

**Oregon Board of Physical Therapy
Board Meeting Minutes
Oct 13 and Oct 14, 2022**

Thursday, October 13, 2022:

Board Members Present: Phil Haworth, PT, Chair; Erica Shanahan, PTA, Vice Chair; Aubree Benson, PT; Sandra Hahn; Andrea Muzikant; Hoku Okumura, PT, joined at 4:31; Susan Reynolds, PT.

Board Members Absent: Becca Reisch, PT, PhD, excused.

Staff: Michelle Sigmund-Gaines, Executive Director; Sherri Paru, PT, Clinical Advisor/Investigator; Gayla Goodwin, Licensing Coordinator, Sarah Casey, Operations and Policy Analyst.

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 4:05 PM for the purpose of roll call. No members of the public were present.

EXECUTIVE (CLOSED) SESSION

After roll call, the meeting was convened into Executive Session at 4:07 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 8:10 PM, Chair Haworth adjourned Executive Session.

Friday, October 14, 2022:

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 8:34 AM.

Board Members Present: Phil Haworth, PT, Chair; Erica Shanahan, PTA, Vice Chair; Aubree Benson, PT; Sandra Hahn; Andrea Muzikant; Hoku Okumura, PT; Susan Reynolds, PT.

Board Members Absent: Becca Reisch, PT, PhD excused.

Staff: Michelle Sigmund-Gaines, Executive Director; Sherri Paru, PT, Clinical Advisor/Investigator; Gayla Goodwin, Licensing Coordinator, Sarah Casey, Operations and Policy Analyst.

Legal Counsel: Angie Hunt, AAG.

Members of the Public Present: Diana Godwin; Brianna Thompson.

Board Motions:

Case PT 755-05/22

Motion by Member Shanahan of finding of sufficient evidence of violation of ORS 688.140(2)(a), (s) and (u), OAR 848-040-0105(1), OAR848-040-0170(1) and OAR 848-045-0020(2)(i), (l) and (m).

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 7-0.

Case PT 726-09/21

Motion by Member Shanahan to close case.
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 735-06/21

Motion by Member Shanahan of finding of sufficient evidence of violation of ORS 688.140(2) and OAR 848-045-0020(2).
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 750-04/22

Motion by Member Shanahan of finding of sufficient evidence of violation of ORS 688.140(2)(a),(d) and (u), OAR 848-045-0020(2)(i) and OAR 848-040-0105(1).
Motion seconded by Member Okumura..
Motion passed unanimously by a vote of 7-0.

Case PT 776-10/22

Motion by Member Shanahan to close case.
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 777-10/22

Motion by Member Shanahan to close case.
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 778-10/22

Motion by Member Shanahan to issue license.
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 778/10/22

Motion by Member Shanahan of finding of sufficient evidence of violation of ORS 688.140(2)(a), ORS 688.020(2), and OAR 848-045-0020(2)(i).
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Consent Agenda Items

The following items were presented as a consent agenda. Board members reviewed the items prior to the meeting.

1. Board Meeting Minutes, Draft for July 28 and 29, 2022.
2. Ratification of PT/PTA Licenses & Temporary Permits issued July 20, 2022 – September 30, 2022.
3. Executive Director's Report for October 2022.
4. 2023-2025 Draft Agency Affirmative Action Statement.
5. Presentation to House Interim Health Care Committee – 9/21/2022.

Director Sigmund-Gaines provided an overview of the items on the consent agenda. Chair Haworth commented on his experience co-presenting to the House Interim Health Care Committee and commended Director Sigmund-Gaines for an impactful presentation. Director Sigmund-Gaines answered a question regarding the Director's Report. With no other questions or comments, Member Shanahan moved to approve the consent agenda items as written. Member Okumura seconded the motion. Motion passed

unanimously by a vote of 7-0.

Public Comments:

None.

Board Member/Committee/Delegate Reports

PT Compact Commission Report and FSBPT Delegate Report:

Director Sigmund-Gaines reported that both the PT Compact Commission and the FSBPT are holding their annual meetings this month. The Executive Director of the PT Compact Commission has stepped down and Jeff Rosa from the FSBPT is filling in as an interim. They have proposed some minor rule changes.

Wisconsin has joined the PT Compact and is now issuing compact privileges.

Director Sigmund-Gaines noted that Oregon has 4 individuals presenting at the FSBPT annual meeting. The Board will also be presented with our 2021 award. Sessions from the event will be available online for those unable to attend.

Board Appointments; Recognition of Service

Director Sigmund-Gaines shared that Michael Rennick, PT has been confirmed as the Board's newest member. His term will start on November 1, 2022.

Chair Haworth recognized Member Aubrey Benson, PT and awarded her with a certificate of appreciation for her 8 ½ years of service to the Board.

Strategic Plan Progress Review

Director Sigmund-Gaines presented a visual timeline of the Strategic Plan Progress and reviewed each category. Members agreed this was a helpful tool to track the topics, the progress made and the direction we are heading.

Open Roundtable:

Arrangements have been finalized with PBI and Board members and staff are now able to complete the two boundary courses as discussed in the previous meeting. Courses should be completed between now and prior to the December meeting. Details will be sent soon.

Board General Discussion and Action Items

Review and Discussion of 2022 Renewals

Staff Sarah Casey presented a detailed overview of the 2022 renewals. This included the steps involved in processing a renewal application, the new requirement of uploading certificates of completion for continuing competency, background checks, and common issues that required staff outreach and delayed processing. She went on to discuss types of courses licensees are completing, and renewal history and trends. Also reviewed in detail was the data collected from the OHA workforce survey. This data will also be presented at the next Educational Pathway meeting.

OAR Division 35 Rulemaking

Director Sigmund-Gaines discussed the proposed amendments to OAR Division 35 and noted that there was no public comment or attendees at the scheduled public hearing. Following no questions for the Board Member Shanahan moved to adopt proposed amendments to OAR Division 35 as written. Member Okumura seconded the motion. Motion passed unanimously by a vote of 7-0.

Initiate Rulemaking relating to implementation of HB 2359 (2021)

Referenced public session materials available by contacting the Board office.

Director Sigmund-Gaines reviewed HB 2359 relating to the use of the OHA’s healthcare interpreter list and modifications made as a result of concerns from those individuals who practice in the Educational System. Discussions between the Department of Education and the Oregon Health Authority determined that the way the bill was written resulted in unintended consequences. The statutory language in the bill did allow for us to set certain exemptions and establish clarity for practitioners. Council drafted the change to rule. With no questions from the Board, member Shanahan moved to adopt the proposed temporary rules to implement HR 2359(2021) in the appropriate section as written, effective immediately, and to initiate the permanent administrative rulemaking process using same proposed language as written. Member Okumura seconded the motion. Motion passed unanimously by a vote of 7-0.

2023 Board Meeting Calendar

Director Sigmund-Gaines presented the proposed calendar for the 2023 Board Meetings. Staff proposed the following: Plan meetings for the 3rd week of every other month when possible, shifting the executive session to Wednesdays with a starting time of 2:00pm and keep virtual format for majority of the meetings to allow for better public access. Due to the FSBPT LIF meeting schedule, the July meeting will need to be on a Wednesday and Thursday. After discussion, the Board preferred to continue with a 4:00 pm start time for executive sessions and would like to try Wednesdays with the option to change to Thursday if needed. It was also decided to move the start time of the Dec 8, 2022 meeting to 3:00pm.

Member Shanahan moved to adopt the proposed 2023 Board Meeting Calendar as amended and change the December 8th 2022 executive meeting to 3:00 pm. Member Okumura seconded the motion. Motion passed unanimously by a vote of 7-0.

Other Business

None.

Meeting Adjourned at 10:39 AM.