

DRAFT
DEPARTMENT OF HEALTH PROFESSIONS
BOARD OF HEALTH PROFESSIONS
REGULATORY RESEARCH COMMITTEE
September 9, 2008

TIME AND PLACE: The meeting was called to order at 11:35 a.m. on Tuesday, September 9, 2008, Department of Health Professions, 9960 Mayland Drive, 2nd Floor, Room 3, Richmond, VA.

PRESIDING OFFICER: David Boehm, L.C.S.W., Ex-officio, Chair

MEMBERS PRESENT: Paula H. Boone, O.D.
Vilma Seymour, Citizen Member

MEMBERS NOT PRESENT: Susan G. Chadwick, Au.D.
Meera Gokli, D.D.S.
Damien Howell, P.T.

STAFF PRESENT: Elizabeth A. Carter, Ph.D., Executive Director for the Board
Emily Wingfield, Chief Deputy Director
Elaine Yeatts, Senior Regulatory Analyst
Justin Crow, Research Assistant
Carol Stamey, Operations Manager

OTHERS PRESENT: Gerald Milsky, VA Occupational Therapy Association

QUORUM: With three members present, a quorum was not established.

AGENDA: No additions or changes were made to the agenda.

INTRODUCTION: Dr. Carter introduced the Board's current research assistant, Justin Crow, Wilders Fellow. She noted that Mr. Crow will be providing an update through slide presentation on the study of Emerging Professions.

PUBLIC COMMENT: No public comment was presented; however, it was noted that written comment had been received from Alexander M. Macaulay, Esquire, Macaulay & Burtch, P.C.

APPROVAL OF MINUTES: The approval of prior minutes was deferred to the next meeting.

UPDATE ON EMERGING PROFESSIONS: Justin Crow provided a slide presentation on the study of Emerging Professions. The presentation is incorporated into the minutes as Attachment 1.

NEW BUSINESS: No new business was presented.

ADJOURNMENT: The meeting adjourned at 12:25 p.m.

David R. Boehm, L.C.S.W.
Ex-Officio, Chair

Elizabeth A. Carter, Ph.D.
Executive Director for the Board

Emerging Professions

Central Service/Sterile Processing
Orthopedic Technicians
Orthotists, Prosthetists
and Pedorthists

Central Service/Sterile Processing



Central Service/Sterile Processing

- Bureau of Labor Statistics: Medical Equipment Preparers
 - Prepare, sterilize, install, or clean laboratory or healthcare equipment. May perform routine laboratory tasks and operate or inspect equipment.
 - Employed in (national):
 - Hospitals: 29,960
 - Dentist Offices: 2,870
 - Physicians Offices: 2,150
 - Outpatient Care Centers: 2,050
 - Medical Labs: 990



Certification

- International Association of Healthcare Central Service Material Management (IAHCSMM)
 - Levels:
 - Certified Registered Central Service Technician
 - Supervision Principles
 - Healthcare Materiel Management Concepts
- Certification Board for Sterile Processing and Distribution, Inc (CBSPD)
 - Levels:
 - SPD Technician
 - Surgical Instrument Processor
 - Ambulatory Surgery Technician
 - Flexible Endoscope Reprocessor
 - SPD Supervisor
 - SPD Manager

Entry Level Certification Requirements

- IAHCSSM: Certified Registered Central Service Technician
 - Successfully complete an approved IAHCSSM Course
 - Pass IAHCSSM Certification Exam with 70% grade.
 - Maintain continuing education requirements
- CBSPD: SPD Technician
 - Eligibility Requirements
 - 12 months full time employment or . . .
 - Complete Allied health program and 6 month SPD employment or . . .
 - 12 months healthcare product sales or service employment or . . .
 - Central Services/SPD training course and . . .
 - Pass SPD Exam
 - Maintain continuing education requirements

Education

- IAHCSSM Approved Courses: Not known
- CBSPD Courses: Taught by certified instructor or have “extensive experience in the field.”
- Course Quality Varies
 - Degrees offered: Diploma, Certificate
 - Didactic Credits: 5 to 43
 - Clinical Hours: 0 to 13
 - Methodology: Self Study, Online, Classroom, On the Job
 - Accreditation: Most are in accredited community colleges

Salary

- BLS: Medical Equipment Preparers (May 2007)
 - VA: 10th Percentile: \$18,360
 - VA: 90th Percentile: \$36,130

Area name	Employment	Hourly mean wage	Annual mean wage
Kentucky	870	12.32	25,620
West Virginia	160	12.34	25,670
Tennessee	390	12.79	26,600
North Carolina	1,540	12.88	26,790
Virginia	1,280	12.88	26,790
Maryland	560	13.60	28,280
Dist of Columbia	130	15.39	32,020
National	43,790	13.43	27,940

Harm

- Two Sources of Harm
 - Equipment Failure
 - Nosocomial Infections
- Equipment Failure
 - Cleaning liquids or improper cleaning technique
 - FDA: Center for Devices and Radiological Health
 - Public Heal Notification “Avoiding Hazards with Using Cleaners and Disinfectants on Electronic Medical Equipment” 10/31/07
 - It noted improper cleaning results in
 - Equipment fires
 - Equipment Malfunctions
 - Healthcare Worker Burns
 - Patients lives could be threatened if equipment failure results in:
 - Over infusion of medication
 - Loss of life-supporting drug therapy
 - Loss of patient ventilation

Harm

- Nosocomial Infections
 - AKA “health care acquired infections” or “health care associated infections”
 - Incidence
 - Centers for Disease Control--hospitals (2002)
 - 1.7million infections
 - 98,987 deaths
 - Chicago Tribune Investigative Report—hospitals (2002)
 - 2.1 million infections
 - 6 percent of hospital patients
 - 103,000 deaths

Cause of Death	2002 Deaths
Heart Disease	696,947
Cancer	557,271
Stroke	162,672
Chronic Lower Respiratory	124,816
Accidents	106,742
Hospital Acquired Infections	98,987
Diabetes	73,249
Influenza/pneumonia	65,681

The National Center for Vital Statistics does not track Hospital Acquired Infections. If counted, HAIs would have been the sixth leading cause of death in the US in 2002.

Harm

- Drug Resistant Pathogens
 - Presents risk to the general public
 - Healthcare facilities are drug intensive
 - Sick patients treated with antibiotics provide a perfect environment for drug resistant pathogens to develop
 - Healthcare associated drug resistant pathogens
 - Methicillin-resistant Staphylococcus (MRSA)
 - CDC, 2005
 - 94,360 cases (85 % healthcare related)
 - 18,650 deaths
 - Drug Resistant Tuberculosis
 - Vancomycin-Intermediate/Resistant Staphylococcus aureus
 - Acinetobacter
 - S. pneumoniae
 - Vancomycin-resistant Enterococci.

Incidents

- FDA MAUDE database (adverse events related to medical devices)
 - Keyword search “reprocess” and “death”
 - One relevant incident
 - Severe breakdown in sterile processing technique
 - Resulted in “outbreak investigation”
 - Pathogenic bacteria found in sterile processing equipment
 - Keyword search “reprocess” and “injury”
 - Five relevant incidents
 - Two: reprocessing of single-use equipment
 - One: reprocessing damaged equipment
 - Two: General report of infection, meant provide data for pattern search
 - It is impossible to determine if Sterile Processing was a factor in these incidents

Internet Search of News Media

- Summary of relevant news reports collected at myendosite.com
 - Maintained by Dr. Lawrence F. Muscarella of Custom Ultrasonics
 - List of reprocessing incidents.
 - 12 incidents
 - Affected equipment used on 8068+ patients
 - 2 incidents resulted in infections (20 patients)
 - Both of these incidents resulted in deaths (3 patients)
 - 1 from Steris AER failure
 - 2 neonatal infants died when sterilization of Laryngoscopes was moved out of the Central Services Department
 - All other incidents were precautionary notifications based on recognized breakdowns in procedures.



Public Comment

- On November 29, 2007, at meeting of the Board of Health Professions' Executive Committee, Ms. Lee Germain, from the Virginia Association of Central Services (VACS), presented comment regarding the need for mandatory certification of central sterile technicians. Ms. Germain noted inconsistencies in the training and varied responsibilities of central sterile technicians among hospitals. Ms. Germain presented several examples of patient harm due to contaminated patient care instruments.
- No further public comment has been forthcoming.



Orthopedic Technicians

Orthopedic Technicians

- No Specific Bureau of Labor Statistic Classification
- National Association of Orthopedic Technologists:
 - **Under the direction of an Orthopedic Surgeon:**
 - Apply plaster and synthetic casts
 - Remove casts and splints
 - Apply and adjust traction
 - Assist the Orthopaedic Surgeon in the operating suite
 - Fit and adjust canes, crutches and walkers
 - *Apply simple braces and prosthetics*
 - Perform minor adjustments and repairs
 - Fabricate splints

Certification

- National Board for Certification of Orthopaedic Technologists
 - Accreditation
 - The National Commission for Certifying Agencies (NCCA)
 - Levels:
 - Orthopaedic Technologist Certified (OTC)
 - Orthopaedic Technologist-Surgery Certified (OT-SC)
 - OTC Requirements:
 - Pass OTC exam
 - Continuing Education requirement
- American Society of Orthopedic Professionals
 - Levels:
 - Registered Orthopedic Technologists (R.O.T.)
 - Requirements:
 - Online Exam
 - Practical Component (completed on the job)
 - Membership in ASOP
 - Continuing Education requirement

Education

- National Association of Orthopedic Technologists Recognition
 - Not accredited by any other organization including NBCOT
 - Six currently recognized programs
 - Recognition minimum requirements:
 - Curricula must coincide with NBCOT Role Delineation Study
 - One school year in length
 - 200 hour clinical rotation
 - Operating room
 - Hospital
 - Office Practice
 - Curricula must be in place for one year prior to application
 - Must meet requirements set by the NAOT Education Review Committee
 - Instructors must have OTC or higher credentials

NAOT Recognized Programs

Institution	Degree	Institutional Accreditation
Blue Ash Education Center Houston, TX	Certificate	None
Central Georgia Technical College Macon, GA	Associates or Diploma	Commission on Colleges of the Southern Association of Colleges and Schools
Griffin Technical College Griffin, GA	Associates or Diploma	Commission on College of the Southern Association of Colleges and Schools
Grossmont College El Cajon, CA	Associates or Certificate	Western Association of Schools and Colleges
MCCS/HMD-Orthopaedic Specialty Course	MOS 68W ASI P1	US Military Specialty: Orthopedic Specialist
Medical Careers Institute at Coordinated Health Bethlehem, PA	Diploma	None

Non-NAOT Recognized Programs

An internet search revealed the following three programs:

Anne Arundel Community College Arnold, MD	Two courses, 240 clinical hours	Middle States Commission on Higher Education
Virginia College Huntsville and Mobile AL Campuses	Associates 96 credit 0 clinical	Accrediting Council for Independent Colleges and Schools
NHTI-Concord's Community College Concord, NH	Certificate 32 credits 8 clinical	Commission on Institutions of Higher Education of the New England Association of Schools and Colleges, Inc

Salary

- No specific BLS category
- 2008 NAOT Salary Survey (300 Orthotechs)
 - Average: \$44,458
 - 1-3 years exp: \$29,375
 - OTC: ≈ \$10,000 premium
 - OTCs: 4% increase since 2006
 - Non-OTCs: 4% decline since 2006
 - Education paid by employer: \$1,037

Harm

- National Board for Certification of Orthopedic Technologists: Written Comments (00013)
 - “At this time we have no documented issues involving harm to any patient either physical, economic or emotional. However, when one considers that there are health care professionals assisting the Orthopaedic Surgeon with, casting, splinting, etc. Without any Orthopaedic credentials either sanctioned by the State of Virginia or by voluntary Certification from the National Board for Certification of Orthopaedic Technologists, there is a high potential for risk and harm.”
 - Oral comments (August 14, 2008)
 - Jeffery J. Virgo, OT-SC; OPA-C related incidents from his experience as an Orthopaedic Technologist and Orthopaedic Physician’ Assistant
 - Type of damage
 - Saw blade injuries (improper cast removal)
 - Improper casting can cause long term nerve damage
 - Skin damage can result in infection or require skin grafting
 - Ill-fitting braces, braces placed on the wrong limb and braces placed upside down.
 - Improper casts are the leading cause of lawsuits in Orthopaedic Surgery.
 - 607 claims against Orthopaedic Surgeons (2007 Virginia Judicial Survey)

Malpractice Insurance

- Orthopedic Technicians are generally covered by malpractice insurance provided by hiring physicians or institutions.
 - ex. ISMIE (IL) charges an additional premium for OTs employed by a physician or clinic.
- Orthopaedic Technicians can purchase additional insurance to protect themselves over and above an employer’s insurance.
 - ex. Healthcare Providers Service Organization (PA) provides liability insurance for Allied Health Professionals, including Orthopedic Technicians. Up to \$3 million of aggregate coverage is available.



Public Comment

- National Board for Certification of Orthopedic Technologists, Inc. (Written Comments)
 - Included Extensive Comments
 - Table of Contents
 - About the NBCOT: General Information, Mission Statement, Resumes
 - Answers for State Regulatory Committees
 - Job Task Analysis specific to the current OTC Examination
 - Standards for Subject Matter Experts
 - Standards of Practice for the Orthopaedic Technologist Certified
 - OTC Examination Application and Candidate Handbook
 - Certification Appeals Procedures
 - Code of Ethics for Orthopaedic Technologist Certified
 - Ethics Case Procedures
 - Bill before the State of California
 - Job Postings in various states specifically requiring the OTC credential.



Public Comments

- Key Points
 - “No documented issues” involving harm (000013)
 - “High potential for risk or harm”
 - “Under direct supervision of Orthopedic Surgeon not necessarily working in their presence”
 - Prefer licensure of OTCs
 - Will seek recognition of OTC if license requirement is not forthcoming.
 - “Orthopaedic Technologist Certified Bill” (00113)
 - Currently in Committee before the California State Legislature
 - Only allows OTCs to “practice as an orthopaedic technologist or in a similar capacity” or claim to be orthopaedic technologists.
 - Orthopaedic Technologist vaguely defined

Orthotists & Prosthetists

Orthotists & Prosthetists

- Bureau of Labor Statistics: Orthotists and Prosthetists
 - “Assist patients with disabling conditions of limbs and spine or with partial or total absence of limb by fitting and preparing orthopedic braces or prostheses.”
 - Employed in:
 - Medical Equipment and Supplies Manufacturing: 1,930
 - Health and Personal Care Stores: 1,360
 - General Medical and Surgical Hospitals: 520
 - Federal Executive Branch: 420
 - Offices of Physicians: 390



Orthotists & Prosthetists

- American Medical Association
 - Allied Health Profession
 - “Orthotics and prosthetics are applied physical disciplines that address neuromuscular and structural skeletal problems in the human body with a treatment process that includes evaluation and transfer of forces using orthoses and prostheses to achieve optimum function, prevent further disability, and provide cosmesis. The orthotist and prosthetist work directly with the physician and representatives of other allied health professions in the rehabilitation of the physically challenged. The orthotist designs and fits devices, known as orthoses, to provide care to patients who have disabling conditions of the limbs and spine. The prosthetist designs and fits devices, known as prostheses, for patients who have partial or total absence of a limb.” (AMA Health Care Career Directory)



Certification

- Board for Orthotist/Prosthetic Certification
 - NCCA accredited
 - Levels
 - BOC Orthotist (BOCO)
 - BOC Prosthetist (BOCP)
 - Certified Orthotic Fitter (COF)
- American Board for Certification in Orthotics, Prosthetics & Pedorthics
 - NCCA Accredited
 - CAAHEP Recognized
 - Levels:
 - Practitioner (CP, CO, CPO)
 - Registered Technician (RTP, RTO, RTPO)
 - Fabrication, Modification and Repair
 - Certified Fitter of Orthotics (CFo)
 - Fitting prefabricated orthotics and “soft” goods

Defining Practitioner

□ ABCOP&P Practitioner

- “An ABC certified practitioner is an allied health professional who is specifically educated and clinically trained **to manage** the provision of comprehensive orthotic and prosthetic care, **based upon a clinical assessment and a physician's prescription**, to restore physiological function and/or cosmesis.”
- “As the practitioner responsible for all patient care, the certified practitioner **independently provides or supervises the provision of comprehensive orthotic and prosthetic care**. This includes patient assessment, formulation of a treatment plan, implementation of the treatment plan, follow-up, and practice management. In addition, the certified prosthetist and/or orthotist is obligated to support and conform to the professional responsibilities which promote and assure the overall welfare of the patient and the integrity of the profession”

Orthotist & Prosthetist Certification Requirements

□ Board for Orthotist/Prosthetist Certification

- Eligibility:
 - A Bachelor's degree with O or P major **or. . .**
 - An Associate's degree in O or P or related field **or...**
 - Two years of education, training and/or work experience in O or P field **and. . .**
 - Two years (3800 hours) providing direct patient care
- Certification Exam
 - Multiple Choice Exam
 - Clinical Simulation Exam
 - Video Practical Exam

Orthotist & Prosthetist Certification Requirements

- American Board for Certification in Orthotics, Prosthetics & Pedorthics
 - Eligibility
 - A baccalaureate degree in O & P **or** . . .
 - A baccalaureate degree and an O or P certificate from a CAAHEP accredited program **and** . . .
 - A 12-month NCOPE accredited residency program
 - Unique Qualifications Pathway for current practitioners with 10 yrs clinical experience.
 - Certification Exam
 - Written Exam
 - Written Simulation Exam
 - Clinical Patient Management Exam

Education

- National Commission on Orthotic and Prosthetic Education (NCOPE)
 - Sponsoring Committee of the Commission on Accreditation of Allied Health Education Programs (CAAHEP)
 - CAAHEP is recognized by the Council for Higher Education Accreditation (CHEA)
 - CAAHEP accredits programs recommended by the NCOPE
- Types of Programs
 - Baccalaureate, Certificate, Masters
 - All programs must be Masters level by Dec., 2012.

NCOPE Accreditation Requirements

- Curricula
 - Recommends 900 hrs (30 semester hours) per discipline
 - Include 250 hours clinical experience
 - Core Content:
 - Basic Sciences
 - Patient Evaluation
 - Formulation and implementation of a treatment plan
 - Practice Management
 - **Specific Prosthetics and Orthotics Content Areas**
 - Research Methods
 - Clinical Experience
- Accreditation Process (approx. 13 months)
 - Letter of Intent
 - Self Study Report
 - Self-Study review by evaluators
 - On-site visit by trained evaluators
 - Evaluation report
 - Commission reviews reports, makes recommendation to CAAHEP
 - Repeated every five years

Salary

BLS Orthotist & Prosthetists

Occupational Employment Survey, May 2007

Area name	Employment	Hourly mean wage	Annual mean wage
North Carolina	140	21.26	44,210
Tennessee	200	22.33	46,450
Maryland	30	27.61	57,440
Kentucky	NA	29.07	60,480
Virginia	NA	31.99	66,550
National	5,600	30.90	64,280

VA: 10th Percentile:
\$39,420

VA: 90th Percentile:
\$105,370

Salary, con't

- American Medical Association (2003)
 - Average: \$42,000 – 60,000
 - Entry level: \$22,000- 35,000
- American Orthotic & Prosthetic Association
 - 2007 Operating Performance & Compensation Report
 - ABC Certified Practitioner (Ave. 15 yrs exp) : \$89,334
 - ABC Registered Technician (Ave. 10 yrs exp): \$43786
 - NCOPE Resident (Ave 1 yr exp): \$33,742
 - 2000 Business and Salary Survey Report

	Less than 2 years	2 - 5 years	Over five years
BOC	\$36,527	\$46,993	\$57,880
ABCOP	\$48,760	\$64,857	\$91,455

Malpractice Insurance

- O&P Practitioners face risk from both product liability and medical malpractice.
- Association Requirements
 - Primecare (Facility Accreditation)
 - Member facilities must maintain:
 - \$1 million General Liability
 - \$3 million Malpractice Insurance
 - CMS (Medicare)
 - \$300,000 of general and product liability
- Providers of liability insurance tailored to O&P practitioners
 - Cailor-Fleming Insurance
 - Exclusively endorsed by ABCOP&P, BOC, Primecare, NAAOP
 - Chittenden Insurance Group
 - Standard Coverage includes:
 - Up to \$2 million General Liability
 - Up to \$3 million Professional Liability
 - Up to \$1 million in Employee Benefits Liability



Malpractice Insurance

- McNeil & Company
 - Specializes in Home Medical Equipment Dealers
 - Provides up to \$3 million of aggregate coverage
- AOPA Insurance Program
 - Underwritten by AIG
 - Provides general, product and professional liability
- VGM Insurance
 - Aggregate Coverage up to \$5 million
 - Covers general, product and professional liability



Public Comment

- The Virginia Board of Health Professions has the statutory authority and mandate to advise the Governor, General Assembly, and Department Director on matters relating to the regulation and appropriate level of regulation of health care professions (ref. § 54.1-2510 of the *Code of Virginia*). The current study is being conducted in response to a request from Senator Phillip P. Puckett presented at the Board's April 15, 2008 meeting to study orthotists and prosthetists. Since pedorthists perform similar functions and are associated with the other two professions, they are included in the current study. This study is also being undertaken as part of the Board's general review on emerging professions.

Public Comment

- American Board for Certification in Orthotics, Prosthetics & Pedorthics, Inc. (Written comments)
 - Encourage Licensure of Practitioners
 - Encourages requiring ABCOP&P Practitioner certification
 - Some States require ABC Certification
 - Some States require “a portion of the ABC examination process”
 - BOC certification does not require a degree or a “structured, supervised residency program”
 - BHP might also consider mastectomy fitters, therapeutic shoe fitters and orthotic fitters.
 - ABCOP&P certification can serve as an alternative to regulation
 - Criteria Five: Alternatives to regulation that adequately protect the public.
 - Criteria Six: Least restrictive level.
 - Also includes facsimile of Professional Footwear Association’s comments and Model Legislation
 - Covered in the next section

Pedorthists

Pedorthists

- No specific BLS category
- American Board for Certification in Orthotics, Prosthetics and Pedorthics, Inc. (ABCOP):
 - “Pedorthics is the practice, pursuant to a written order/prescription when addressing a medical condition, of evaluating, treatment planning, patient managing, measuring, designing, fabricating, assembling, fitting, adjusting or servicing, necessary to accomplish the application of a pedorthic device for the prevention or amelioration of painful and/or disabling conditions of the foot and ankle.” (Scope of Practice for Certified Pedorthists)
- Board for Orthotist/Prosthetist Certification (BOC)
 - “Pedorthics is the practice, pursuant to a written order/prescription when addressing a medical condition, of evaluating, treatment planning, patient managing, measuring, designing, fabricating, assembling, fitting, adjusting or servicing, necessary to accomplish the application of a pedorthic device for the prevention or amelioration of painful and/or disabling conditions related to the lower extremities.” (Scope of Practice~BOC Pedorthist)

Pedorthists, con’t

- Pedorthic Footwear Association (PFA):
 - “Pedorthics’ means the science and practice of evaluating, measuring, designing, fabricating, assembling, fitting, adjusting , or servicing a pedorthic device under an order from a licensed physician or podiatrist for the correction or alleviation of neuromuscular or musculoskeletal dysfunction, disease, injury or deformity.” (Model Legislation)
- Key Points
 - Both Certification Boards use the same definition
 - Pedorthists respond to orders from licensed practitioners
 - Pedorthic Devices address medical conditions:
 - Shoes
 - Inserts
 - Shoe modifications
 - Partial Foot Prosthesis
 - Foot/ankle Orthoses
 - Subtalar-control foot orthoses



Certification

- Board for Orthotist/Prosthetic Certification
 - Levels
 - BOC Pedorthist
 - BOC Footwear Specialist
 - Prefabricated, non-custom device fitting
- American Board for Certification in Orthotics, Prosthetics & Pedorthics
 - NCCA Accredited
 - CAAHEP Recognized
 - Levels:
 - Certified Pedorthist (C.Ped)
 - Certified Fitter of Therapeutic Shoes
 - Prefabricated, non-custom device fitting



Pedorthist Certification Requirements

- Board for Orthotist/Prosthetist Certification
 - Complete a CAPE Pedorthic pre-certification course
 - 1,000 hours of supervised fitting experience
 - Certification Exam
- American Board for Certification in Orthotics, Prosthetics & Pedorthics
 - Complete a CAPE Pedorthic pre-certification course
 - Certification Exam

Salary

- 2007 Pedorthic Footwear Association Survey
 - SmithBucklin's Market & Research Statistics Group
 - 2,270 **certified** pedorthists surveyed
 - 473 responses (21%)
 - +/- 4.0% margin of error at 95% confidence level
 - Salary (Includes Canada)
 - Mean: \$57,174
 - Southeast: \$60,595
 - Entry Level (up to 3 yrs certified): \$51,880

Education

- Commission on Accreditation of Pedorthic Education (CAPE):
 - Sponsors: ABCOP and PFA
 - Requirements
 - 120 Contact hours of accredited education
 - 54 hours of lab or hands on education
 - Non-lab hours may be completed online
 - Curricula must meet ABCOP Role Delineation Study
 - Instructors must be properly credentialed
 - Mailed Application, including a self-study
- Nine Programs:
 - No other programs were found.

Subject Area	Hours	Lab Hours
Practice Management	4	-
Patient Management	4	-
Pathology of Diseases	16	-
Anatomy	4	-
Biomechanics	8	-
Orthotics	31	22
Modifications of Footwear	31	22
Footwear	11	6
Pedorthic Assessment	11	4

Finch University
Chicago IL

Pro-Learn, LLC
Tulsa, OK

Foot Solutions
Marietta GA

Oklahoma State University
Okmulgee OK

Medical College of Wisconsin
Milwaukee WI

Temple University School of Podiatric Medicine
Philadelphia PA

New York College of
Podiatric Medicine
New York NY

Xtra Depth University
Batavia NY

The Robert M. Palmer, M.D.,
Institute of Biomechanics, Inc.
Elwood, Indiana



Malpractice Insurance

- Pedorthists require both product liability insurance and medical malpractice insurance
- AON Infinity Insurance Services Inc
 - Exclusively endorsed by the Pedorthic Footwear Association
 - Up to \$3 million of aggregate coverage
 - General, product and professional
 - Up to \$5 million of Umbrella coverage



Public Comment

- The Virginia Board of Health Professions has the statutory authority and mandate to advise the Governor, General Assembly, and Department Director on matters relating to the regulation and appropriate level of regulation of health care professions (ref. § 54.1-2510 of the *Code of Virginia*). The current study is being conducted in response to a request from Senator Phillip P. Puckett presented at the Board's April 15, 2008 meeting to study orthotists and prosthetists. Since pedorthists perform similar functions and are associated with the other two professions, they are included in the current study. This study is also being undertaken as part of the Board's general review on emerging professions.

Public Comment

- Pedorthic Footwear Association, Written Comments
 - 2,000 Members nationwide
 - 35 of 47 credentialed Va. pedorthists
 - Encourages legislation to implement licensure requirements.
 - Pedorthic services demand increasing
 - Growing population of senior and physically challenged individuals
 - These patients are “at risk”
 - Licensure ensures pedorthic care serves the public interests
 - Federal Legislation
 - The Centers for Medicare and Medicaid Services (CMS)
 - Providers of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies must be certified
 - BOC and ABCOP&P for pedorthists
 - Benefits
 - Ensures quality of Medicare’s Therapeutic Shoes for Persons with Diabetes benefit
 - Maintains the integrity of the Medicare program in general

Public Comments

- Gaps in regulation
 - Not all pedorthic practitioners treat diabetic patients and accept Medicare assignments
 - Eight state regulate pedorthists,
 - Six states are currently considering regulation

Licensure	Considering
Florida (2007)	Virginia
Ohio (2000)	Pennsylvania
Illinois (2000)	New York
Oklahoma (2001)	Wisconsin
Tennessee (2007)	North Carolina
Arkansas (2008)	Kentucky
Alabama (2002)	
New Jersey* (1991)	

*Optional Licensure: Pedorthists specifically exempted from O & P law.



Public Comments

- Benefits of State Licensure
 - Ensures all patients receive uniform, safe and high quality care
 - Protects third party payers, maintaining benefit integrity
 - Expands patient access
 - Credentialed practitioners are recognized more often than non-credentialed practitioners
- Model State Pedorthic Licensure Legislation
 - Requires NCCA Accredited Certification
 - Currently only ABCOP&P's Pedorthist Certification is NCCA Accredited
 - BOC Pedorthist Certification is not currently accredited
 - Requires CAPE Accredited education.
 - Creates 6 Member "Board of Pedorthics."



Additional Public Comments

- American Occupational Therapy Association (written comments rec. 9/5/2008)
 - Represented by Macaulay & Burtch, P.C. Attorneys at Law
 - Key Points
 - Preliminary comments in regard to Orthopedic Technologists and OP &P
 - Professions are a subset of the scope of practice of Occupational Therapists and Physical Therapists and licensing is not needed.
 - Orthopedic Technicians want to be referred to as OTs
 - OT designation is protected in §54.1-2956.5 of the Code of Virginia
 - Note:
 - OTC (Orthopaedic Technologist-Certified) is a Registered Trademark of the National Board for Certification of Orthopaedic Technologists (NBCOT)
 - OTR (Occupational Therapist Registered) is a Registered Trademark of the National Board for Certification in Occupational Therapy (NBCOT)
 - If licensure for these professions is adopted:
 - Current licensees, such as OTs and PTs should be exempted
 - New requirements should not limit the current scope of practice of OTs and PTs



Next Steps

- Continue harm research
- Thorough review of current regulations
 - Virginia
 - Federal
 - State
- Review of similar professions/overlapping scopes of practice
- Review of alternatives
- Determine Economic Impact