

The Virginia Board of Physical Therapy convened for a full Board meeting on Friday, November 8, 2024, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT

Elizabeth Locke, PT, PhD, President
Mira H. Mariano, PT, PhD, Vice-President
Megan Bureau, PT, DPT
Melissa Fox, PT, DPT
Srilekha Palle, PT, DPT
Susan Szasz Palmer, MLS

BOARD MEMBERS NOT PRESENT:

Rebecca Duff, PTA, DHSc

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING

Sarah Georgen, Licensing and Operations Supervisor
James Jenkins, RN, Agency Chief Deputy Director
Annette Kelley, MS, CSAC, Deputy Executive Director
Laura Mueller, Senior Licensing Program Coordinator
Matt Novak, Policy and Economic Analyst
James Rutkowski, Assistant Attorney General, Board Counsel
Kelly Smith, Director of Communications
Corie Tillman Wolf, JD, Executive Director

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

OTHER GUESTS PRESENT:

Kenneth Hutcheson, Virginia Physical Therapy Association
Jessica T., Virginia Commonwealth University

CALL TO ORDER

Dr. Locke called the meeting to order at 10:00 a.m. and asked the Board members and staff to introduce themselves.

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

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

Dr. Locke reminded the Board members and audience about microphones, computer agenda materials, breaks, sign-in sheets, and attendance for continuing education requirements.

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF MINUTES

Dr. Locke opened the floor to any edits or corrections regarding the draft minutes for a Board meeting, public hearing, and formal hearing held on August 13, 2024, and a formal hearing held on September 27, 2024. Hearing none, the minutes were approved as presented.

ORDERING OF THE AGENDA

Dr. Locke opened the floor to any additional items to add to the agenda.

Ms. Tillman Wolf noted that Mr. Jenkins would provide the Agency Report, Mr. Rutkowski would provide the Board Counsel Report, and Mr. Novak would provide information on the Board Action item of the agenda.

Upon a **MOTION** by Dr. Fox and properly seconded by Dr. Palle, the Board voted to accept the agenda as amended. The motion carried unanimously (6-0).

PUBLIC COMMENT

There was no public comment.

AGENCY REPORT

Mr. Jenkins welcomed Board Members and thanked them for their service and contribution to the profession and the public's safety.

Mr. Jenkins reported on the new protocols for enhanced security in the Perimeter Center known as "Expect the Check," a standard security precaution for many government agencies in the Commonwealth of Virginia.

Mr. Jenkins spoke about the successful 2024 General Assembly Session and legislative efforts.

Mr. Jenkins noted a focus on the healthcare workforce for the upcoming 2025 General Assembly Session and that legislative proposals have been submitted for consideration.

Mr. Jenkins reported on staff retention efforts through the study of agency salaries.

With no questions, Mr. Jenkins concluded his report.

STAFF REPORTS

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

Board Updates

Ms. Tillman Wolf provided updates on Board activity since the last meeting to include the launch of CE Broker, the initiation of the 2024 renewal cycle, and the scheduling of an upcoming Legislative/Regulatory Committee meeting on February 10, 2025. She stated that the Committee will focus on topics including artificial intelligence (AI) and digital practice, invasive procedures, and revisions to policy documents.

FSBPT Updates

Ms. Tillman Wolf provided updates from The Federation of State Boards of Physical Therapy (FSBPT) Annual Meeting held October 31 to November 2, 2024, in Cedar Rapids, Iowa. She noted attendance by Dr. Mariano and herself.

Ms. Tillman Wolf provided information on a wide range of discussion topics, including information sharing, exam updates, recent research topics, the work of the Boundary Violations Committee and the Informed Consent Task Force, physical therapy workforce data, and AI's potential impact on physical therapy practice and regulation.

Ms. Tillman Wolf reported on strong representation for Virginia at this year's Annual Meeting, which was recognized by FSBPT. She noted that FSBPT thanked current and former board members, staff, and Virginia-based program faculty for their volunteer service:

- Mira Mariano, PT, PhD, for her work as a member of and presenter for the Sexual Misconduct and Boundaries Committee and for facilitating the Board Member Forum.
- Yetty Shobo, PhD, Director of the Department of Health Professions Healthcare Workforce Data Center, for her participation in the Cross-Profession Minimum Data Set Tool (CPMDS) Task Force.
- Former Board Member Tracey Adler, PT, DPT, for her participation in the Dry Needling Competencies Task Force.
- Sheri Hale, PT, PhD, from Shenandoah University, for her work on the Exam Committee.

Ms. Tillman Wolf reported on the “all green” status for Virginia on the Exam, Licensure, and Discipline Database (ELDD) “Consumer Protection Rating” report provided by the FSBPT; Virginia continues to comply with the reporting of license information, FSBPT identification, and disciplinary actions.

Ms. Tillman Wolf noted additional areas for continued exploration after the Annual Meeting, including the license verification process for endorsement applicants, the API process for the ELDD, the use of new and upcoming FSBPT resources, and the review and clarification of continuing education requirements.

Ms. Tillman Wolf provided information on the FSBPT Board Assessment Resource (BAR), which assists boards in conducting self-assessments on areas such as information sharing and investigative processes. She stated that additional discussions on this topic would be forthcoming.

Ms. Tillman Wolf provided information on upcoming FSBPT meetings, including Board Regulatory Training in April 2025, the Leadership Issues Forum (LIF) in July 2025, and the Annual Meeting in October 2025.

Ms. Tillman Wolf encouraged Board Member participation through FSBPT volunteer opportunities and asked Board Members to inform her of their selection for committees or task forces.

PT Compact Updates

Ms. Tillman Wolf reported on the national status of the Physical Therapy Compact (PT Compact), including new states that have enacted legislation or have begun issuing privileges. She reported that 39 jurisdictions have passed legislation to join the Compact and that 32 jurisdictions are currently issuing privileges as of November 2024.

Ms. Tillman Wolf reported that 1,528 practitioners have purchased 2,165 new or renewal Compact privileges in Virginia since January 2020. She provided the Board with a net revenue report of \$103,824 for participation in the Compact.

Ms. Tillman Wolf stated that licensees who hold a PT Compact Privilege are reminded during the renewal cycle to ensure that they renew their privilege after their Virginia home state license is renewed.

Ms. Tillman Wolf announced the PT Compact Annual Meeting on December 16, 2024. She announced her candidacy for Chair during the Executive Committee Elections.

Ms. Tillman Wolf provided additional updates regarding Compact compliance, home state audits conducted by the Compact Commission, and recent information provided to PT/PTA programs about the PT Compact Education Module.

Expenditure and Revenue Summary as of July 31, 2024

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of July 31, 2024.

Cash Balance as of June 30, 2023	\$1,974,162
YTD FY 2024 Revenue	\$ 172,804
Less: YTD FY 2024 Direct and Allocated Expenditures	<u>\$ 758,083</u>
Cash Balance as of June 30, 2024	\$1,388,883

Ms. Tillman Wolf noted consistent annual expenses when comparing the FY23 and FY24 cash balances. She said that more information would be provided following the 2024 renewal cycle to analyze any changes in revenue stream based upon the PT Compact.

2025 Board Meeting Dates

Ms. Tillman Wolf provided the 2025 Board meeting schedule.

- February 21, 2025
- May 8, 2025
- August 21, 2025
- November 7 or 14, 2025

Notes and Reminders

Ms. Tillman Wolf provided reminders on participation in Committees, Workgroups, and FSBPT-funded meetings when attending as a Board Member. Additionally, she provided reminders of changes to contact information and thanked the Board Members for their hard work and dedication.

Ms. Tillman Wolf congratulated Dr. Locke on her appointment as Chair of Hampton University's Department of Physical Therapy in October 2024.

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

Discipline Report – Annette Kelley, MS, CSAC, Deputy Executive Director

As of September 30, 2024, Ms. Kelley reported the following disciplinary statistics:

- 38 Open cases:
 - 22 Patient Care Cases:
 - 2 at Informal Conferences
 - 2 at Formal Hearings
 - 5 at Enforcement
 - 12 at Probable Cause
 - 1 at Administrative Proceedings Division
 - 16 Non-Patient Care Cases:
 - 5 at Informal Conferences
 - 0 at Formal Hearings
 - 5 at Enforcement
 - 5 at Probable Cause
 - 1 at Administrative Proceedings Division
- 7 cases were listed in Compliance

Ms. Kelley thanked the Board Members for their assistance with probable cause case reviews during the last quarter.

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

- Q1 2022 – 11/12
- Q2 2022 – 9/8
- Q3 2022 – 15/18
- Q4 2022 – 3/10
- Q1 2023 – 15/21
- Q2 2023 – 13/18

- Q3 2023 – 10/8
- Q4 2023 – 4/5
- Q1 2024 – 10/14
- Q2 2024 – 27/4
- Q3 2024 – 10/15
- Q4 2024 – 9/29
- Q1 2025 – 18/12

With no questions, Ms. Kelley concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Supervisor

Licensure Statistics – All Licenses

Ms. Georgen presented licensure statistics that included the following information and trends in license count:

License	Q4 2024	Q1 2025	Change +/-
Physical Therapist	9,896	10,114	+218
Physical Therapist Assistant	3,904	3,975	+71
Total PT's and PTA.'s	13,800	14,089	+289
Direct Access Certification	1,274	1,284	+10

Examination Statistics

Ms. Georgen presented the Physical Therapist and Physical Therapist Assistant examination statistics from the October 2024 administrations and provided information on the examination trends.

CE Broker

Ms. Georgen provided an update on the implementation of CE Broker as a continuing education management system for licensure renewals.

Licensure Renewal Notifications

Ms. Georgen provided information on the upcoming renewal for licenses expiring on December 31, 2024.

DHP's Travel Policy

Ms. Georgen provided a reminder to board members about travel authorization requests.

Ms. Georgen answered questions from the Board on email addresses and renewal notifications.

With no further questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT

Mr. Rutkowski did not have a report.

COMMITTEE AND BOARD MEMBER REPORTS

Report from CLEAR Annual Educational Conference – Mira Mariano

Dr. Mariano provided a brief update on recent presentations provided on behalf of the FSBPT Sexual Misconduct and Boundaries Committee at the CLEAR Annual Education Conference as well as the ELC meeting. Dr. Mariano further discussed information and resources developed by the Committee including an audit tool for boards to assess ease of accessibility of complaint information for the public, resources for students, boards, practitioners, and the public, and upcoming education modules for incorporation by educators into program curricula.

Dr. Mariano also announced the recent completion of the first FSBPT student webinar, which allowed students to engage with speakers and discuss case scenarios related to boundary violations and informed consent. She encouraged students to utilize the available resources and urged educators to use the available modules on the FSBPT website.

Dr. Mariano answered questions from the board regarding future webinars.

With no further questions, Dr. Mariano concluded her report.

Report from FSBPT Annual Education Meeting – Mira Mariano, PT, PhD, OCS

Dr. Mariano provided a brief report on the FSBPT Annual Education Meeting, highlighting discussions related to the impact of AI in the profession and how it may impact practitioners. She noted discussions related to the necessity for all state regulatory bodies to ensure user-friendly complaint processes and forms available to the public and to facilitate an accelerated investigation of complaints.

Ms. Szasz Palmer further noted that she was able to attend the main sessions of the Annual Meeting virtually, as she was not able to attend the meeting in person at the last minute. Ms. Szasz Palmer highlighted general sessions related to AI and the impact on the practice of physical therapy.

Board members briefly discussed the topic of AI in physical therapy practice and asked whether the Board might receive a presentation on AI and considerations for regulation. Ms. Szasz Palmer directed Board members to the AI presentation videos from the Annual Meeting, which might be accessible through FSBPT's YouTube page. Ms. Tillman Wolf stated she would obtain additional information from FSBPT in this area, and noted that the Legislative/Regulatory Committee also had AI and digital practice on its agenda for further discussion and recommendation to the full Board.

With no further questions, they concluded their reports.

LEGISLATIVE AND REGULATORY REPORT

Mr. Novak provided an update on the regulatory actions currently in process.

With no questions, Mr. Novak concluded his report.

BOARD ACTION

Adoption of Final Regulations for Regulatory Reduction – 18VAC112-20-10 et seq.

Mr. Novak provided information on the final regulations for regulatory reduction (18VAC112-20-10 et seq.).

Upon a **MOTION** by Dr. Bureau and properly seconded by Dr. Palle, the Board voted to adopt the final regulations for regulatory reduction in 18VAC112-20-10 et seq. as presented. The motion carried unanimously (6-0).

NEW BUSINESS

Electronic Meeting Participation and Increasing Public Access

Dr. Fox put forward the topic of electronic meeting participation and public access.

Ms. Tillman Wolf provided background information related to electronic meetings and public access and provided considerations and recommendations for the Board's discussion.

The Board discussed current public participation in meetings and noted challenges for practitioners to participate in meetings during regular business hours. The public is always permitted to provide written public comment regarding agenda items if they cannot attend the meeting in person. Dr. Locke stated that the meetings complied with state requirements.

Dr. Fox requested a comparison of the availability of virtual attendance across other state boards. Ms. Tillman Wolf stated that she would work through FSBPT to compile that information, and continue internal discussions related to public participation and opportunities for public viewership of meetings.

Use of Jurisprudence Assessment Module (JAM) for Initial Licensure and/or Renewals

Dr. Fox proposed using the FSBPT Jurisprudence Assessment Module (JAM) for initial licensure and/or renewals.

Ms. Tillman Wolf provided background information related to jurisprudence exams and the JAM, the potential benefits and obstacles of jurisprudence exams or the JAM, and other considerations and recommendations for the Board's discussion.

Mr. Novak provided input from a legislative/regulatory perspective on the addition of regulations during a time of regulatory reduction and emphasis on the streamlining of licensure applications.

The Board discussed using the JAM for continuing education, evaluating available data to determine necessity, and using it for disciplinary matters or other possible applications.

Ms. Tillman Wolf agreed to gather additional data and information for review at a future meeting.

PRESENTATION

Introduction and Communications Updates – Kelly Smith, Director of Communications, Department of Health Professions

Ms. Smith introduced her role as Director of Communications. She provided information regarding the piloting of board communications with licensees through a high-quality, professional email platform to better track the information viewed by licensees. Ms. Smith provided opening and link view statistics on a recent newsletter sent out by the Board to licensees. Ms. Smith also provided information about future goals, such as creating formal public relations plans to raise awareness of DHP’s high-demand careers in healthcare.

Sanctioning Reference Points Video

The Board viewed a newly produced video from the Healthcare Workforce Data Center on the Sanctioning Reference Points.

In conjunction with previous reports from herself and Dr. Mariano, Ms. Tillman Wolf requested video content to be shared with the Board related to recently released FSBPT videos featuring Dr. Mariano and Dr. Shobo on “Power Dynamics,” and “Why Workforce Data Collection is a Regulatory Issue.” She stated that the FSBPT recently shared these videos at the Annual Meeting.

NEXT MEETING

The next meeting date is February 21, 2025.

ADJOURNMENT

Dr. Locke called for any objections to adjourn the meeting. Hearing no objections and with all business concluded, the meeting adjourned at 12:11 p.m.

Corie Tillman Wolf, JD, Executive Director

Date