

**APPROVED
BOARD OF PHYSICAL THERAPY
MEETING MINUTES**

The Virginia Board of Physical Therapy convened for a board meeting on Wednesday, August 6, 2014 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Peggy Belmont, PT, President
Melissa Wolff-Burke, PT, EdD, Vice-President
Sarah Schmidt, PTA
Michael Styron, PT, MBA
Dixie Bowman, PT, DPT, EdD
Dr. Allen R. Jones, Jr., PT, DPT
Steve Lam, Citizen Member

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

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

BOARD COUNSEL

Erin Barrett, Assistant Attorney General

QUORUM:

With 7 members present, a quorum was established.

GUEST PRESENT

None

CALLED TO ORDER

Ms. Belmont, President, gave welcome to Dr. Allen R. Jones, Jr. PT, DPT as the newest member on the board representing the Physical Therapist position.

ORDERING OF THE AGENDA

The agenda was accepted as amended.

ACCEPTANCE OF MINUTES

Upon a motion by Michael Styron and properly seconded by Dr. Allen R. Jones, Jr., the Board voted to accept the minutes of the March 24, 2014 board meeting. The motion passed unanimously.

The Board acknowledged that 4 informal conferences were held on March 4th and that 4 informal conferences were held on July 28th.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE DIRECTOR'S REPORT - Lisa R. Hahn

FY13 Budget

Ms. Hahn stated that May 2014 budget report was included in the agenda, however she had just received the report for June 2014; the cash balance as of June 30, 2013 was \$609,403; the revenue for FY14 was \$192,570; the direct and allocated expenditures were \$513,820; the ending cash balance for the year end FY14 was \$288,153. Ms. Hahn concluded that FY14 was a non-renewal year for revenue purposes and that the board was in good financial shape.

Licensee Statistics

Ms. Hahn gave the following two year comparison and reported that the number of licensees increased by approximately 1000 during that time.

	June 2014	June 2012
n PT's	7,138	6,129
n PTA's	<u>2,842</u>	<u>2,388</u>
n Total	<u>9980</u>	<u>8,517</u>
n DAccess	918	615

Discipline Statistics

Ms. Hahn began her report by giving thanks to Lynne Helmick, Kathy Petersen and APD for their persistence and hard work to resolve matters without having to hold the two formal hearings that were scheduled for later in the day.

Ms. Hahn reported that as of June 30th, there were 23 open cases; 9 were in Investigations; 12 were at the probable cause level; 0 cases were at the APD level; 0 cases were at the Informal Conference level; and the two cases at the Formal level been resolved; and that 21 cases were being monitored for compliance.

Ms. Hahn added that the cases received in the last four fiscal years were as follows:

- **FY11 – 28; FY12 – 38; FY13 – 47 (67% increase); FY14 – 35 (decrease)**

Ms. Hahn attributed the increase in cases to fraudulent billing practices and complicated cases that required the Special Conference Committee to hear and see the respondent in person.

Michael Styron inquired whether or not the board could consider asking applicants during renewals if they had been convicted of a misdemeanor or a felony.

Ms. Hahn responded that the agency is looking into options for obtaining criminal history reports on practitioners and that she would keep the members informed as more information becomes available.

Virginia Performs (Q3 2014)

Ms. Hahn reported the clearance rate was 78%. The age of our pending case load over 250 days was at 0%; 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. Ms. Hahn was pleased to report that the customer satisfaction rating was 100%. Ms. Hahn attributed the ratings to all the staff who pull together as a team and to the members of the board for their diligent efforts to review cases and keep within specified timeframes.

2014 NPTE Exam Results

PT's

	# took exam	# Passed	st 1 time test takers	Repeat test takers	# Failed	st 1 time testers
US Applicants	222	200	195	5	22	14
Foreign applicants	6	2	1	1	4	0
Totals	228	202	196	6	26	14

2014 Results:

- n Total of 414 US Applicants 2014 – 88% pass rate (365)
- n Total of 14 Foreign Applicants – 28% pass rate (4)

PTA's

	# took Exam	# Passed	1st time test takers	Repeat test takers	# failed	1st time testers
US applicants	128	115	109	6	13	9
Foreign applicants	0	0	0	0	0	0
Total	128	115	109	6	13	9
Pass Rate	89.8%					

2014 Results:

- n Total of 414 US Applicants – 86% pass rate (172)
- n Total of 1 Foreign Applicant – 100% pass rate (1)

Board Business

New Board Member

Ms. Hahn welcomed the newest Board Member Dr. Allen R. Jones, Jr. from Newport News and stated that he was representing the PT member position for the board.

Share Point

Ms. Hahn reminded the members about the board portal called Share Point that she spoke about during the last meeting. She stated that it will be used primarily for reviewing disciplinary cases and that Dixie has already registered and begun reviewing cases on the system. Michael Styron was just beginning the process since both members currently serve on the Special Conference Committee.

Sample HPMP Contract

Ms. Hahn pointed out that she had included sample HPMP contracts on the agenda packages as promised during the last board meeting.

National Governor's Association (NGA) Policy Academy

Ms. Hahn shared that she had attended meetings with the NGA Policy Academy regarding Virginia Veterans licensing and certification regarding physical therapist assistants. NGA is focusing on streamlining the process by which veterans, transitioning from the military can convert the skills they have acquired in the military into various civilian occupations.

FSBPT

Ms. Hahn shared the following information with the board:

- n Ms. Hahn shared that she has attended two weekend meetings in Alexandria on behalf of the Physical Therapy Licensure Compact Advisory Task Force. She will be presenting the final recommendations following the September FSBPT Conference.
- n FSBPT and APTA are collaborating with the National Center for Health Work Force Analysis. DHP previously shared their completed workforce study with the board and that can be found on the website.
- n Virginia is the first state to pilot the FSBPT the program for the Supervised Clinical Practice Performance Evaluation Tool. Ms. Hahn shared that we have approved 8 people for the traineeship and that one (1) was discontinued at midpoint because the trainee did not meet the expectations.
- n Ms. Hahn was invited to serve on the FSBPT Exam Administration Committee (EAC); and the FSBPT Nominating Committee and is looking forward to working on both.
- n Ms. Hahn will be conducting two presentations during the September conference:
 - n FSBPT Performance Evaluation Tool (pilot)
 - n Session regarding expanding Scope of practice (Direct Access life)

Handout

Ms. Hahn provided the members with a handout to pass around on Student Choice Healthcare – Workforce Data Center.

Calendar

Ms. Hahn shared that the last meeting in 2014 was scheduled for November 21st.

Ms. Hahn also provided the members with the following 2015 meeting calendar:

n February 11th; May 8th; August 11th; and November 13th

Executive Directors Conclusion

Following much discussion regarding case statistics and offenses, Ms. Hahn agreed to prepare quarterly reports that will provide more specific detail of the types of offenses the board is receiving.

Ms. Hahn also clarified that the software for discipline does not allow for tracking details on offenses but that the staff would make manual provisions to accommodate the request as it may be helpful information to have when making decisions.

NEW BUSINESS

Regulatory Report – Elaine Yeatts

Ms. Yeatts stated that the board had no Regulatory actions pending.

Legislative Report – Elaine Yeatts

Ms. Yeatts stated that DHP was working very hard on meeting the deadlines for the 2015 General Assembly Session. She indicated that DHP would be presenting two Bills that could affect the PT Board. One would be a revision to the confidentiality issue which would allow Agencies within our Secretariat to share information. The second Bill addresses the expansion of the reporting statute to include Home Health Care and Hospice.

Petition for Rule Making – Elaine Yeatts

After much discussion and careful consideration of the petition for rule making, a motion was made by Michael Styron and properly seconded by Sarah Schmidt to deny the petition but for Staff to communicate to the appropriate educational institutions with guidance on how we make licensing decisions on applications with criminal history. The motion passed unanimously.

BREAK

The Board took a recess at 10:45 a.m. and reconvened at 11:00 a.m.

Guidance Document 112-13 – Elaine Yeatts (Attachment #1)

A motion was made by Dr. Allen R. Jones, Jr. to allow three traineeships instead of two that an unlicensed graduate should be allowed to complete while awaiting passage of the NPTE exam.

There was no second and the motion hereby failed.

A second motion was made by Michael Styron and properly seconded by Sarah Schmidt to readopt Guidance Document 112-13 with the revisions proposed by staff and for staff to add the following bullets:

- Another new traineeship shall not be granted to an unlicensed graduate after termination of the one additional traineeship.
- A traineeship may be approved for a foreign-trained graduate upon evidence that his degree is equivalent to an accredited physical therapy program and that he is registered to sit for the national examination.

The motion passed by a majority vote. Dr. Allen R. Jones, Jr. voted nay.

Elections

The Board made the decision to have the board President elect a nominating committee and that any board members interested in becoming an Officer shall submit their Bio's and answer a questionnaire to the nominating Committee. The Board will hold elections during the next full board meeting.

Ms. Belmont mentioned that she would like to know about how Virginia PT schools are doing overall and their success. Ms. Hahn stated that she would report the information at the next meeting.

ADJOURNMENT

With all business concluded the meeting was adjourned at 11:45 a.m.

Peggy H. Belmont, PT, President

Lisa R. Hahn, MPA, Executive Director

Date

Date

ATTACHMENT #1

Guidance document: 112-13

Adopted August 6, 2014

BOARD OF PHYSICAL THERAPY
Approval of a Traineeship

Section 18VAC112-20-70 in *Regulations Governing the Practice of Physical Therapy* provides the following requirements for a traineeship for an unlicensed graduate who is scheduled to sit for the national examination.

A. Upon approval of the president of the board or his designee, an unlicensed graduate who is registered with the Federation of State Boards of Physical Therapy to sit for the national examination may be employed as a trainee under the direct supervision of a licensed physical therapist until the results of the national examination are received.

B. The traineeship, which shall be in accordance with requirements of 18VAC112-20-140, shall terminate two working days following receipt by the candidate of the licensure examination results.

C. The unlicensed graduate may reapply for a new traineeship while awaiting to take the next examination. A new traineeship shall not be approved for more than one year following the receipt of the first examination results.

The Board provides guidance for applicants in the following circumstances:

- An applicant who has graduated from an accredited physical therapy program and has registered to sit for the national examination may be approved for a traineeship even if the degree is to be awarded at a later date. Evidence of graduation would be required for approval.
- An unlicensed graduate who has taken and passed the national examination may be granted an additional traineeship after the termination required in subsection B until licensure is granted or for one year, whichever comes first.
- An unlicensed graduate who has taken and failed the national examination may be granted an additional traineeship after the termination required in subsection B, provided he has registered to retake the examination. The new traineeship may only be approved until he has passed the examination and been granted a license or for one year from the receipt of the first examination results, whichever comes first.
- Another new traineeship shall not be granted to an unlicensed graduate after termination of the one additional traineeship.
- A traineeship may be approved for a foreign-trained graduate upon evidence that his degree is equivalent to an accredited physical therapy program and that he is registered to sit for the national examination.