

Oregon Board of Physical Therapy
Board Meeting Minutes
May 01, 2020

Board Members Present: Phil Haworth, PT, Chair; Alan McAvoy, PT, Vice Chair; Aubree Benson, PT; Erica Goldsmith, PTA; Sandra Hahn; Andrea Muzikant; Hoku Okumura, PT; Becca Reisch, PT, PhD.

Board Members Absent: None.

Staff: Michelle Sigmund-Gaines, Executive Director; Sherri Paru, PT, Clinical Advisor/Investigator; Gayla Goodwin, Licensing; Rick Sullivan, Licensing Coordinator.

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 8:33 AM for the purpose of roll call. No members of the public were present at this time.

EXECUTIVE (CLOSED) SESSION

After roll call, the meeting was convened into Executive Session at 8:36 AM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 9:49 AM, Chair Haworth adjourned Executive Session.

PUBLIC (OPEN) SESSION

At 11:37 AM, Chair Haworth convened Public Session. All members noted previously were present. All staff members present other than Rick Sullivan, Licensing Coordinator.

Members of the Public Present: Diana Godwin (OPTIP).
Attendance sheet on file.

Plan to Re-Open Oregon Webinar Debrief: Chair Haworth noted that the Board Members and staff had participated in a webinar hosted by Jackie Yerby, the Deputy Health Policy Advisor for the Governor's Office held for the Board, the OPTA and OPTIP. After discussion, members noted that more specific guidance, to the extent available, was published on the OHA website and is being updated frequently. The Board will cross-post information or links to OHA information on the Board website as well.

Board Motions:

Case PT 622-06/17

Motion by Member Reisch to issue order to remove restriction on license.

Motion seconded by Member McAvoy.

Motion passed unanimously by a vote of 8-0.

Case PT 674-07/19

Motion by Member Reisch to close case, no action.

Motion seconded by Member McAvoy.

Motion passed unanimously by a vote of 8-0.

Case PT 687-04/20

Motion by Member Reisch to issue Confidential Advisory Letter and close case.

Motion seconded by Member McAvoy.

Motion passed unanimously by a vote of 8-0.

Public Comment

None.

Board Member/Committee/Delegate Reports

PT Compact Commission and FSBPT Delegate Updates: Member Benson, as both the current Compact Commission and FSBPT Delegate for the Board, provided updates from both organizations.

PT Compact Commission Report: *Implementation Status:* Member Benson noted that 20 states are currently issuing and accepting Compact Privileges. The South Dakota Board signed a Compact bill at the end of March, making South Dakota the 28th state to have joined the Compact. There are 8 states that have introduced PT Compact legislation thus far during the 2020 session; CA, MI, OH, AL, PA, MA, DC and RI. *Physical Therapy Compact Commission Recent & Upcoming Activities:* Due to the COVID-19 pandemic, the Commission has been monitoring actions taken in member states relating to qualification for licensure, particularly due to waiving of criminal background checks. Any licenses issued in a member state, who did not receive a background check, would not be qualified for a compact privilege until the background is completed. Finally, the week of May 4th, the Commission will hold two webinars for member states to discuss best practices and procedural questions.

FSBPT Report: Member Benson provided the following update on FSBPT Recent & Upcoming Activities: Due to the COVID-19 pandemic, all FSBPT events through July have been postponed, including the Leadership Issues Forum (LIF). ProMetric, the test provider used for the NPTE, closed in March and April, which impacted the most recent scheduled exams for PTs and PTAs. These exams will begin to be rescheduled in May, as exam locations begin to reopen with social distancing measures in place for essential services (including PT). FSBPT is waiving all exam withdrawal and re-enrollment fees until further notice. FSBPT has assembled and posted on their website resources related to COVID-19 for jurisdictions, students and the public. Finally, the Board Assessment Resource, a toolkit developed by the Board Assessment Task Force, was recently released. The toolkit provides an assessment tool and resource library of best practices for board performance. Director Sigmund-Gaines noted that she had been involved in the task force that developed the assessment tool, and asked if the Board would be interested in reviewing the tool at an upcoming meeting. The members so directed. She also noted that FSBPT was hosting a webinar in the next week, and that she would send out the information to the members interested in attending. Director Sigmund-Gaines recognized and thanked Member Benson for her time serving in the role of the FSBPT Delegate.

Open Roundtable: Clinical Advisor Paru noted that at this time, the annual meeting is still scheduled in October.

Presentation and Approval of the Executive Director's Report

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report. She highlighted the impact that delayed renewal is having on the financials to date relative to budget. She further noted that in light of the pandemic, the educational sessions for Lane Community College and Mount Hood Community College were both delivered virtually. Finally, she highlighted the data on compact privileges being purchased into Oregon.

Chair Haworth then asked for a motion to accept and approve the report as written. Member Reisch so moved and Member McAvoy seconded the motion. The motion passed unanimously by a vote of 8-0.

Board General Discussion and Action Items

Consideration of Public Comment and Possible Adoption of Proposed Administrative Rules relating to Division 35 – Continuing Competence: The Chair recognized Director Sigmund-Gaines. Clinical Advisor Paru presented public comments received in regards to proposed Continuing Competence rule changes. She also reviewed Continuing Competence guidelines required by several other state Physical Therapy Boards. After some discussion and based on public feedback, the Board amended the proposed rules to require that a CC course must be at least .50 hour to qualify. The Board also modified 848-035-0030(4)(c) to read as “For which all”. The Board then directed staff to work with legal counsel to review the final rules for consistency in language use (eg. part, section) and to address ambiguity in language use between sections, such as noting that other state jurisprudence exams would not count toward the Oregon JAM course requirement and credit values. The Board then delegated the authority to adopt the resultant final rules to the Executive Director.

17-19 Governor’s Report & Financial Control Audit: The Chair recognized Director Sigmund-Gaines. She presented the Governor’s Report and most recent external Financial Control Audit. Both documents are also posted on the Board website. Director Sigmund-Gaines also noted that the State anticipated a significant revenue impact as a result of the pandemic, which could lead to furloughs and service and program impacts statewide. The official State Revenue Forecast is scheduled for 5/20/2020.

July Board Meeting Date & Format: Chair Haworth recognized Director Sigmund-Gaines. She presented the option of having the Board meeting via Teleconference over the course of 2 days instead of 1. The first day would be Executive Session and the second day would be the Public Session. All members agreed. Also discussed was changing the original scheduled date of July 23-24 to July 17-18. It was decided to change the date to July 17-18.

Ratification of PT/PTA Licenses & Temporary Permits:

Staff presented the list of new licenses and temporary permits issued February 26th, 2020 through April 23rd, 2020. Chair Haworth opened the floor for questions and discussion. With none noted, Chair Haworth asked for a motion to ratify the new licensees and permit holders. Member Reisch so moved. Member McAvoy seconded the motion. The motion passed unanimously by a vote of 8-0.

Approval of Board Meeting Minutes:

The draft minutes from the March 06, 2020 Regular Board Meeting and March 20, 2020 Emergency Board Meeting were presented to the Board for approval. Chair Haworth asked for a motion to approve the minutes as written. Member Reisch so moved. Member McAvoy seconded the motion. The motion passed unanimously by a vote of 8-0.

Other Business: Chair Haworth asked if there were any other remaining business. Hearing none, meeting adjourned.

Meeting Adjourned 1:16 PM.