

Oregon Physical Therapist Licensing Board (OPTLB)  
Administrative Rules Advisory Committee Meeting Minutes  
October 24, 2011  
4:30 PM to 7:30 PM

Portland State Office Building  
800 NE Oregon Street Room 445  
Portland OR 97232

List of Attendees: Steve Alstot, Suzanne Baptista-Maresh, Deborah Bates, Kate Brady, Wanda Crook, Tim Esau, Andrew Fifield, Diana Godwin, David Haglund, John Hakkila, Jim Heider, Ramona Horton, Karina Montgomery, Adam Paris, Sherri Paru, Sharla Smith, Ernie Sturzinger, Beth Anne Thorpe, Amanda Wallinger.

Review and Approval of 10.24.2011 Agenda – Jim Heider

**Old Business**

Review, recap and approval of minutes from 10.10.11 meeting, including recap of Committee advisement to the Board regarding; extension of temporary permits for first time examination applicants; elimination of specific passing score criteria requirements for endorsement applicants who sat the NPTE prior to 1996 (with some conditions); amendment of fee structure for reinstatement of lapse licenses; looking at making more equitable. Minutes approved as written.

**Coordination of Renewal Cycle to CE Certification Period:** Premise, should the CE Certification Period and the Renewal Cycle due dates coordinate with each other?

The Committee continued the discussion from the 10.10.11 meeting. The options were again discussed; having the renewal cycle and CE certification both occur on an annual basis or, change the renewal cycle to bi-annual cycle or, leave things the way they are now. The Committee's primary focus and concerns were keeping the administrative cost down while still protecting the public. The Committee members reported back the responses from co-workers and peers. The group findings were that the majority of therapists either did not care, or didn't think there needed to be a change. The overall feeling was that this is not a big issue amongst the profession, "if it's not broken, don't fix it".

Committee Conclusions: Following the continued discussions the majority of Committee favored keeping the current system as is, annual licensure renewal by March 31<sup>st</sup> of every year, with bi-annual CE Certification periods on even numbered years.

**New Business**

**Continuing Education-Qualifying Credits:** Premise, should the CE rules be modified to allow credit for various activities, i.e. acting as a clinical instructor, the publishing of articles, competency requirement programs, etc.?

Problem/Issue: It was brought to the Boards attention that activities such as those noted above, involve time and commitment resulting in outcomes that aid in the advancement of the profession, and that reward and recognition should be given to therapist who chose to participate in these types of activities.

Jim Heider noted that if anything other than "continuing education" was to be considered for CE credit the language in 848-035-0030(1)(a) needed to be amended to include the word/s "activities" and "certified". After discussion the Committee agreed that an amendment to the descriptive language was warranted.

Also the Committee felt strongly that the definition section 848-035-0015 should be amended to include a clear definition of continuing education. The definition should encompass the primary intent for the requirement for completion of continuing education. Knowing the intent could answer a lot of questions relative to the qualification of a

CE program, educational event or activity for credit. Sherri Paru was going to check to see what language, if any, other State might use in their laws and rules.

The following issues and specific programs and activities were discussed by the Committee relative to qualification for CE credits or not:

**Clinical Instruction** - Committee member Beth Thorpe presented her research on the topic of awarding Clinical Instructors (CI's) continuing education credit. In her research, Beth identified 19 states that currently allow for CE credit; with a varying range of credits per instructional hour. Based on Beth's research, and comparing the average allowance for credits amongst the various Boards, Beth's proposal to the Committee, and the Board, was to award 1 CE credit for each 40 hours of clinical instruction with a cap of 50%, of the total certification period requirement (12 for a PT and 6 for a PTA), placed on the total number of CE credits allowed. The licensee must provide all documentation as required under 848-035-0040.

**Committee Conclusions:** Following discussions the majority of Committee favored allowing CE credit for CI's, and determined the proposed award schedule held merit and should be considered by the Board.

**Publishing of articles** – After consideration and discussion, the Committee determined that the publishing of an article should count towards CE credit. In review of the rules the Committee would recommend the repeal of 848-035-0030(2)(e) which prohibits granting CE credit for publishing an article. With regards to the language allowing for credit and how much credit, the Committee felt that 848-035-0030(1)(h) should be amended to include the words “and activities”. With regards to credit, the Committee felt the responsibility should be placed on the therapist to provide evidence that the publication would qualify for CE under another state board administrative rule.

**Work Place Competency Programs** – After consideration and discussion, the Committee concluded that the requirement to complete work place Competency Programs should not count for CE credits.

**Work Place In Service Training Programs** - After consideration and discussion, the Committee concluded that the requirement to complete work place In Service programs should not count for CE credits.

**Limiting the number of CE credits that can be earned through on-line course work** - After consideration and discussion, the Committee concluded that there should not be a limit set for the number of CE credits an individual could earn using online programs.

**Carryover of Excess CE credits from one Certification Period to Another** - After consideration and discussion, the Committee concluded that carryover CE from one certification period to another should not be allowed at this time. However, it could be considered again in the future if the Board staff could find a way to administratively/electronically handle the tracking work load.

**Requirements for an Initial Evaluation** – Premise, if has been brought to the Board's attention that the rule language in 848-040-0125 Standards for Initiation of Physical Therapy, may need further clarification.

**Problem/Issue:** As written the rule allows third party payers to interpret the language in a way that disallows reimbursement for subsequent initial evaluations within a limited or shortened timeframe.

**Committee Conclusions:** Following discussion the Committee concluded that the language requiring an initial evaluation should be more clear. The Committee proposed suggested adding language that would add the phase “for each episode of care” to the requirement to perform an initial evaluation.

**Other Committee Topics** - Jim Heider opened the floor to the Committee Members for any other issues or topics that the Committee may have relative to Administrative Rule adoption, amendment or repeal, hearing none, he closed that portion of the meeting.

**Administrative Rules Drafting Committee** – Jim Heider announced the members of the drafting committee. Diana Godwin, Kate Brady, Suzanne Baptista-Maresh, Sherri Paru and Jim Heider.

Jim Heider explained the next steps of the process, the drafting of proposed language which, depending on timing, would be provided to the Committee prior to bring to the November 4<sup>th</sup> Board meeting. He also stated that if another meeting was warranted following the Board meeting, the Committee would receive email notification or perhaps the business may be conducted via email. Sherri Paru extended an invitation to all the Committee Members to attend the public session of the Board Meeting, which she estimated would begin around 12:30 PM on the afternoon of November 4<sup>th</sup>, the meeting room is 1-C on the PSOB lobby level.

Jim Heider asked for any final questions. Ramona Horton had a couple of questions not necessarily related to rule making but she wanted to be able to respond to co-workers and peers relative to two Board issues.

The first question was; what happens to the graduates from emerging PT/PTA programs who cannot sit for the NPTE because the rule language requires they be graduates of a CAPTE accredited program and, when they graduated, their programs may not have been CAPTE accredited. Jim explained the language with regards to the requirement for CAPTE accreditation was changed several years prior and that, if the programs were in the application and review process for accreditation at the time the class graduated, when the CAPTE accreditation was confirmed, the students would be allowed to apply and sit for the NPTE post graduation.

Secondly, Ramona wanted to know if the Board has furthered or changed its position on “Dry Needling” with regards to the PT scope of practice. Both Jim Heider and Board Chair, Steve Alstot, explained the Board’s current situation relative to dry needling has not changed and the rationale for the Board’s position to “wait and see”.

Meeting adjourned 7:15pm.