

APPROVED

BOARD OF PHYSICAL THERAPY MINUTES OF GENERAL BOARD MEETING

Friday, July 11, 2003
6603 West Broad Street
Richmond, Virginia 23230
Conference Room 1

Department of Health Professions

CALL TO ORDER: A meeting of the Virginia Board of Physical Therapy was called to order at 9:00 a.m.

PRESIDING: Lisa D. Shoaf, Ph.D., P.T., Chair

MEMBERS PRESENT: W. Gayle Garnett, P.T., Vice-Chair
Joe Gieck, P.T.
Maureen Lyons, P.T.
Lorraine Quinn, P.T.A.
Damien Howell, P.T.

MEMBERS ABSENT: Carol Dawson, Citizen

STAFF PRESENT: Robert Nebiker, Director, DHP
Elizabeth Young, Executive Director
Pam Horner, Administrative Assistant

COUNSEL PRESENT: Roscoe Roberts, OAG

OTHERS PRESENT: Betty Jolly, Director of Policy Education, DHP

GUESTS: Terry Izo, VPTA

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

INTRODUCTION OF NEW BOARD MEMBERS: Lisa Shoaf, Chair, asked everyone in attendance to introduce them. She welcomed new board members, Damien Howell and Maureen Lyons to the Board. Also, Ms. Shoaf officially thanked Helen Arnold and Michael Styron for their service to the Board.

Mr. Robert Nebiker, Director of DHP discussed HB 1441 and its implications for the Board. Also, he discussed the Department's proposed legislation for the 2004 Virginia General Assembly.

ORDERING OF THE AGENDA: The Board approved the agenda with amendments.

APPROVAL OF MINUTES: Mr. Gieck made a motion, which was seconded, that the

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Board approve the Minutes, as amended, of the General Board Meeting and Formal Hearing on March 7, 2003 which carried unanimously.

Mr. Gieck made a motion, which was seconded, that the Board approves the Minutes of the Legislative/Regulatory Committee meeting of April 25, 2003 which carried unanimously.

Ms. Garnett made a motion, which was seconded, that the Board approve the minutes of the Legislative/Regulatory Committee meeting of May 13, 2003 which carried unanimously.

Mr. Gieck made a motion, which was seconded, that the Board approve the minutes of the Legislative/Regulatory Committee meeting of June 9, 2003 which carried unanimously.

PUBLIC COMMENT:

There was no request to speak during the public comment period.

CONFIDENTIAL CONSENT ORDER:

Ms. Garnett provides a report from the Special Conference Committee providing examples of disciplinary cases for the confidential consent agreements.

The Board directed the SCC to ensure that individuals given CCAs complete their continuing competency units prior to entering into the agreement. Also, the Board asked staff to ensure all individuals under CCAs to be included in continuing competency audits.

The Board voted to defer the adoption of its CCA guidance document to the October board meeting.

REQUEST FOR INTERPRETATION:

Therapeutic Riding Activities

The Board reviewed a letter from a licensee requesting an interpretation of using a horse as a modality in providing physical therapy. The Board advised the Executive Director to respond by stating that the Board cannot provide legal interpretation to private entities and it cannot address reimbursement issues.

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Urodynamic Tests, Anorectal Manometry and EMG studies

The Board reviewed a request for interpretation regarding urodynamic tests, anorectal manometry and EMG tests as within the scope of practice of physical therapy. The Board viewed the tests as invasive procedures and is not allowed without a physician's referral. The Board viewed the procedures as tests, not treatments and not within the scope of practice of physical therapy. The Board directed the Executive Director to respond to the correspondence.

Dry Needling

The Board requested the Executive Director to provide the standard response regarding the dry needling procedure. The response shall include a discussion of invasive procedures and citing the definition of the practice of physical therapy.

Department of Education

Roscoe Roberts, Legal Counsel for the Board advised that DOE seek an interpretation from its counsel, Joan Murphy. The Board requested that the Executive Director assist DOE in revising a draft statement regarding IEPs and physical therapy in the public schools.

Kinesiotherapy

The Board received an inquiry regarding the licensure of kinesiotherapists as physical therapists. The Board adamantly stated that kinesiotherapy requires a different curriculum and those graduates cannot be licensed as a physical therapist.

Sharp Debridement performed by a LPTA

The Board reviewed the letter and requested the Executive Director to respond by citing the 54.1-3482 and the definition of practice of physical therapy. The Board also cited that it is the discretion and professional judgment of the licensed physical therapist as to whether the LPTA shall be allowed to perform sharp debridement.

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Does teaching physical therapy require a license in the Commonwealth of Virginia?

The Board responded that it is a decision of the academic institution as to whether or not the instructor must hold a license.

BOARD OF HEALTH PROFESSIONS

Joe Gieck, PT Board member discussed the actions of the BHP at its May 2, 2003 meeting.

LEGISLATIVE/REGULATORY MEETING

Lisa Shoaf, Chair of the Committee reviewed the proposed amendments to the regulations. Mr. Gieck expressed his opposition to the need for active practice hours and believes it to be an occupational standard, not a professional one.

The Board directed the Executive Director to send a thank you to Christine Lawson for her assistance in revising the regulations.

Mr. Howell made a motion, which was seconded, that the Board adopt the proposed regulations. The Board voted 5-1 to adopt the regulations with a no vote from Mr. Gieck.

Mr. Howell made a motion, which was seconded that the Board adopt its 2004 legislative proposal. The Board adopted the proposal.

FCCPT

The Board reviewed the new coursework evaluation tool utilized by the FCCPT for foreign-educated graduates.

OLD BUSINESS

The Board asked staff to revise the minutes of March 7, 2003 regarding approval of Type 1 courses.

Kwang Yi Case

Mr. Roberts reported that the appeal to the circuit court

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by Mr. Kwang Yi has been continued to September 19, 2003.

FSBPT

The Board reviewed documents from the FSBPT.

Executive Director's Report:

Licensee Statistics: PT – 4,332 – PTA's 1,568

Disciplinary Cases: Approximately 20

The Board expenditures and revenue sheet was reviewed along with the Board calendar.

Lastly, the Committee assignments were made as follows:

Credentials: Howell (Chair), Gieck, Quinn

Continuing Competency Committee: Lyons (Chair), Quinn, Dawson (Alternate)

Special Conference Committee: Garnett (Chair), Gieck, Dawson (Alternate)

Legislative/Regulatory Committee: Shoaf (Chair), Dawson, Lyons, Quinn, Howell

ADJOURNMENT

With all business concluded, the Board adjourned at 1:05 p.m.

Lisa D. Shoaf, P.T., Chair

Elizabeth Young, Executive Director

Date

Date