

APPROVED MINUTES

**BOARD OF PHYSICAL THERAPY
MEETING MINUTES**

The Virginia Board of Physical Therapy met on Friday, April 25, 2008 at the Department of Health Professions, 9960 Mayland Drive, 2nd Floor, Conference Room #3, Richmond, Virginia. The following members were present:

George Maihafer, Ph.D, P.T.
Maureen E. Lyons, P.T.
Peggy H. Belmont, P.T.
Damien Howell, P.T.
Robert Izzo, P.T.
J.R. Locke
Lorraine C. Quinn, P.T.A.

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

Lisa R. Hahn, Executive Director
Sandra Whitley Ryals, Director
Elaine Yeatts, Senior Policy Analyst
Annie B. Artis, Licensure Operations Manager
Rashaun K. Minor, Discipline Operations Manager

Representatives from the Office of the Attorney General were present for the meeting:

Amy Marschean, Senior Assistant Attorney General

There were no guests present.

CALLED TO ORDER

Dr. Maihafer, Chair, called the board meeting to order at 11:09 a.m.

ORDERING OF THE AGENDA

The agenda was re-ordered to add under New Business, the discussion of Dry Needling and clarification regarding the application process for Direct Access..

PUBLIC COMMENT PERIOD

There was no public comment.

AGENCY DIRECTOR

Ms. Ryals informed the Board that the agency has a contract with Neal Kauder, President of Visual Research to review patient care cases to determine the consistency of closure rates and ethical issues. She stated more patient care cases have been closed this year than over a ten year period. Ms. Ryals stated every board is achieving very well and the goal is to resolve cases well within the 250 day period.

Ms. Ryals stated that travel restrictions were still in place and that non-general fund agencies are included. She stated that representation and attendance at conferences for voting delegates is essential; however, non-voting representation is considered non-essential. Dr. Maihafer stated the FSBPT conference is being held September 11-15, 2008 and two delegates will be paid for by the federation. Ms. Hahn also stated that she would like to attend the Federation of State Boards of Physical Therapy Conference.

ACCEPTANCE OF MINUTES

Board Meeting – February 15, 2008

Upon a motion by Mr. Howell and seconded by Ms. Belmont the Board voted to approve the February 15, 2008 Board Meeting minutes.

The members voting 'yes' were Ms. Belmont, Mr. Howell, Mr. Izzo, Mr. Locke, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

Informal Conference Committee – February 15, 2008

Upon a motion by Mr. Howell and seconded by Mr. Locke, the Board voted to approve the February 15, 2008 Informal Conference Committee meeting minutes with amendments.

The members voting 'yes' were Ms. Belmont, Mr. Howell, Mr. Izzo, Mr. Locke, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

Telephone Conference Call – March 7, 2008

Upon a motion by Mr. Howell and seconded by Mr. Locke the Board voted to approve the March 7, 2008 Telephone Conference Call minutes.

The members voting 'yes' were Ms. Belmont, Mr. Howell, Mr. Izzo, Mr. Locke, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

2008 Administrator Workshop

Ms. Hahn thanked the board for asking her to attend the Federation of State Boards of Physical Therapy Administrator Workshop that was held on April 8-9, 2008 in Alexandria, VA. She stated it was an outstanding meeting and numerous topics were discussed to include exam services, exam assessment, exam security and faculty services. Ms. Hahn stated it was a great opportunity and she found the sessions to be very informative and enlightening. She further stated that it was interesting to see how the Physical Therapy schools perform but concerning to learn that one PT school in Virginia has been performing poorly and the failure rates were very high for this particular school. Ms. Hahn thought that it may be a matter that the board would like to address.

Mr. Howell asked that the issue of poorly performing schools in Virginia be placed on the agenda for discussion at the next scheduled board meeting.

Licensee Statistics

Direct Access Certification

Ms. Hahn stated there are currently 72 physical therapists licensed with direct access certification.

Licensed Physical Therapists

Ms. Hahn reported there are currently 5,093 active licensed physical therapists and 1,947 physical therapist assistants for a total of 7,040 licensees.

Disciplinary Statistics

Ms. Hahn stated there has been a decrease in disciplinary cases; there are currently six cases at the administrative proceedings level; one case is at probable cause and one formal hearing, which is being heard this afternoon. She stated within the last 10 months, the goal of 100% has been met; the time has decreased from 25 day to 14 days. Ms. Hahn thanked the board members and staff for helping to meet these standards.

Virginia Performs

Ms. Hahn reminded the board that she reported during the last board meeting that for the quarter ending in December 2007, we have met and exceeded our goal with 100% rating for issuing licenses in less than 30 days. We also met and exceeded our customer satisfaction rating by 100% and lastly we have achieved a 100% rating for patient care

cases closed within 250 days. Ms. Hahn explained that she is not able to provide the Virginia Perform statistics during this meeting because we are currently in the process of changing our methods of reporting. She stated that she would provide these statistics during the board's next meeting.

Budget

Revenue and Expenditures

Ms. Hahn reported that the cash balance for expenditures as of June 30, 2007 was \$425,926 and total revenues were \$62,360. The direct and allocated expenditures were \$220,479 and the ending cash balance at the close of February 29, 2008 was \$267,808. Ms. Hahn stated that there were no renewal fees for this cycle. She stated the board will review the surplus in fees for next year to determine if a reduction is necessary.

2008 Calendar

Ms. Hahn stated the calendar of meetings remains the same as scheduled at the last meeting. The meetings scheduled for the remainder of the year are August 22, 2008, and November 7, 2008.

NEW BUSINESS

Board of Health Professions Report – Damien Howell

Mr. Howell gave a brief report on the Board of Health Professions meeting that was held April 15, 2008. He stated that the Board is continuing to study whether there is a need to regulate Orthotists, Prothetists, Pedorthists, and Orthopedic Technologists. Mr. Howell stated there was also a presentation given on Culturally and Linguistically Appropriate Health Care Service. He further stated that board staff is continuing to work on the issue of criminal background checks.

Regulatory Update – Elaine Yeatts

Ms. Yeatts stated that the periodic review of the regulations is currently in the Secretary's office. She informed the board that the replacement of the emergency regulations is in the Office of Planning and Budget; she and Ms. Hahn met with them on yesterday.

FSBPT Conference Delegates

Dr. Maihafer informed the board that the annual Federation of State Boards of Physical Therapy conference will be held September 11-15, 2008 in Minneapolis, MN. Ms. Lyons and Ms. Quinn will attend the conference, as well as Ms. Hahn. Dr. Maihafer asked that

the session regarding Certification of Foreign Trained physical therapists be attended by one of the delegates.

Request from Advisory Committee on Accupuncture – Dry Needling

Dr. Maihafer stated the Advisory Committee on Accupuncture requested that the board mail a letter and the guidance document on dry needling to all physical therapists who are currently performing dry needling in the State of Virginia. Dr. Maihafer stated Tracy Adler, P.T., informed him there were approximately 6-10 such physical therapists.

Upon a motion by Mr. Howell and seconded by Ms. Lyons the Board directed the Board President and Executive Director to prepare and send a letter with the guidance document on dry needling to all persons currently practicing dry needling.

The members voting ‘yes’ were Ms. Belmont, Mr. Howell, Mr. Izzo, Mr. Locke, Ms. Lyons, Dr. Maihafer, and Ms. Quinn. There were no negative votes. The vote passed unanimously.

Mr. Locke and Ms. Lyons were concerned that sending specific correspondence out to a particular group may somehow set a precedence for dissemination of information when changes are made to regulations, policies, guidance documents and procedures. The board does not want licensees to have expectations that information will be disseminated via mail whenever changes are made because all information is accessible and readily available on the Board of Physical Therapy website.

Direct Access Certification

Dr. Maihafer asked that further clarification be given in regard to the application process and information needed to apply for the direct access certification.

The following was provided:

- Persons who apply for direct access certification and hold a Doctorate of Physical Therapy (DPT) at the time of initial licensure are not required to submit an additional transcript if originally licensed in Virginia with DPT
- Persons who apply and have received a transitional Doctorate after initial licensure are required to submit an official transcript with the application; and
- Persons who apply by Experience must have at least three (3) years of full time experience and must submit evidence of completion of at least 15 contact hours of continuing education in medical screening or differential diagnosis, with a post-course examination.

The instruction sheet and application will be updated to reflect the information as provided above.

ADJOURNMENT

With all business concluded, upon a motion by Mr. Howell and seconded by Ms. Lyons the meeting was adjourned at 12:25 p.m.

George Maihafer, Ph.D., PT.
Chair

Lisa R. Hahn
Executive Director

Date

Date