

May 3, 2022

The Virginia Board of Physical Therapy convened for a full Board meeting on Tuesday, May 3, 2022, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT

Allen R. Jones, Jr., P.T., DPT, President*
Mira H. Mariano, P.T., Ph.D., OCS, Vice-President
Tracey Adler, P.T., DPT, CMTPT*
Susan Szasz Palmer, MLS

BOARD MEMBERS ABSENT:

Arkena L. Dailey, P.T., DPT
Rebecca Duff, P.T.A, DHSc
Elizabeth Locke, P.T., Ph.D.

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING

Erin Barrett, Senior Policy Analyst
Sarah Georgen, Licensing and Operations Manager
Laura Mueller, Program Manager
Kelley Palmatier, Deputy Executive Director
Charis Mitchell, Assistant Attorney General, Board Counsel
Corie Tillman Wolf, Executive Director

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

CALL TO ORDER

Dr. Jones called the meeting to order at 9:30 a.m. and asked the Board members and staff to introduce themselves.

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

Dr. Jones requested a moment of silence to honor a Board member's loss of a family member.

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

Dr. Jones provided reminders to the Board members and audience regarding sign-in sheets, computer agenda materials, attendance for continuing education requirements, and breaks.

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF MINUTES

Dr. Jones opened the floor to any edits or corrections regarding the draft minutes for meetings held between February 15, 2022, and March 25, 2022, including a Board meeting held on February 15, 2022, a Formal Administrative Hearing held on March 9, 2022, and a Telephone Conference Call held on March 25, 2022. With no edits or changes, the minutes were approved as presented.

ORDERING OF THE AGENDA

Upon a **MOTION** by Dr. Adler and properly seconded by Ms. Szasz Palmer, the Board voted to accept the agenda as presented. The motion passed unanimously (4-0).

PUBLIC COMMENT

The Board did not receive any public comment.

AGENCY REPORT

Dr. Brown informed the Board that Dr. Allison-Bryan had retired in March 2022 and commended her hard work with DHP.

Dr. Brown also informed the Board that Elaine Yeatts had retired in April 2022 and commended her hard work with DHP.

Dr. Brown provided updates regarding COVID-19 cases in the Commonwealth, agency telework schedules, security at the Perimeter Center, and updates to the conference center audio system.

Dr. Brown stated that he is waiting to hear from the Governor's Office regarding the appointment of his position with DHP.

Dr. Adler requested clarification regarding mask policies for outpatient facilities. Dr. Brown stated that he was not aware of any policies provided by the Virginia Department of Health regarding mask policies currently in place.

With no further questions, Dr. Brown concluded his report.

STAFF REPORTS

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

Ms. Tillman Wolf announced that the Federation of State Boards of Physical Therapy (FSBPT) had rescheduled the Board Member and Administrator Training to August 19-21, 2022, and that the meeting will occur virtually.

Ms. Tillman Wolf noted that information had been provided to Board members from Dr. Dailey related to the activities of the FSBPT Ethics and Legislative Committee. She stated that Dr. Dailey would provide additional information at the next meeting.

Ms. Tillman Wolf stated that the Board's cash balance information was included in the agenda packet.

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

Discipline Report – Kelley Palmatier, Deputy Executive Director

Ms. Palmatier stated that the Discipline Report was included in the agenda packet and provided a brief overview of that information.

With no questions, Ms. Palmatier concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Manager

Ms. Georgen stated that the Licensing Report was included in the agenda packet.

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT – Charis Mitchell, Assistant Attorney General

Ms. Mitchell provided an update on a pending court case involving the Board.

With no questions, Ms. Mitchell concluded her report.

COMMITTEE AND BOARD MEMBER REPORTS

Board President Report – Allen R. Jones, Jr., P.T., DPT

Dr. Jones announced that his term was scheduled to end in June 2022 and said that he had enjoyed serving on the Board of Physical Therapy for the last eight years.

With no questions, Dr. Jones concluded his report.

Board of Health Professions Report – Allen R. Jones, P.T., DPT

Dr. Jones stated that his term with the Board of Health Professions was scheduled to end in June 2022. He stated that he had enjoyed serving as a Board of Physical Therapy liaison with the Board of Health Professions.

With no questions, Dr. Jones concluded his report.

LEGISLATIVE AND REGULATORY REPORT

Ms. Barrett did not have a report to provide.

BOARD DISCUSSION AND ACTIONS

Clarification and Initiation of Fast-Track Action – NPTE Examination Requirement (18VAC112-20-65)

Ms. Barrett provided an overview of the recently identified conflict in the examination requirements established by the Physical Therapy Compact and the Board's regulatory language in 18VAC112-20-65 regarding licensure by endorsement. Pursuant to the provisions of the Compact, state members must require

the National Physical Therapy Examination (NPTE) for applicants for licensure. A conflict was created when amendments to the Board's regulations became effective in 2021 after a periodic review. The amendments added language that resulted in the recognition of an examination from a Canadian province at the time of initial licensure.

Upon a **MOTION** by Dr. Mariano, properly seconded by Dr. Adler, the Board voted to initiate a fast-track regulatory action to amend the examination requirement under 18VAC112-20-65 as presented. The motion carried (4-0).

Upon a **MOTION** by Dr. Adler, properly seconded by Dr. Mariano, the Board voted to clarify that, in accordance with Section 54.1-3487 of the Code and Rule 1.1(P) of the Rules of the Physical Therapy Compact Commission, applicants for licensure in Virginia, whether by examination or endorsement, are required to provide documentation of passage of the National Physical Therapy Examination (NPTE). The motion carried (4-0).

Discussion – Continuing Education Requirements for 2022 Renewals

Ms. Tillman Wolf stated that the question arose at the last meeting, and continues to be raised by licensees, whether any changes would be made to the continuing education (CE) requirements for the upcoming 2022 renewals. Following discussion, it was stated that, because there are no public health emergency executive orders currently in place that would grant the Board the authority to waive certain regulations, the Board does not have the authority to waive or to change the regulations that impose CE requirements for licensees for renewal. It was noted that there are provisions in the Board's regulations that would allow licensees to request CE exemptions or extensions for the Board's consideration on an individual, case-by-case basis prior to the renewal deadline.

BOARD MEMBER RECOGNITION


Ms. Tillman Wolf recognized Dr. Allen R. Jones, Jr., for his dedication to the Board of Physical Therapy and for his two terms of service from 2014-2022. Dr. Jones provided brief remarks on his experience on the Board.

NEXT MEETING

The next meeting date is August 9, 2022.

ADJOURNMENT

With all business concluded, the meeting adjourned at 9:59 a.m.



Corie Tillman Wolf, J.D., Executive Director

November 15, 2022

Date

May 3, 2022 Revised Version

Project 7158 - Fast-Track

Board Of Physical Therapy

Changes to comply with Compact Rules

18VAC112-20-65. Requirements for licensure by endorsement.

A. A physical therapist or physical therapist assistant who holds a current, unrestricted license in the United States, its territories, the District of Columbia, or Canada may be licensed in Virginia by endorsement.

B. An applicant for licensure by endorsement shall submit:

1. Documentation of having met the educational requirements prescribed in 18VAC112-20-40 or 18VAC112-20-50. In lieu of meeting such requirements, an applicant may provide evidence of clinical practice consisting of at least 2,500 hours of patient care during the five years immediately preceding application for licensure in Virginia with a current, unrestricted license issued by another United States jurisdiction or Canadian province;
2. The required application, fees, and credentials to the board, including a criminal history background check as required by § 54.1-3484 of the Code of Virginia;
3. A current report from the National Practitioner Data Bank (NPDB);
4. Evidence of completion of 15 hours of continuing education for each year in which the applicant held a license in another United States jurisdiction or Canada, or 60 hours obtained within the past four years;
5. Documentation of passage of ~~an examination equivalent to the~~ national examination as prescribed by the board ~~Virginia examination at the time of initial licensure or~~

~~documentation of passage of an examination required by another state or Canadian province at the time of initial licensure in that state or province; and~~

6. Documentation of active practice in physical therapy in another United States jurisdiction or Canada for at least 320 hours within the four years immediately preceding his application for licensure. A physical therapist who does not meet the active practice requirement shall successfully complete 320 hours in a traineeship in accordance with requirements in 18VAC112-20-140.

C. A physical therapist assistant seeking licensure by endorsement who has not actively practiced physical therapy for at least 320 hours within the four years immediately preceding his application for licensure shall successfully complete 320 hours in a traineeship in accordance with the requirements in 18VAC112-20-140.