

Oregon Board of Physical Therapy Board Meeting

Call to Order



Oregon Board of Physical Therapy Board Meeting

Statutory Purpose

To protect the public health,
safety, and welfare
for all Oregonians
by maintaining standards
for quality care, professional
skill and competence
through the effective
regulation of the practice of
physical therapy.

OREGON BOARD OF PHYSICAL THERAPY
BOARD MEETING AGENDA

November 17, 2023 8:30 AM - until end of business

Meeting by Web-conference

Members of the public may attend the remotely by registering via the link posted on our website at: <https://www.oregon.gov/pt/Pages/meetings.aspx>

I Call to Order -- Public Session

A Board Motions - Board actions as result of Executive Session.

B Consent Agenda Items – *These items are being presented as a consent agenda; the Board members review the consent agenda items ahead of the meeting and will adopt the items as a single motion unless specific items are flagged for discussion and/or individual motion.*

- 1 Board Meeting Minutes, Draft—Sept 22, 2023.
- 2 Ratification of PT/PTA Licenses & Temp Permits issued Sept 1st, 2023 – Oct 31st, 2023.
- 3 Executive Director’s Report for November 2023.

C Public Comments

The Board welcomes public comments. At this point in the meeting, the Board Chair will ask if anyone attending would like to make comment—speakers will be asked to identify themselves for the record when speaking.

D Board Member/Committee/Delegate Reports

- 1 New Board Member Introduction
- 2 PT Compact Commission and FSBPT Delegate Updates
- 3 Strategic Plan Progress Review
- 4 Open Roundtable

E Board General Discussion & Action Items

- 1 **9:00 AM Presentation: Oregon Wellness Program** – Tim Goldfarb
- 2 **9:30 AM Presentation: DOJ Medicaid Fraud Division** – Rob Seimetz & Elizabeth Ballard-Colgrove
- 3 **Rulemaking Forecast**—*The Board will discuss anticipated future rulemaking related to recent statutory changes, PTCC rulemaking, rule clarifications, and statutorily required 5-year rule amendment review. The Board may consider motions to initiate rulemaking processes or delegate authority for the purpose of initiating the rulemaking process.*
- 4 **Discussion: FSBPT 2023 Annual Education Meeting** —*Those in attendance will report on content from FSBPT 2023 Annual Education Meeting. Will discuss topics and any possible next steps or future agenda items.*

F Other Business

II Adjournment

This proposed agenda subject to last minute changes without prior notice. A request for an interpreter or other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 971-673-0200 or physical.therapy@oregon.gov

A - Board Motions as Result of Executive Session



B – Consent Agenda

- September Minutes
- Ratification Report
- Director's Report



Oregon Board of Physical Therapy
Board Meeting Minutes
September 22, 2023 (DRAFT)

Board Members Present: Erica Shanahan, PTA, Chair; Hoku Okumura, PT, Vice Chair; Erin Crawford, PT; Sandra Hahn; Becca Reisch, PT; Susan Reynolds, PT.

Board Members Absent: Michael Rennick, PT (excused) and (one position vacant).

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

Staff Absent: None.

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Shanahan convened the Board into Public Session at 8:06 AM 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 8:07 AM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 12:24 PM, Chair Shanahan adjourned Executive Session.

PUBLIC (OPEN) SESSION

Chair Shanahan convened the Board into Public Session at 12:49 PM.

Board Members Present: Erica Shanahan, PTA, Chair; Hoku Okumura, PT, Vice Chair; Erin Crawford, PT; Sandra Hahn; Becca Reisch, PT; Susan Reynolds, PT.

Board Members Absent: Michael Rennick, PT (excused) and (one position vacant).

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

Staff Absent: None

Legal Counsel: Angie Hunt, AAG.

Members of the Public Present: Noel Tenoso, PT; Ruggie Canizares, PT; Taylor Sarman, APTA-OR Lobbyist

Board Motions:

Case PT 786-12/22

Motion by Member Hahn to close case.
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 792-01/23

Motion by Member Hahn to close case.
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 798-02/23

Motion by Member Hahn to close case.
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 795-01/23

Motion by Member Hahn of finding of violation of ORS 688.135(5), ORS 688.140(2)(m), OAR 848-040-0105(5), OAR 848-040-0170(1), OAR 848-045-0020(2)(i)(j).
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 5-0. Member Reisch recused.

Case PT 801-03/23

Motion by Member Hahn of finding of violation of ORS 688.135(5), ORS 688.140(2)(m), OAR 848-040-0105(5), OAR 848-045-0020(2)(j).
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 811-05/23

Motion by Member Hahn to close case.
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 812-06/23

Motion by Member Hahn to close case.
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 820-08/23

Motion by Member Hahn to close case.
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 821-08/23

Motion by Member Hahn to close case.
Motion seconded by Member Reynolds.
Motion passed unanimously by a vote of 6-0.

Case PT 818-07/23 and PT 819-07/23

Motion by Member Hahn to ratify the administrative closure of these cases pursuant to delegated authority.

Motion seconded by Member Reynolds.

Motion passed unanimously by a vote of 6-0.

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—July 19/21, 2023.

2 Ratification of PT/PTA Licenses & Temp Permits issued July 1, 2023 – Aug 31, 2023.

3 Executive Director's Report for Sept 2023.

Director Sigmund-Gaines highlighted items in the administrative section of the Executive Director's report. Staff are currently working through the external audit for the 21-23 biennium and will be involved in the IT system migration to a new version starting soon. Staff have also started preparations for the upcoming 2024 renewals. Also noted was the financial report. All financial reports will be incorporated into the Governor's Report after the external audit is completed and will be part of the consent agenda at the next Board meeting.

Member Hahn moved to approve the consent agenda items as written. Member Reynolds seconded the motion. Motion passed unanimously by a vote of 6-0.

Public Comments

None.

Board Member/Committee/Delegate Reports

New Board Appointment

Director Sigmund-Gaines shared that Governor Kotek has appointed Dwight Terry as our new Board Public Member, pending confirmation by the Senate during September legislative days later this month.

PT Compact Commission and FSBPT Delegate Updates

Director Sigmund-Gaines noted that the FSBPT annual education meeting will be held in Jacksonville, Florida October 19-21. The PT Compact annual meeting will be held December 5, 2023 and will be a virtual meeting. Also discussed were the upcoming FSBPT webinars and opportunities to serve on the various committees. Staff Paru will be presenting during the Oct 10 webinar regarding optimizing regulatory effectiveness in investigation and discipline. Public Attendee, Ruggie Canizares, after recognition from the Chair, provided a few FSBPT updates encouraging attendance at the annual education meeting.

Strategic Plan Progress Review

Director Sigmund-Gaines reviewed the main areas of focus of our 5-year strategic plan. Governor Kotek has implemented a statewide initiative to standardize the way all state agencies perform their strategic planning. We will need to transition our documentation over to a standard template. However, we will continue to use our more visual display of information as well. Additional information will be presented at the November meeting where we will map out the 2024 plan that will align with the statewide mandates.

Open Roundtable

No Comments.

Board General Discussion & Action Items

Rules Advisory Committee (RAC) Follow-Up Report

Staff Casey reviewed the RAC recommendations regarding Non-CAPTE accredited applicants presented at the May Board meeting. During the discussion at the May meeting, it was suggested that the committee consider a requirement of supervised practice, as in the FSBPT Model Practice Act. The Board asked that the committee research additional information regarding supervised practice requirements in other states. Staff Casey presented their findings and explained the implications of requiring supervised practice. Currently only 15 states require supervised practice. Since the majority do not, and some of those may be members of the PT Compact, there would be inconsistencies for those applying for licensure in OR versus those practicing in OR with a compact privilege. The committee recommends that given these circumstances, we should not require supervised practice. However, they agreed it should be considered in the future if the majority of jurisdictions move towards requiring supervised practice. Recommendations remained to remove the requirement that the TOEFL be taken within 2 years of the NPTE date and that all 4 passing scores need to be achieved on the same test date for exam applicants.

Additionally, for endorsement applicants, the recommendations stand to remove the requirement for practice hours and a letter from the employer.

Member Hahn moved to adopt the proposed amendments as temporary rules, effective immediately, and direct staff to initiate the permanent public administrative rulemaking process to amend OAR 848-010-0015 and OAR 848-010-0022. Member Reynolds seconded the motion. Motion passed unanimously by a vote of 6-0.

Model Practice Act (MPA)

Director Sigmund-Gaines along with Chair Shanahan, as the delegate and Noel Tenoso, APTA-OR participated in the MPA workgroup. Director Sigmund-Gaines explained the purpose of the workgroup which included a line-by-line comparison of the MPA to our current statutes and rules. The intent of the crosswalk exercise was to identify and discuss any differences between the two and produce an informational item for both the Board and the APTA-OR chapter. The report would be used to consider if there is anything in the MPA that either the Board or APTA-OR would like to pursue as a statute/legislative change. Noel added that the association is just starting the discussions. Next opportunity for any statutory changes would be the 2025 legislative session. Director Sigmund-Gaines provided a brief overview of the prioritized items listed on the document. Discussions will continue at future meetings.

OMB-Medical Chaperones

The Director of the Oregon Medical Board was slated to present to the Board today, however was unable to attend. Director Sigmund-Gaines provided the background and overview of the Oregon Medical Board's rule OAR 847-0110-0140 relating to requirements for medical chaperones during sensitive examinations. The Board has been getting a number of inquiries from licensees asking if this rule applies to PTs and PTAs. This rule only applies to those licensed under the Oregon Medical Board, however, this does not prohibit PTs or PTAs from offering the use of a medical chaperone. Also discussed was the APTA Pelvic Health Use of Chaperones Position Statement.

Staff Paru gave an update on her work with the Sexual Boundaries Committee. They have just developed an informative brochure for patients that will be available soon.

OBPT 2024 Board Meeting Schedule

Director Sigmund-Gaines presented the 2024 Board meeting schedule keeping with the standard 3rd week of odd months. This schedule may be adjusted as needed during the year.

The Board had the option of having the Sept meeting as an in-person or virtual meeting and chose an in-person meeting.

Member Hahn moved to adopt the 2024 Board meeting calendar as amended. Member Reynolds seconded the motion. Motion passed unanimously by a vote of 6-0.

Other Business

Staff Paru provided an update on the next Rules Advisor Committee. This committee will be reviewing rules regarding reassessments and discharges. We are in the initial stage of communicating with interested committee members and scheduling meetings. We hope to have the committee's initial recommendations to discuss at the Jan 2024 meeting.

Meeting Adjourned at 2:55 PM.

Oregon Board of Physical Therapy

Ratification Report: New Licenses and Temporary Permits Issued 9/1/2023 - 10/31/2023

| License Number | Legal First Name | Legal Last Name | License Effective Date | License Method | License Status | License Type | Initial Registration Date |
|----------------|------------------|-----------------|------------------------|----------------|----------------|--------------|---------------------------|
| 65092 | Amanda | Witt | 9/6/2023 | Exam | Active | PT | 9/6/2023 |
| 65091 | Celia | Larson | 9/6/2023 | Exam | Active | PT | 9/6/2023 |
| 64329 | Lindsey | Ranzer | 9/6/2023 | Endorsement | Active | PT | 12/10/2021 |
| 65093 | Candace | Raczkowski | 9/7/2023 | Endorsement | Active | PT | 9/7/2023 |
| 63048 | Ronald Edu | Gurdiel | 9/7/2023 | Exam | Active | PT | 11/13/2018 |
| 65094 | Lauren | Anderson | 9/8/2023 | Endorsement | Active | PT | 9/8/2023 |
| 65095 | Corey | OConnor | 9/11/2023 | Endorsement | Active | PT | 9/11/2023 |
| 10227 | Travis | Gross | 9/11/2023 | Endorsement | Active | PTA | 9/11/2023 |
| 65096 | Melissa | Comeau | 9/11/2023 | Endorsement | Active | PT | 9/11/2023 |
| 9818 | Lesa | Johnson | 9/12/2023 | Endorsement | Active | PTA | 10/7/2019 |
| 65097 | Lisa | Woolridge | 9/13/2023 | Endorsement | Active | PT | 9/13/2023 |
| 10228 | Eucarice | Richmond | 9/14/2023 | Endorsement | Active | PTA | 9/14/2023 |
| 65098 | Daniel | Anderson | 9/15/2023 | Endorsement | Active | PT | 9/15/2023 |
| 65099 | Clyde | Weber | 9/18/2023 | Endorsement | Active | PT | 9/18/2023 |
| 10229 | Erika | Pinera | 9/18/2023 | Endorsement | Active | PTA | 9/18/2023 |
| 65100 | Keith | Cardona | 9/19/2023 | Endorsement | Active | PT | 9/19/2023 |
| 65101 | Adriana | Hernandez | 9/20/2023 | Endorsement | Active | PT | 9/20/2023 |
| 10230 | Kirsten | Williams | 9/25/2023 | Endorsement | Active | PTA | 9/25/2023 |
| 10231 | Keenan | Small | 9/25/2023 | Endorsement | Active | PTA | 9/25/2023 |
| 65102 | Michele | Wolfe | 9/25/2023 | Endorsement | Active | PT | 9/25/2023 |
| 63206 | Tanner | Sommer | 9/25/2023 | Endorsement | Active | PT | 4/16/2019 |
| 65103 | Renee | Hoppers | 9/26/2023 | Endorsement | Active | PT | 9/26/2023 |
| 65104 | Heather | Gerwin | 9/27/2023 | Endorsement | Active | PT | 9/27/2023 |
| 65105 | Sally | Basta | 9/29/2023 | Endorsement | Active | PT | 9/29/2023 |
| 65106 | Lucia | Valenzuela | 9/29/2023 | Endorsement | Active | PT | 9/29/2023 |
| 65109 | Ethan Ray | Dado | 10/2/2023 | Endorsement | Active | PT | 10/2/2023 |
| 65107 | Katherine | Perlberg | 10/2/2023 | Endorsement | Active | PT | 10/2/2023 |
| 65110 | Hannah May | Sandoval | 10/2/2023 | Endorsement | Active | PT | 10/2/2023 |
| 65108 | Aimee | Craig | 10/2/2023 | Endorsement | Active | PT | 10/2/2023 |
| 62219 | Matthew | Dorsey | 10/4/2023 | Endorsement | Active | PT | 4/28/2017 |
| 65111 | Derek | Olson | 10/4/2023 | Endorsement | Active | PT | 10/4/2023 |
| 10225 | Katelyn | Kusey | 10/5/2023 | Endorsement | Active | PTA | 8/21/2023 |
| 65112 | Cathleen | Sickles | 10/5/2023 | Endorsement | Active | PT | 10/5/2023 |
| 65113 | Margaret | Sullivan | 10/9/2023 | Endorsement | Active | PT | 10/9/2023 |
| 65114 | Andrea | Dean | 10/9/2023 | Endorsement | Active | PT | 10/9/2023 |
| 65115 | Jacquelyn | Bass | 10/10/2023 | Exam | Active | PT | 10/10/2023 |
| 65116 | Zachary | Meyer | 10/11/2023 | Endorsement | Active | PT | 10/11/2023 |
| 65117 | Noah | Dickerson | 10/12/2023 | Endorsement | Active | PT | 10/12/2023 |
| 10232 | Ricardo | Quimbar | 10/13/2023 | Endorsement | Active | PTA | 10/13/2023 |
| 65118 | Christine | Eble | 10/16/2023 | Endorsement | Active | PT | 10/3/2023 |
| 10233 | Daniel | Wales | 10/17/2023 | Exam | Active | PTA | 10/17/2023 |
| 65119 | Shirlyn | Yap | 10/17/2023 | Endorsement | Active | PT | 10/17/2023 |
| 62109 | Nicholas | Chambers | 10/18/2023 | Endorsement | Active | PT | 1/31/2017 |
| 10234 | April | Connelly | 10/19/2023 | Exam | Active | PTA | 10/19/2023 |
| 10235 | Rachel | Clark | 10/20/2023 | Exam | Active | PTA | 10/20/2023 |
| 65120 | Juan | Loyola | 10/23/2023 | Endorsement | Active | PT | 10/23/2023 |
| 65121 | Coulson | Lash | 10/24/2023 | Endorsement | Active | PT | 10/24/2023 |
| 65122 | Annamaria | Daucher | 10/25/2023 | Endorsement | Active | PT | 10/25/2023 |

| | | | | | | | |
|--------------|----------|---------------------|------------|-------------|----------|-----|------------|
| 10236 | Simona | Bogode | 10/27/2023 | Endorsement | Active | PTA | 10/27/2023 |
| 10237 | Jaezpr | Ellys | 10/27/2023 | Endorsement | Active | PTA | 10/27/2023 |
| 10238 | Jennifer | Manke | 10/30/2023 | Endorsement | Active | PTA | 10/30/2023 |
| 65124 | Daisy | Perez Buenrostro | 10/30/2023 | Endorsement | Active | PT | 10/30/2023 |
| 10239 | Brian | Fischer | 10/30/2023 | Endorsement | Active | PTA | 10/30/2023 |
| 65123 | Erin | McHale | 10/30/2023 | Endorsement | Active | PT | 10/30/2023 |
| 10240 | Crystal | Hall | 10/30/2023 | Endorsement | Active | PTA | 10/30/2023 |
| 5014 | Sharon | Anoff | 10/30/2023 | Endorsement | Active | PT | 6/17/2005 |
| 65125 | Naomi | Jacobs-EL | 10/31/2023 | Endorsement | Active | PT | 10/31/2023 |
| 65090 | Jacob | Johnston | 9/6/2023 | Exam | Temp-Exp | PT | 9/6/2023 |

| License type | Endorsement | Exam | Total |
|--------------------|-------------|----------|-----------|
| PT | 37 | 4 | 41 |
| Active | 37 | 4 | 41 |
| Temp-Exp | | 1 | 1 |
| PTA | 13 | 3 | 16 |
| Active | 13 | 3 | 16 |
| Grand Total | 50 | 7 | 58 |

Note: Where Initial Registration Date is prior to License Effective date, licensing transaction is either a change from prior status, such as Temp to Active, or renewal of a lapsed license, or re-application of an expired license. Temp-Exp status means a temporary permit was issued but expired during the reporting period without an Active license being issued.

EXECUTIVE DIRECTOR'S REPORT

NOVEMBER 2023 | FOR THE PERIOD 09/01/2023 – 10/31/2023

23-25 BIENNIUM BUDGET VS. ACTUAL PERFORMANCE

Actuals to Budget through **most current closed** period (July 2023-Oct 2023).

| | Actuals (to date) | Budget (to date) | \$ Variance | % of Budget (to date) |
|---------|-------------------|------------------|---------------|-----------------------|
| Income | \$55,961.91 | \$56,791.48 | \$ - 829.57 | 98.54% |
| Expense | \$240,102.83 | \$316,521.33 | \$ -76,418.50 | 75.86% |

NOTES –The numbers above reflect the actuals and budget for the biennium to date, not total budget for the entire biennium. Expenses typically exceed Income during this period of the biennium because board income derives predominantly from renewals, which occur Jan-Mar 2024. Because the fiscal year budget is portioned equally each month for many expenses, and because expenses are higher during renewals, expenses appear lower than anticipated by end of the fiscal year. Please see the attached financial report for line-item trends to date. Of note, PT exam applications are noticeably lower than anticipated while PTA exam applications are higher.

ATTACHED FINANCIAL REPORTS

- July 2023-October Budget Vs. Actual Report

EDUCATION & OUTREACH ACTIVITIES

9/1/2023 – News Brief published.

9/12/2023 –HB 2618 Pre-study engagement meeting with ODE; Paru.

10/10/2023 –FSBPT Webinar Panel: Investigations; Paru.

10/20/2023—FSBPT Education Meeting Session Panel: Regulation in Age of Legalized Marijuana Panel: Chair Shanahan.

ADMINISTRATION HIGHLIGHTS

- Information Technology & Security: Staff have been working with state IT staff and Thentia to prepare for the migration to an upgraded version of the board's core licensing software. Migration was planned for October/November and will incorporate many of the board's current change requests. This work is currently delayed by the vendor but still projected to be complete by end of calendar year.
- 2024 Renewals: Staff have begun planning for the 2024 renewal season, evaluating opportunities for improvements, in conjunction with the licensing software migration to the new version.
- External Audit: Moss Adams, LLC began external audit of the 21-23 biennium. This external review is required by statute, and results reviewed by Secretary of State Audits Division, and reported to the Legislative Fiscal Office and Governor's Office as part of the final biennium report. The work is in process, and anticipated to be complete in November/December with final report available for January meeting.

LICENSE COUNTS BY STATUS AS OF OCT 31, 2023

| License Status | PT | PTA | TOTAL |
|------------------------------|--------------|--------------|--------------|
| Active | 5,427 | 1,310 | 6,737 |
| <i>Change since last</i> | +41 | +15 | +56 |
| Restricted | 1 | 1 | 2 |
| Probation | 2 | 1 | 3 |
| Suspended | 6 | 0 | 6 |
| Total Licensed | 5,436 | 1,312 | 6,748 |
| <i>Net change since last</i> | +41 | +16 | +57 |

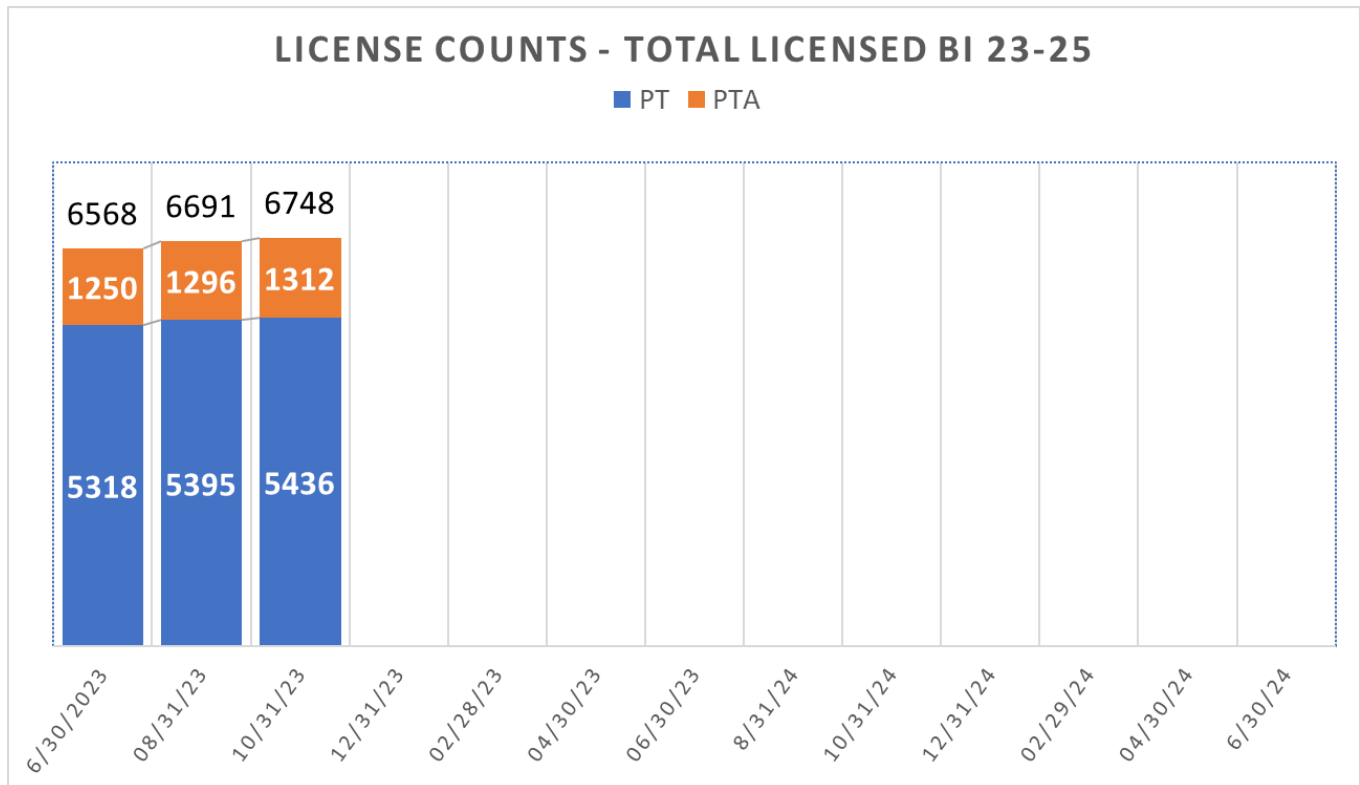
| | | | |
|----------------------|---|---|---|
| Temp Permit | 3 | 0 | 3 |
| Temp-Military Spouse | 2 | 0 | 2 |

| License Status | PT | PTA | TOTAL |
|---------------------------------------|--------------|--------------|--------------|
| <i>Lapsed (five or fewer years)</i> | 1,529 | 522 | 2,051 |
| <i>Change since last</i> | (6) | (2) | (8) |
| <i>Expired (more than five years)</i> | 4,819 | 1,457 | 6,276 |
| | (2) | (3) | (5) |
| Total Previously Licensed | 6,348 | 1,979 | 8,327 |

| Applications Submitted by Type | EXA | END | TOTAL |
|--------------------------------|----------|-----------|-----------|
| PT | 4 | 38 | 42 |
| PTA | 4 | 13 | 17 |
| TOTAL | 8 | 51 | 59 |

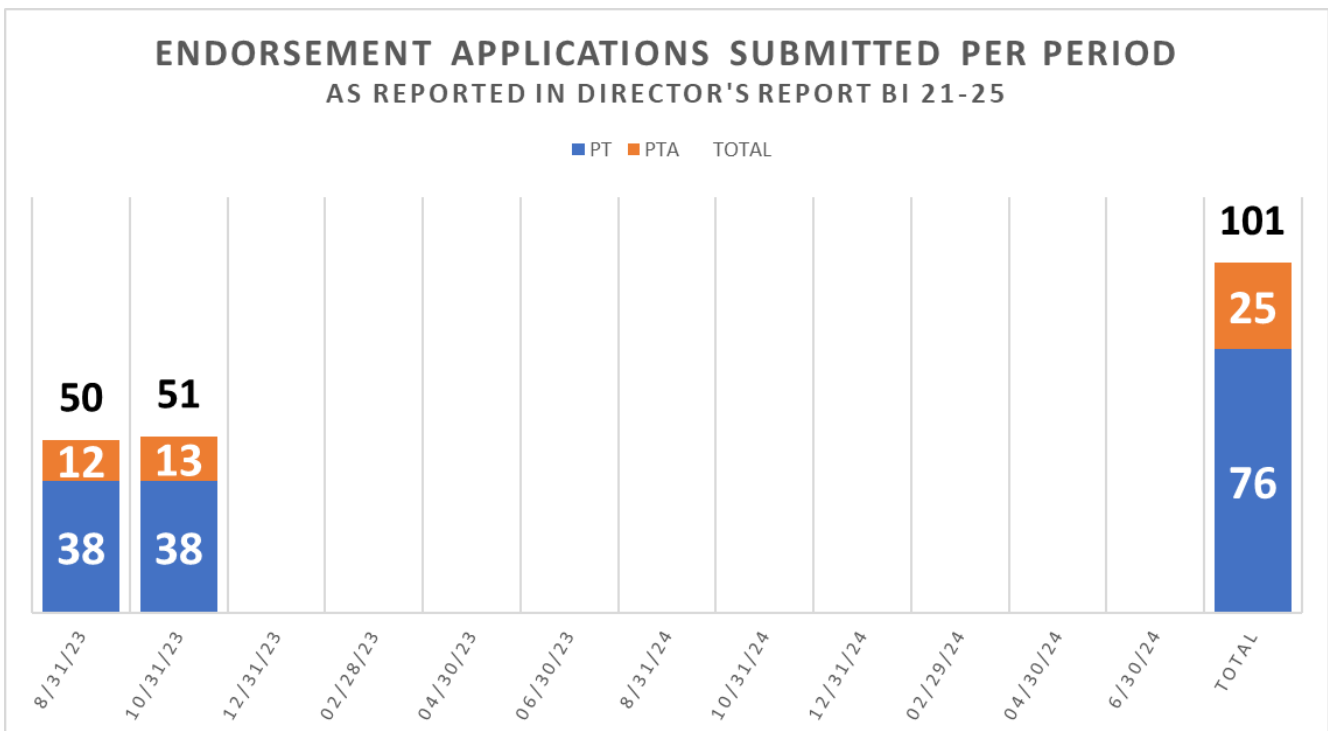
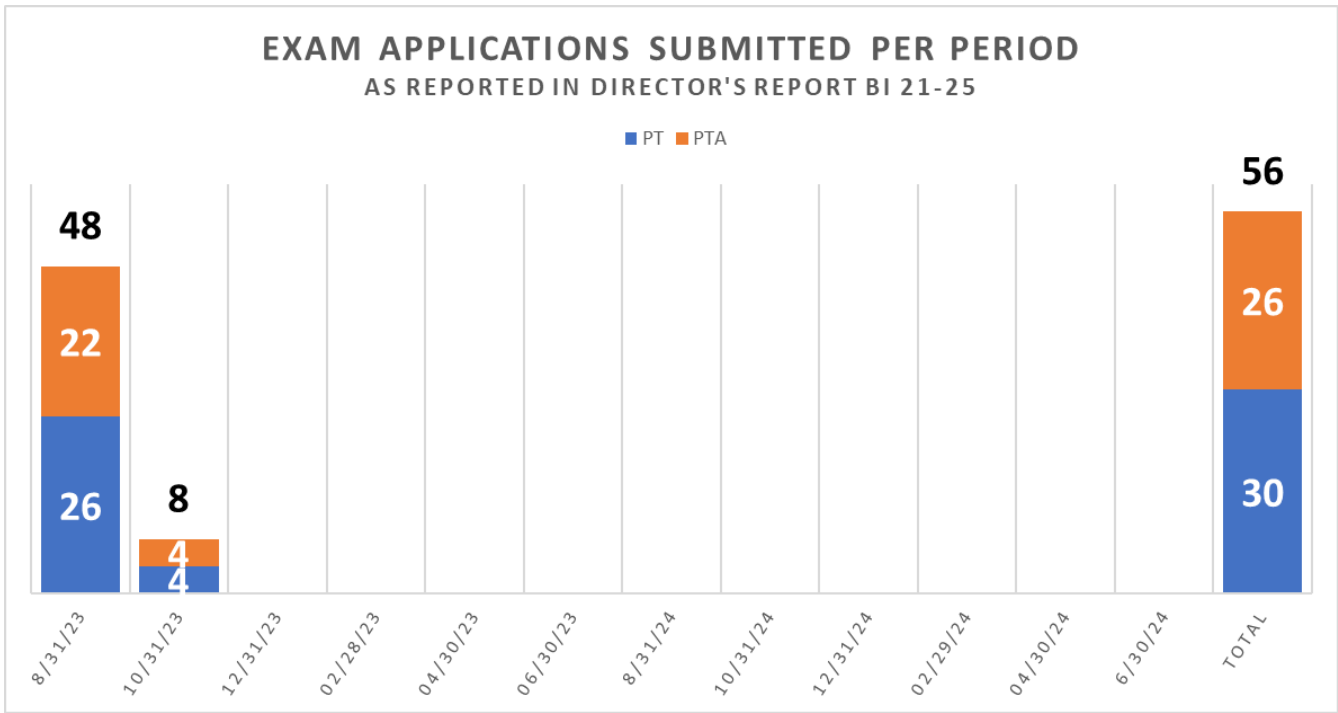
BIENNIUM TOTAL ACTIVE LICENSE COUNTS AS OF OCT 31, 2023

NOTE: Numbers are reported at the end of each month prior to Board meetings, which will allow for alignment with the Biennium reporting. License counts by status for the prior section and this section are sourced from the licensing system licensee status statistical report and reflect the counts as of a given day. "Active" license counts includes non-lapsed or expired licenses currently on suspension, probation or restriction, but does not count temporary permits. Not all current license holders are currently practicing in the state of Oregon; therefore, total counts may not reflect current actual workforce capacity, only licensed capacity.



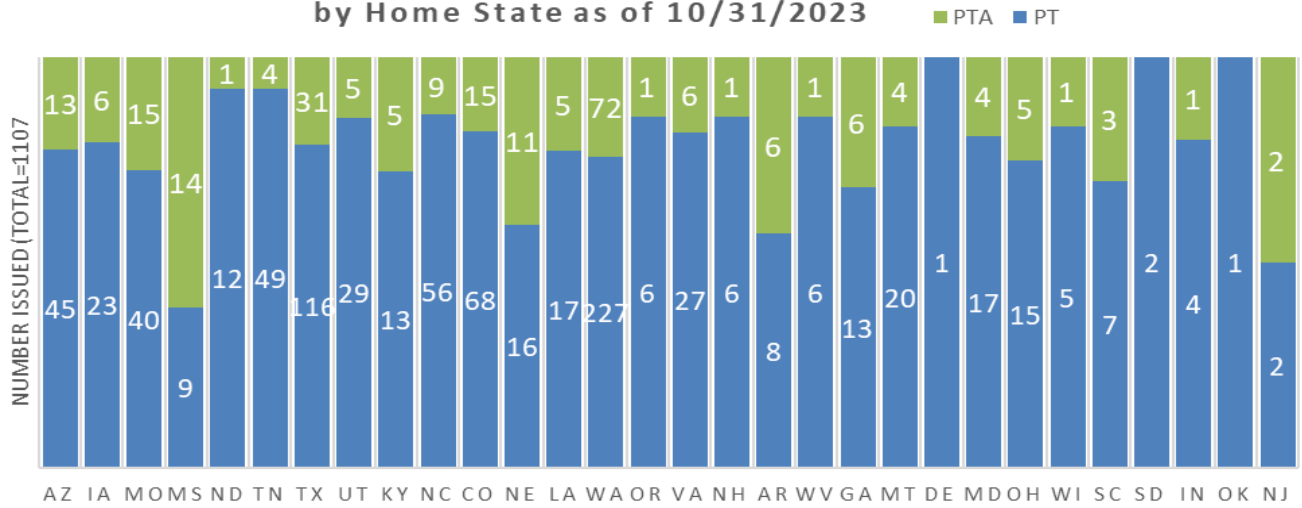
BIENNIUM TOTAL NEW APPLICATIONS SUBMITTED AS OF OCT 31, 2023

NOTE: Application data taken from licensing system based on date of submittal; applications may not be complete when first submitted and final approval, if granted, may appear in a different reporting period. The charts reflect the total submitted within each reporting period as well as total count for biennium to date for each license application type. The data includes applications also requesting a temporary permit.



PT COMPACT OREGON PRIVILEGE HOLDERS – AS OF OCT 31, 2023

TOTAL OR COMPACT PRIVILEGES ISSUED
by Home State as of 10/31/2023



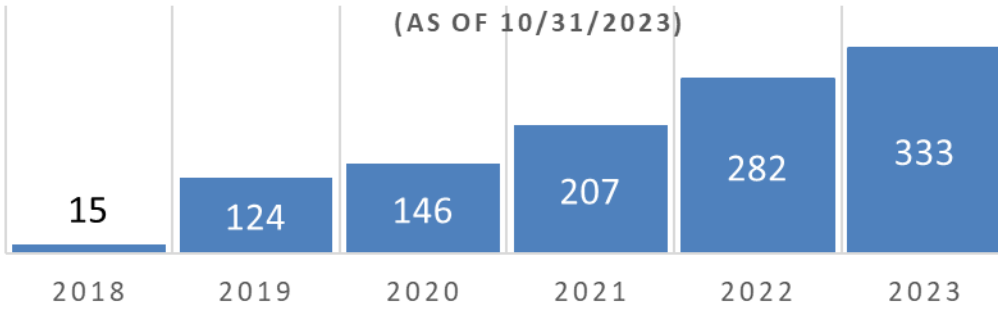
CPs Issued

| | AZ | IA | MO | MS | ND | TN | TX | UT | KY | NC | CO | NE | LA | WA | OR | VA | NH | AR | WV | GA | MT | DE | MD | OH | WI | SC | SD | IN | OK | NJ | Total |
|--------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|----------|-----------|----------|-----------|----------|-----------|-----------|----------|-----------|-----------|----------|-----------|----------|----------|----------|----------|-------------|
| Initial | 46 | 25 | 48 | 16 | 12 | 47 | 128 | 27 | 16 | 49 | 70 | 18 | 16 | 194 | 6 | 32 | 7 | 14 | 5 | 18 | 19 | 1 | 19 | 19 | 5 | 10 | 2 | 5 | 1 | 4 | 879 |
| Renewal | 12 | 4 | 7 | 7 | 1 | 6 | 19 | 7 | 2 | 16 | 13 | 9 | 6 | 105 | 1 | 1 | | | 2 | 1 | 5 | | 2 | 1 | 1 | | | | | | 228 |
| Total | 58 | 29 | 55 | 23 | 13 | 53 | 147 | 34 | 18 | 65 | 83 | 27 | 22 | 299 | 7 | 33 | 7 | 14 | 7 | 19 | 24 | 1 | 21 | 20 | 6 | 10 | 2 | 5 | 1 | 4 | 1107 |

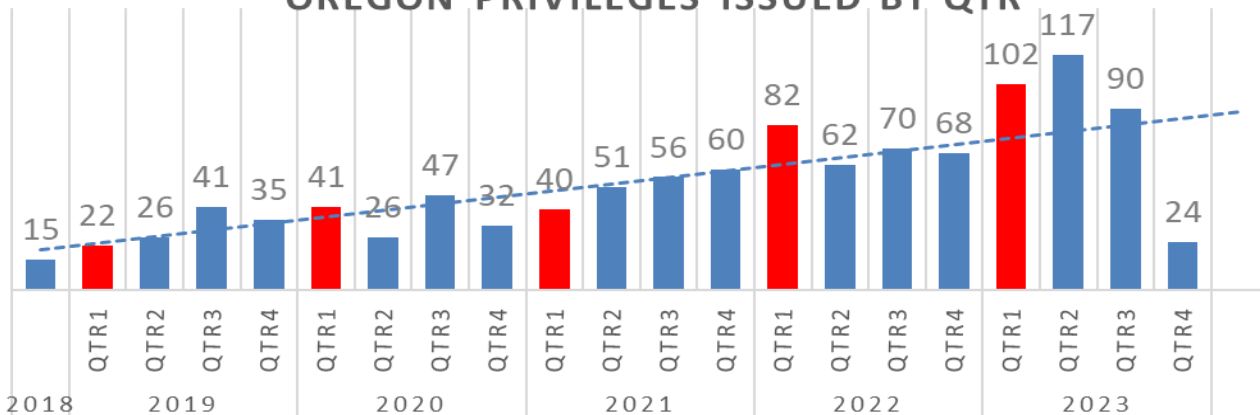
NOTES: Cumulative total privileges purchased since Oregon began issuing privileges—not total number of current active privileges.

OREGON PRIVILEGES ISSUED BY YEAR

(AS OF 10/31/2023)



OREGON PRIVILEGES ISSUED BY QTR



NOTES: Data for all tables and graphs sourced from PTCC compact privilege purchase reports; data through 10/31/2023.

INVESTIGATIONS: OPEN CASES & AGING REPORT

Nov-23 OBPT Open Cases

- 22 Total Open Cases
- 5 Presenting to Board Nov 2023 Meeting
- 3 Post Board Meeting (Notice/Hearing Process)

14 Remaining Open Cases

Remaining Open Case Aging (date of complaint thru Present to Board)

- 6 Case(s) currently over four months (120 days)
 - 3 Additional case(s) will be over four months (120 days) by Nov 2023 meeting
 - 5 Case(s) that will be under four months (120 days) by Nov 2023 meeting
-
- 14 Total

Based on case tracking status on 11/10/2023.

NOTE: Approval of the Executive Director's Report will also authorize extension(s) of investigation period for case reporting to the Board under ORS 676.165 where case(s) will exceed 120 days based on the date of the next available scheduled meeting.

CASES OPENED AND CLOSED PER BIENNIUM THROUGH BI 2023-2025 (AS OF 11/10/2023)

| BIENNIUM | 2013 | 2015 | 2017 | 2019 | 2021 | 2023 |
|--------------|------|------|------|------|------|------|
| | 2015 | 2017 | 2019 | 2021 | 2023 | 2025 |
| Cases Opened | 88 | 58 | 56 | 49 | 98 | 17 |
| Cases Closed | 82 | 54 | 71 | 48 | 83 | 19 |
| Compact | | | 1 | 3 | 26 | 0 |
| | | | 2% | 6% | 27% | 0% |

NOTE: Total cases opened, and total cases closed in each biennium. Cases opened in one period may be closed in the subsequent period dependent on when received. Does not reflect type of action taken, only raw counts. Data sourced from case tracking report on 09/11/2023; All BI begin on 7/1 of the first year and end on 6/30 of the 2nd year.

Oregon Board of Physical Therapy

Budget to Actuals: To Date

July - October, 2023

| | TOTAL | | | |
|---|--------------------|--------------------|-------------------|-----------------|
| | ACTUAL | BUDGET | OVER BUDGET | % OF BUDGET |
| Income | | | | |
| 4000 Income | | | | |
| 4100 Physical Therapists | | | | |
| 4110 PT Exam Applications | 5,797.00 | 11,781.00 | -5,984.00 | 49.21 % |
| 4112 PT App Ver & Proc Fees | 6,615.00 | 9,229.46 | -2,614.46 | 71.67 % |
| 4120 PT Endorsement Applications | 13,838.00 | 15,614.46 | -1,776.46 | 88.62 % |
| 4125 PT Temporary Permits | 50.00 | 500.00 | -450.00 | 10.00 % |
| 4126 PT Temp Mil SP/DP | | 0.00 | 0.00 | |
| 4130 PT Renewals | 1,800.00 | 0.00 | 1,800.00 | |
| 4132 PT Renewal Ver & Proc Fees | 175.00 | 0.00 | 175.00 | |
| 4140 PT Delinquent Renewals | 350.00 | 0.00 | 350.00 | |
| 4150 PT Duplicate Licenses | | 0.00 | 0.00 | |
| 4170 PT Civil Penalties | 1,000.00 | | 1,000.00 | |
| Total 4100 Physical Therapists | 29,625.00 | 37,124.92 | -7,499.92 | 79.80 % |
| 4200 Physical Therapist Assistants | | | | |
| 4210 PTA Exam Applications | 5,236.00 | 3,179.00 | 2,057.00 | 164.71 % |
| 4212 PTA App Ver & Proc Fees | 3,087.00 | 2,173.46 | 913.54 | 142.03 % |
| 4220 PTA Endorse Applications | 3,927.00 | 3,272.46 | 654.54 | 120.00 % |
| 4225 PTA Temporary Permits | | 66.64 | -66.64 | |
| 4226 PTA Temp-Mil SP/DP | 0.00 | | 0.00 | |
| 4230 PTA Renewals | 650.00 | 0.00 | 650.00 | |
| 4232 PTA Renewal Ver & Proc Fees | 92.00 | 0.00 | 92.00 | |
| 4240 PTA Delinquent Renewals | 200.00 | 0.00 | 200.00 | |
| Total 4200 Physical Therapist Assistants | 13,192.00 | 8,691.56 | 4,500.44 | 151.78 % |
| 4300 PT & PTA Combined | | | | |
| 4330 PTand/or PTA Mailing Diskette | 2,200.00 | 2,000.00 | 200.00 | 110.00 % |
| 4350 PT Compact Fees | 6,384.00 | 4,800.00 | 1,584.00 | 133.00 % |
| 4360 OHA Workforce Data Survey Fee | 44.00 | 0.00 | 44.00 | |
| Total 4300 PT & PTA Combined | 8,628.00 | 6,800.00 | 1,828.00 | 126.88 % |
| 4400 PT/PTA License Verification Fee | 3,225.00 | 4,175.00 | -950.00 | 77.25 % |
| 4500 Miscellaneous Income | 1,291.91 | | 1,291.91 | |
| 4583 83300 IT Services | | 0.00 | 0.00 | |
| Total 4500 Miscellaneous Income | 1,291.91 | 0.00 | 1,291.91 | |
| 4900 Bank Interest Income | | 0.00 | 0.00 | |
| Total 4000 Income | 55,961.91 | 56,791.48 | -829.57 | 98.54 % |
| Total Income | \$55,961.91 | \$56,791.48 | \$ -829.57 | 98.54 % |
| GROSS PROFIT | \$55,961.91 | \$56,791.48 | \$ -829.57 | 98.54 % |
| Expenses | | | | |
| 5100 Payroll Costs | | | | |
| 5110 Gross Salaries | 130,213.40 | 126,087.72 | 4,125.68 | 103.27 % |
| 5132 FICA (SS + Medicare) | 10,207.22 | 9,645.71 | 561.51 | 105.82 % |
| 5133 FICA Administrative Fee | | 15.00 | -15.00 | |

Oregon Board of Physical Therapy

Budget to Actuals: To Date

July - October, 2023

| | TOTAL | | | |
|---|-------------------|-------------------|-------------------|----------------|
| | ACTUAL | BUDGET | OVER BUDGET | % OF BUDGET |
| 5136 Mass Transit Tax | 1,072.36 | 1,013.37 | 58.99 | 105.82 % |
| 5140 Employee Benefits | | 1,666.72 | -1,666.72 | |
| 5141 PERS ER Paid EE Cont | -30.43 | 0.00 | -30.43 | |
| 5142 PERS ER Admin Contribution | 26,401.41 | 26,639.23 | -237.82 | 99.11 % |
| 5143 Obligation Bond Debt Repayment | 5,580.08 | 7,817.44 | -2,237.36 | 71.38 % |
| 5144 Workers Compensation | 24.55 | 60.00 | -35.45 | 40.92 % |
| 5146 PEBB Medical/Dental Insurance | | 27,418.50 | -27,418.50 | |
| 5146-1 PEBB Insurance | 18,993.48 | | 18,993.48 | |
| 5146-2 PEBB Insurance Refund | -1,440.55 | 0.00 | -1,440.55 | |
| Total 5146 PEBB Medical/Dental Insurance | 17,552.93 | 27,418.50 | -9,865.57 | 64.02 % |
| Total 5140 Employee Benefits | 49,528.54 | 63,601.89 | -14,073.35 | 77.87 % |
| 5150 Employee Training | 26.83 | 1,666.72 | -1,639.89 | 1.61 % |
| 5190 Board Stipends | 4,200.00 | 6,250.00 | -2,050.00 | 67.20 % |
| 5199 Other Payroll Expenses | | 800.00 | -800.00 | |
| Total 5100 Payroll Costs | 195,248.35 | 209,080.41 | -13,832.06 | 93.38 % |
| 5600 Travel Costs | | | | |
| 5610 Instate Travel | | | | |
| 5612 Lodging | 880.99 | 1,000.00 | -119.01 | 88.10 % |
| 5614 Airfare/Mileage | 1,058.15 | 1,333.36 | -275.21 | 79.36 % |
| 5616 Meals | 277.49 | 666.64 | -389.15 | 41.63 % |
| 5618 OtherTravel Costs | 52.15 | 166.64 | -114.49 | 31.30 % |
| Total 5610 Instate Travel | 2,268.78 | 3,166.64 | -897.86 | 71.65 % |
| 5620 Out of State Travel | | | | |
| 5622 Lodging | | 1,666.64 | -1,666.64 | |
| 5624 Airfare/Mileage | | 1,600.00 | -1,600.00 | |
| 5626 Meals | | 666.64 | -666.64 | |
| Total 5620 Out of State Travel | | 3,933.28 | -3,933.28 | |
| Total 5600 Travel Costs | 2,268.78 | 7,099.92 | -4,831.14 | 31.96 % |
| 6100 General Office Expenses | | | | |
| 6110 Copier | 150.29 | 320.00 | -169.71 | 46.97 % |
| 6120 Printing/Copying | 78.22 | 1,200.00 | -1,121.78 | 6.52 % |
| 6140 Office Supplies | 634.11 | 700.00 | -65.89 | 90.59 % |
| 6145 Other | 90.00 | 1,666.64 | -1,576.64 | 5.40 % |
| 6150 Board Meeting Expenses | 348.55 | 400.00 | -51.45 | 87.14 % |
| 6180 Telecommunications | 1,628.36 | 2,466.64 | -838.28 | 66.02 % |
| 6185 Bank Charges/Fees | | 666.64 | -666.64 | |
| 6186 Liability Insurance (Risk Mgmt) | 4,204.00 | 8,956.00 | -4,752.00 | 46.94 % |
| Total 6100 General Office Expenses | 7,133.53 | 16,375.92 | -9,242.39 | 43.56 % |
| 6190 Dues and Subscriptions | 2,500.00 | 3,333.36 | -833.36 | 75.00 % |
| 6200 Postage | | | | |
| 6210 Mail/Mail Room Charges | -40.00 | 666.64 | -706.64 | -6.00 % |
| 6220 Newsletters | | 400.00 | -400.00 | |

Oregon Board of Physical Therapy

Budget to Actuals: To Date

July - October, 2023

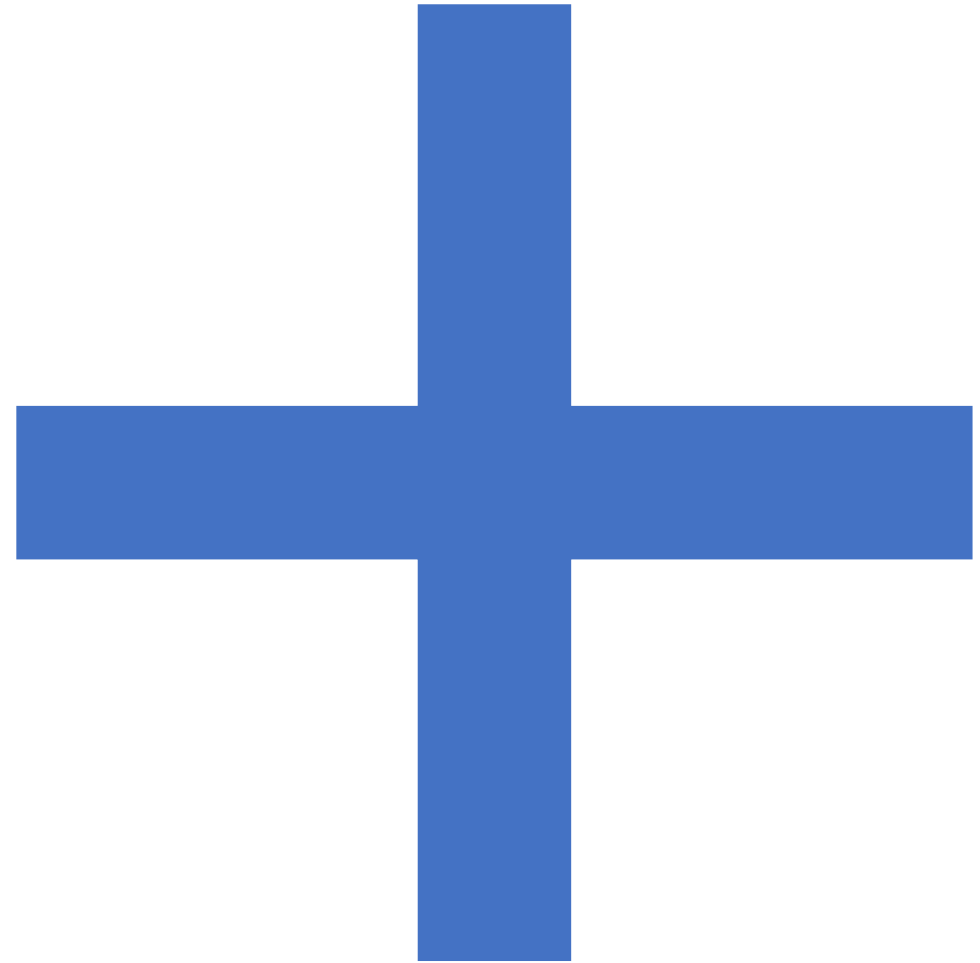
| | TOTAL | | | |
|---|-----------------------|-----------------------|----------------------|----------------|
| | ACTUAL | BUDGET | OVER BUDGET | % OF BUDGET |
| Total 6200 Postage | -40.00 | 1,066.64 | -1,106.64 | -3.75 % |
| 6300 Publications | | 106.64 | -106.64 | |
| 6400 Contracted Services | | | | |
| 6405 Merchant Account Fees | 1,653.10 | 14,000.00 | -12,346.90 | 11.81 % |
| 6410 Investigators | | 500.00 | -500.00 | |
| 6420 Computer Support | 586.87 | 4,000.00 | -3,413.13 | 14.67 % |
| 6430 Attorney General-Legal Counsel | 11,057.20 | 16,680.00 | -5,622.80 | 66.29 % |
| 6440 Audit Charges | | 4,000.00 | -4,000.00 | |
| 6450 Accountant / CPA | | 166.64 | -166.64 | |
| 6460 Payroll Service Charges | 632.01 | 1,066.64 | -434.63 | 59.25 % |
| 6490 DAS Charges (Miscellaneous) | | 578.36 | -578.36 | |
| 6495 EmplDept/HearingOfficerPanel | | 833.36 | -833.36 | |
| 6499 Other Services | 159.38 | | 159.38 | |
| Total 6400 Contracted Services | 14,088.56 | 41,825.00 | -27,736.44 | 33.68 % |
| 6500 Rent and Occupancy | | 0.00 | 0.00 | |
| 6510 Rent | 7,472.43 | 10,000.00 | -2,527.57 | 74.72 % |
| Total 6500 Rent and Occupancy | 7,472.43 | 10,000.00 | -2,527.57 | 74.72 % |
| 6600 Background Checks | 3,812.50 | 10,000.00 | -6,187.50 | 38.13 % |
| 6630 Vantage Data | | 5,133.36 | -5,133.36 | |
| Total 6600 Background Checks | 3,812.50 | 15,133.36 | -11,320.86 | 25.19 % |
| 6650 Investigation Expenses | | 33.36 | -33.36 | |
| 6800 Computers & Accessories | | | | |
| 6810 Software | 7,618.68 | 11,333.36 | -3,714.68 | 67.22 % |
| 6820 Hardware | 0.00 | 800.00 | -800.00 | 0.00 % |
| 6830 Maintenance-E-Mail,Firewall | | 0.00 | 0.00 | |
| 6840 Other - Data Lines, etc. | | 333.36 | -333.36 | |
| Total 6800 Computers & Accessories | 7,618.68 | 12,466.72 | -4,848.04 | 61.11 % |
| Total Expenses | \$240,102.83 | \$316,521.33 | \$ -76,418.50 | 75.86 % |
| NET OPERATING INCOME | \$ -184,140.92 | \$ -259,729.85 | \$75,588.93 | 70.90 % |
| NET INCOME | \$ -184,140.92 | \$ -259,729.85 | \$75,588.93 | 70.90 % |

C— Public Comment



D1 – New Member Introduction

Dwight Terry,
Public Member



D2 – Delegate Reports



Highlights:

PTCC:

- Washington D.C. now issuing privileges.
- Annual Meeting Dec 5th.

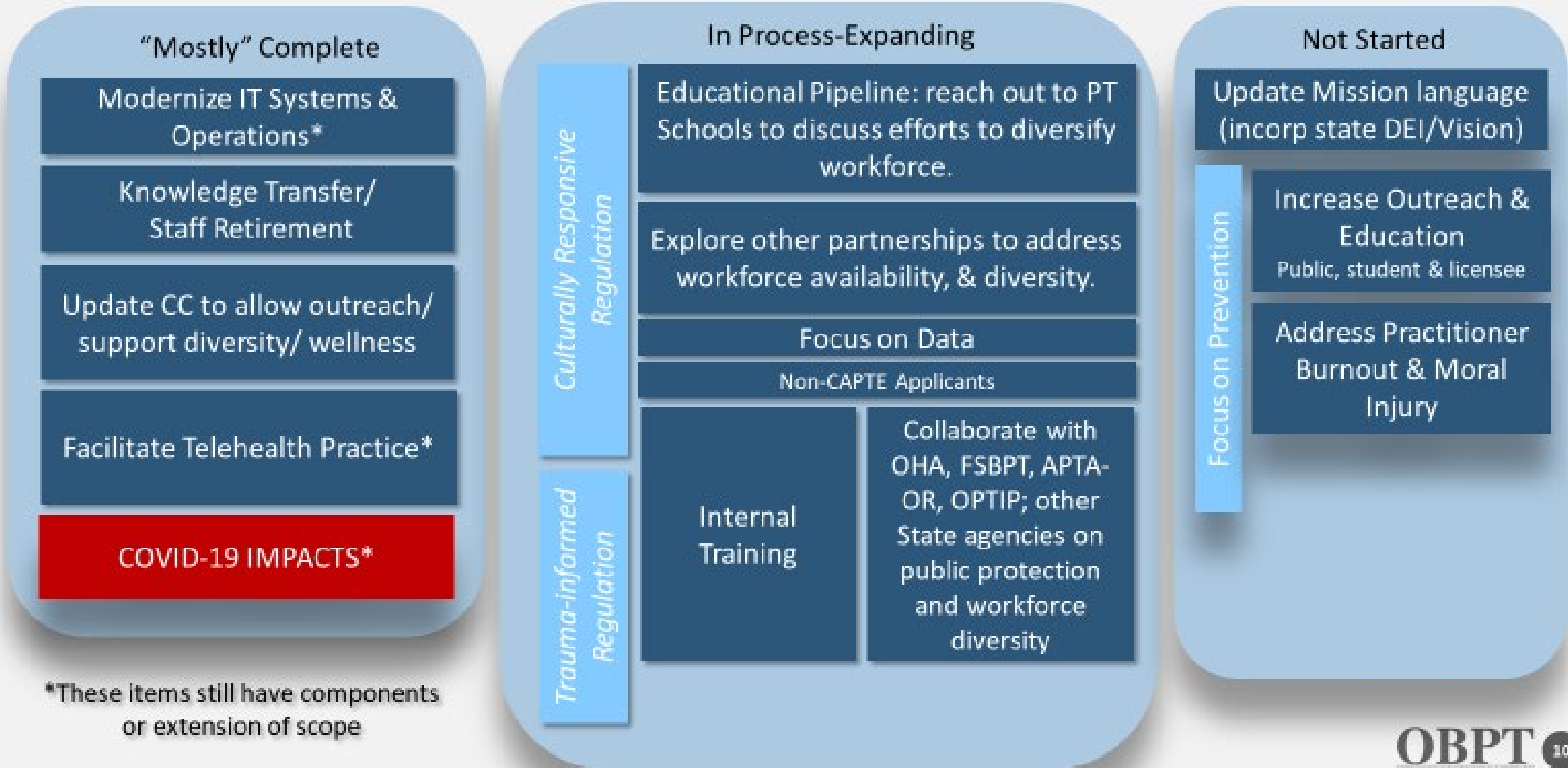
FSBPT:

- Highlights from Annual Meeting (Item E4)
- Dec 13 1pm – Regulatory Hour: New Board Members & Staff: Preparation to Serve

D3 – Strategic Plan Progress Review



Identified Strategic Priorities—2018-2023 (Five Years)



*These items still have components or extension of scope

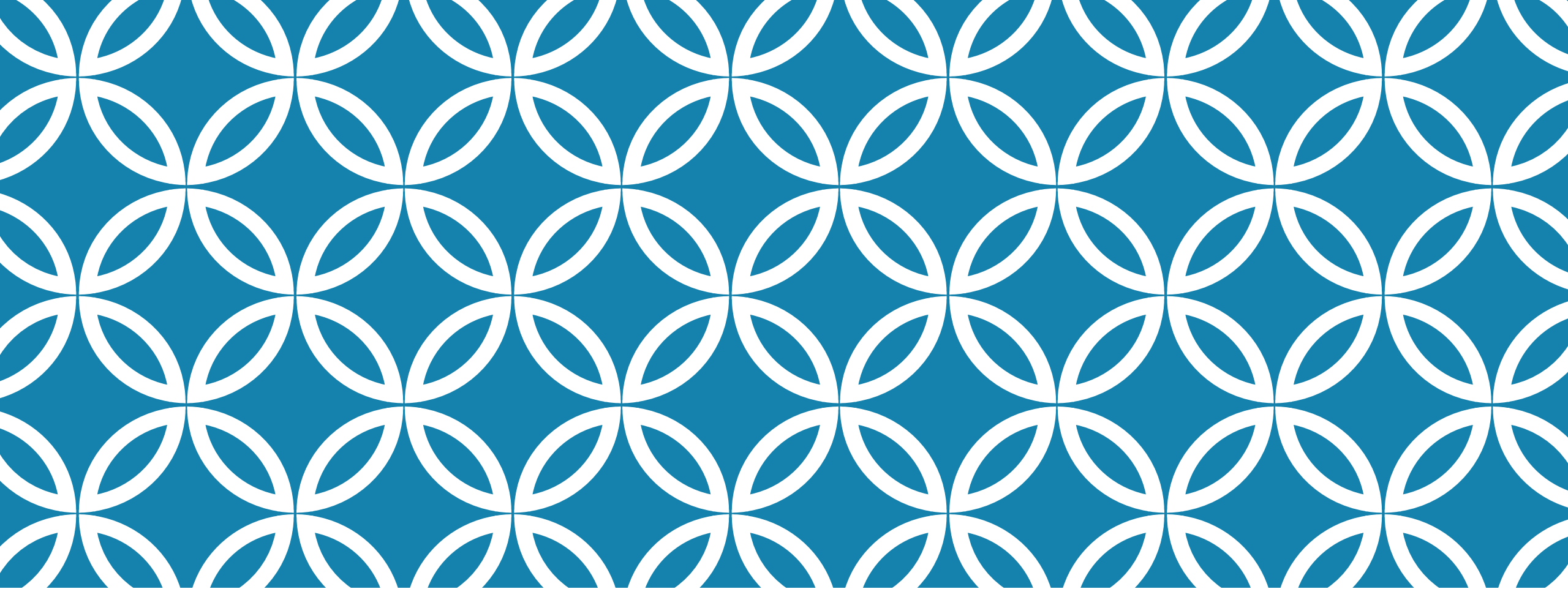
D4 – Roundtable



E1– Presentation

Oregon Wellness Program





OREGON WELLNESS PROGRAM (OWP)

Presented to the
Oregon Board of Physical Therapy
November 17, 2023

OWP MISSION AND CLIENTS

Our Mission

Promoting wellness for healthcare professions in Oregon through coordinated counseling services, education, and research

Over 139,000 licensees covered

Physicians
Physician Assistants
Podiatrists
Acupuncturists
Advanced Nurse Practitioners
Registered Nurses
Certified Nurse Assistants
Licensed Practical Nurses
Dentists
Dental Hygienists
Dental Therapists

PROGRAM OVERVIEW

- A project of The Foundation for Medical Excellence (TFME) which acts as the administrative hub
- Guided by an Executive Committee (Don Girard, MD – Chair) committed to program success, meeting monthly
- A statewide effort providing self-referred, highly confidential urgent mental health services to active clinical providers.
 - Not an emergency service
 - Does not handle substance abuse disorders
 - Does not handle clinical competence concerns (these are the purview of the professional licensing boards)

OWP HISTORY

- **Established in April 2018.** Historically, the OWP partnered with local communities through county medical societies. As they became less relevant, the OWP began working with a variety of community organizations (CCOs, hospital systems, and professional associations like the OMA, ODA, OHA and ONA).
- Since inception, **over 6,000 counseling sessions** have been delivered by the OWP Mental Health Providers (MHP) team.
 - The OWP pays MHPs \$200 per one hour session
- All licensees covered under the Program are eligible for **up to 8 sessions per client, per year.**
 - Self-referred and no insurance is billed
 - Services are confidential and the OWP does not know the identity of clients; demographic information is provided by MHPs
 - There have been zero complaints concerning confidentiality

OWP MENTAL HEALTH PROVIDERS (MHP)

- The OWP is serviced by 34 MHPs
 - Mental health professionals - PhD, PsyD, Psychiatrist, PMHNP, LPC, or LCSW
 - Licensed in Oregon and offer telehealth care to extend geographic availability
 - Experienced providing care to healthcare colleagues
 - Approved by the OWP Executive Committee
- Consent and confidentiality is ensured through a standardized process
 - Cascade Health in Eugene, OR provides OWP's state-wide call service

OWP PARTNERSHIPS

Participating Health Systems

- Asante
- Legacy
- OHSU
- Providence (Oregon)
- St. Charles
- Virginia Garcia

General Support for Licensees from both affiliated and unaffiliated Health Systems

- Oregon Medical Board
- Oregon Board of Dentistry
- Oregon State Board of Nursing

OWP Program and Client Expansion Grants

- CareOregon
- Eastern Oregon Coordinated Care Organization (EOCCO)
- PacificSource Foundation
- Permanente Dental Associates (PDA)
- Portland IPA

LOOKING FORWARD

- Continued client service growth and sustainable funding model
 - Engagement with Oregon Legislature to develop a funding model combining licensing fees, gifts, grants, and general fund support
 - Volunteer-driven statewide geographic expansion
 - Completion of research efforts highlighting OWP effectiveness
 - Identifying marketing opportunities beyond “word of mouth”

OWP VISION

By and For Healthcare Professionals

Confidential & Voluntary

Complimentary

Timely and Flexible

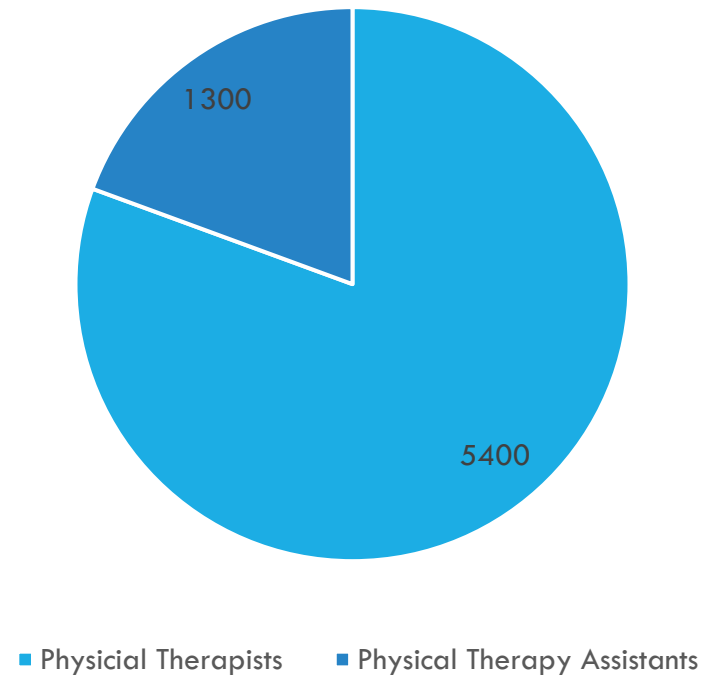
Helps Address Burnout "Epidemic"

Funding Follows Client

Reducing Barriers Statewide

OR BOARD OF PHYSICAL THERAPISTS

Licensees



PROPOSED PARTNERSHIP — OBPT AND TFME

YEAR ONE COSTS FOR OREGON WELLNESS PROGRAM (OWP) SERVICES

6,700 Licensees x .01 use rate* = **67 Clients**

67 Clients x 5 Sessions per client/per year = **335 Sessions in year one**

335 Sessions x \$200/Session = **\$67,000/year**

\$67,000/year x 15% administrative cost = **\$70,350**

Total Cost for OBPT = \$70,350

**based on historical start-up usage by other health care professionals*

E2– Presentation

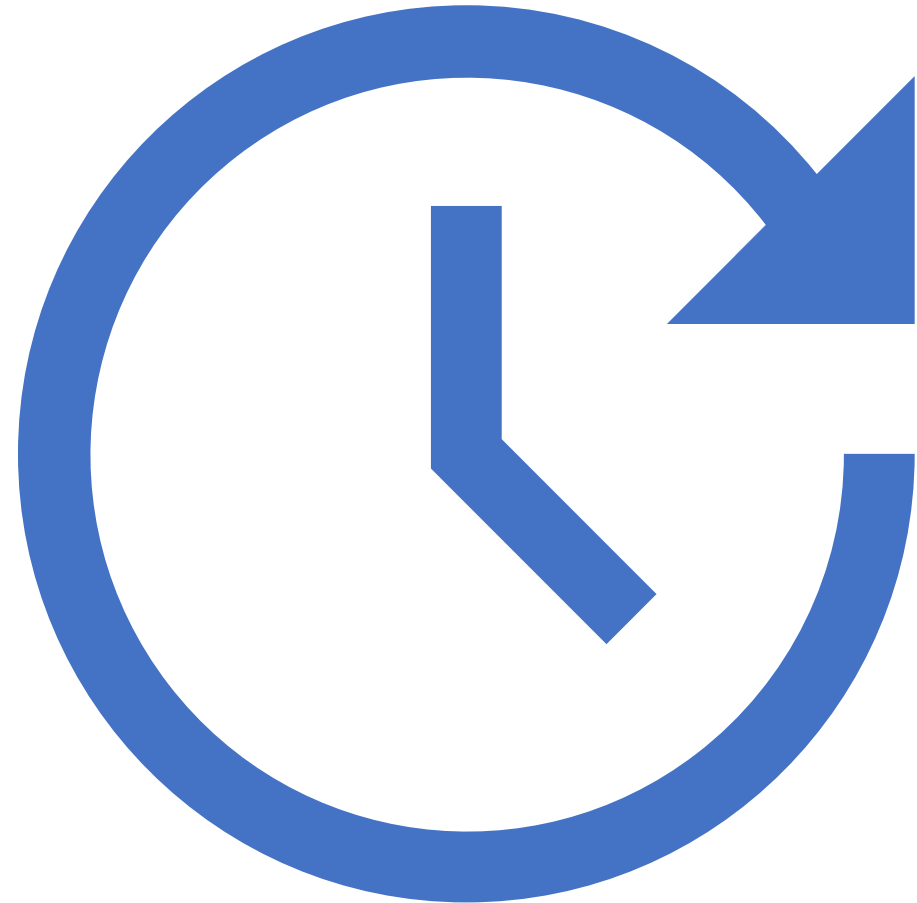
Oregon DOJ
Medicaid Fraud Division



E3– Discussion

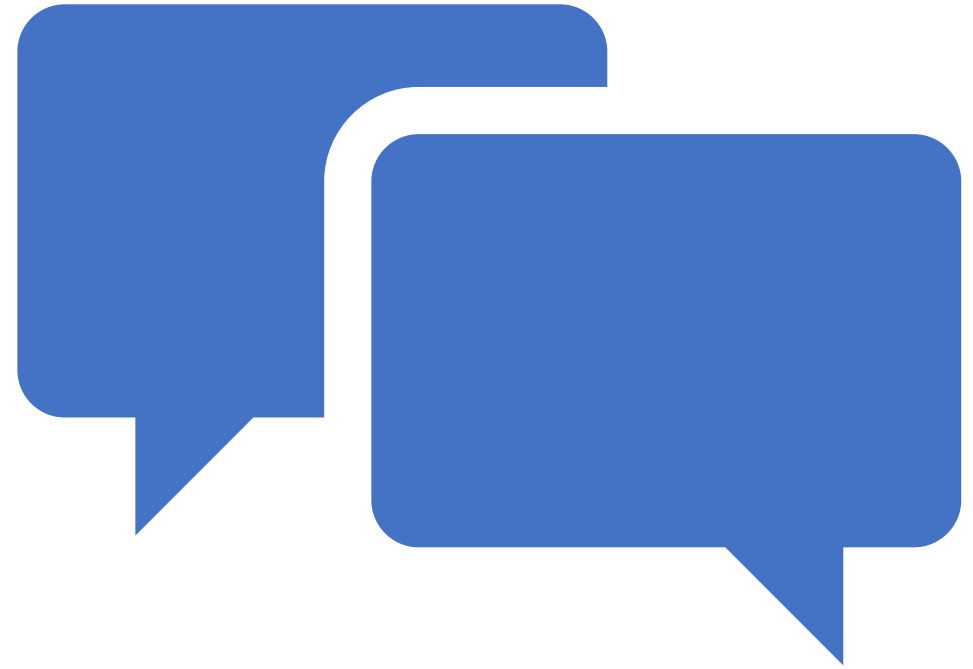
Rulemaking Forecast

- Recent Statutory Changes
- PTCC Rulemaking
- 5-year Rule Review
- Current RAC



E4— Discussion

**2023 FSBPT
Annual Education
Meeting**



Healthcare Regulatory
Research Institute



Public Perception of Regulation Study
Report of Findings
March 2023

element 

220 Lexington Green Circle - Suite 212
Lexington, KY 40503
Tel 859.971.7301 Fax 859.919.2242
www.elementmr.com



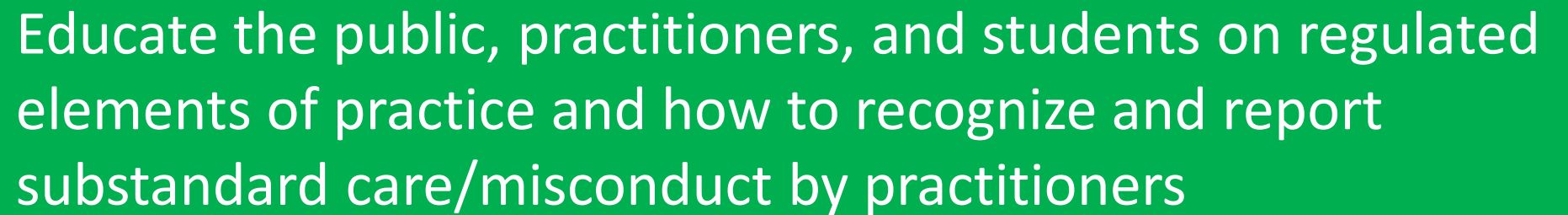
Public understanding of Regulation

Researcher: Element

Current Status: Research Complete



Behavioral
and
Disciplinary
Measures

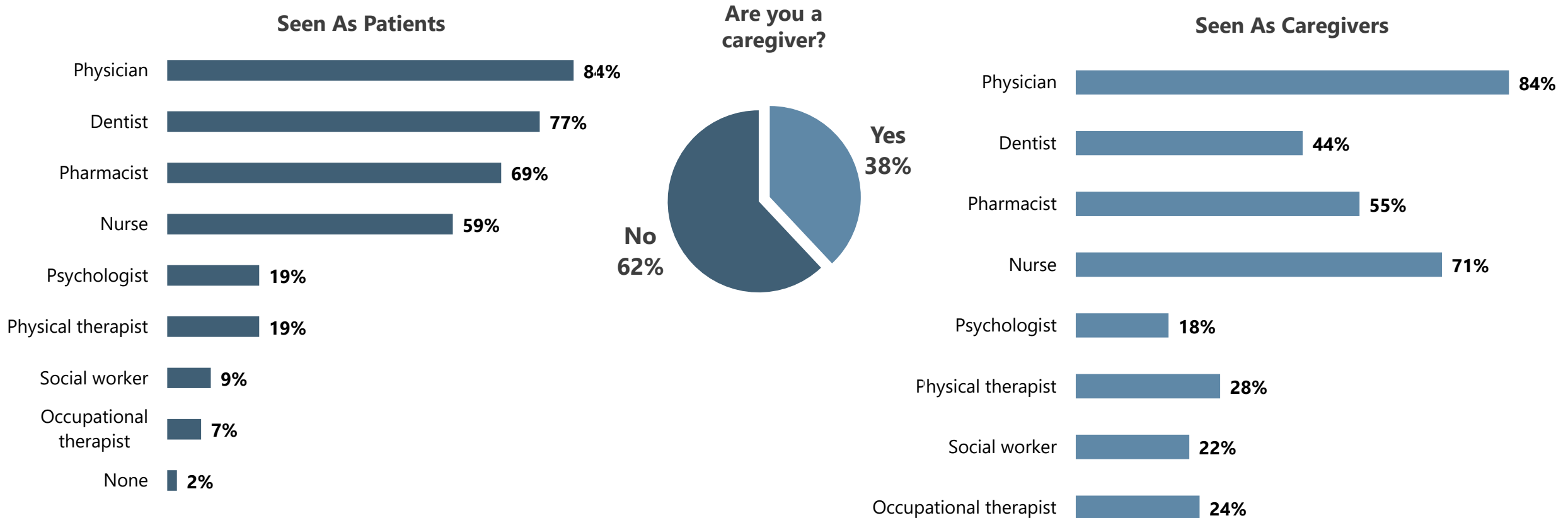


Educate the public, practitioners, and students on regulated elements of practice and how to recognize and report substandard care/misconduct by practitioners

Methodology

- ▶ Online survey consisted of 32 questions with a mix of closed and open-ended questions.
- ▶ To qualify respondents had to:
 - Be U.S. residents ages 18 or older
 - Have seen one or more of the healthcare and counseling provider types below as either a patient and/or an involved caregiver within the last two years.
 - Dentist
 - Nurse
 - Occupational therapist
 - Pharmacist
 - Psychologist
 - Physical therapist
 - Physician
 - Social worker
- ▶ 1,000 surveys completed.
 - First 750 respondents comprise a representative group of U.S. adults, of which 50 had a reportable issue (6.7%)
 - Booster sample collected an additional 250 respondents who had a reportable issue; **reportable issue data** in this report is based on the combined total of those groups (n=300).

Profile of Healthcare and Counseling Providers Seen in Past Two Years (n = 1000)

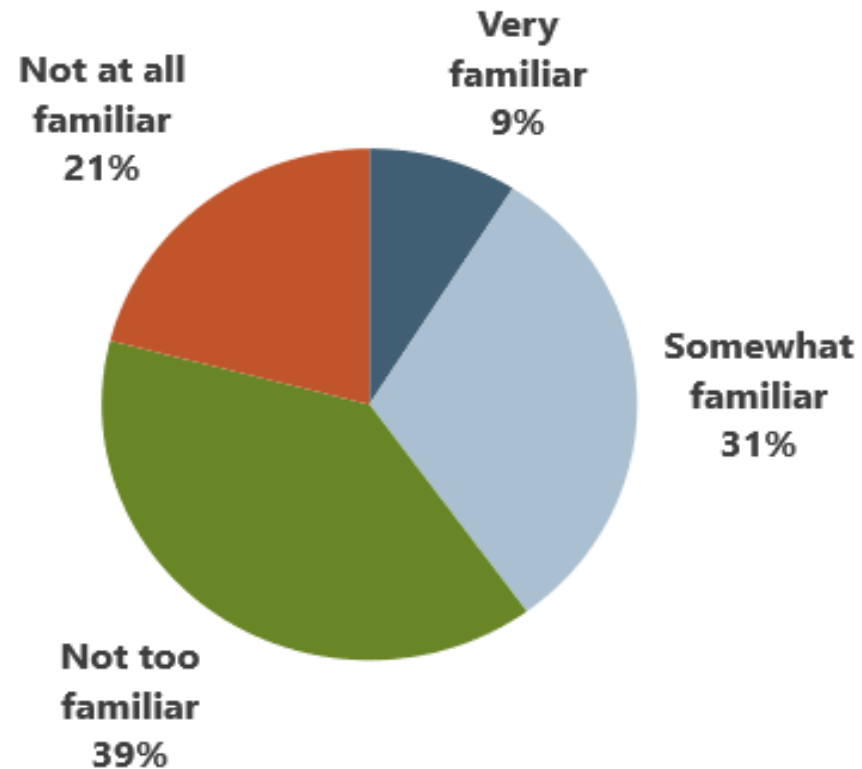


Did you, personally, see any of the following people in person, for health or counseling services, in the past two years?
 Have you been a caregiver, or have you assisted a family member or friend with health or counseling services in the past two years?
 As part of assisting or giving care for a friend or family member in the past two years, did you accompany them during a health or counselling visit with any of the following (i.e., you were in the room with the patient while they were seeing the provider)?

Base: Total Patients (n=750); Caregivers (n=282)

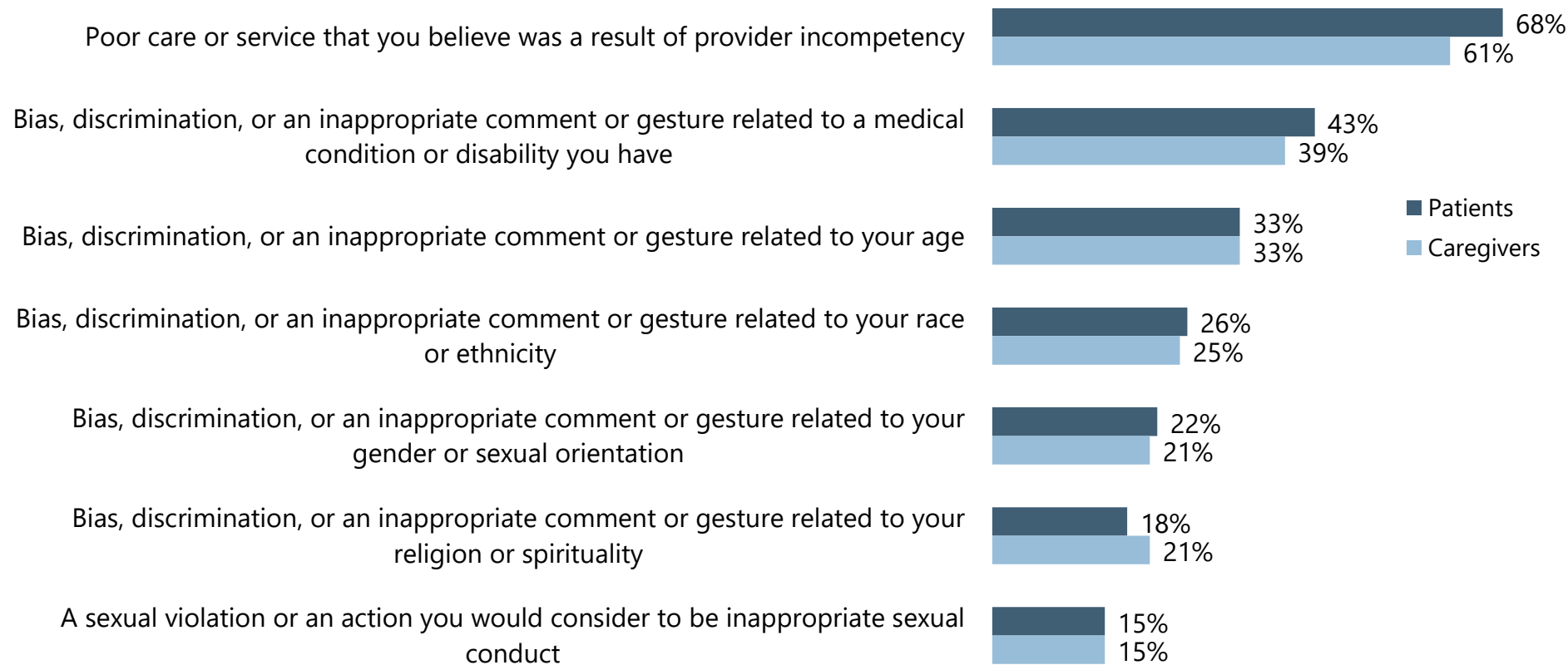
Four in ten say they are familiar with regulatory boards (n=1000)

**Familiarity With Healthcare-
Affiliated State Licensing Boards**



Patients and caregivers are most likely to indicate that they had a **reportable issue related to provider incompetency**. Issues related to medical conditions or disabilities and age are mentioned next most often. (n=472)

Reportable Issues Experienced in Past Two Years



Patients: During any of your visits with a <PROVIDER(S)> in the past two years, did you experience any of the following?

Caregivers: Thinking about the times you were assisting or giving care for a friend or family member in the past two years, during any of your visits with a <PROVIDERS> did you or your friend or family member experience any of the following?

Base: Patients (n=290); Caregivers (n=182)

Fully 96% took at least one of the four actions listed regarding their reportable issue. **A very large majority talked to others about it, while more than half to two-thirds reported the issue or stopped using the offending provider's services. (n=300)**

Younger respondents—especially younger men—were likely to have mentioned or posted on social media. Those with more education were more likely to say they stopped using the provider's service and to have posted on social media. Older men were less likely to have taken any action.

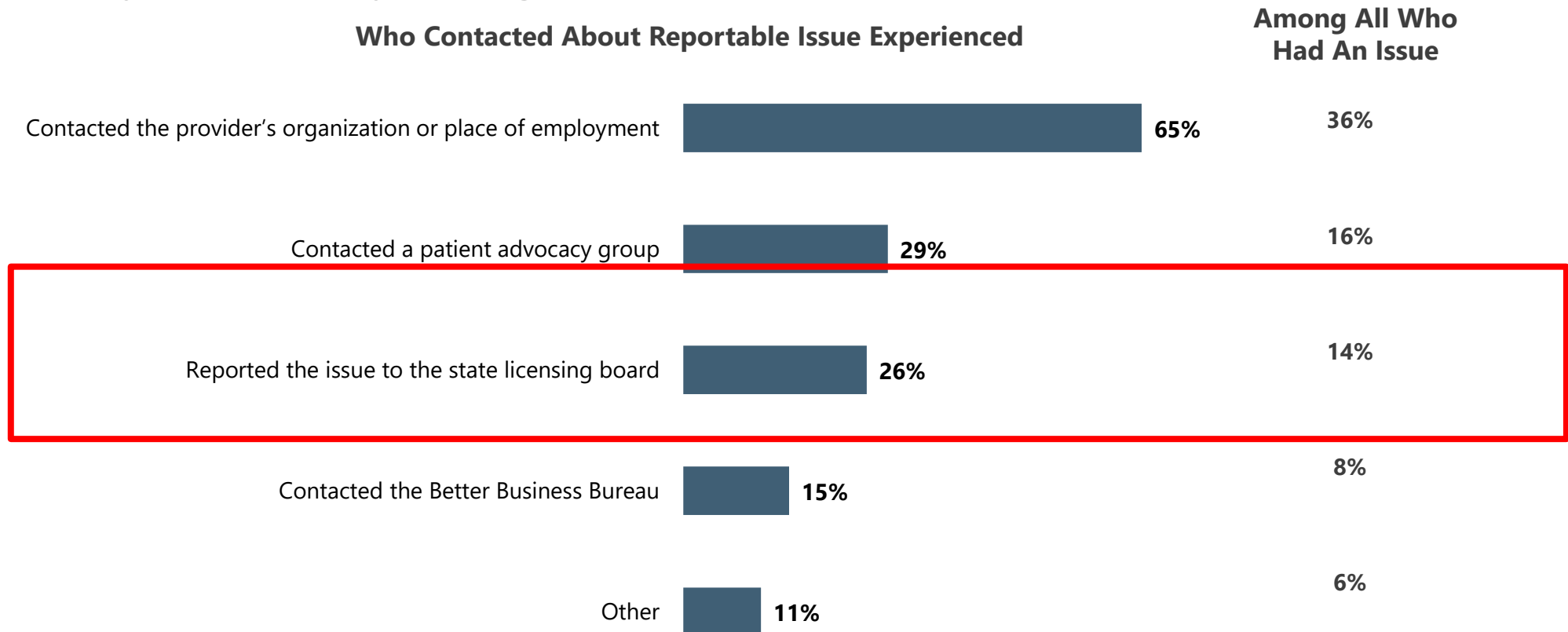
Actions Taken Regarding Reportable Issue Experienced



The largest number, by far, say they **contacted the provider’s organization or place of employment**. Just under three in ten indicate contacting a patient advocacy group or the state licensing board, which would be 14% of all those who had an issue.

Those with higher education levels were more likely to have contacted each of the options listed.

Men were more likely than women to have contacted the Better Business Bureau and men ages 35-54 were more likely to say they contacted the state licensing board than did other groups. Women were more likely to have contacted the provider’s place of employment, especially those ages 35-54.



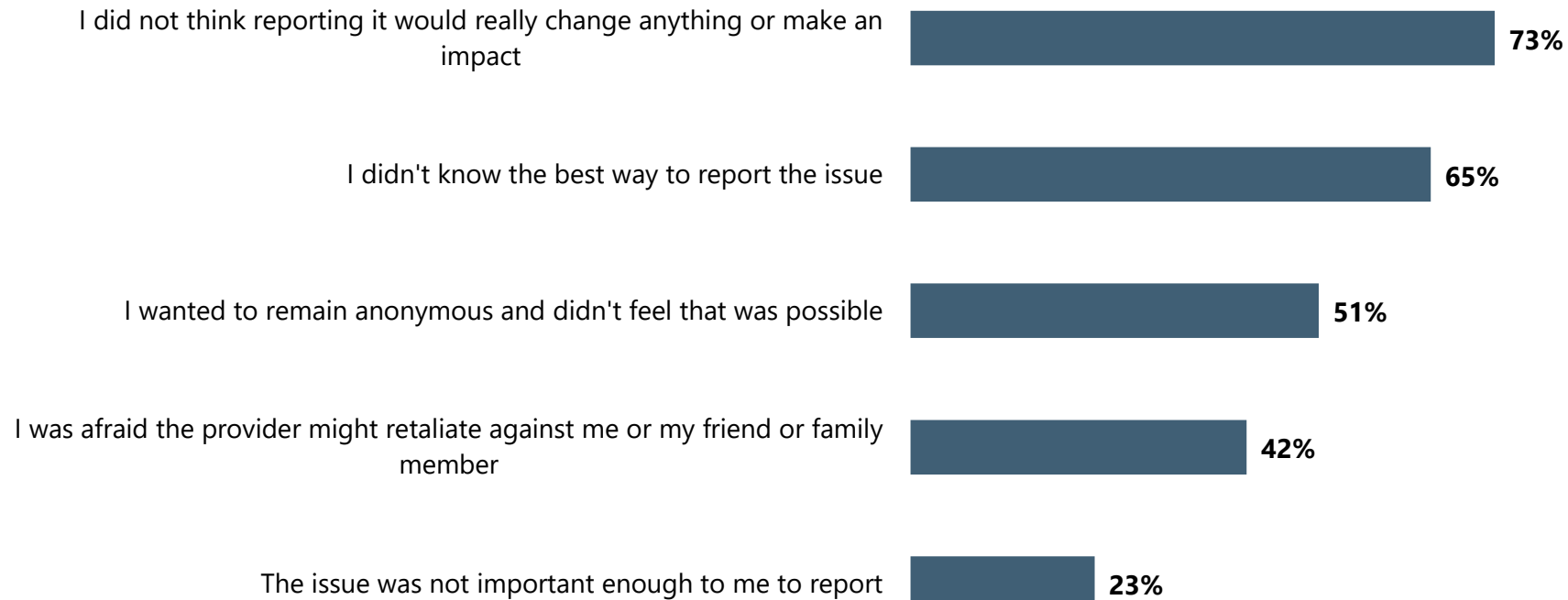
Which of the following, if any, did you contact as a result of the experiences or issues you had?

Base: Patients and Caregivers who reported an issue (n=164)

The highest percentage **didn't contact their provider's place of employment** about the issue because they **didn't think it would make an impact**. Many say they weren't sure how to report or that they wanted to remain anonymous. (n=188)

Women, especially those ages 35-54, and Whites were more likely to say they didn't think reporting would change anything and that they didn't know the best way to report the issue. Men and those with advanced degrees were more likely to say that the issue was not important enough for them to report.

Why Did Not Contact Provider's Place of Employment



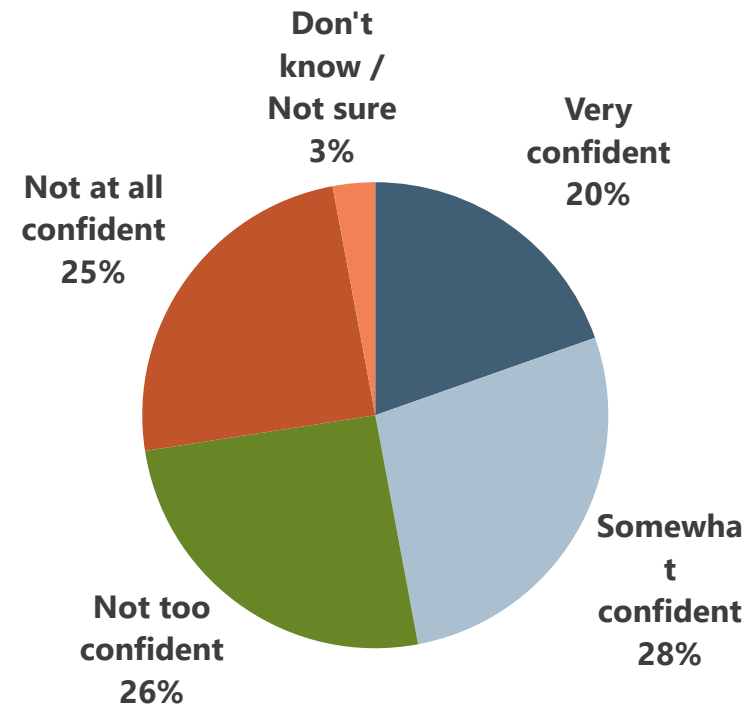
Were any of the following reasons why you did not contact the provider's place of employment regarding the issue(s) you experienced?

Base: Patients and Caregivers who did not contact the provider's place of employment (n=188)

Just under half are confident that the **provider's service or behavior will change** as a result of reporting the issue to their organization or place of employment.

Men and younger respondents are more likely to feel confident that the provider's service or behavior will change.

Confidence in Whether Provider's Service or Behavior Will Change



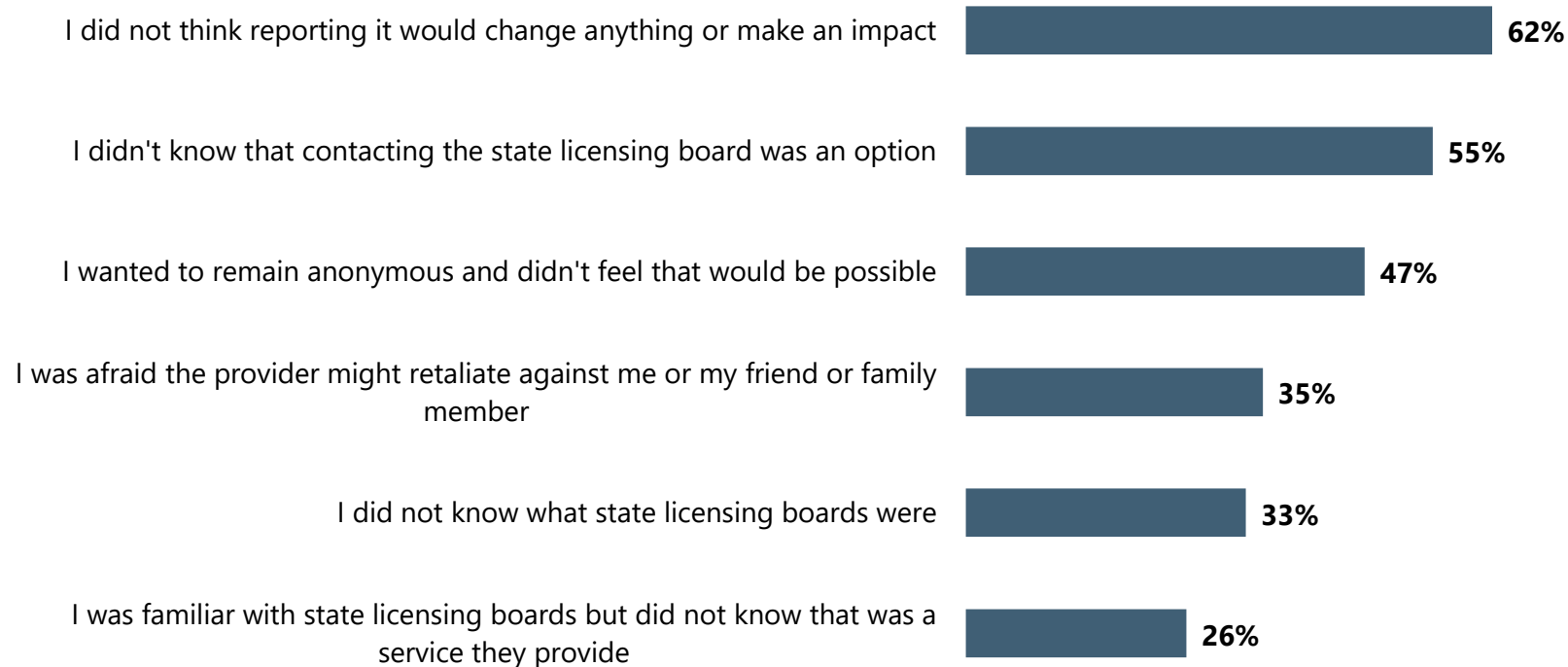
How confident are you that the provider's service or behavior will improve as a result of the issue you reported?

Base: Patients and Caregivers who contacted the provider's place of employment (n=107)

A majority didn't contact the **state licensing board** about the issue because they **didn't think it would make an impact**. Fully half didn't know that contacting the board was an option and a third say they didn't know what state licensing boards were (n=252).

Women (especially those ages 18-34) and those not having completed college are more likely to say they didn't know what state licensing boards were or that contacting them was an option, and that they wanted to remain anonymous.

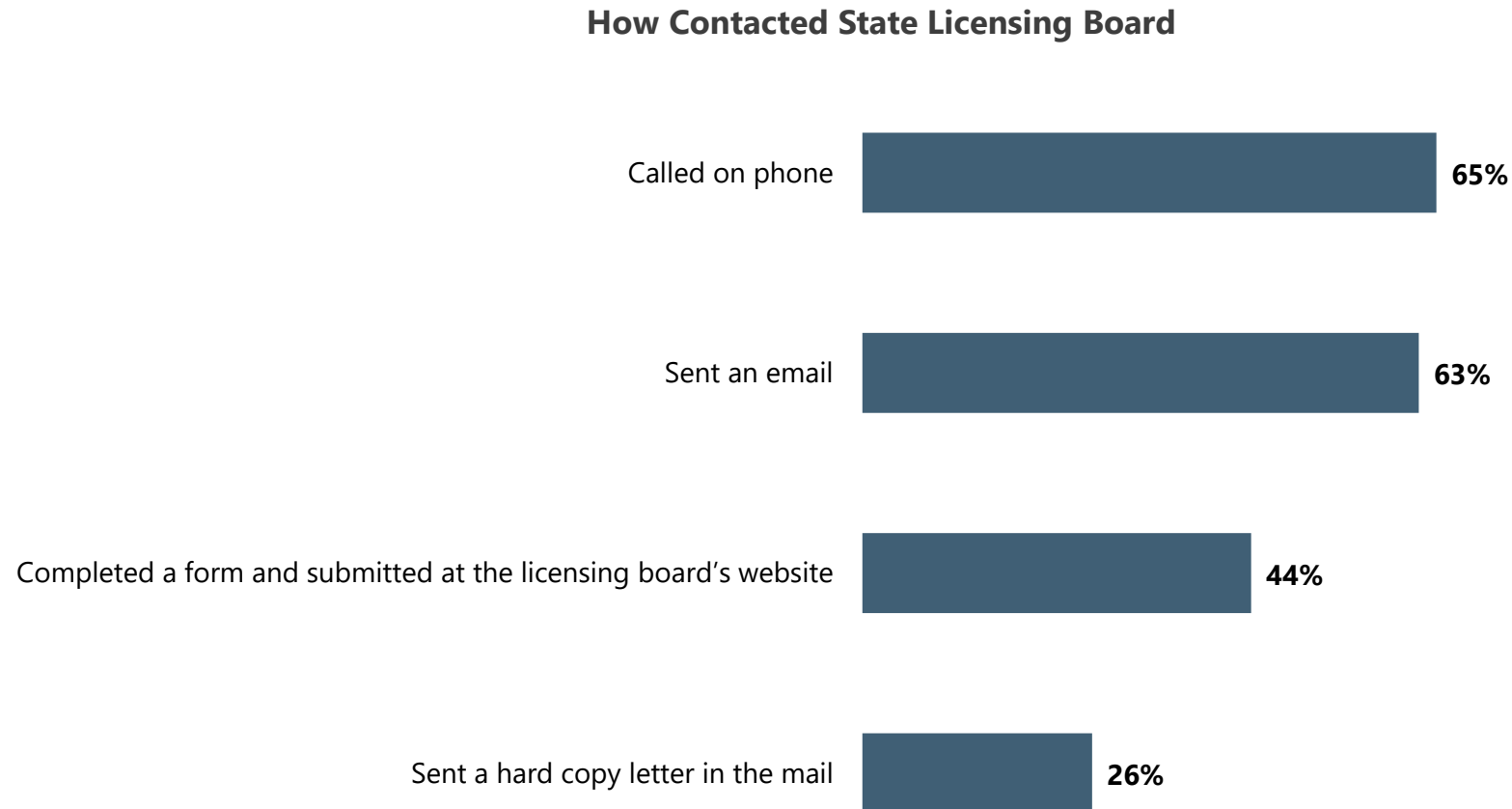
Why Did Not Contact State Licensing Board



Were any of the following reasons why you did not contact the state licensing board regarding the issue(s) you experienced?

Base: Patients and Caregivers who did not contact the state licensing board (n=252)

Those who contacted the state licensing board about their issue were most likely to have called or sent an email. Just over 40% say they used the board's website to do so.

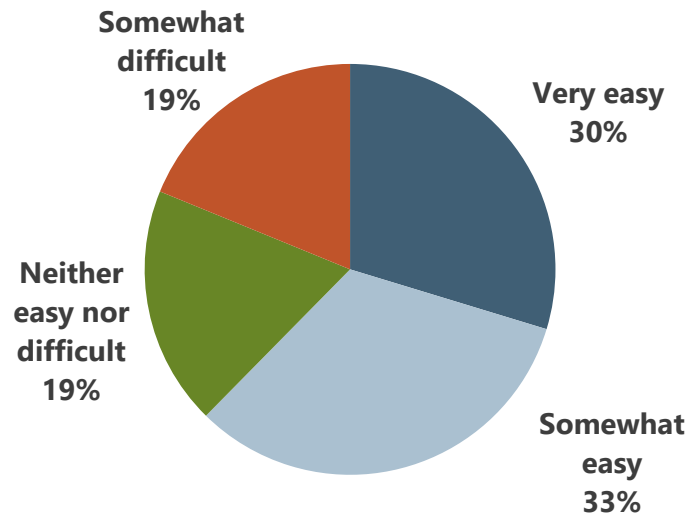


You indicated that you reported an issue to your state licensing board. By what method(s) did you do that?

Base: Patients and Caregivers who contacted the state licensing board (n=43)

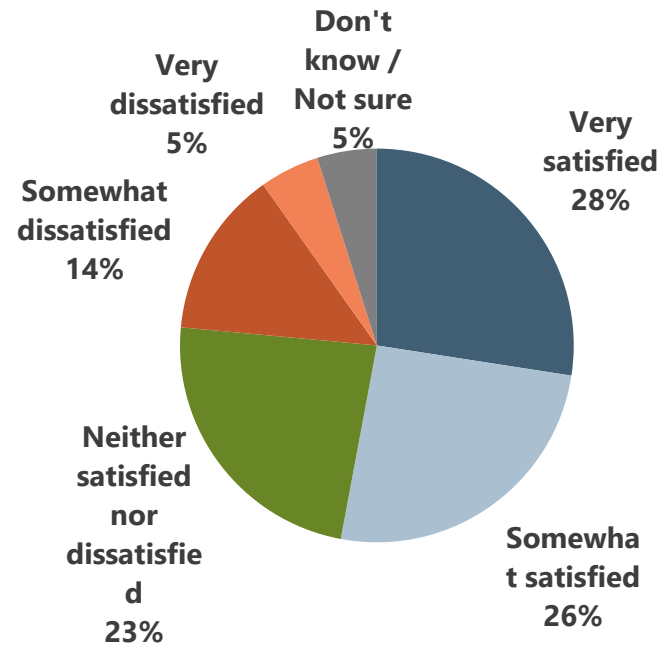
The process of **submitting the issue** to the state licensing board **was easy for about 60%** of respondents, and about **half are satisfied** with the action taken by the board. Fully **three-quarters feel confident** that the **provider will be contacted** by the state board, and his/her **service or behavior will change** as a result of reporting to the state licensing board. (n=43)

Ease of Submitting Issue to State Licensing Board



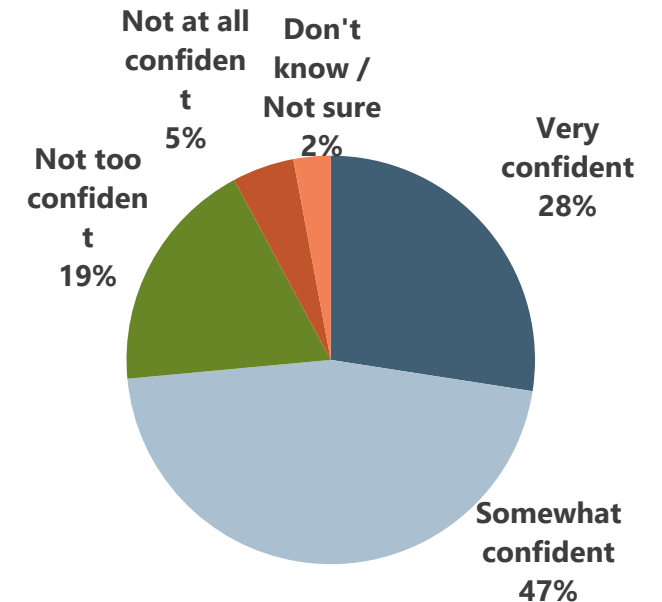
How easy or difficult did you find the process of submitting the issue to your state licensing board?

Level of Satisfaction with Action Taken by State Licensing Board



How satisfied are you with the action the state licensing board took related to the issue you reported?

Confidence that Provider Will Be Contacted and Service/Behavior Will Improve



How confident are you that the provider will be contacted and his or her service or behavior will improve as a result of the issue you reported?

A host of issues are named when asked how the submission process to state licensing boards could be improved, including better follow-up, direct contact with agents, and an easier submission process. (n=43)

Improve Follow-Up

After my initial email explaining the issue that happened, I received an email with a form for me to fill out with my claim of the issue that happened with the provider. They said I was doing a grievance form against the provider and that actions would be taken if they found that my provider was being discriminative against me for my said medical issue. After I pulled out the form and emailed it back, I received one email stating that they received it and then heard nothing back.

Better follow up about the aftermath.

Receiving some sort of notification that the issue was addressed with the specific party. That would have given me some peace of mind.

Quicker response.

Better or Direct Contact with Agents

Better access to people who could actually change the way things are done.

Direct person to person contact.

Personal contact? Not a recording.

Provide better and efficient support is most important.

They're being rude. Not helping enough. They are responsible of their duty.

Having a meeting with a representative in person would have been very helpful, including confirmation that the applicable medical provider was indeed spoken to and/or reprimanded.

Improve Outcome

Disciplinary action against the provider.

Having someone actually take action.

For people's voices to actually be heard.

I live in Florida, they don't care.

Easier Submission Process

I want more easy service.

I'm not really sure, it was very awkward.

The process of reporting it and how long it takes to get a response.

I would say just better responsiveness and better directions on how to go about the whole process.

Make this more easy.

Not having a bunch of paperwork to fill out; would have been easier for them to document in my words and send me the statement to sign.

Miscellaneous

I had patience. I gave them time to look over my report.

It could have been worse than it was.

Overall, it's just about listening to the patient, as well as the patient's beliefs.

The action could have been resolved sooner if I had spoke up sooner instead of let it be an ongoing thing for a while. The doctor's reactions could have come off not so rude and more empathic to the situation to better understand how one was feeling at the time of situation.

They have a dedicated submission module which makes it easier for me.

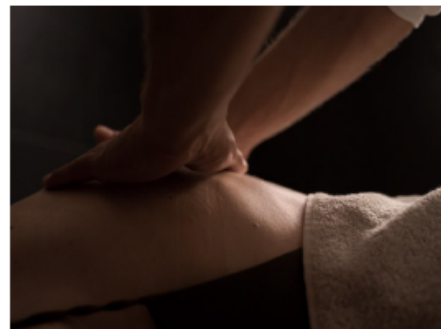


FSBPT Sexual Misconduct & Boundaries Committee -- Resources

<https://www.fsbpt.org/Free-Resources/Regulatory-Resources/Sexual-Misconduct-and-Boundary-Violations>

MORE THAN UNPROFESSIONAL? SEXUAL MISCONDUCT IN PHYSICAL THERAPY

A RESOURCE FOR PROVIDERS



WHAT IS A THERAPEUTIC RELATIONSHIP?

A therapeutic relationship between a patient/client and the provider is built on trust, respect, sensitivity, duty, and power. Aspects of a *professional* relationship include payment for services, limited duration of the relationship, a professional location for all interaction, structured conversation, and limited purpose for contact.

A provider must constantly re-evaluate his/her professional boundaries, be aware of the power imbalance between the clinician and patient/client, and repeatedly seek informed consent for procedures that involve touch.

THE PATIENT-PROVIDER RELATIONSHIP DEPENDS ON THE ABILITY OF THE PATIENT TO HAVE ABSOLUTE CONFIDENCE AND TRUST IN THE PROVIDER.

WHAT IS SEXUAL MISCONDUCT?

- Any behavior that exploits the patient-provider relationship in a sexual way
- May be verbal or physical, including thoughts or feelings of a sexual nature or that a patient/client may construe as sexual¹
- Obvious examples include sexual abuse, sexual assault, and sexual harassment
- Less obvious examples include dating, flirting, and socializing with a patient/client
- Therapists are trusted and respected by their clients — it is not

POWER DIFFERENTIAL

An inherent power balance or imbalance exists between two individuals in a relationship or within a single interaction. Healthcare providers must be aware of and not underestimate their influence on a patient/client and how their inherent power may significantly impact the meaning or intent of a comment, touch, or interaction.

INFORMED CONSENT

The process in which patients are given important information regarding the possible risks, benefits, and alternatives of their care plan, allowing the patient to elect or reject

WHAT NOT TO DO:

- Discuss intimate or personal issues with a patient/client
- Flirt with a patient/client
- Keep secrets with a patient or for a patient
- Discharge a patient/client in order to date them
- Meet a patient/client outside of the care setting
- Give out personal contact information to select patients/clients
- Communicate privately with a patient via phone or social media
- "Friending" a patient/client on social media
- Engaging in a sexual or romantic relationship with a patient/client, even if consensual

AREAS OF CONCERN:

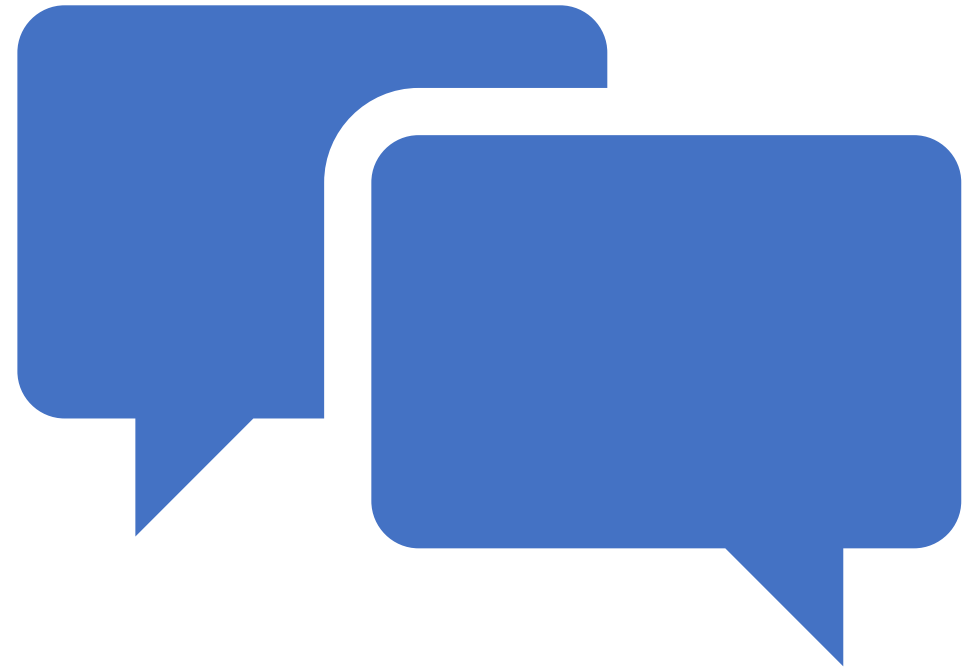
- Spending more time with a patient/client than a treatment requires
- "Following/Liking" patients/clients on social media
- Socializing or communicating with a patient/client outside of clinical hours
- Inappropriate sexual jokes and comments (either by the provider or the patient/client)

WHAT TO DO:

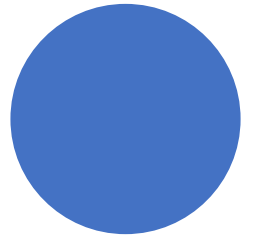
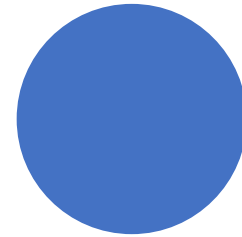
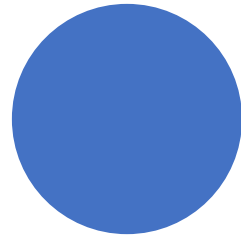
- Be sensitive to the inherent power imbalance between a patient/client and the provider
- Keep the relationship with the patient/client professional
- Review informed consent, the purpose of treatment, and receive ongoing consent
- Give the patient/client permission to ask questions at any time
- Provide contact information through clinic/business contacts, not personal contacts
- Establish workplace policies regarding the use of chaperones, patient/client contact outside of the care setting, and gift giving
- Acknowledge the professional duty to report sexual misconduct and boundary violations.
- Review state rules/statutes regarding sexual misconduct
- Be informed — understand the prevalence of sexual abuse and the impacts past sexual trauma may have on the patients/clients you treat
- Be vigilant about potential perceived boundary crossings and make corrections

E4– Discussion

**2023 FSBPT
Annual Education
Meeting: Other Highlights**



F – Other Business



II - Adjourn

Next Board Meetings:

January 2024

- Executive Session – 1/17 4:00 PM
- Public Meeting – 1/19 8:30 AM

<https://www.oregon.gov/pt/Pages/meetings.aspx>