

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

Friday, April 28, 2006
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712
Conference Room 1

Department of Health Professions

CALLED TO ORDER

Ms. W. Gayle Garnett, P.T., M.B.A., President, called the quarterly meeting of the Board of Physical Therapy to order at 9:05 a.m., on Friday, April 28, 2006 in Board Room #1, at 6603 West Broad Street, 5th Floor, Richmond, Virginia.

PRESIDING

W. Gayle Garnett

MEMBERS PRESENT

Damien Howell
Robert Izzo
Maureen Lyons
George Maihafer
Lorraine Quinn

MEMBERS ABSENT

J. R. Locke

STAFF PRESENT

Elizabeth Young, Executive Director
Pam Horner, Administrative Assistant
Elaine Yeatts, Senior Policy Analyst

COUNSEL PRESENT

Jack E. Kotvas, Assistant Attorney General

QUORUM OF THE BOARD

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

ORDERING OF THE AGENDA

The agenda was accepted with amendments.

PUBLIC COMMENT PERIOD

No public comment was made.

ACCEPTANCE OF MINUTES

Mr. Howell made a motion to accept the Special Conference Committee meeting minutes of August 19, 2005 as amended. The motion was properly seconded by Dr. Maihafer. The vote carried unanimously.

Mr. Howell made a motion to accept the Special Conference Committee minutes of December 16, 2005. The motion was properly seconded by Ms. Quinn. The vote carried unanimously.

Mr. Howell made a motion to accept the Public Hearing minutes of January 27, 2006. The motion was properly seconded by Ms. Quinn. The vote carried unanimously.

Ms. Lyons made a motion to accept the Board Meeting minutes of January 27, 2006 as amended. The motion was properly seconded by Mr. Howell. The vote carried unanimously.

NEW BUSINESS

BOARD OF HEALTH PROFESSIONS MEETING

Mr. Howell provided a brief report of the Board of Health Professions meeting of April 18, 2006. Mr. Howell stated that the Board President and a Citizen Member would be invited to attend the Board retreat. He said that the discussion of expunging disciplinary files was considered not feasible due to amendments to the Freedom of Information Act, the Administrative Process Act and other statutes.

FEDERATION OF STATE BOARD OF PHYSICAL THERAPY (FSBPT)

The FSBPT annual Meeting is September 9-11, 2006, in Portland, Oregon. Mr. Maihafer made a motion that Ms. Lyons be selected to attend as a delegate. The motion was properly seconded by Mr. Howell, which carried unanimously. Ms. Lyons made a motion that Mr. Maihafer be selected to attend as an alternate. The motion was properly seconded by Ms. Quinn, which carried

unanimously. Ms. Young also suggested that the new Executive Director should attend, which was agreed upon by the Board.

The pending law suit with FSBPT and APTA was discussed.

Ms. Garnett stated that there is a task force on physician owned practices of physical therapy in Washington, DC on May 5 and 6, 2006.

NPTE

Dr. Shoaf and Dr. Maihafer discussed the pass rates for the exams. They have improved dramatically. Further information can be found on the FSBPT Public Website: <http://www.fsbpt.org/> .

CHIROPRACTIC MEDICINE

An article on chiropractic medicine and the Attorney General's opinion regarding chiropractors being allowed to practice physical therapy were accepted for information by the Board.

ELECTION OF OFFICERS

Mr. Howell made a motion which was properly seconded by Ms. Lyons that Dr. Maihafer be the new Board President, which was approved.

Ms. Quinn made a motion which was properly seconded by Dr. Maihafer that Ms. Lyons be the new Board Vice-President, which was approved.

REGULATIONS 18 VAC 112-20-6 (B) and 18 VAC 112-20-136

Ms. Young received an e-mail from Patricia S. Ottavio, Assistant Dean of the Physical Therapy Assistant Program of Northern Virginia Community College. The e-mail discussed whether the Board should attempt to require all of the applicants to meet with their program head which she contends are not required in the above listed regulation.

Mr. Howell made a motion, which was properly seconded by Dr. Maihafer, that a number 5 be added to the letter sent to the applicants who fail the NPTE exam after 3 attempts, to require additional clinical training. The motion was passed unanimously.

Mr. Howell made a motion, which was properly seconded by Ms. Lyons that the Board accepts as a Guidance Document the information listed in the minutes of the January 21, 2005, Board meeting, regarding applicants who fail the exam 3 times or more. The motion was passed unanimously.

PTA SHORTAGE/RE-ENTRY REQUIREMENTS

Dr. Lisa Shoaf, Head of Clinical Training at VCU, stated that the Virginia Physical Therapy Association (VPTA) held a leadership retreat and discussed that there is a significant workforce shortage of PT's both nationally and in Virginia. The VPTA will conduct a survey to confirm there is a shortage. Some of the barriers are 1) the inactive license status, 2) the traineeship 3) having worked 320 hours in the last 4 years 4) An inactive PTA must be supervised by a PT not a PTA.

Dr. Maihafer made a motion, which was properly seconded by Ms. Quinn that a review of the impact of re-entry requirements to the shortage be referred to the Legislative/Regulatory Committee.

Dr. Maihafer made a motion, which was properly seconded by Ms. Lyons, that the Board research what other states require for re-entry of licensees, which carried unanimously.

PT/PTA TRAINEESHIP

The Board referred to the Legislative/Regulatory Committee for possible amendments to the traineeship requirements.

REQUESTS FOR INTERPRETATION

A fax was received from Chris Hancock questioning Regulation 18VAC112-20-120. The Board requested Ms. Young to write a letter stating the regulation is self-explanatory and also to reference the APTA Guide to Physical Therapy.

A Concerned PTA wrote a letter regarding whether a PTA could discharge a patient and write orders for treatment for Home Health patients. The Board determined that the PTA could participate in the discharge planning.

OLD BUSINESS

GUIDANCE DOCUMENTS DETERMINATION: Review of Board Interpretations

The Board discussed the Guidance Documents and determined to refer them to the Legislative/Regulatory for organization by topic areas.

CONTINUING EDUCATION ASSESSMENT FORM REVISION

The Board directed Ms. Young to get information from Maryland on its assessment tool. She will send the information to the Continuing Education Committee for a report at its August meeting

LEGISLATIVE/REGULATORY COMMITTEE

Ms. Yeatts provided the Board with an overview and written summary regarding the laws which effect the Department of Health Professions that will be effective July 1, 2006.

FCCPT Coursework Evaluation Tool

It was discussed that there are other credentialing agencies that use this tool. However, Virginia cannot use other foreign credentialing agencies until the regulations are changed.

TOWNHALL MEETINGS

The Board commended Ms. Young for her drafting of a power point presentation. It has already been used by Ms. Garnett and was very successful.

Executive Director's Report – Ms. Young

Ms. Young reported there are 4,838 licensed physical therapists, both active and inactive and out of state and in state. There are 1,777 licensed physical therapy assistants, both active and inactive and out of state and in state, with a combined total of 6,615.

Ms. Young discussed the disciplinary caseload. Mr. Howell suggested asking the Enforcement Division of the Department of Health Professions to present an update at the October, 2006 meeting. Ms. Young provided a calendar of meetings to the Board. Ms. Young also discussed the budget and case standards which are at 75%.

ADJOURNMENT

With all business concluded, the meeting was adjourned at 11:50 a.m.

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General Board Meeting
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W. Gayle Garnett, P.T., M.B.A. President

Elizabeth Young, Executive Director

Date

Date