

BOARD OF PHYSICAL THERAPY

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233
Board Room #4, Second Floor
Friday, February 15, 2012

10:00 a.m.

AGENDA

CALL TO ORDER

ORDERING OF AGENDA

ACCEPTANCE OF MINUTES – Tab 1

- Board Meeting – November 16, 2012

INFORMAL CONFERENCES HELD

- (1) November 15, 2012
- (2) November 16, 2012

PUBLIC COMMENT

PRESENTATION –Foreign Evaluation Tool Pilot Program – Leslie Adrian, FSBPT

EXECUTIVE DIRECTOR’S REPORT – Lisa R. Hahn - Tab 2

NEW BUSINESS

- Legislative/Regulatory Report – **Elaine Yeatts – Tab 3**
 - Petition for Rule Making
- Legislative/Regulatory Committee Report – **Robert Maroon, Chair & Elaine Yeatts**

Tab 1

**UNAPPROVED
BOARD OF PHYSICAL THERAPY
MEETING MINUTES**

The Virginia Board of Physical Therapy convened for a board meeting on Friday, November 16, 2012 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #1, Henrico, Virginia.

The following members were present:

George Maihafer, PT, Ph.D., President
Peggy Belmont, PT, Vice-President
Melissa Wolff-Burke, PT, EdD
Robert Maroon, PT
Sarah Schmidt, P.T.A.
Michael Styron, PT, MBA

The following member was absent for the meeting:

J.R. Locke

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

Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Elaine Yeatts, Senior Policy Analyst
Missy Currier, Board Operations Manager

Quorum:

With 6 members present, a quorum was established.

GUEST PRESENT

None

CALLED TO ORDER

Dr. Maihafer, President, called the board meeting to order at 9:10 a.m. Dr. Maihafer pointed out that scheduled meetings can be cancelled when agenda's do not warrant holding a meeting in an effort of being good fiscal stewards of the Commonwealth of Virginia.

ORDERING OF THE AGENDA

The agenda was accepted as ordered.

ACCEPTANCE OF MINUTES

- Upon a motion by Mr. Maroon and properly seconded by Mr. Styron, the Board voted to accept the minutes of the February 17, 2012 board meeting. The motion passed unanimously.
- Upon a motion by Mr. Maroon and properly seconded by Mr. Styron, the board voted to accept the Telephonic Conference minutes on August 1, 2012. The motion passed unanimously.

INFORMAL CONFERENCES HELD

Dr. Maihafer shared that an informal conference was held on the following day and that the minutes are located on the board's website and on regulatory Townhall.

- May 18, 2012

PUBLIC COMMENT

There was no public comment

EXECUTIVE DIRECTOR'S REPORT - Lisa R. Hahn

FY12 Budget

Ms. Hahn reported that the cash balance as of June 30, 2011 was \$603,980; the revenue for FY12 was \$141,600; plus an additional \$81 credit from Healthcare Workforce Expenditures; the direct and allocated expenditures were \$447,296; the ending cash balance as of June 30, 2012 was \$298,364.

FY13 Budget

Ms. Hahn reported that the cash balance as of June 30, 2012 was \$298,364; the revenue for FY13 was \$36,265; the direct and allocated expenditures were \$142,175; the ending cash balance as of September 30, 2012 was \$192,455. Ms. Hahn reminded the members that the revenue will increase following the December renewal period.

Discipline Statistics

Ms. Hahn reported there were currently 31 open cases; 14 cases in Investigations; 14 cases at the probable cause level; and 3 cases at the Informal Conference level.

Ms. Hahn reported the number of cases received into the board were 28 in FY10; 28 in FY11; 37 in FY12 and 11 cases already have been received in FY13. Ms. Hahn attributes an increase in cases as more licensees re-enter into the profession and an increased sensitivity within the profession to report on questionable practice.

Virginia Performs

Ms. Hahn reported the clearance rate for the 3rd Quarter ending March 31, 2012 was 133%. The age of our pending case load over 250 days was at 10%; the time to disposition is at 100% of cases closed within 250 days. The licensing standard of less than 30 days for issuance has been met 100% of the time. The customer satisfaction rating achieved was 95.2% which consisted of 28 surveys.

Ms. Hahn also shared the following statistics in her report:

	Total Cases Closed	Percent Closed within 120 days
Qtr. 1 2012	2	100%
Qtr. 2 2012	4	100%
Qtr. 3 2012	8	100%
Qtr 4 2012	4	75%
Qtr 1 2013	5	100%

	Open Cases	Licenseses/PT/PTA's
Nov. 2008	4	5399/2079
Nov. 2009	12	5524/2136
Nov. 2010	9	5704/2232
Nov. 2011	13	5351/2254
Nov. 2012	31	6621/2619

Licensee Statistics

Ms. Hahn reported that as of November 2012 there were 6,621 active physical therapists; 2,619 active physical therapist assistants, and 697 with Direct Access Certification.

NPTE Results

Ms. Hahn shared the following Virginia NPTE exam results for PT's:

- March 2012 – 23% passage rate
- July 2, 2012 – 83% passage rate
- July 31, 2012 – 70% passage rate
- October 2012 – 73% passage rate

Ms. Hahn concluded that the US Pass Rates report will not be available until April 2013.

2013 PT Examination Schedule

Ms. Hahn provided the members with the 2013 Examination Schedule:

PT's:	Test Date	Registration Deadline
	January 29, 2013	December 22, 2012
	April 30, 2013	March 23, 2013
	July 24, 2013	June 17, 2013
	October 30, 2013	September 23, 2013
PTA's:		
	January 8, 2013	December 1, 2012
	April 8, 2013	March 1, 2013
	July 10, 2013	June 3, 2013
	October 9, 2013	September 2, 2013

Guidance Document 112-19

Ms. Hahn mentioned that she included a final copy of Guidance Document 112-19 in their agenda package which they had approved in February regarding PT's performing INR tests in home health settings.

Renewals

Ms. Hahn reported that the online renewal letters had been emailed to licensees with a valid email address and that all other paper renewal notices will be mailed out the first week of December. She added that the renewal letters included survey questions which will aid the department in collecting workforce data.

FSBPT Annual Conference

Ms. Hahn shared that George Maihafer, Melissa Wolff-Burke, and Annie Artis represented Virginia during the FSBPT Annual Conference in Minneapolis September 20 -22nd and that they would share information later in the meeting.

Board Meeting Calendar

Ms. Hahn gave the following 2013 board meeting calendar dates; February 15th, May 24th, August 23rd, and November 22nd. She also reminded the board that a meeting may be cancelled due to light agenda.

NEW BUSINESS

Legislative/Regulatory Report – Elaine Yeatts

Ms. Yeatts reviewed the status of regulations pertaining to **18VAC112-20**:

- Traineeship changes, continuing education – Final – At Secretary’s Office for 217 days.

Ms. Yeatts informed the board that she has recently been alerted that as part of the Governor's Regulatory Reform Project, they would be required to conduct a periodic review of 18VAC112-20, the Regulations Governing the Practice of Physical Therapy. She explained that the goal of the review would be to repeal unnecessary regulations that are no longer in use; reduce unnecessary regulatory burdens on individuals, businesses, and other regulated groups; and identify statutes that require unnecessary or overly burdensome regulations.

Ms. Yeatts further stated the board would seek public comment on any issues relating to the review from November 5, 2012 – December 5, 2012.

Ms. Hahn requested that the board members forward any suggestions or comments regarding the periodic review directly to her.

Petition for Rulemaking

Ms. Yeatts initiated discussion on the petition the board received requesting consideration for a change in 18VAC112-20-120 Responsibilities to Patients. After much discussion, Mr. Maroon made a motion to uphold the regulation as currently written and to not make any changes. Additionally, Ms Hahn would send the petitioner a letter of explanation of the board’s decision. The motion was properly seconded by Ms. Schmidt.

The motion passed unanimously.

BREAK

The Board took a recess at 10:20 a.m. and reconvened at 10:35 a.m.

OLD BUSINESS

Electronic Medical Records Update – George Maihafer

Dr. Maihafer reported that he contacted the VPTA regarding Mr. Maroon’s concern with electronic referrals and there response was that nothing currently mandates the contents of a physician’s electronic referral. VPTA also indicated to Dr. Maihafer that there is interest in looking at possible future legislation.

NEW BUSINESS

Continuing Education Hours

Discussion was made about continuing education hours for research, preparation and clinical teaching. The members agreed to have Ms. Hahn and her staff amend Guidance Document 112-10 so that the information provided a better understanding of what is accepted by the board for providing clinical instruction. The board advised that it would grant one (1) continuing education hour as Type 2 activities for every 40 hours of clinical instruction.

Candidates Taking the NPTE prior to Graduation

Ms. Hahn shared that she, George Maihafer, and staff held discussions about allowing students to sit for the NPTE examination prior to officially graduating. Ms. Hahn indicated that her staff researched what other states were doing as a result of fixed date testing and that most states had already began allowing students to take the examination anywhere from 30 to 90 days prior to having their degree conferred. Ms. Hahn added that she and her staff created new forms and instructions to use in place of the Form L and asked the board for their support.

Upon a motion by Mr. Maroon and properly seconded by Mr. Styron, the board voted to support allowing students to sit for the NPTE exam up to 60 days prior to having their degree conferred and that a license will not be issued until such time the board receives an official transcript.

The motion passed unanimously.

Supervising Students in a Non-Approved Program

Ms. Hahn referred the members to a draft of Guidance Document 112-20 (below) regarding guidance on supervising students in non-approved programs. Following discussion on the matter, a motion was made by Ms. Belmont and properly seconded by Mr. Styron to adopt Guidance Document 112-20 with revisions as suggested during the meeting by Ms. Hahn. The motion passed by majority vote of 5 out of 6 members present. Ms. Wolff-Burke recused herself from the vote as being in the capacity of Director of Clinical Education at Shenandoah University.

Guidance Document 112-20 (draft)

- A physical therapist may provide direct supervision to a student who is satisfying clinical educational requirements in physical therapy in a non-approved program that has been granted the Candidate for Accreditation status from CAPTE. A physical therapist or a physical therapist assistant may provide direct supervision to a student in a non-approved program that has been granted the Candidate for Accreditation status from CAPTE.

Guidance Document 112-20 (final with revisions)

- A physical therapist may provide direct supervision to a student who is satisfying clinical educational requirements in a non-approved PT program that has been granted the Candidate for Accreditation status from the Commission on Accreditation in Physical Therapy Education (CAPTE). A physical therapist or a physical therapist assistant may provide direct supervision to a student who is satisfying clinical education requirements in a non-approved PTA program that has been granted the Candidate for Accreditation status from CAPTE.

FSBPT Supervised Clinical Practice Performance Tool

Dr. Maihafer and Ms. Hahn led discussion on the recent “draft” version of FSBPT’s Performance Evaluation Tool. All board members agreed that Virginia should participate in the pilot program offered by FSBPT. Ms. Hahn requested that each member complete the survey sent by FSBPT individually and copy her with their feedback. Ms. Hahn stated that she would compile the individual suggestions and share them at a future subcommittee meeting.

PTA’s in Acute Care Facilities

Ms. Wolff-Burke opened discussion on PTA’s documenting discharge summaries in acute care facilities. The board agreed that the regulations do not allow a PTA to write discharge summaries but they also agreed that the issue needs to be re-addressed to bring current to today’s acute care settings. Ms. Hahn suggested that the topic be brought up at a Legislative/Regulatory Committee meeting and bring suggestions back to the board at the next meeting.

Report on FSBPT Annual Meeting

Dr. Maihafer shared that Melissa Wolff-Burke, Annie Artis and he attended the meeting held in Indianapolis in September. He complimented Ms. Artis for doing a great job during her brief presentation. Dr. Maihafer mentioned that FSBPT has many committees and subcommittees and encouraged the members to look into possibly serving on one if interested. He stated that the next meeting will be held October 2013 in San Antonio, Texas.

Dr. Maihafer mentioned a couple of sessions he attended regarding ADA Special Accommodations and another on Impaired Practitioners. Ms. Hahn followed up by stating that Virginia has one of the best impaired programs and that she would like to invite Peggy Wood to give a presentation on our program at the next meeting. Ms. Hahn concluded that she would keep an eye on these topics through her affiliations on the National level and with other boards.

Elections

Upon a motion by Mr. Styron and properly seconded by seconded by Ms. Wolff-Burke, the board voted to keep the current slate of officers as George Maihafer as Board President and Peggy Belmont as Vice-President. The motion carried unanimously.

ADJOURNMENT

With all business concluded the meeting was adjourned at 12:15 p.m.

George Maihafer, PT, Ph.D., Chair

Lisa R. Hahn, MPA, Executive Director

Date

Date

DRAFT

UNAPPROVED

**VIRGINIA BOARD OF PHYSICAL THERAPY
SPECIAL CONFERENCE COMMITTEE
November 15, 2012 - 2:00 PM**

Department of Health Professions
9960 Mayland Drive, Suite #300
Henrico, Virginia 23233

- CALL TO ORDER:** A Special Conference Committee of the Board of Physical Therapy was called to order at 2:08 p.m.
- MEMBERS PRESENT:** Peggy Belmont, PT, Chair
Robert Maroon, PT
- DHP STAFF PRESENT:** Lynne Helmick, Deputy Executive Director
Kathy Petersen, Discipline Operations Manager
Mykl Egan, Adjudication Specialist
- MATTER:** Thomas S. Kim, PT - Reinstatement Applicant
License No.: 2305-204687
Case No.: 136997
- DISCUSSION:** Mr. Kim appeared before the Committee in person in accordance with a Notice of the Board dated October 22, 2012. Mr. Kim was present and was not represented by counsel.
- The Committee fully discussed Mr. Kim's request for reinstatement and his ability to return to safe and competent practice.
- CLOSED SESSION:** Upon a motion by Mr. Maroon, and duly seconded by Ms. Belmont, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Thomas S. Kim, PT reinstatement applicant. Additionally, he moved that Ms. Helmick, Ms. Petersen and Mr. Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the

Committee in its discussions. The Committee entered into closed session at 2:51 p.m.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session at 3:39 p.m.

DECISION:

Upon a motion by Mr. Maroon, and duly seconded by Ms. Belmont, the Committee approved Mr. Kim's request for reinstatement with terms and conditions. The motion carried.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Committee adjourned at 3:45 p.m.

Peggy Belmont, PT, Chair

Lisa R. Hahn, Executive Director

Date

Date

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UNAPPROVED

**VIRGINIA BOARD OF PHYSICAL THERAPY
SPECIAL CONFERENCE COMMITTEE
November 16, 2012 - 12:00 PM**

Department of Health Professions
9960 Mayland Drive, Suite #300
Henrico, Virginia 23233

- CALL TO ORDER:** A Special Conference Committee of the Board of Physical Therapy was called to order at 1:09 p.m.
- MEMBERS PRESENT:** Peggy Belmont, PT, Chair
Robert Maroon, PT
- DHP STAFF PRESENT:** Lynne Helmick, Deputy Executive Director
Kathy Petersen, Discipline Operations Manager
Mykl Egan, Adjudication Specialist
- MATTER:** Mary Rose Antonio, PT
License No.: 2305-102955
Case No.: 141835
- DISCUSSION:** Ms. Antonio did not appear before the Committee in accordance with a Notice of the Board dated October 16, 2012. Ms. Antonio was not represented by counsel.
- The Committee fully discussed the allegations as listed in the Notice.
- CLOSED SESSION:** Upon a motion by Mr. Maroon, and duly seconded by Ms. Belmont, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Mary Rose Antonio, PT. Additionally, he moved that Ms. Helmick, Ms. Petersen and Mr. Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in

its discussions. The Committee entered into closed session at 1:11 p.m.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session at 1:25 p.m.

DECISION:

Upon a motion by Mr. Maroon, and duly seconded by Ms. Belmont, the Committee recommended for this case to be heard at a Formal Administrative Hearing. The motion carried.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Committee adjourned at 1:26 p.m.

Peggy Belmont, PT, Chair

Lisa R. Hahn, Executive Director

Date

Date

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UNAPPROVED

**VIRGINIA BOARD OF PHYSICAL THERAPY
SPECIAL CONFERENCE COMMITTEE
November 16, 2012 - 12:00 PM**

Department of Health Professions
9960 Mayland Drive, Suite #300
Henrico, Virginia 23233

- CALL TO ORDER:** A Special Conference Committee of the Board of Physical Therapy was called to order at 3:07 p.m.
- MEMBERS PRESENT:** Peggy Belmont, PT, Chair
Robert Maroon, PT
- DHP STAFF PRESENT:** Lynne Helmick, Deputy Executive Director
Kathy Petersen, Discipline Operations Manager
Mykl Egan, Adjudication Specialist
- MATTER:** Tod Steffenilla, PT
License No.: 2305-205826
Case No.: 142424
- DISCUSSION:** Mr. Steffenilla appeared before the Committee in accordance with a Notice of the Board dated October 16, 2012. Mr. Steffenilla was not represented by counsel.
- The Committee fully discussed the allegations as listed in the Notice.
- CLOSED SESSION:** Upon a motion by Mr. Maroon, and duly seconded by Ms. Belmont, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Tod Steffenilla, PT. Additionally, he moved that Ms. Helmick, Ms. Petersen and Mr. Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in

its discussions. The Committee entered into closed session at 3:53 p.m.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session at 4:10 p.m.

DECISION:

Upon a motion by Mr. Maroon, and duly seconded by Ms. Belmont, the Committee recommended for Mr. Steffenilla to be placed on probation for not less than two (2) years under certain terms and conditions. The motion carried.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Committee adjourned at 4:15 p.m.

Peggy Belmont, PT, Chair

Lisa R. Hahn, Executive Director

Date

Date



Tab 2

Virginia Department of Health Professions
Cash Balance
As of December 31, 2012

	<u>116- Physical Therapy</u>
Board Cash Balance as of June 30, 2012	\$ 298,364
YTD FY13 Revenue	729,790
Less: YTD FY13 Direct and In-Direct Expenditures	<u>291,162</u>
Cash Balance as of December 31, 2012	<u><u>736,992</u></u>

Virginia Dept. of Health Professions
Revenue and Expenditures Summary
July 1, 2012 through December 31, 2012

	116- Physical Therapy			
	Jul '12 - Dec 12	Budget	\$ Over Budget	% of Budget
Revenue				
2400 · Fee Revenue				
2401 · Application Fee	52,110.00	104,700.00	-52,590.00	49.77%
2406 · License & Renewal Fee	672,820.00	970,880.00	-298,060.00	69.3%
2407 · Dup. License Certificate Fee	375.00	550.00	-175.00	68.18%
2409 · Board Endorsement - Out	3,960.00	5,900.00	-1,940.00	67.12%
2421 · Monetary Penalty & Late Fees	315.00	5,235.00	-4,920.00	6.02%
2432 · Misc. Fee (Bad Check Fee)	105.00	35.00	70.00	300.0%
Total 2400 · Fee Revenue	729,685.00	1,087,300.00	-357,615.00	67.11%
3000 · Sales of Prop. & Commodities				
3020 · Misc. Sales-Dishonored Payments	105.00			
Total 3000 · Sales of Prop. & Commodities	105.00			
Total Revenue	729,790.00	1,087,300.00	-357,510.00	67.12%
Expenditures				
1100 · Personal Services				
1110 · Employee Benefits				
1111 · Employer Retirement Contrib.	4,290.17	6,491.00	-2,200.83	66.09%
1112 · Fed Old-Age Ins- Sal St Emp	3,729.56	5,840.00	-2,110.44	63.86%
1113 · Fed Old-Age Ins- Wage Earners	0.00	0.00	0.00	0.0%
1114 · Group Insurance	584.68	882.00	-297.32	66.29%
1115 · Medical/Hospitalization Ins.	13,612.45	22,971.00	-9,358.55	59.26%
1116 · Retiree Medical/Hospitalizatn	493.23	741.00	-247.77	66.56%
1117 · Long term Disability Ins	234.66	349.00	-114.34	67.24%
Total 1110 · Employee Benefits	22,944.75	37,274.00	-14,329.25	61.56%
1120 · Salaries				
1123 · Salaries, Classified	49,330.66	74,091.00	-24,760.34	66.58%
Total 1120 · Salaries	49,330.66	74,091.00	-24,760.34	66.58%
1130 · Special Payments				
1131 · Bonuses and Incentives	3,274.00	2,223.00	1,051.00	147.28%
1138 · Deferred Compnstn Match Prmts	286.00	816.00	-530.00	35.05%
Total 1130 · Special Payments	3,560.00	3,039.00	521.00	117.14%
1140 · Wages				
1141 · Wages, General	0.00	0.00	0.00	0.0%
Total 1140 · Wages	0.00	0.00	0.00	0.0%
1160 · Terminatn Personal Svce Costs				
1165 · Employee Retirement Contributio	0.00	0.00	0.00	0.0%
Total 1160 · Terminatn Personal Svce Costs	0.00	0.00	0.00	0.0%
Total 1100 · Personal Services	75,835.41	114,404.00	-38,568.59	66.29%
1200 · Contractual Services				
1210 · Communication Services				

Virginia Dept. of Health Professions
Revenue and Expenditures Summary
 July 1, 2012 through December 31, 2012

	116- Physical Therapy			
	<u>Jul '12 - Dec 12</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
1211 · Express Services	115.00	5.00	110.00	2,300.0%
1214 · Postal Services	3,341.36	7,000.00	-3,658.64	47.73%
1215 · Printing Services	2.16	600.00	-597.84	0.36%
1216 · Telecommunications Svcs (DIT)	476.98	1,000.00	-523.02	47.7%
Total 1210 · Communication Services	3,935.50	8,605.00	-4,669.50	45.74%
1220 · Employee Development Services				
1221 · Organization Memberships	2,500.00	2,500.00	0.00	100.0%
1222 · Publication Subscriptions	0.00	0.00	0.00	0.0%
1224 · Emp Trning Courses, Wkshp & Cnf	0.00	1,000.00	-1,000.00	0.0%
Total 1220 · Employee Development Services	2,500.00	3,500.00	-1,000.00	71.43%
1230 · Health Services				
1236 · X-ray and Laboratory Services	0.00	300.00	-300.00	0.0%
Total 1230 · Health Services	0.00	300.00	-300.00	0.0%
1240 · Mgmnt and Informational Svcs				
1242 · Fiscal Services	6.05	15,500.00	-15,493.95	0.04%
1244 · Management Services	1,627.81	4,000.00	-2,372.19	40.7%
1246 · Public Infrmtnl & Relation Svcs	10.33			
1247 · Legal Services	0.00	300.00	-300.00	0.0%
1249 · Recruitment Services	104.76			
Total 1240 · Mgmnt and Informational Svcs	1,748.95	19,800.00	-18,051.05	8.83%
1250 · Repair and Maintenance Svcs				
1252 · Electrical Rep & Maintenance	0.00	25.00	-25.00	0.0%
Total 1250 · Repair and Maintenance Svcs	0.00	25.00	-25.00	0.0%
1260 · Support Services				
1263 · Clerical Services	8,527.42	4,919.00	3,608.42	173.36%
1264 · Food & Dietary Services	0.00	750.00	-750.00	0.0%
1266 · Manual Labor Services	91.01	700.00	-608.99	13.0%
1267 · Production Services	350.41	2,245.00	-1,894.59	15.61%
1268 · Skilled Services	6,952.42	11,930.00	-4,977.58	58.28%
Total 1260 · Support Services	15,921.26	20,544.00	-4,622.74	77.5%
1280 · Transportation Services				
1282 · Travel, Personal Vehicle	922.19	3,000.00	-2,077.81	30.74%
1283 · Travel, Public Carriers	0.00	0.00	0.00	0.0%
1284 · Travel, State Vehicles	0.00	1,500.00	-1,500.00	0.0%
1285 · Travel, Subsistence & Lodging	220.35	1,500.00	-1,279.65	14.69%
1288 · Trvl, Meal Reimb- Not Rprtbl	159.50	300.00	-140.50	53.17%
Total 1280 · Transportation Services	1,302.04	6,300.00	-4,997.96	20.67%
Total 1200 · Contractual Services	25,407.75	59,074.00	-33,666.25	43.01%
1300 · Supplies And Materials				
1310 · Administrative Supplies				
1311 · Apparel Supplies	4.78			
1312 · Office Supplies	339.97	1,000.00	-660.03	34.0%

Virginia Dept. of Health Professions
Revenue and Expenditures Summary
 July 1, 2012 through December 31, 2012

	116- Physical Therapy			
	Jul '12 - Dec 12	Budget	\$ Over Budget	% of Budget
1313 · Stationery and Forms	0.00	0.00	0.00	0.0%
Total 1310 · Administrative Supplies	344.75	1,000.00	-655.25	34.48%
1330 · Manufctrng and Merch Supplies				
1335 · Packaging and Shipping Suppl	3.64	50.00	-46.36	7.28%
Total 1330 · Manufctrng and Merch Supplies	3.64	50.00	-46.36	7.28%
1350 · Repair and Maint. Supplies				
1353 · Electrical Repair and Maint	0.00	15.00	-15.00	0.0%
Total 1350 · Repair and Maint. Supplies	0.00	15.00	-15.00	0.0%
1360 · Residential Supplies				
1362 · Food and Dietary Supplies	80.12	200.00	-119.88	40.06%
1363 · Food Service Supplies	0.73			
Total 1360 · Residential Supplies	80.85	200.00	-119.15	40.43%
1370 · Specific Use Supplies				
1373 · Computer Operating Supplies	5.25	10.00	-4.75	52.5%
Total 1370 · Specific Use Supplies	5.25	10.00	-4.75	52.5%
Total 1300 · Supplies And Materials	434.49	1,275.00	-840.51	34.08%
1400 · Transfer Payments				
1410 · Awards, Contrib., and Claims				
1413 · Premiums	0.00	0.00	0.00	0.0%
Total 1410 · Awards, Contrib., and Claims	0.00	0.00	0.00	0.0%
Total 1400 · Transfer Payments	0.00	0.00	0.00	0.0%
1500 · Continuous Charges				
1510 · Insurance-Fixed Assets				
1516 · Property Insurance	28.38	0.00	28.38	100.0%
Total 1510 · Insurance-Fixed Assets	28.38	0.00	28.38	100.0%
1530 · Operating Lease Payments				
1539 · Building Rentals - Non State	2,693.51	5,881.00	-3,187.49	45.8%
Total 1530 · Operating Lease Payments	2,693.51	5,881.00	-3,187.49	45.8%
1550 · Insurance-Operations				
1551 · General Liability Insurance	101.83	0.00	101.83	100.0%
1554 · Surety Bonds	6.01	0.00	6.01	100.0%
Total 1550 · Insurance-Operations	107.84	0.00	107.84	100.0%
Total 1500 · Continuous Charges	2,829.73	5,881.00	-3,051.27	48.12%
2200 · Equipment Expenditures				
2210 · Computer Equipment				
2217 · Other Computer Equipment	1.68			
Total 2210 · Computer Equipment	1.68			

Virginia Dept. of Health Professions
Revenue and Expenditures Summary
 July 1, 2012 through December 31, 2012

	116- Physical Therapy			
	Jul '12 - Dec 12	Budget	\$ Over Budget	% of Budget
2220 · Educational & Cultural Equip				
2224 · Reference Equipment	0.00	60.00	-60.00	0.0%
Total 2220 · Educational & Cultural Equip	0.00	60.00	-60.00	0.0%
2260 · Office Equipment				
2261 · Office Appurtenances	0.00	35.00	-35.00	0.0%
2263 · Office Incidentals	0.31	0.00	0.31	100.0%
2264 · Office Machines	0.00	0.00	0.00	0.0%
Total 2260 · Office Equipment	0.31	35.00	-34.69	0.89%
Total 2200 · Equipment Expenditures	1.99	95.00	-93.01	2.1%
Total Direct Expenditures	104,509.37	180,729.00	-76,219.63	57.83%
9001 · Allocated Expenditures				
9201 · Behavioral Science Exec				
9202 · Opt\VMASLP Exec Dir				
9204 · Nursing / Nurse Aid				
9206 · Funeral\LTCALPT	48,997.17	91,801.18	-42,804.01	53.37%
9301 · DP Operations & Equipment	34,009.13	103,996.68	-69,987.55	32.7%
9302 · Human Resources	7,910.88	12,362.40	-4,451.52	63.99%
9303 · Finance	20,096.51	36,457.32	-16,360.81	55.12%
9304 · Director's Office	11,724.50	21,043.92	-9,319.42	55.71%
9305 · Enforcement	35,636.49	42,102.00	-6,465.51	84.64%
9306 · Administrative Proceedings	14,424.18	11,466.60	2,957.58	125.79%
9307 · Impaired Practitioners	476.76	477.00	-0.24	99.95%
9308 · Attorney General	496.38	8,361.84	-7,865.46	5.94%
9309 · Board of Health Professions	7,666.37	14,961.00	-7,294.63	51.24%
9311 · Moving Costs	0.00	393.60	-393.60	0.0%
9313 · Emp. Recognition Program	42.71	359.04	-316.33	11.9%
9314 · Conference Center	83.49	254.88	-171.39	32.76%
9315 · Pgm Devlpmnt & Implmentn	4,944.64	8,858.40	-3,913.76	55.82%
Total 9001 · Allocated Expenditures	186,509.21	352,895.86	-166,386.65	52.85%
987900 · Cash Trsfr Out- Appr Act Pt. 3	143.81	1,513.56	-1,369.75	9.5%
Total Direct and Allocated Expenditures	291,162.39	535,138.42	-243,976.03	54.41%
Net Cash Surplus\Shortfall	438,627.61	552,161.58	-113,533.97	79.44%

Discipline Statistics

As of January 25, 2013

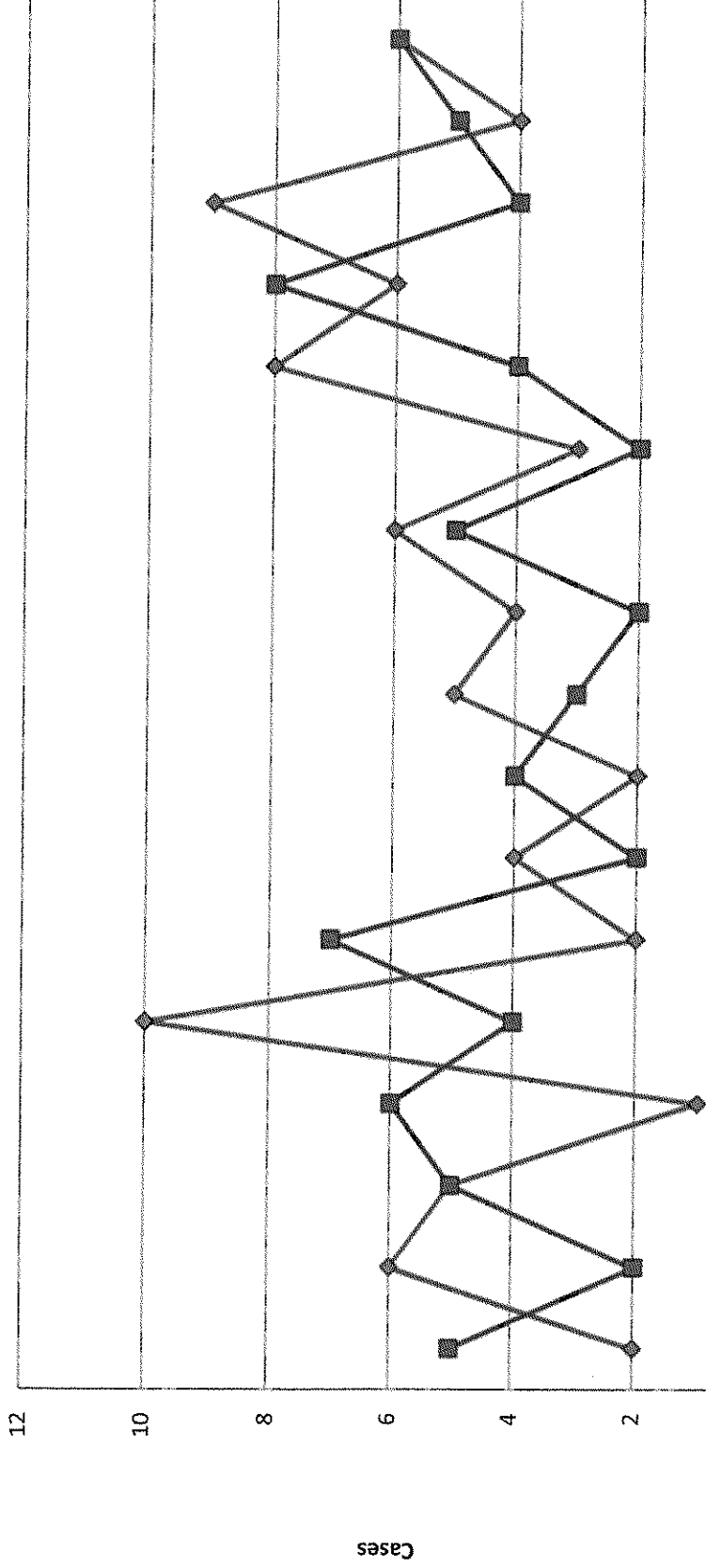
Investigations	7
Probable Cause	15
APD	0
Informal Stage	1
Formal Stage	1
Total	24

Monitoring:

PT Compliance Cases	12
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Physical Therapy Quarterly Received vs. Closed Profile

FY2013 (2)



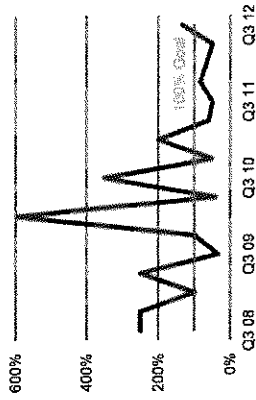
	Q2 09	Q3 09	Q4 09	Q1 10	Q2 10	Q3 10	Q4 10	Q1 11	Q2 11	Q3 11	Q4 11	Q1 12	Q2 12	Q3 12	Q4 12	Q1 13	Q2 13
Received	2	6	5	1	10	2	4	2	5	4	6	3	8	6	9	4	6
Closed	5	2	5	6	4	7	2	4	3	2	5	2	4	8	4	5	6

Patient Care Cases

Virginia Department of Health Professions - Patient Care Disciplinary Case Processing Times, by Board

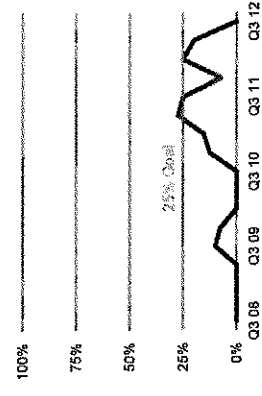
Physical Therapy - In Q3 2012, the clearance rate was 133%, the Pending Caseload older than 250 business days was 10% and the percent closed within 250 business days was 100%.
 Q3 2012 Caseloads:
 Received=6, Closed=8
 Pending over 250 days=1
 Closed within 250 days=0

Clearance Rate



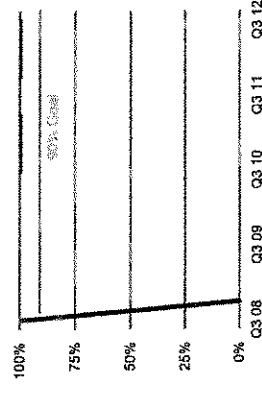
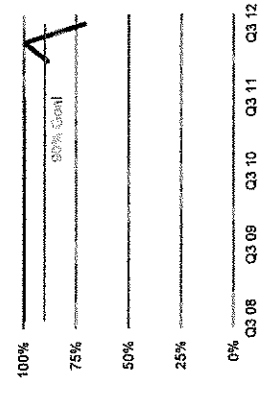
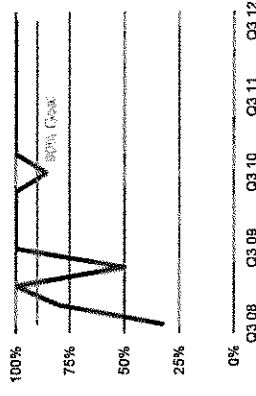
Funeral - In Q3 2012, the clearance rate was 700%, the Pending Caseload older than 250 business days was 0% and the percent closed within 250 business days was 71%.
 Q3 2012 Caseloads:
 Received=1, Closed=7
 Pending over 250 days=0
 Closed within 250 days=5

Age of Pending Caseload
 (percent of cases pending over one year)



Audiology - In Q3 2012, the clearance rate was 75%, the Pending Caseload older than 250 business days was 14% and the percent closed within 250 business days was 100%.
 Q3 2012 Caseloads:
 Received=4, Closed=3
 Pending over 250 days=1
 Closed within 250 days=3

Percent Closed in 250 Business Days



Note: Vertical scales on line charts change, both across boards and measures, in order to accommodate varying degrees of data fluctuation.

Licensure Count Report

As of January 25, 2013:

Physical Therapists	6,043
Physical Therapist Assistants	2,444
Direct Access Certification	660
Total	9,147

Tab 3



COMMONWEALTH OF VIRGINIA

Board of Physical Therapy

9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

(804) 367-4674 (Tel)
(804) 527-4413 (Fax)

Petition for Rule-making

The Code of Virginia (§ 2.2-4007) and the Public Participation Guidelines of this board require a person who wishes to petition the board to develop a new regulation or amend an existing regulation to provide certain information. Within 14 days of receiving a valid petition, the board will notify the petitioner and send a notice to the Register of Regulations identifying the petitioner, the nature of the request and the plan for responding to the petition. Following publication of the petition in the Register, a 21-day comment period will begin to allow written comment on the petition. Within 90 days after the comment period, the board will issue a written decision on the petition.

Please provide the information requested below. (Print or Type)

Petitioner's full name (Last, First, Middle initial, Suffix,)
Zirges, Sharan, D, PT, MSHA

Street Address
535 Independence Parkway, Suite 200

Area Code and Telephone Number
7575892837

City
Chesapeake

State
Virginia

Zip Code
23320

Email Address (optional)
sdzirges@sentara.com

Fax (optional)
7573824957

Respond to the following questions:

1. What regulation are you petitioning the board to amend? Please state the title of the regulation and the section/sections you want the board to consider amending.

18VAC112-20-131. Continued competency requirements for renewal of an active license. 1. A minimum of 15 of the contact hours required for physical therapists and 10 of the contact hours required for physical therapist assistants shall be in Type 1 face-to-face courses. For the purpose of this section, "course" means an organized program of study, classroom experience or similar educational experience that is directly related to the clinical practice of physical therapy and approved or provided by one of the following organizations or any of its components:

e. Health care organizations accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO);

2. Please summarize the substance of the change you are requesting and state the rationale or purpose for the new or amended rule. Sentara would like to ask the Board to amend the rule regarding who can provide educational experiences to include health care organizations accredited by any CMS approved accrediting body empowered to deem CMS accredited provider status.

All Sentara hospital facilities are now accredited by DNV. DNV Healthcare is the leading accreditor of US hospitals integrating ISO 9001 quality compliance with the Medicare Conditions of Participation per their website. In addition DNV Accreditation requires an annual survey and the organization's continual compliance with the DNV accreditation process. Sentara Home Care services are accredited by CHAP – Community Health Accreditation Program who is an independent, not-for-profit, accrediting body for community-based health care organizations. CHAP through "deeming authority" granted by the Centers for Medicare and Medicaid Services (CMS) has the regulatory authority to survey agencies providing home health, hospice, and home medical equipment services, to determine if they meet the Medicare Conditions of Participation and CMS Quality Standards.

As with JCAHO, these accrediting organizations ensure the highest standards for healthcare entities and should be included in this regulation.

3. State the legal authority of the board to take the action requested. In general, the legal authority for the adoption of regulations by the board is found in § 54.1-2400 of the Code of Virginia. If there is other legal authority for promulgation of a regulation, please provide that Code reference.

§ 54.1-2400. General powers and duties of health regulatory boards.

To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) which are reasonable and necessary to administer effectively the regulatory system.

Signature:

SHARAN D ZIRGES, PT , MSHA

Date: 11/2/12

Lisa R. Hahn, Executive Director
Department of Health Professions
Board of Physical Therapy
Board of Long Term Care Administrators
Board of Funeral Directors and Embalmers
9960 Mayland Drive, Suite 300
Henrico, VA 23233
804 367-4400

From: SHARAN D ZIRGES [<mailto:SDZIRGES@sentara.com>]

Sent: Thursday, November 01, 2012 1:12 PM

To: Hahn, Lisa R. (DHP)

Subject: Board of PT question

Lisa,

I am forwarding this question to you at the instruction of Dr. George Maihafer. Thank you for any guidance you can provide.

We (Sentara) would like to ask the Board to amend the rule regarding who can provide educational experiences (see below). All Sentara facilities are now accredited by DNV (DNV Healthcare is the leading accreditor of US hospitals integrating ISO 9001 quality compliance with the Medicare Conditions of Participation per their website). Would we need to file a petition for rule making for this?

"1. A minimum of 15 of the contact hours required for physical therapists and 10 of the contact hours required for physical therapist assistants shall be in Type 1 face-to-face courses. For the purpose of this section, "course" means an organized program of study, classroom experience or similar educational experience that is directly related to the clinical practice of physical therapy and approved or provided by one of the following organizations or any of its components:

- a. The Virginia Physical Therapy Association;
- b. The American Physical Therapy Association;
- c. Local, state or federal government agencies;
- d. Regionally accredited colleges and universities;
- e. Health care organizations accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO);
- f. The American Medical Association--Category I Continuing Medical Education course; and
- g. The National Athletic Trainers Association.

Sharan D. Zirges, PT, MSHA
Rehab Program Manager
Sentara Home Care Services
(757)553-3316 (VM)
(757)589-2837 (cell)
sdzirges@sentara.com

"We improve health every day."

In the depth of winter I found inside me lay an invincible summer
- Albert Camus

Comment on Petition for Rulemaking

Agency
Department of Health Professions

Board
Board of Physical Therapy

Chapter
Regulations Governing the Practice of Physical Therapy [18 VAC 112 - 20]

12/17/12 12:17 pm

Commenter: Sentara Enterprises *

18VAC112-20 Regulations Governing the Parctice of Physical Therapy.

As a long practicing physical therapist in the state of Virginia, I appreciate the need for quality continuing education that is both accessible and affordable. Sentara is an accredited health care provider in the state of Virginia and therefore should not be restricted from offering CEU rated education to both its staff and the public. I agree with the petition to change the current language and allow Sentara and similarly accredited organizations to provide continuing education to physical therapist and physical therapy assistants in the state of Virginia.

12/17/12 9:12 pm

Commenter: Diane Osborne Sentara Hilltop Therapy *

Amendment to rule 18VAC112-20-131

I would ask that the agency amend the rule (18VAC112-20-131) regarding who can provide educational experiences to include health care organizations accredited by any Centers for Medicare and Medicaid Services (CMS) approved accrediting body empowered to deem CMS accredited provider status. I have been a practicing physical therapist for many years and Sentara has always provided high quality educational programs for staff and outside therapists as well. The ability to attend more educational programs closer to home helps therapists working for Sentara and other facilities to continue to update skills and provide the highest quality care to our patients.

12/21/12 8:19 am

Commenter: D. Kit. with Sentara Home Care *

agree

I support this ammendment. It would benefit our health care community as a whole by providing easy access for continuing education thus keeping our therapy providers up on current techniques and evidence based practice.

12/26/12 9:17 pm

Commenter: Winston Pearson

Amending Rule: 18 VAC 112-20-131: additional accrediting organizations

Request the board of physical therapy approve the request to include additional organizations for continuing education.

Over eleven years ago, when the board approved Joint Commission as the accreditation body, it was the only organization with statutory authority to accredit hospitals under CMS. But in 2008 (CMS) Centers for Medicare and Medicaid Services approved DNV to accredit hospital organizations. Since that time more hospitals have moved from JC accreditation to DNV accreditation. However, regulation 18 VAC 112-20-131 doesn't allow for that change. As result, organizations accredited by DNV can no longer provide type I continuing

education for its employees. Further, this increases the cost to the organization due to it has to pay another organization to approve its continuing ed programs.

Amending this reg has no impact on quality care, nor does it cost the board any additional expense. However, failure to approve will the increase the expense of continuing education for all employees of organizations not accredited by JC.

Please approve. Thank-you

Winston Pearson

12/28/12 12:41 pm

Commenter: Denies Wentzell, Sentara Enterprises (Home care division) *

Agree with ammendment