



Call to Order – Allen R. Jones, Jr., PT, DPT, Board President

- Welcome and Introductions
- Mission of the Board
- Emergency Egress Instructions

Approval of Minutes (p. 4-16)

- Board Meeting – May 25, 2021
- For informational purposes – Informal Conferences – June 29, 2021

Ordering and Approval of Agenda

Public Comment

The Board will receive public comment on agenda items at this time. The Board will not receive comment on any pending regulation process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

Agency Report – David E. Brown, DC, Director, and Barbara Allison-Bryan, MD, Deputy Director

Staff Reports

- Executive Director’s and Discipline Report – **Corie E. Tillman Wolf, JD, Executive Director** (p. 18-19)
- Licensing Report – **Sarah Georgen, Licensing and Operations Manager**

Board Counsel Report - Erin Barrett, Assistant Attorney General

Committee and Board Member Reports

- Board President Report – **Allen R. Jones, Jr., PT, DPT**
- Board of Health Professions Report – **Allen R. Jones, Jr., PT, DPT**
- Leadership Issues Forum (LIF) Report – **Allen R. Jones, Jr., PT, DPT**

Legislative and Regulatory Report – Elaine Yeatts, Senior Policy Analyst

- Report on Status of Regulations
 - Legislative Report (p. 26-27)
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Board Discussion and Actions – Elaine Yeatts and Corie E. Tillman Wolf

- Retraction of Fast-Track Regulation and Adoption of Guidance Document – Credentialing and TOEFL Requirements for Physical Therapy Graduates of Schools Not Approved by CAPTE (18VAC112-20-50)

Elections

Next Meeting – November 9, 2021

Meeting Adjournment

This information is in **DRAFT** form and is subject to change. The official agenda and packet will be approved by the public body at the meeting and will be available to the public pursuant to Virginia Code Section 2.2-3707 (F).

Approval of Minutes

May 25, 2021

The Virginia Board of Physical Therapy convened virtually via WebEx for a full board meeting on Tuesday, May 25, 2021.

BOARD MEMBERS PRESENT

Allen R. Jones, Jr., PT, DPT, President (Virtual)
Mira H. Mariano, PT, PhD, OCS, Vice-President (Virtual)
Tracey Adler, PT, DPT, CMTPT (Virtual)
Arkena L. Dailey, PT, DPT (Virtual)
Rebecca Duff, PTA, DHSc (Virtual)
Elizabeth Locke, PT, PhD (Virtual)
Susan Palmer, MLS (Virtual)

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING

Barbara Allison-Bryan, MD, DHP Deputy Director (Virtual)
Erin Barrett, Assistant Attorney General, Board Counsel (Virtual)
David Brown, DC, DHP Director (Virtual)
Sarah Georgen, Licensing and Operations Manager (Virtual)
Laura Mueller, Program Manager (Virtual)
Kelley Palmatier, Deputy Executive Director (Virtual)
Yetty Shobo, Ph.D., Deputy Director, DHP Health Workforce Data Center (Virtual)
Corie Tillman Wolf, Executive Director (Virtual)

OTHER GUESTS PRESENT

Richard Grossman, American Physical Therapy Association – Virginia

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

CALL TO ORDER

Dr. Jones called the meeting to order at 9:31 a.m.

Due to the COVID-19 declared state of emergency and consistent with Item 4-0.01 of HB1800 (Budget Bill for 2020-2022) and the applicable provisions of the Freedom of Information Act including Virginia Code § 2.2-3708.2 and with Executive Order 51 (2020), the Board convened a virtual meeting to consider such regulatory and business matters as was presented on the agenda necessary for the Board to discharge its lawful purposes, duties, and responsibilities.

Dr. Jones provided the Board members, staff, and the public with contact information should the electronic meeting be interrupted.

Dr. Jones provided reminders to the Board and public regarding WebEx functions. He completed a roll call of the Board members and staff.

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

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

APPROVAL OF MINTUES

Dr. Jones opened the floor to any edits or corrections regarding the draft minutes for meetings held between November 17, 2020 and April 20, 2021, including a Board meeting on November 17, 2020 and formal hearings on November 17, 2020 and February 16, 2021. Ms. Palmer noted an edit to the quorum number of Board members in the February 16, 2021 Formal Hearing minutes. Hearing no other changes, the minutes were approved as amended.

ORDERING OF THE AGENDA

Ms. Tillman Wolf requested a change to the agenda noting that Ms. Yeatts would not be in attendance at the meeting. Ms. Tillman Wolf stated that she would provide the Legislation and Regulatory Report, and would present the items for Board Discussion and Action in Ms. Yeatts' absence.

Upon a **MOTION** by Dr. Dailey, and properly seconded by Dr. Locke, the Board voted to accept the agenda as amended. The motion passed unanimously (7-0).

PUBLIC COMMENT

The Board did not receive any written public comment or request to provide verbal public comment.

AGENCY REPORT

Dr. Brown discussed the creation of a Diversity, Equality, and Inclusion (DEI) Council at DHP. He stated that DHP was involved in the initial piloting of this program.

Dr. Brown provided an update on the 2021 General Assembly Legislative Session regarding the expanded scopes of practice in professions across DHP.

Dr. Brown provided an update on the state-level activities related to adult and medical use of marijuana. He stated that the Governor legalized marijuana in Virginia. Dr. Brown provided an update on the Board of Pharmacy program related to THC oils and the flower of the marijuana plant.

Dr. Allison-Bryan thanked the Board members and licensees for their work during the COVID-19 pandemic and their assistance with administering vaccinations to the citizens of the Commonwealth. She reported on Virginia's efforts to vaccinate citizens and provided an update on the Virginia Department of Health statistics.

Dr. Allison-Bryan reported on DHP's mask requirements while in the building. She answered questions related to the mask mandate requirements for hospitals and private companies.

With no questions, Dr. Brown and Dr. Allison-Bryan concluded their reports.

PRESENTATION

Dr. Shobo provided a presentation on the 2020 Workforce Reports for Physical Therapist and Physical Therapist Assistants.

Upon a **MOTION** by Dr. Dailey, which was properly seconded by Dr. Adler, the Board voted to accept the 2020 Workforce Reports for Physical Therapist and Physical Therapist Assistants. The motion passed unanimously (7-0).

STAFF REPORTS

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

COVID Response

Ms. Tillman Wolf provided an overview of the continued actions taken in response to and consequences of the COVID-19 pandemic. She reported on the 2020 license renewals and requests for a waiver of active practice requirements. Ms. Tillman Wolf reported on the discipline operations of the Board for virtual formal hearings and informal conferences. She reported on continued question from licensees in regards to telehealth and vaccines.

Board Updates

Ms. Tillman Wolf provided an update on a message regarding scam emails that was sent out to licensees in March 2021. She also reported that the Board's Periodic Review updates to the regulations became effective April 30, 2021. Additionally, she reported on the changes to the direct access treatment timeframe from 30 to 60 days as a result of SB 1187, which will become effective July 1, 2021.

FSBPT Updates

Ms. Tillman Wolf announced that Dr. Locke was a candidate for the Board of Directors – Director I position with the FSBPT.

Ms. Tillman Wolf reported on the upcoming virtual meetings to be held by the FSBPT in 2021.

Ms. Tillman Wolf announced that the FSBPT membership dues would be reduced by 50% for 2021 and 2022.

Ms. Tillman Wolf reported on FSBPT’s recent change in policy regarding NPTE Candidate Eligibility Requirements for non-CAPTE graduates and stated that the Board will need to amend the regulations with this change, which would be discussed later in the agenda.

Ms. Tillman Wolf announced that INPTRA, of which the Board was a member, dissolved at the end of December 2020 due to the challenges of the COVID-19 pandemic.

Ms. Tillman Wolf reported on the ELDD Task Force. She reported that Virginia has been a five-star state for reporting information on licensure and disciplinary cases. The Task Force will continue to encourage participation from other states to report their data. Ms. Tillman Wolf stated that she is participating on the FSBPT ELDD Task Force.

PT Compact – Updates

Ms. Tillman Wolf stated that as of the end of calendar year 2020, 163 compact privileges had been issued (142 Physical Therapists and 21 Physical Therapy Assistants; 186 privileges (new and renewal) to practice in Virginia.

Ms. Tillman Wolf reported that the financial impact of the PT Compact was not apparent yet as there was not enough data to identify changes in the number of renewals and endorsement applications and whether those changes are due to the Compact or the COVID pandemic.

Ms. Tillman Wolf reported on the PT Compact Status for Virginia as of May 14, 2021 with 257 Compact Privileges were issued for Virginia (223 PT; 34 PTA; 208 new; 49 renewal). She also reported that 163 Virginia home state licensees obtained 254 Compact Privileges for other Compact states (116 PT; 47 PTA). Approximately half of all privilege purchases for Virginia were made by licensees from neighboring member states North Carolina, Tennessee, West Virginia, and Kentucky.

Ms. Tillman Wolf reported on the national PT Compact Status, including new states that have enacted legislation.

Expenditure and Revenue Summary as of April 30, 2021

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of April 30, 2021.

Cash Balance as of June 30, 2020	\$1,496,604
YTD FY20 Revenue	\$ 797,974
Less FY20 Direct & In-Direct Expenditures	\$ 548,779
Cash Balance as of April 30, 2021	\$1,745,798

Board Meeting Dates

Ms. Tillman Wolf announced the tentative upcoming 2021 Board meeting dates.

- August 10, 2021

- November 9, 2021

Ms. Tillman Wolf stated that 2022 dates would be scheduled soon and staff would update the Board on if these meetings would be virtual or in-person.

Notes and Reminders

Ms. Tillman Wolf thanked the Board members for their continued hard work, dedication, and patience during the pandemic.

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

Discipline Report – Kelley Palmatier, JD, Deputy Executive Director

As of May 21, 2021, Ms. Palmatier reported the following disciplinary statistics:

- 33 Patient Care cases
 - 3 at Informal Conferences
 - 0 at Formal Hearing
 - 13 at Enforcement
 - 17 at Probable Cause
 - 0 at APD
- 6 Non Patient Care Cases
 - 1 at Informal
 - 0 at Formal
 - 2 at Enforcement
 - 1 at Probable Cause
 - 1 at APD
- 2 cases at Compliance

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

- Q2 2019 – 10/11
- Q3 2019 – 9/17
- Q4 2019 – 7/12
- Q1 2020 – 26/13
- Q2 2020 – 4/12
- Q3 2020 – 13/18
- Q4 2020 – 7/6
- Q1 2021 – 8/12
- Q2 2021 – 12/19
- Q3 2021 – 12/8

Ms. Palmatier reported the following Virginia Performs statistics for Q3 2021:

- Clearance Rate – 67% Received 9 patient cases and closed 6 cases
- Pending Caseload
 - 42% - 13 cases pending over 250 days
 - 19% - 6 case pending over 415 days
- Time to Disposition
 - 67% - 4 cases closed within 250 days
 - 100% - 6 cases closed within 415 days

Ms. Palmatier reported on the percentage of all cases closed in one year and on average days to close a case for the last five quarters.

With no questions, Ms. Palmatier concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Manager

Ms. Georgen presented licensure statistics that included the following information:

Licensure Statistics – All Licenses

License	Q3 2021 (Jan 1-Mar 31)	Q2 2021 (Oct 1-Dec 31)	Change +/-
Physical Therapist	8,603	8,372	231
Physical Therapist Assistant	3,641	3,574	67
Total PT's and PTA's	12,244	11,946	298
Direct Access Certification	1,333	1,323	10

Ms. Georgen presented the PT and PTA exam statistics from the April administrations of the exams.

Criminal Background Check Statistics 2020

	PT	PTA	Total
Total Applicants	863	309	1172
CBC Record Not Disclosed	4	3	7
Self Disclosed	6	12	18
Total Convictions	10	15	25

Application Updates

Ms. Georgen reported on the recent and upcoming application changes in relation to the regulation and legislation updates.

Licensure Statistics – Customer Satisfaction

Ms. Georgen provided the following statistics regarding the Virginia Performs – Customer Satisfaction Survey Results:

- Q2 2020 – 97.7%
- Q3 2020 – 97.4%
- Q4 2020 – 89.6%
- Q1 2021 – 100%
- Q2 2021 – 97%
- Q3 2021 – 98.2%

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT – Erin Barrett, Assistant Attorney General

Ms. Barrett had no information to report.

BREAK

The Board took a break at 10:57 a.m. and returned at 11:10 a.m.

COMMITTEE AND BOARD MEMBER REPORTS

Board President Report – Allen R. Jones, Jr., PT, DPT

Dr. Jones thanked the Board and Board staff for their work during the COVID-19 pandemic.

Dr. Jones acknowledged Dr. Locke, Dr. Dailey, and Ms. Tillman Wolf's representation with the FSBPT and thanked them for their dedication to the Board.

Dr. Jones stated that he will attend the Leadership Issues Forum (LIF) in July 2021; and that he, as the voting delegate, and Dr. Mariano, as the alternate delegate, would attend the Annual Meeting in October 2021.

With no questions, Dr. Jones concluded his report.

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

Dr. Jones stated that the Board of Health Professions met on May 13, 2021 and the meeting minutes were distributed to Board members prior to the meeting. He stated that prior meeting minutes from the BHP meeting were included in the agenda packet.

Dr. Jones reported that he had concluded his second year as Chairman of the Board of Health Professions and announced that Jim Wells, RPh, was elected Chairman of the Board at the January 2021 meeting.

With no questions, Dr. Jones concluded his report.

LEGISLATION AND REGULATORY REPORT

Report on Status of Regulations

Ms. Tillman Wolf provided an update regarding the current status of pending Board regulations.

Report on 2021 General Assembly

Ms. Tillman Wolf provided an update on the 2021 General Assembly, including SB1187 which extended the time period for direct access from 30 to 60 days.

BOARD DISCUSSIONS AND ACTIONS

Adoption of Fast-Track Regulation: Clarification of Credentialing Requirement for Graduates of Non-Approved Schools (18 VAC 112-20-50)

The Board discussed the adoption of fast-track regulation regarding clarification of the credentialing requirement for graduates of non-approved schools.

Upon a **MOTION** by Dr. Duff, and properly seconded by Dr. Mariano, the Board voted to adopt the fast track regulations on clarification of the credentialing requirement for graduates of non-approved schools (18 VAC 112-20-50) as presented. The motion passed unanimously (7-0).

Repeal of Guidance Documents/Review and Re-adoption of Guidance Document/Consideration of Revisions to Guidance Document

Ms. Tillman Wolf provided information to the Board regarding the repeal of Guidance Documents 112-10, Board guidance on credit for continuing education; 112-20, Guidance on Supervising Students in Non-Approved Programs; and 112-24, Supervision of physical therapy students in clinical settings.

Ms. Tillman Wolf provided information to the Board regarding the review and re-adoption of Guidance Document 112-2, Board guidance on the use of confidential consent agreements.

Ms. Tillman Wolf provided information to the Board regarding proposed changes to Guidance Document 112-13, Approval of a Traineeship.

The Board discussed these changes.

Upon a **MOTION** by Ms. Palmer, and properly seconded by Dr. Dailey, the Board voted to repeal Guidance Documents 112-10, 112-20, and 112-24 (Board guidance on credit for continuing education; Guidance on Supervising Students in Non-Approved Programs; and Supervision of physical therapy students in clinical settings); re-adopt Guidance Document 112-2, Board guidance on the use of confidential consent agreements; and adopt revisions to Guidance Document 112-13, Approval of a Traineeship as presented. The motion passed unanimously (7-0).

REVIEW OF REVISIONS TO DIRECT ACCESS PATIENT ATTESTATION AND MEDICAL RELEASE FORM

Ms. Tillman Wolf provided information to the Board regarding the review of revisions to the Direct Access Patient Attestation and Medical Release Form.

NEXT MEETING

The next meeting date is August 10, 2021.

CONTINUING EDUCATION CREDIT:

Dr. Jones provided the steps necessary to be awarded continuing education for the attendance at the meeting pursuant to 18 VAC 112-20-131. He announced that continuing education would be awarded to those

participants who provided their first name, last name, license number, and the meeting code by email to ptboard@dhp.virginia.gov by June 1, 2021.

ADJOURNMENT

With all business concluded, the meeting adjourned at 11:28 a.m.

Allen R. Jones, Jr., PT, DPT, President

Corie Tillman Wolf, J.D., Executive Director

Date

Date

Unapproved
VIRGINIA BOARD OF PHYSICAL THERAPY
SPECIAL CONFERENCE COMMITTEE - VIRTUAL
MINUTES

June 29, 2021

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233

CALL TO ORDER: A Special Conference Committee of the Board was called to order at 9:30 a.m.

MEMBERS PRESENT: Mira Mariano, PT, PhD, Chair (Virtual)
Rebecca Duff, PTA, DHSc (Virtual)

DHP STAFF PRESENT: Kelley Palmatier, Deputy Executive Director (Virtual)
Angela Pearson, Senior Discipline Manager (In-Person)
Claire Foley, Adjudication Specialist (Virtual)

MATTER: **Paul Choi, P.T. Reinstatement Applicant**
License #2305-210027
Case #206689

DISCUSSION: Mr. Choi appeared virtually before the Committee in accordance with the Board's Notice of Informal Conference dated April 30, 2021 and he was not represented by counsel.

The Committee fully discussed the allegations as referenced in the April 30, 2021 Notice of Informal Conference with Mr. Choi.

CLOSED SESSION: Upon a motion by Dr. Duff and duly seconded by Dr. Mariano, 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 Paul Choi, P.T. Reinstatement Applicant. Additionally, she moved that Ms. Palmatier and Ms. Pearson attend the closed meeting because their presence in the closed meeting

was deemed necessary and would aid the Committee in its discussions.

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.

DECISION:

Upon a motion by Dr. Duff and duly seconded by Dr. Mariano, the Committee voted and ordered the reinstatement of the Respondent's license, probation, counseling, a chaperone when working with female patients, the respondent to provide future P.T. employers with a copy of the Board Order and to provide quarterly reports from the employer and counselor to the Board. The motion carried.

ADJOURNMENT:

The Committee adjourned at 10:43 a.m.

Mira Mariano, PT, PhD, Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date

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An audio recording of this meeting can be accessed at:

https://www.dhp.virginia.gov/PhysicalTherapy/physther_calendar.htm

Unapproved
VIRGINIA BOARD OF PHYSICAL THERAPY
SPECIAL CONFERENCE COMMITTEE - VIRTUAL
MINUTES

June 29, 2021

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233

CALL TO ORDER: A Special Conference Committee of the Board was called to order at 11:00 a.m.

MEMBERS PRESENT: Mira Mariano, PT, PhD, Chair (Virtual)
Rebecca Duff, PTA, DHSc (Virtual)

DHP STAFF PRESENT: Kelley Palmatier, Deputy Executive Director (Virtual)
Angela Pearson, Senior Discipline Manager (In-Person)
Claire Foley, Adjudication Specialist (Virtual)

MATTER: **Usama M. Abdelghany, P.T.**
License #2305-005855
Case #198480

DISCUSSION: Mr. Abdelghany appeared virtually before the Committee in accordance with the Board's Notice of Informal Conference dated February 9, 2021 and he was not represented by counsel.

The Committee fully discussed the allegations as referenced in the February 9, 2021 Notice of Informal Conference with Mr. Abdelghany.

CLOSED SESSION: Upon a motion by Dr. Duff and duly seconded by Dr. Mariano, 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 Usama M. Abdelghany, P.T. Additionally, she moved that Ms. Palmatier and Ms. Pearson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions.

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.

DECISION: Upon a motion by Dr. Duff and duly seconded by Dr. Mariano, the Committee voted and ordered a reprimand, monetary penalty and continuing education. The motion carried.

ADJOURNMENT: The Committee adjourned at 12:30 p.m.

Mira Miriano, PT, PhD, Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



An audio recording of this meeting can be accessed at:

https://www.dhp.virginia.gov/PhysicalTherapy/physther_calendar.htm

Staff Reports

	116- Physical Therapy
Board Cash Balance as June 30, 2020	\$ 1,496,604
YTD FY21 Revenue	836,810
Less: YTD FY21 Direct and Allocated Expenditures	<u>631,066</u>
Board Cash Balance as June 30, 2021	<u><u>\$ 1,702,347</u></u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11600 - Physical Therapy
For the Period Beginning July 1, 2020 and Ending June 30, 2021

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
4002400	Fee Revenue				
4002401	Application Fee	140,546.00	159,125.00	18,579.00	88.32%
4002406	License & Renewal Fee	685,303.00	627,040.00	(58,263.00)	109.29%
4002407	Dup. License Certificate Fee	1,280.00	550.00	(730.00)	232.73%
4002409	Board Endorsement - Out	8,010.00	9,600.00	1,590.00	83.44%
4002421	Monetary Penalty & Late Fees	1,300.00	5,235.00	3,935.00	24.83%
4002432	Misc. Fee (Bad Check Fee)	100.00	35.00	(65.00)	285.71%
	Total Fee Revenue	836,539.00	801,585.00	(34,954.00)	104.36%
4003000	Sales of Prop. & Commodities				
4003020	Misc. Sales-Dishonored Payments	215.00	-	(215.00)	0.00%
	Total Sales of Prop. & Commodities	215.00	-	(215.00)	0.00%
4009000	Other Revenue				
40090606	FOIA Request Revenue	55.68	-	(55.68)	0.00%
	Total Other Revenue	55.68	-	(55.68)	0.00%
	Total Revenue	836,809.68	801,585.00	(35,224.68)	104.39%
5011110	Employer Retirement Contrib.				
5011120	Fed Old-Age Ins- Sal St Emp	7,423.80	6,146.00	(1,277.80)	120.79%
5011140	Group Insurance	1,395.01	874.00	(521.01)	159.61%
5011150	Medical/Hospitalization Ins.	34,830.84	19,826.00	(15,004.84)	175.68%
5011160	Retiree Medical/Hospitalizatn	1,168.82	731.00	(437.82)	159.89%
5011170	Long term Disability Ins	636.19	398.00	(238.19)	159.85%
	Total Employee Benefits	60,365.62	37,409.00	(22,956.62)	161.37%
5011200	Salaries				
5011230	Salaries, Classified	104,190.24	65,240.00	(38,950.24)	159.70%
5011250	Salaries, Overtime	29.15	-	(29.15)	0.00%
	Total Salaries	104,219.39	65,240.00	(38,979.39)	159.75%
5011300	Special Payments				
5011310	Bonuses and Incentives	850.00	-	(850.00)	0.00%
5011340	Specified Per Diem Payment	1,250.00	-	(1,250.00)	0.00%
5011380	Deferred Compnstn Match Pmts	168.00	648.00	480.00	25.93%
	Total Special Payments	2,268.00	648.00	(1,620.00)	350.00%
5011400	Wages				
5011410	Wages, General	-	15,100.00	15,100.00	0.00%
	Total Wages	-	15,100.00	15,100.00	0.00%
5011600	Terminatn Personal Svce Costs				
5011660	Defined Contribution Match - Hy	114.24	-	(114.24)	0.00%
	Total Terminatn Personal Svce Costs	114.24	-	(114.24)	0.00%
5011930	Turnover/Vacancy Benefits				
	Total Personal Services	166,967.25	118,397.00	(48,570.25)	141.02%
5012000	Contractual Svcs				
5012100	Communication Services				
5012110	Express Services	-	50.00	50.00	0.00%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11600 - Physical Therapy
For the Period Beginning July 1, 2020 and Ending June 30, 2021

Account Number	Account Description	Amount	Budget	Amount Under/(Over)	
				Budget	% of Budget
5012120	Outbound Freight Services	92.02	-	(92.02)	0.00%
5012140	Postal Services	12,372.62	5,750.00	(6,622.62)	215.18%
5012150	Printing Services	2.45	600.00	597.55	0.41%
5012160	Telecommunications Svcs (VITA)	269.75	1,000.00	730.25	26.98%
5012190	Inbound Freight Services	1.10	-	(1.10)	0.00%
	Total Communication Services	12,737.94	7,400.00	(5,337.94)	172.13%
5012200	Employee Development Services				
5012210	Organization Memberships	1,250.00	2,500.00	1,250.00	50.00%
5012240	Employee Training/Workshop/Conf	-	400.00	400.00	0.00%
5012250	Employee Tuition Reimbursement	-	3,875.00	3,875.00	0.00%
	Total Employee Development Services	1,250.00	6,775.00	5,525.00	18.45%
5012300	Health Services				
5012360	X-ray and Laboratory Services	-	300.00	300.00	0.00%
	Total Health Services	-	300.00	300.00	0.00%
5012400	Mgmnt and Informational Svcs	-			
5012420	Fiscal Services	12,624.24	18,000.00	5,375.76	70.13%
5012440	Management Services	535.31	4,000.00	3,464.69	13.38%
5012470	Legal Services	989.00	300.00	(689.00)	329.67%
	Total Mgmnt and Informational Svcs	14,148.55	22,300.00	8,151.45	63.45%
5012500	Repair and Maintenance Svcs				
5012510	Custodial Services	308.76	-	(308.76)	0.00%
5012520	Electrical Repair & Maint Srvc	-	25.00	25.00	0.00%
5012530	Equipment Repair & Maint Srvc	892.01	600.00	(292.01)	148.67%
	Total Repair and Maintenance Svcs	1,200.77	625.00	(575.77)	192.12%
5012600	Support Services				
5012630	Clerical Services	-	19.00	19.00	0.00%
5012640	Food & Dietary Services	527.29	750.00	222.71	70.31%
5012660	Manual Labor Services	187.21	700.00	512.79	26.74%
5012670	Production Services	985.01	2,245.00	1,259.99	43.88%
5012680	Skilled Services	10,701.94	13,000.00	2,298.06	82.32%
	Total Support Services	12,401.45	16,714.00	4,312.55	74.20%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	1,258.10	3,500.00	2,241.90	35.95%
5012840	Travel, State Vehicles	-	500.00	500.00	0.00%
5012850	Travel, Subsistence & Lodging	253.45	1,500.00	1,246.55	16.90%
5012880	Trvl, Meal Reimb- Not Rprtbl	261.00	300.00	39.00	87.00%
	Total Transportation Services	1,772.55	5,800.00	4,027.45	30.56%
	Total Contractual Svcs	43,511.26	59,914.00	16,402.74	72.62%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013110	Apparel Supplies	11.05	-	(11.05)	0.00%
5013120	Office Supplies	1,061.27	1,000.00	(61.27)	106.13%
	Total Administrative Supplies	1,072.32	1,000.00	(72.32)	107.23%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11600 - Physical Therapy
For the Period Beginning July 1, 2020 and Ending June 30, 2021

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
5013300	Manufctrng and Merch Supplies				
5013350	Packaging & Shipping Supplies	-	50.00	50.00	0.00%
	Total Manufctrng and Merch Supplies	-	50.00	50.00	0.00%
5013400	Medical and Laboratory Supp.				
5013420	Medical and Dental Supplies	1.53	-	(1.53)	0.00%
	Total Medical and Laboratory Supp.	1.53	-	(1.53)	0.00%
5013500	Repair and Maint. Supplies				
5013510	Building Repair & Maint Materl	4.03	-	(4.03)	0.00%
5013520	Custodial Repair & Maint Matr	0.56	-	(0.56)	0.00%
5013530	Electrcal Repair & Maint Matr	-	15.00	15.00	0.00%
	Total Repair and Maint. Supplies	4.59	15.00	10.41	30.60%
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	-	200.00	200.00	0.00%
	Total Residential Supplies	-	200.00	200.00	0.00%
5013700	Specific Use Supplies				
5013730	Computer Operating Supplies	-	10.00	10.00	0.00%
	Total Specific Use Supplies	-	10.00	10.00	0.00%
	Total Supplies And Materials	1,078.44	1,275.00	196.56	84.58%
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				
5015160	Property Insurance	-	29.00	29.00	0.00%
	Total Insurance-Fixed Assets	-	29.00	29.00	0.00%
5015300	Operating Lease Payments				
5015340	Equipment Rentals	17.37	-	(17.37)	0.00%
5015350	Building Rentals	9.60	-	(9.60)	0.00%
5015390	Building Rentals - Non State	6,644.41	6,286.00	(358.41)	105.70%
	Total Operating Lease Payments	6,671.38	6,286.00	(385.38)	106.13%
5015400	Service Charges				
5015470	Private Vendor Service Charges:	28.80	-	(28.80)	0.00%
	Total Service Charges	28.80	-	(28.80)	0.00%
5015500	Insurance-Operations				
5015510	General Liability Insurance	-	107.00	107.00	0.00%
5015540	Surety Bonds	-	7.00	7.00	0.00%
	Total Insurance-Operations	-	114.00	114.00	0.00%
	Total Continuous Charges	6,700.18	6,429.00	(271.18)	104.22%
5022000	Equipment				
5022100	Computer Hrdware & Sftware				
5022170	Other Computer Equipment	51.52	-	(51.52)	0.00%
	Total Computer Hrdware & Sftware	51.52	-	(51.52)	0.00%
5022200	Educational & Cultural Equip				
5022240	Reference Equipment	-	60.00	60.00	0.00%
	Total Educational & Cultural Equip	-	60.00	60.00	0.00%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11600 - Physical Therapy
For the Period Beginning July 1, 2020 and Ending June 30, 2021

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
5022600	Office Equipment				
5022610	Office Appurtenances	-	35.00	35.00	0.00%
	Total Office Equipment	-	35.00	35.00	0.00%
5022700	Specific Use Equipment				
5022710	Household Equipment	12.29	-	(12.29)	0.00%
5022740	Non Power Rep & Maint- Equip	0.91	-	(0.91)	0.00%
	Total Specific Use Equipment	13.20	-	(13.20)	0.00%
	Total Equipment	64.72	95.00	30.28	68.13%
	Total Expenditures	218,321.85	186,110.00	(32,211.85)	117.31%
Allocated Expenditures					
20600	Funeral/LTCAIPT	108,311.92	113,395.83	5,083.91	95.52%
30100	Data Center	55,141.17	72,513.30	17,372.13	76.04%
30200	Human Resources	10,218.59	11,103.69	885.10	92.03%
30300	Finance	66,982.54	71,307.01	4,324.47	93.94%
30400	Director's Office	22,648.32	25,621.21	2,972.89	88.40%
30500	Enforcement	71,340.31	75,212.23	3,871.92	94.85%
30600	Administrative Proceedings	24,385.66	29,714.09	5,328.44	82.07%
30700	Impaired Practitioners	894.00	1,565.75	671.75	57.10%
30800	Attorney General	6,228.25	3,807.38	(2,420.87)	163.58%
30900	Board of Health Professions	18,208.11	19,285.59	1,077.49	94.41%
31100	Maintenance and Repairs	185.88	1,161.18	975.30	16.01%
31300	Emp. Recognition Program	151.12	746.21	595.09	20.25%
31400	Conference Center	814.83	168.24	(646.59)	484.32%
31500	Pgm Devlpmnt & Implmentn	9,096.60	11,487.11	2,390.51	79.19%
31800	CBC (Criminal Background Checks)	18,137.32	20,537.86	2,400.54	88.31%
	Total Allocated Expenditures	412,744.63	457,626.70	44,882.07	90.19%
	Net Revenue in Excess (Shortfall) of Expenditures	\$ 205,743.20	\$ 157,848.30	\$ (47,894.90)	130.34%

Physical Therapy Monthly Snapshot for April 2021

Physical Therapy closed as many cases in April as received. Physical Therapy closed 3 patient care cases and 2 non-patient care cases for a total of 5 cases.

Cases Closed	
Patient Care	3
Non-Patient Care	2
Total	5

The board received 2 patient care cases and 3 non-patient care cases for a total of 5 cases.

Cases Received	
Patient Care	2
Non-Patient Care	3
Total	5

As of April 30 2021, there were 30 patient care cases open and 4 non-patient care cases open for a total of 34 cases.

Cases Open	
Patient Care	30
Non-Patient Care	4
Total	34

There were 13,651 Physical Therapy licensees as of May 1, 2021. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Direct Access Certification	1,339
Physical Therapist	8,649
Physical Therapist Assistant	3,663
Total for Physical Therapy	13,651

There were 58 licenses issued for Physical Therapy for the month of April. The number of licenses issued are broken down by profession in the following chart.

Licenses Issued	
Direct Access Certification	6
Physical Therapist	35
Physical Therapist Assistant	17
Total for Physical Therapy	58

Physical Therapy Monthly Snapshot for May 2021

Physical Therapy has received more cases in May than closed. Physical Therapy has closed 1 patient care case and 0 non-patient care cases for a total of 1 case.

Cases Closed	
Patient Care	1
Non-Patient Care	0
Total	1

The board has received 4 patient care cases and 1 non-patient care case for a total of 5 cases.

Cases Received	
Patient Care	4
Non-Patient Care	1
Total	5

As of May 31 2021, there are 33 patient care cases open and 5 non-patient care cases open for a total of 38 cases.

Cases Open	
Patient Care	33
Non-Patient Care	5
Total	38

There are 13,827 Physical Therapy licensees as of June 1, 2021. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Direct Access Certification	1,344
Physical Therapist	8,790
Physical Therapist Assistant	3,693
Total for Physical Therapy	13,827

There were 134 licenses issued for Physical Therapy for the month of May. The number of licenses issued are broken down by profession in the following chart.

Licenses Issued	
Direct Access Certification	3
Physical Therapist	106
Physical Therapist Assistant	25
Total for Physical Therapy	134

Legislative and Regulatory Report

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 481

An Act to amend and reenact § 54.1-3482 of the Code of Virginia, relating to the Department of Health Professions; practice of physical therapy.

[S 1187]

Approved March 31, 2021

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3482 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3482. Practice of physical therapy; certain experience and referrals required; physical therapist assistants.

A. It shall be unlawful for a person to engage in the practice of physical therapy except as a licensed physical therapist, upon the referral and direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician, except as provided in this section.

B. A physical therapist who has completed a doctor of physical therapy program approved by the Commission on Accreditation of Physical Therapy Education or who has obtained a certificate of authorization pursuant to § 54.1-3482.1 may evaluate and treat a patient for no more than ~~30~~ 60 consecutive days after an initial evaluation without a referral under the following conditions: (i) the patient is not receiving care from any licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician for the symptoms giving rise to the presentation at the time of the presentation to the physical therapist for physical therapy services or (ii) the patient is receiving care from a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician at the time of his presentation to the physical therapist for the symptoms giving rise to the presentation for physical therapy services and (a) the patient identifies a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician from whom he is currently receiving care; (b) the patient gives written consent for the physical therapist to release all personal health information and treatment records to the identified practitioner; and (c) the physical therapist notifies the practitioner identified by the patient no later than 14 days after treatment commences and provides the practitioner with a copy of the initial evaluation along with a copy of the patient history obtained by the physical therapist. Treatment for more than ~~30~~ 60 consecutive days after evaluation of such patient shall only be upon the referral and direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician. A physical therapist may contact the practitioner identified by the patient at the end of the ~~30-day~~ 60-day period to determine if the practitioner will authorize additional physical therapy services until such time as the patient can be seen by the practitioner. ~~A~~ *After discharging a patient*, a physical therapist shall not perform an initial evaluation of a patient under this subsection *without a referral* if the physical therapist has performed an initial evaluation of the patient under this subsection for the same condition within the immediately preceding 60 days.

C. A physical therapist who has not completed a doctor of physical therapy program approved by the Commission on Accreditation of Physical Therapy Education or who has not obtained a certificate of authorization pursuant to § 54.1-3482.1 may conduct a one-time evaluation that does not include treatment of a patient without the referral and direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician; if appropriate, the physical therapist shall immediately refer such patient to the appropriate practitioner.

D. Invasive procedures within the scope of practice of physical therapy shall at all times be performed only under the referral and direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician.

E. It shall be unlawful for any licensed physical therapist to fail to immediately refer any patient to a

licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery, or a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957 when such patient's medical condition is determined, at the time of evaluation or treatment, to be beyond the physical therapist's scope of practice. Upon determining that the patient's medical condition is beyond the scope of practice of a physical therapist, a physical therapist shall immediately refer such patient to an appropriate practitioner.

F. Any person licensed as a physical therapist assistant shall perform his duties only under the direction and control of a licensed physical therapist.

G. However, a licensed physical therapist may provide, without referral or supervision, physical therapy services to (i) a student athlete participating in a school-sponsored athletic activity while such student is at such activity in a public, private, or religious elementary, middle or high school, or public or private institution of higher education when such services are rendered by a licensed physical therapist who is certified as an athletic trainer by the National Athletic Trainers' Association Board of Certification or as a sports certified specialist by the American Board of Physical Therapy Specialties; (ii) employees solely for the purpose of evaluation and consultation related to workplace ergonomics; (iii) special education students who, by virtue of their individualized education plans (IEPs), need physical therapy services to fulfill the provisions of their IEPs; (iv) the public for the purpose of wellness, fitness, and health screenings; (v) the public for the purpose of health promotion and education; and (vi) the public for the purpose of prevention of impairments, functional limitations, and disabilities.

Board Discussion and Actions

Board of Physical Therapy

Board Guidance on Credentialing and TOEFL Requirements for Physical Therapy Graduates of Schools Not Approved by CAPTE

Section 18VAC112-20-50(B)(1) of the Board's Regulations Governing the Practice of Physical Therapy provides the following:

B. The board shall only approve a credentialing agency that:

- 1. Utilizes the FSBPT Coursework Evaluation Tool for Foreign Educated Physical Therapists, as required to sit for FSBPT examination, and utilizes original source documents to establish substantial equivalency to an approved physical therapy program;*

The Board interprets this requirement to mean that the Federation of State Boards of Physical Therapy (FSBPT) Coursework Evaluation Tool utilized by the credentialing agency should be based upon the year of the applicant's graduation from the physical therapy program.

Further, Sections 18VAC112-20-50(B)(3) and (C)(1) of the Board's Regulations provide the following for applicants for licensure as physical therapists and physical therapist assistants:

B. The board shall only approve a credentialing agency that:

- 3. Verifies English language proficiency by passage of the TOEFL and TSE examination or the TOEFL iBT, the Internet-based tests of listening, reading, speaking, and writing or by review of evidence that the applicant's physical therapy program was taught in English or that the native tongue of the applicant's nationality is English.*

C. An applicant for licensure as a physical therapist assistant who is a graduate of a school not approved by the board shall submit with the required application and fee the following:

- 1. Proof of proficiency in the English language by passing TOEFL and TSE or the TOEFL iBT, the Internet-based tests of listening, reading, speaking, and writing by a score determined by the board or an equivalent examination approved by the board. TOEFL iBT or TOEFL and TSE may be waived upon evidence that the applicant's physical therapist assistant program was taught in English or that the native tongue of the applicant's nationality is English.*

With regard to passage of the TOEFL examination, the Board follows the recommended passing scores from FSBPT.