-President.

Dr. Mariano opened the floor for any additional nominations for Vice-President of the Board of Physical Therapy. Dr. Mariano nominated herself for the position of Vice-President. The nominations were closed.

Dr. Mariano called for a voice vote on the nominations of Ms. Szasz Palmer and Dr. Mariano for the position of Vice-President. Six votes were voiced for Dr. Mariano (Palle, Locke, Fox, Bureau, Szasz Palmer, and Mariano) and no votes were voiced for Ms. Szasz Palmer.

Upon a unanimous vote of 6-0, Dr. Mariano was elected for the position of Vice-President of the Board of Physical Therapy.

NEXT MEETING

The next meeting date is November 8, 2024.

ADDITIONAL COMMENTS

Dr. Mariano stated that the Board would convene two formal hearings beginning at 10:00 a.m. She said that all Board Members were requested to participate, apart from Dr. Mariano from the first hearing only.

ADJOURNMENT

Dr. Mariano called for any objections to adjourn the meeting. Hearing no objections and with all business concluded, the meeting adjourned at 9:49 a.m.

Corie Tillman Wolf, J.D., Executive Director

Date