

**APPROVED MINUTES
VIRGINIA BOARD OF PHYSICAL THERAPY
MEETING MINUTES**

The Virginia Board of Physical Therapy convened for a Board meeting on Tuesday, February 13, 2018 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia 23233.

BOARD MEMBERS PRESENT

Allen R. Jones, Jr., PT, DPT, President
Arkena L. Dailey, PT, DPT, Vice President
Sarah Schmidt, PTA, MPH
Elizabeth Locke, PT, PhD
Mira H. Mariano, PT, PhD, OCS
Tracey Adler, PT, DPT
Susan Palmer, MLS

STAFF PRESENT FOR ALL OR PART OF MEETING

Corie Tillman Wolf, Executive Director
Lynne Helmick, Deputy Executive Director
Sarah Georgen, Licensing and Operations Manager
Laura Mueller, Program Manager
Erin Barrett, Assistant Attorney General, Board Counsel
Elaine Yeatts, Senior Policy Analyst

GUESTS PRESENT

Kim Small, VisualResearch, Inc.
Ron Barbato, Board of Directors, Federation of State Boards of Physical Therapy (FSBPT)
Jeff Rosa, Managing Director – Post Licensure Services, FSBPT
Elizabeth Carter, Ph.D., Executive Director, Board of Health Professions

CALLED TO ORDER

Allen R. Jones, Jr., President, called the Board meeting to order at 9:30 a.m.

Board members and staff introduced themselves. With seven Board members present, a quorum was established.

Dr. Jones read the mission of the Board.

Dr. Jones provided reminders to the Board members and audience regarding microphones, sign in sheets, computer agenda materials, and breaks.

Ms. Tillman Wolf then read the emergency egress instructions.

ACCEPTANCE OF MINUTES

Upon a motion by Dr. Locke, and properly seconded by Ms. Schmidt, the Board voted to accept meeting minutes from November 17, 2017. The motion passed unanimously.

ORDERING OF AGENDA

Ms. Tillman Wolf requested that the Agency Director's Report be provided by Elaine Yeatts in Dr. Brown's absence. She also requested to add a Board Counsel report to the end of the proposed agenda. Lastly, Ms. Tillman Wolf stated that Mr. Kauder would be unable to attend the meeting; however, Ms. Small would provide the report on the Sanctioning Reference Points manual.

Upon a **MOTION** by Dr. Dailey, and properly seconded by Ms. Schmidt, the Board voted to accept the agenda as amended. The motion passed unanimously.

PUBLIC COMMENT PERIOD

There was no public comment.

AGENCY DIRECTOR'S REPORT- Elaine Yeatts, Sr. Policy Analyst

Ms. Yeatts announced that appointments that have been made by Governor Northam, including Dr. Daniel Carey, as Secretary of Health and Human Resources, and Martin Figueroa, as Deputy Secretary of Health and Human Resources. Dr. Brown was reappointed as Director of DHP.

In order to promote continuity of agency operations, Lisa Hahn has been hired as the Chief Operating Officer of the agency. Ms. Yeatts announced that Barbara Allison-Bryan, MD has been appointed by the Governor to the open position of DHP's Deputy Director. Dr. Allison-Bryan's start date is expected to be March 1, 2018.

Ms. Yeatts reported that DHP has leased additional space on the first floor of the Perimeter Center for overflow of current departments. She reported that the move into that space is expected in the Spring of 2018.

PRESENTATIONS

Liability Coverage for Board Members – Don LeMond, Director, Division of Risk Management, Department of the Treasury

Mr. LeMond was not present at the meeting, and the meeting proceeded in his absence.

PT Licensure Compact and Alternate Approval Pathway – Jeff Rosa, Managing Director – Post Licensure Services, Federation of State Boards of Physical Therapy, Ron Barbato, PT, FSBPT Board of Directors

Mr. Rosa and Mr. Barbato provided an overview of the PT Licensure Compact and Alternate Approval Pathway. Dr. Adler requested additional information on the fees associated with the compact. Mr. Rosa indicated that the current fee to purchase a privilege is \$45.00. States may charge an additional fee above that amount; based upon a review of other states' fees, FSBPT has been recommending a fee in the range of \$40. Mr. Rosa offered to provide statistics regarding the number of Virginia residents practicing in another jurisdiction who are not licensed by the Virginia Board of Physical Therapy, which could assist the board in determining the appropriate fee for compact licensure in the future.

Dr. Locke requested further clarification on the requirements of additional board staff to process compact licenses and Mr. Rosa stated that the impact would be minimal as the process may be more streamlined. Mr. Barbato indicated that additional staff was not needed in Kentucky.

Ms. Tillman Wolf requested information on the Compact licensure as it related to background checks of applicants. Mr. Rosa spoke to the ongoing effort to require member states to require background checks. Ms. Yeatts stated that legislation beyond the Compact language would be required through the General Assembly to require background checks for Virginia licensees.

Mr. Rosa and Mr. Barbato provided a brief overview of the Alternate Approval Pathway for licensure. Dr. Adler requested additional information on the fees associated with the proposed process and Mr. Rosa stated that there would be no additional cost associated to the Board or the applicant.

Ms. Tillman Wolf requested additional information on the appeal process for the lifetime attempts to take the examination, and Mr. Rosa stated that the Board's current process would remain unchanged.

BREAK

Dr. Jones called for a break at 10:50 a.m. The meeting reconvened at 10:59 a.m.

STAFF REPORTS

Executive Director's Report – Corie Tillman Wolf, Executive Director

Corie Tillman Wolf, Executive Director, began her report by introducing a new staff member, Sarah Georgen, Licensing and Operations Manager.

Ms. Tillman Wolf announced the new DHP logo launched in 2018. Ms. Tillman Wolf also announced that Lisa Hahn is the new Chief Operating Officer for DHP.

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of December 31, 2017.

Cash Balance as of June 30, 2017	\$ 1,457,317
FY18 Revenue	63,560
Less Direct & In-Direct Expenditures	<u>282,268</u>
Cash Balance November 30, 2017	\$ 1,238,609

Ms. Tillman Wolf provided the following updates from the Federation of State Boards of Physical Therapy (FSBPT):

- Regulatory training for Board members and Board staff – June 8-10, 2018 – Alexandria, VA. Priority is given to first-time attendees. Please let Board staff know if Board members are interested in attending.
- The 2018 Annual Meeting is scheduled for October 2018 in Reston, Virginia. The Board will be required to elect a Voting Delegate and Alternate Delegate by May 1, 2018. Presentation Proposals for the 2018 meeting are due March 14, 2018.

Ms. Tillman Wolf presented licensure statistics that included the following information:

Licensure Statistics – All Licenses

License	Q2 FY 2018	Q1 FY 2018	Change %
Direct Access Certification	1,184	1,178	6
Physical Therapist	8,144	8,032	112
Physical Therapist Assistant	3,407	3,346	61
Total	12,735	12,556	179

Licenses/Registrations Issued January 1 – December 31, 2017

License Type	Number
Direct Access Certification	50
Physical Therapist	841
Physical Therapist Assistant	340

Ms. Tillman Wolf provided the January 2018 PT examination results that included the following information:

	# Who Took Exam	# Passed	1 st Time Test Takers	Repeat Test Takers	# Failed	1 st Time Testers	Repeat Test Takers
U.S. Applicants	35	29	27	2	6	0	6
Non-CAPTE Applicants	3	1	1	0	2	1	1
Total	38	30	28	2	8	1	7

Ms. Tillman Wolf provided the following statistics regarding the Exam Passage Rates for the PT Exam for Virginia Candidates:

- October 25, 2017 PT Exam
 - 70.0% pass
 - 30.0% fail
- July 18-19, 2017 PT Exam
 - 88.9% pass
 - 11.1% fail
- April 26, 2017 PT Exam
 - 93.7% pass
 - 6.27% fail
- January 26, 2017 PT Exam
 - 78.1% pass
 - 21.9% fail

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

- Q3 17 – 100%
- Q4 17 – 98.9%
- Q1 18 – 97.3%
- Q2 18 – 100%

Ms. Tillman Wolf thanked Laura Mueller for her continued work on behalf of the Board in providing outstanding customer service to applicants and licensees.

Ms. Tillman Wolf provided the following regarding planned focus areas for staff in 2018:

- Sanctioning Reference Points – finalize and implement updates to worksheets
- Guidance Documents – Review and update as needed
- Dissemination of Information to Licensees and Applicants – Newsletters, E-mail blasts, Updates to website, Presentations

Ms. Tillman Wolf had the following reminders and staff notes: ○ Mileage Reimbursement has increased to \$0.545/mile as of January 1, 2018.

Ms. Tillman Wolf reminded Board members to let staff know if there are changes in contact information. She thanked the Board members for their hard work and dedication.

The Board meeting dates for 2018 are:

- May 1, 2018 at 9:30 a.m.
- August 16, 2018 at 9:30 a.m.
- November 13, 2018 at 9:30 a.m.

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

Discipline Report – Lynne H. Helmick, Deputy Executive Director

Lynne Helmick, Deputy Executive Director, reported on the current number of open cases, percentage of cases closed in one year, and the average days to close a case. The Board reviewed information related to discipline cases and performance measures.

- **47 Open Cases** ○ 4 in APD ○ 1 in Formal ○ 16 in Investigation ○ 26 in Probable Cause ○ 7 licensees are in Compliance Monitoring.

Virginia Performs (Q1 2018):

- The Clearance Rate was 25%. The Board received 8 patient care cases and closed 3 cases.
- The Pending Caseload over 250 days was at 35%, which is over the 20% goal (9 cases).
- The percentage of cases closed within 250 days was 100%. The goal is 90%.

Ms. Helmick provided information on the categories of cases processed by the Board in FY2017, Q1, and Q2 2018.

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

COMMITTEE AND BOARD MEMBER REPORTS

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

Dr. Jones provided a brief report of the Board of Health Professions. Minutes of the meeting were provided to Board members in the agenda packets.

Upon a **MOTION** by Dr. Mariano, and properly seconded by Dr. Locke, the Board voted to approve the report as provided. The motion passed unanimously.

LEGISLATIVE AND REGULATORY ACTIONS – Elaine Yeatts

Report of 2018 General Assembly and Legislative Report

Ms. Yeatts provided a brief overview of the 2018 General Assembly bills and current regulatory actions that could affect the Board.

OLD BUSINESS

Update on Sanctioning Reference Points (SRP) Project – Adoption of Revised SRP Manual as Guidance Document 112-17 – Kim Small, VisualResearch, Inc.

Ms. Small provided the Board with a presentation of the status of the Sanctioning Reference Points Project and an overview of edits made to the Sanctioning Reference Points manual.

Upon a **MOTION** by Dr. Locke, and properly seconded by Ms. Schmidt, the Board voted to adopt the revised Sanctioning Reference Points manual as Guidance Document 112-17. The motion passed unanimously.

NEW BUSINESS

Healthcare Workforce Data Survey – Requested Addition of Question Regarding Telehealth – Elizabeth Carter, Ph.D.

Dr. Carter reported that FSBPT had requested the Board to consider adding a question to the Healthcare Workforce Data Center voluntary survey of licensees regarding the use of telehealth in physical therapy practice. Dr. Carter stated that the question may be a question to consider adding to the surveys for other professions, given the growing use of telehealth.

Upon a **MOTION** by Dr. Dailey, and properly seconded by Dr. Locke, the Board voted to include a question on telehealth in the Healthcare Workforce Data Center survey. The motion passed unanimously.

Questions from Licensees – Corie Tillman Wolf

Ms. Tillman Wolf requested the Board members to review questions from licensees received by Board staff, for the purposes of providing additional guidance and/or interpretation for Board staff, and to inform Board members of the types of questions commonly received. Board members engaged in some discussion of the questions received. Dr. Jones requested that the Regulatory/Legislative Committee review all provided questions and then provide the full board with a recommendation of response. Ms. Yeatts further commented that the Board should review and update or readopt its aging Guidance Documents, which could be updated to further address questions and provide guidance to licensees.

Federation of State Boards of Physical Therapy (FSBPT) 2018 Delegates and Funded Administrator Voting

Ms. Tillman Wolf requested the Board to vote on the Federation of State Boards of Physical Therapy (FSBPT) 2018 Delegates for the upcoming year. Dr. Jones called for volunteers and requested further discussion by the Board. Dr. Locke voiced her willingness to represent the Board at the Annual Meeting. Following discussion, Board members agreed that the voting delegate be the Board President at the time of the event, with Dr. Locke as the alternate delegate. Ms. Tillman Wolf will attend as the Funded Administrator.

BREAK

Lunch break – Dr. Jones called for a lunch break at 12:17 p.m. The Board reconvened at 12:51 p.m.

Board Counsel Report – Erin Barrett, Assistant Attorney General

CLOSED MEETING

Dr. Locke moved that the Board convene a closed meeting pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia* for consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel. Additionally, she moved that Corie Tillman Wolf, Lynne Helmick, and Sarah Georgen attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its consideration of this topic. Dr. Dailey and Ms. Schmidt were not present for the closed meeting.

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OPEN MEETING

Dr. Locke moved to certify that the Board heard, discussed, or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

NEXT MEETING

The next meeting date is May 1, 2018.

ADJOURNMENT

With all business concluded, the meeting was adjourned at 12:59 p.m.


Allen R. Jones, Jr., PT, DPT

5-1-2018
Date


Corie Tillman Wolf, Executive Director

5/3/18
Date