

**Oregon Board of Physical Therapy  
Board Meeting Minutes  
March 06 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.

**Board Members Absent:** Becca Reisch, PT, PhD (excused).

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

**Legal Counsel:** Joanna Tucker Davis, AAG; Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:39 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 8:41 AM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 12:30 PM, Chair Haworth adjourned Executive Session.

**PUBLIC (OPEN) SESSION**

At 12:38 PM Chair Haworth convened Public Session. All members noted previously were present.

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

**Board Motions:**

**Case PT 679-10/19**

Motion by Member McAvoy to withdraw prior action from 12/13/2019 and issue a Stipulated Agreement and Final Order with Civil Penalty of \$500 for violations of ORS 688.140(2)(a) and OAR 848-045-0020(2)(s).

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 6-1, with member Hahn voting no.

**Case PT 682-11/19**

Motion by Member McAvoy to offer stipulated agreement and civil penalty of \$1,000, with stay of \$800 pending no violations for period of two years.

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0.

**Case PT 675-8/19**

Motion by Member McAvoy to offer stipulated agreement for permanent surrender of license with findings of violations of OR 688.140(2)(k)(A) and OAR 848.045.0020(2)(i) and (2)(n).

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0.

#### Case PT 684-12/19

Motion by Member McAvoy to offer stipulated agreement requiring completion of Oregon jurisprudence exam within 30 days, completion of Board approved course related to practice compliance within 90 days, submit to random inspections for period of 1 year, completion of all required aide training prior to aides working with patients and civil penalty of \$1,000 for violations of OR 688.135(2)(a)(n) and OAR 848.020.0040(1)(a)(b) and (2)(a)(b)(c) and OAR 848-020-0050(4).

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0.

#### Case PT 668-04/19

Motion by Member McAvoy to close case.

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0.

#### Case PT 686-01/20

Motion by Member McAvoy to issue a confidential advisory letter and close case.

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0.

#### **Public Comment**

None.

#### **Board Member/Committee/Delegate Reports**

**Introduction of New Board Members and Board Counsel:** Chair Haworth welcomed the Board's two new members: Andrea Muzikant, public member, and Hoku Okumura, PT, professional member. He also welcomed Angie Hunt, AAG, recently assigned as the Board's new legal counsel. Chair Haworth asked all members and staff to give a brief introduction.

**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:** She noted that a total of 1,015 compact privileges were issued in 2019 nationwide. Nineteen states are currently issuing and accepting Compact Privileges. The Wisconsin bill was signed 2/5/2020, making Wisconsin the 27th state to have joined the Compact. Eight additional states have introduced PT Compact legislation during the 2020 session. In other news, she noted that a recent issue where Medicare was not recognizing Compact Privileges has been resolved with the Centers for Medicare and Medicaid Services (CMS). The Federation of State Boards of Physical Therapy (FSBPT) Board of Directors agreed to absolve the Physical Therapy Compact Commission (PTCC) debt incurred through December 31, 2019. The FSBPT Board acknowledged the contribution of the Compact to the mission of public protection as a result of the enhancements to the Examination Licensure and Disciplinary Database (ELDD) through full participation of PT Compact states and the substantial growth in the number of PT compact states during the past few years. The next PT Compact Commission meeting upcoming this spring by teleconference. Members are being asked to review rules, policies, and procedures to identify any questions or concerns for discussion. Finally, she noted that Director Michelle Sigmund-Gaines has been appointed to Rules & Bylaws Committee.

#### **FSBPT Report:**

Member Benson relayed details of upcoming FSBPT events and recent committee and task force assignments. Based on membership feedback from the annual meeting, FSBPT is coordinating training on Trauma's Impact on Boundary Violation Investigations at end of March. Member Aubree Benson attending as Oregon Delegate; Sherri Paru attending as member of recently formed FSBPT Boundary Violations Task Force. The annual Regulatory Training for New Members and Staff June 19-21st will be attended by new

Members Hoku Okumura and Andrea Muzikant. The Leadership Issues Forum (LIF) is scheduled July 18-19; required attendance by Oregon Delegate and Board Administrator. The Annual Meeting is scheduled 10/22-10/24; required attendance by Oregon Delegate, Alternate Delegate, and Board Administrator. Other members or Board staff may also attend. Member Benson then listed the Oregon appointments to FSBPT Committees & Task Forces for 2020. Sherri Paru continues to serve on the Nominating Committee, and was appointed to the Boundary Violations Task Force. Michelle Sigmund-Gaines was appointed to the Ethics & Legislation Committee and to the Artificial Intelligence Task Force. Former Oregon Board Member Troy Costales was appointed to the Impaired Practitioner Task Force.

Finally, Member Benson noted that jurisdictions are being asked to identify any specific topic requests/questions for the LIF meeting. Chair Haworth opened the topic up for discussion. After discussion, the Board identified the following topics as areas of interest: burnout/continuing competence; trauma informed investigations as well as trauma informed care for professionals. Members were also directed to consider any other topics or questions, and bring those to the May meeting.

**Board Member Training Requirements for 2020:** Director Sigmund-Gaines noted that the state of Oregon has changed the timing for required completion of annual mandatory trainings, which as of 2020 must now be completed between March and September. Trainings can be completed at any time by members in this period using the iLearn website. Director Sigmund-Gaines also asked if the Board would be interested in signing up for board training through the Council on Licensure, Enforcement and Regulation (CLEAR). CLEAR provides a series of five web modules on content designed for members serving on regulatory boards. These training modules are used in several other states as part of the overall training for board members, including California. After discussion, the Board directed staff to acquire the modules and incorporate into upcoming meetings.

**Open Roundtable:** No items.

### **Presentation and Approval of the Executive Director's Report**

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report. She noted that the NPTE measure historically reported continues to be of limited relevance since the shift to the Alternate Approval Pathway (AAP) for NPTE Exam qualification, adopted by the Board last year to simplify and speed up the process for exam applicants. Under the AAP, exam takers may sit for the exam prior to applying for the exam, in which case, the question is not applicable. The question asked of exam takers is "How satisfied were you with the processing of your application for the state in which you applied for licensure?" The responses are then classified into "satisfied", which includes responses of "very satisfied" and "satisfied", and "dissatisfied", which includes "uncertain", "dissatisfied" and "very dissatisfied". Given that many exam takers don't interact with the Board prior to taking the test, they are likely to respond as "uncertain", which reports as dissatisfied. For 4<sup>th</sup> quarter, for Oregon, 74% of respondents identified "very satisfied" or "satisfied", 26% identified "uncertain" and 0% identified "dissatisfied" or "very dissatisfied". The Board directed staff to drop this measure from the report at this time, and to explore other measures for reporting that would be more relevant for measuring customer satisfaction. As part of this direction, the Board directed staff to identify the customer service measures used by other health professional licensing boards. Chair Haworth then asked for a motion to accept and approve the report as written. Member McAvoy so moved and Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

### **Board General Discussion and Action Items**

**Selection of Board 2020 FSBPT Delegates:** The Chair recognized Director Sigmund-Gaines. She noted that the Board is required to appoint the FSBPT Delegate and Alternate Delegate for the next term; FSBPT requires registration of the delegates prior to May 1 for planning purposes. Delegates must be able to attend both the LIF and Annual Meeting; alternate delegates must be able to attend the Annual Meeting. After discussion, Member Goldsmith was appointed as the Delegate, and Member Benson was appointed as the

Alternate Delegate for the period July 2020-June 2021.

**Report to Board for Rule Advisory Team for Division 35 – Continuing Competence:** The Chair recognized Clinical Advisor Paru, who had compiled the recommendations from the rule advisory team. The broad recommendations themselves had been presented to the Board at the September 2019. The recommendations had been converted into specific proposed rule language changes by staff and reviewed by the committee members. The Board walked through the draft changes, rule section by section, making minor edits or changes.

**Initiation of Public Rulemaking Process relating to OAR 848 Division 35:** Chair Haworth asked for a motion to initiate the public rulemaking process relating to OAR 848 Division 35 using the proposed rules as amended. Member McAvoy so moved. Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

**17-19 Biennium External Financial Control Audit Preliminary Results:** The Chair recognized Director Sigmund-Gaines. She noted that the external audit of the Board’s financial controls—which is required of all semi-independent agencies each biennium—is currently in process. There are no audit findings, and a few recommendations for further improvements to practice. The final audit report will be available at the next meeting.

**Affirmative Action Policy Statement Review:** The Board reviewed the existing written Affirmative Action Policy Statement, which by policy is reviewed biannually. Other than to change the name of the Board, no other changes were proposed. Chair Haworth asked for a motion to revise the Affirmative Action Policy Statement as proposed. Member McAvoy so moved. Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

**Demo of New Licensee Portal:** In the interest of time, the demo was cancelled.

**Primary Service Provider (PSP) Service Delivery Model in Early Childhood Education:** The Chair recognized Director Sigmund-Gaines. She relayed that she had received an email from the David Douglas School District asking the Board to provide a letter to District staff regarding the use of the Primary Service Provider (PSP) Service Delivery Model in Early Childhood Education, which is being employed in the district. The email had included a copy of a letter pertaining to Medicaid billing, as well as links to further information about the PSP model in general. After discussion, the Board determined that they do not have jurisdiction over Medicaid nor over the use of business/service delivery models, other than to note that irrespective of the application of the business/service delivery model being employed, any physical therapist or physical therapist assistant working within that model must follow all applicable statutes and rules.

**Ratification of PT/PTA Licenses & Temporary Permits:**

Staff presented the list of new licenses and temporary permits issued December 7, 2019 through February 26<sup>th</sup>, 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 McAvoy so moved. Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

**Approval of Board Meeting Minutes:**

The draft minutes from the December 13, 2019 Regular Board Meeting were presented to the Board for approval. Chair Haworth asked for a motion to approve the minutes as written. Member McAvoy so moved. Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

**Other Business:** Chair Haworth recognized Joanna Tucker-Davis for her service to the Board as Board Counsel. Chair Haworth then asked if there was any other business. Clinical Advisor Paru noted that a few licensees

have reported being contacted by individuals impersonating board and FBI staff by phone, using a spoofed number so as to appear as to originate from the Board office. The Board has posted a SCAM ALERT on the website.

Chair Haworth asked if there were any remaining business. Hearing none, meeting adjourned.

**Meeting Adjourned 3pm.**

**Oregon Board of Physical Therapy  
Emergency Board Meeting  
March 20, 2020  
MINUTES**

**Board Members Present:** Phil Haworth, PT, Chair; Alan McAvoy, PT, Vice Chair; Aubree Benson, PT; Erica Goldsmith, PTA; Sandra Hahn; Hoku Okumura, PT.

**Board Members Absent:** Becca Reisch, PT, PhD (excused); Andrea Muzikant (excused).

**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 7:02 AM for the purpose of roll call.

**Members of the Public Present:** Brenda Jacob, PTA; Susan Bamberger, PT, OPTA.

**Public Comment**

None.

**Consideration of Temporary Rulemaking Related to Extension of Renewal Period**

Chair Haworth recognized Director Sigmund-Gaines and asked her to introduce the item. Ms. Sigmund-Gaines presented the draft temporary rule as written. The rule would extend the current renewal period to May 31, 2020 in light of the impacts of the COVID-19 pandemic on licensees. The rule would extend the expiration date of any active license not yet renewed by 3/31/2020 to 5/31/2020, and would allow for the completion of continuing competency for the 2018-2020 renewal period to be completed within the same extended period. The newly issued licenses would have the original effective period of 4/1/2020 through 3/31/2022 once renewed. The rules would not impact any other timeframes or licensure requirements, and the rule would expire as of 6/30/2020.

**VOTE:** Member McAvoy moved to adopt the rule as written effective immediately. Member Hahn seconded the motion. The motion passed unanimously 6-0.

**Consideration of Delegation of Authority Change Related to Temporary Rulemaking**

The Chair recognized Director Sigmund-Gaines. Ms. Sigmund-Gaines presented a written document of the board delegation of authority letter with a proposed change to the authority delegated to the executive director by the board that would allow the executive director to initiate temporary rulemaking related directly to the COVID-19 pandemic only, should any additional rules be required. This would allow a rule to be implemented without having to convene a board meeting, if there was an urgent need where delaying to schedule a meeting would be detrimental.

**VOTE:** Member McAvoy moved to amend the delegation of authority letter as written effective immediately. Member Hahn seconded the motion. The motion passed unanimously 6-0.

**Other Business**

None.

Chair Haworth adjourned the meeting at 7:26 AM.

**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 26<sup>th</sup>, 2020 through April 23<sup>rd</sup>, 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.**

**Oregon Board of Physical Therapy  
Board Meeting Minutes  
July 16 and 17, 2020**

**Thursday, July 16<sup>th</sup>, 2020: Executive Session**

**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; Rick Sullivan, Licensing Coordinator; Gayla Goodwin, Licensing Coordinator.

**Legal Counsel:** Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:31 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 8:33 AM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 11:39 AM, Chair Haworth adjourned Executive Session.

**Friday, July 17<sup>th</sup>, 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; Rick Sullivan, Licensing Coordinator.

**Legal Counsel:** Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:31 AM.

**Members of the Public Present:** Diana Godwin (OPTIP); Erin Kettler, PT; APTA-Oregon; Ruggie Canizares, PT.

**Board Motions:**

**Case PT 685-01/20**

Motion by Member McAvoy to close case, no action.

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0. Member Haworth recused.

**Case PT 688-04/20**

Motion by Member McAvoy to issue Confidential Advisory Letter and close case.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 8-0.

**Case PT 689-05/20**

Motion by Member McAvoy to issue Confidential Advisory Letter and close case.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 8-0.

**Case PT 696-06/20**

Motion by Member McAvoy to issue license and Confidential Advisory Letter and close case.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 8-0.

**Case PT 690-05/20**

Motion by Member McAvoy to issue license and close case.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 8-0.

**Case PT 693-06/20**

Motion by Member McAvoy to initiate disciplinary action and delegate authority to Executive Director to settle case.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 8-0.

**Case PT 691-06/20**

Motion by Member McAvoy to issue Confidential Advisory Letter and close case.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 7-1, with Member Benson voting nay.

**Case PT 692-06/20**

Motion by Member McAvoy to issue Confidential Advisory Letter and close case.  
Motion seconded by Member Hahn.  
Motion passed by a vote of 7-1, with Member Benson voting nay.

**Case PT 695-06/20**

Motion by Member McAvoy to issue Confidential Advisory Letter and close case.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 8-0.

**Public Comment**

None.

**Approval of Board Meeting Minutes:**

The draft minutes from the May 01, 2020 Regular Board Meeting were presented to the Board for approval. Chair Haworth asked for a motion to approve the minutes as written. Member McAvoy so moved. Member Hahn seconded the motion. The motion passed unanimously by a vote of 8-0.

**Ratification of PT/PTA Licenses & Temporary Permits:**

Staff presented the list of new licenses and temporary permits issued April 24<sup>th</sup>, 2020 through July 9<sup>th</sup>, 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 McAvoy so moved. Member Hahn seconded the motion. The motion passed unanimously by a vote of 8-0.

### **OAR 848-040-0175 Standards for Screening Services**

The Chair recognized Ruggie Canizares, PT, who presented a request to the Board to consider clarifying rulemaking related to the subject OAR, and screening services for existing patients. After discussion, the Chair directed staff to perform additional research and develop possible draft rules to bring to a future board meeting.

### **Board Member/Committee/Delegate Reports**

**PT Compact Commission Report:** Member Benson, as the PT Compact Commission Delegate, presented a written report. Highlights included that no additional states have begun issuing privileges since the last report. The Commission held webinars for member states discussing best practices, procedural questions, and to seek input on impacts from the current pandemic.

**FSBPT Report:** Member Goldsmith, as the FSBPT Delegate, provided a written report. Highlights included dates for upcoming FSBPT events, which will all be held virtually through the end of the year. FSBPT will also be reducing membership dues by 50% in 2021 and 2022. Member Benson then asked if any members had motions from Oregon to be submitted for the annual delegate assembly; no such motions were identified.

**Open Roundtable:** No other topics discussed.

### **Presentation and Approval of the Executive Director's Report**

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report. Chair Haworth then asked for a motion to accept and approve the report as written. Member McAvoy so moved and Member Benson seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Fiscal Year 2019-2020 Year End Financial Report**

The Chair recognized Director Sigmund-Gaines who presented the annual fiscal year-end report as written for July 1, 2019 through June 30, 2020 for Board review and discussion. The report is also posted to the Board's website.

### **Board General Discussion and Action Items**

**September 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. The Executive Session was scheduled for Sept 17<sup>th</sup>, at 4pm and the Public Session to remain at the currently scheduled day and time of September 18<sup>th</sup> at 8:30am.

**Coronavirus Pandemic Status:** Chair Haworth recognized Director Sigmund-Gaines. She presented the most recent information published by the Oregon Health Authority and other related information recently cross-posted or linked through from the Board's website relating to the current pandemic. Director Sigmund-Gaines noted that we may see additional impacts to applicants and licensees that may require temporary rulemaking, relating to application expiration dates, delays in graduation dates, difficulty setting for test-taking, or fingerprinting. Staff will continue to monitor impacts and may either enact temporary rulemaking as delegated or bring to future meetings for Board discussion and action.

**Temporary Permits:** The Board reviewed the current rules, statutory authority and historic utilization rates for the various temporary permit types issued by the Board. After discussion, Chair Haworth directed staff to form a Rules Advisory Committee on the topic to convene and bring back recommendations to the Board.

**OAR 848-045-0010(1)(b) Appendix A and B:** The Board reviewed the current rules. After discussion, Chair Haworth directed staff to prepare possible alternatives for consideration to a future meeting that addressed factors of number of patients seen, volume, and additional periods of time.

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

**Meeting Adjourned 10:56 AM.**

**Oregon Board of Physical Therapy  
Board Meeting Minutes  
September 17 and 18, 2020**

**Thursday, September 17<sup>th</sup>, 2020: Executive Session**

**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.

**Legal Counsel:** Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 4:02 PM 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 4:05 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 6:20 PM, Chair Haworth adjourned Executive Session.

**Friday, September 18<sup>th</sup>, 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 Coordinator.

**Legal Counsel:** Angie Hunt, AAG (joined the meeting at approximately 8:50 AM)

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:31 AM.

**Members of the Public Present:** Michael Rennick, PT (APTA-Oregon); Diana Godwin (OPTIP) (joined at approximately 9:04 AM).

**Board Motions:**

**Case PT 694-06/20**

Motion by Member Benson to close case, no action.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

**Case PT 701-07/20**

Motion by Member Benson to close case, no action.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Case PT 702-07/20**

Motion by Member Benson to close case, no action.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Case PT 700-07/20**

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

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Case PT 703-08/20**

Motion by Member Benson to approve application and close case.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Approval of Board Meeting Minutes:**

The draft minutes from the July 16<sup>th</sup> and July 17<sup>th</sup> Regular Board Meetings were presented to the Board for approval with a minor correction to the Public Meeting end time on the 17<sup>th</sup>. Chair Haworth asked for a motion to approve the minutes as amended. Member Benson so moved. Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Ratification of PT/PTA Licenses & Temporary Permits:**

Staff presented the list of new licenses and temporary permits issued July 10<sup>th</sup>, 2020 through September 11<sup>th</sup>, 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 Benson so moved. Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Public Comment**

Chair Haworth asked if any members of the public wished to make public comment at this time. Michael Rennick, PT, noted that he was now serving as the APTA-OR liaison to the Board and that he was looking forward to attending future meetings and facilitating the flow of information between the organizations.

### **Board Member/Committee/Delegate Reports**

**PT Compact Commission Report:** Member Benson, as the PT Compact Commission Delegate, presented a verbal report. She noted that no additional states have begun issuing privileges since the last report. There has been the ongoing committee work relating to the Rules and Bylaws Committee and the IT System Task Force, which both made recommendations to the Executive Board at their recent meeting. The Committee recommendations for rule changes were approved by the PT Compact Commission Executive Board, and notice of revisions to the Compact Commission Rules was sent to states to post on their websites, per the statutory requirements; that information has been posted to the Board's website.

**FSBPT Report:** Member Goldsmith, as the FSBPT Delegate, provided a written report. Highlights included dates for upcoming FSBPT events including educational webinars and the delegate assembly, which will all be held virtually through the end of the year. She also noted that FSBPT is seeking candidates for various committees. She commented that the webinars she has attended to date were valuable. Director Sigmund-Gaines displayed the web pages on the FSBPT site where individuals could get more information regarding upcoming webinars and other events, as well as the information for volunteering for committee work.

Clinical Advisor/Investigator Sherri Paru also noted that Director Sigmund-Gaines had been selected by the FSBPT to receive an Outstanding Service Award for 2020; the award will be presented at the 2021 FSBPT

Annual Meeting.

**Board Member--Upcoming Training:** Director Sigmund-Gaines noted that the statewide mandatory training for all staff and board members is due, and that staff would send links to the training to each member so that they may complete that training. She also asked the Board for clarification on the CLEAR Board Member Training modules that the Board previously identified they wished to complete. She noted that CLEAR has two versions; independent self-study and a group webinar format. Chair Haworth asked for input on which version the Board would like to use. After discussion, the Board directed staff to arrange for the group webinar format, and to schedule the modules adjacent to upcoming meetings.

**Open Roundtable:** No other topics discussed.

### **Presentation and Approval of the Executive Director's Report**

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report for September 2020. Chair Haworth then asked for a motion to accept and approve the report as written. Member Benson so moved and Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Board General Discussion and Action Items**

**November Strategic Planning Meeting and December Board Meeting Date & Format:** After discussion, the Board directed staff to change the dates, times and formats of the remaining meetings for 2020 as follows:

Strategic Planning Session – November 9<sup>th</sup>, 3:00-7:00 PM via web conference.

Regular Board Meeting – December 10<sup>th</sup>, 4:00 PM (Executive Session) and December 11<sup>th</sup>, 8:30 AM (Public Session), both by web conference.

**Temporary Rulemaking**—Chair Haworth recognized Director Sigmund-Gaines. She presented a copy of the temporary rule filed pursuant to the authority delegated to her by the Board for temporary rules related to the current pandemic. The filed rule made modifications to OAR 848-010-0015 and 848-010-0020 to extend the expiration date of applications, as well as allow for a waiver of the 90-day rule relating to the maximum amount of time an applicant can sit for the NPTE prior to graduation. Several applicants were being impacted by pandemic-related delays in their clinical placements, or in the ability to sit for various exams in a timely manner. The temporary rule will expire in 180 days and is posted on the board's website.

**Temporary Rulemaking**—Chair Haworth recognized Director Sigmund-Gaines. She noted that an additional pandemic-related impact had been identified, relating to OAR Division 35. Based on the Board's rules, continuing competence (CC) events that had been scheduled for in-person but were subsequently moved to an online format may not qualify for CC hours without an examination. Given the duration of the social distancing and travel restrictions in place due to the pandemic, most of the large conferences relating to clinical practice are being impacted. Chair Haworth asked for input on the situation, and whether the Board should pass a temporary rule to allow a waiver of the exam requirement. After discussion, Chair Haworth asked for a motion. Member Benson moved to direct staff to issue a temporary rule to allow a waiver, if an exam was not already an aspect of the previously scheduled in-person event moved to an online delivery format as a result of the pandemic. Member Reisch so moved. The motion passed unanimously 8-0.

**Review of Delegated Authority Letter**--Chair Haworth recognized Director Sigmund-Gaines who presented written modifications to the Delegation of Authority Letter. The proposed modifications would allow for flexibility in processing disciplinary actions after a board vote, reducing the number of times a



case would need to return to the Board, while maintaining Board oversight and approval of all actions. The modification also added clarification that the Delegation of Authority Letter was to be reviewed by the Board at least once each year. Chair Haworth then asked for a motion to approve the modified Delegation of Authority Letter as written. Member Benson so moved and Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

**Other Business:** Chair Haworth asked if there was any other remaining business. Director Sigmund-Gaines noted that this evening marked the start of Rosh Hashanah, the Jewish New Year. She noted that while not everyone celebrated this holiday, she wanted to wish those that do a Shana Tova for the year 5781.

**Meeting Adjourned 9:59 AM.**

**Oregon Board of Physical Therapy  
Strategic Planning Meeting Minutes  
November 09, 2020**

**Monday, November 09<sup>th</sup>, 2020: Public Session**

**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 Coordinator.

**Legal Counsel:** Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 3:04 PM for the purpose of roll call.

**Members of the Public Present:** Michael Rennick, PT (APTA-Oregon); Diana Godwin (OPTIP); Nancy Kirsch, PT, PhD (FSBPT); Richard Woolf, PT (FSBPT); Jeremy Hilliard, PT (APTA-Oregon); Talina Corvus, PT (APTA-Oregon); JR Baker (NICB),

**Discussion Items:**

The Board reviewed the strategic objectives identified initially during the 2018 strategic planning meeting, as well as background information on the Board's approach to strategic planning. Director Sigmund-Gaines provided an update on progress toward those outcomes to date.

The Board discussed the application of a framework of "Trauma-Informed Regulation", which would consider the impacts of trauma on all stakeholders, and evaluate the appropriate regulatory response in the form of regulations, policies and procedures. To inform the discussion, the Board received presentations from Nancy Kirsch and Richard Woolf of the FSBPT related to the topic. After discussion, the Board decided to add the framework to the list of strategic objectives, pending further articulation of the scope of this objective.

The Board then received a briefing on recent activity in Oregon state government related to diversity, equity, inclusion, cultural competency and racial justice. The Board discussed the application of a framework of "Culturally Competent Regulation" in evaluating and prioritizing existing strategic objectives in this topic area, as well as to identify any additional objectives as the Board continues their planning process. After discussion, the Board added this framework as a tool to their planning process.

Finally, the Board identified that they would hold a debriefing of the planning session at the December meeting of the Board, as well as further discuss the strategic objectives.

**Meeting Adjourned 6:29 PM.**

**Oregon Board of Physical Therapy  
Board Meeting Minutes  
September 17 and 18, 2020**

**Thursday, September 17<sup>th</sup>, 2020: Executive Session**

**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.

**Legal Counsel:** Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 4:02 PM 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 4:05 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 6:20 PM, Chair Haworth adjourned Executive Session.

**Friday, September 18<sup>th</sup>, 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 Coordinator.

**Legal Counsel:** Angie Hunt, AAG (joined the meeting at approximately 8:50 AM)

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:31 AM.

**Members of the Public Present:** Michael Rennick, PT (APTA-Oregon); Diana Godwin (OPTIP) (joined at approximately 9:04 AM).

**Board Motions:**

**Case PT 694-06/20**

Motion by Member Benson to close case, no action.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

**Case PT 701-07/20**

Motion by Member Benson to close case, no action.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Case PT 702-07/20**

Motion by Member Benson to close case, no action.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Case PT 700-07/20**

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

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Case PT 703-08/20**

Motion by Member Benson to approve application and close case.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

### **Approval of Board Meeting Minutes:**

The draft minutes from the July 16<sup>th</sup> and July 17<sup>th</sup> Regular Board Meetings were presented to the Board for approval with a minor correction to the Public Meeting end time on the 17<sup>th</sup>. Chair Haworth asked for a motion to approve the minutes as amended. Member Benson so moved. Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Ratification of PT/PTA Licenses & Temporary Permits:**

Staff presented the list of new licenses and temporary permits issued July 10<sup>th</sup>, 2020 through September 11<sup>th</sup>, 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 Benson so moved. Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Public Comment**

Chair Haworth asked if any members of the public wished to make public comment at this time. Michael Rennick, PT, noted that he was now serving as the APTA-OR liaison to the Board and that he was looking forward to attending future meetings and facilitating the flow of information between the organizations.

### **Board Member/Committee/Delegate Reports**

**PT Compact Commission Report:** Member Benson, as the PT Compact Commission Delegate, presented a verbal report. She noted that no additional states have begun issuing privileges since the last report. There has been the ongoing committee work relating to the Rules and Bylaws Committee and the IT System Task Force, which both made recommendations to the Executive Board at their recent meeting. The Committee recommendations for rule changes were approved by the PT Compact Commission Executive Board, and notice of revisions to the Compact Commission Rules was sent to states to post on their websites, per the statutory requirements; that information has been posted to the Board's website.

**FSBPT Report:** Member Goldsmith, as the FSBPT Delegate, provided a written report. Highlights included dates for upcoming FSBPT events including educational webinars and the delegate assembly, which will all be held virtually through the end of the year. She also noted that FSBPT is seeking candidates for various committees. She commented that the webinars she has attended to date were valuable. Director Sigmund-Gaines displayed the web pages on the FSBPT site where individuals could get more information regarding upcoming webinars and other events, as well as the information for volunteering for committee work.

Clinical Advisor/Investigator Sherri Paru also noted that Director Sigmund-Gaines had been selected by the FSBPT to receive an Outstanding Service Award for 2020; the award will be presented at the 2021 FSBPT

Annual Meeting.

**Board Member--Upcoming Training:** Director Sigmund-Gaines noted that the statewide mandatory training for all staff and board members is due, and that staff would send links to the training to each member so that they may complete that training. She also asked the Board for clarification on the CLEAR Board Member Training modules that the Board previously identified they wished to complete. She noted that CLEAR has two versions; independent self-study and a group webinar format. Chair Haworth asked for input on which version the Board would like to use. After discussion, the Board directed staff to arrange for the group webinar format, and to schedule the modules adjacent to upcoming meetings.

**Open Roundtable:** No other topics discussed.

### **Presentation and Approval of the Executive Director's Report**

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report for September 2020. Chair Haworth then asked for a motion to accept and approve the report as written. Member Benson so moved and Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Board General Discussion and Action Items**

**November Strategic Planning Meeting and December Board Meeting Date & Format:** After discussion, the Board directed staff to change the dates, times and formats of the remaining meetings for 2020 as follows:

Strategic Planning Session – November 9<sup>th</sup>, 3:00-7:00 PM via web conference.

Regular Board Meeting – December 10<sup>th</sup>, 4:00 PM (Executive Session) and December 11<sup>th</sup>, 8:30 AM (Public Session), both by web conference.

**Temporary Rulemaking**—Chair Haworth recognized Director Sigmund-Gaines. She presented a copy of the temporary rule filed pursuant to the authority delegated to her by the Board for temporary rules related to the current pandemic. The filed rule made modifications to OAR 848-010-0015 and 848-010-0020 to extend the expiration date of applications, as well as allow for a waiver of the 90-day rule relating to the maximum amount of time an applicant can sit for the NPTE prior to graduation. Several applicants were being impacted by pandemic-related delays in their clinical placements, or in the ability to sit for various exams in a timely manner. The temporary rule will expire in 180 days and is posted on the board's website.

**Temporary Rulemaking**—Chair Haworth recognized Director Sigmund-Gaines. She noted that an additional pandemic-related impact had been identified, relating to OAR Division 35. Based on the Board's rules, continuing competence (CC) events that had been scheduled for in-person but were subsequently moved to an online format may not qualify for CC hours without an examination. Given the duration of the social distancing and travel restrictions in place due to the pandemic, most of the large conferences relating to clinical practice are being impacted. Chair Haworth asked for input on the situation, and whether the Board should pass a temporary rule to allow a waiver of the exam requirement. After discussion, Chair Haworth asked for a motion. Member Benson moved to direct staff to issue a temporary rule to allow a waiver, if an exam was not already an aspect of the previously scheduled in-person event moved to an online delivery format as a result of the pandemic. Member Reisch so moved. The motion passed unanimously 8-0.

**Review of Delegated Authority Letter**--Chair Haworth recognized Director Sigmund-Gaines who presented written modifications to the Delegation of Authority Letter. The proposed modifications would allow for flexibility in processing disciplinary actions after a board vote, reducing the number of times a

case would need to return to the Board, while maintaining Board oversight and approval of all actions. The modification also added clarification that the Delegation of Authority Letter was to be reviewed by the Board at least once each year. Chair Haworth then asked for a motion to approve the modified Delegation of Authority Letter as written. Member Benson so moved and Member Reisch seconded the motion. The motion passed unanimously by a vote of 8-0.

**Other Business:** Chair Haworth asked if there was any other remaining business. Director Sigmund-Gaines noted that this evening marked the start of Rosh Hashanah, the Jewish New Year. She noted that while not everyone celebrated this holiday, she wanted to wish those that do a Shana Tova for the year 5781.

**Meeting Adjourned 9:59 AM.**

**Oregon Board of Physical Therapy  
Strategic Planning Meeting Minutes  
November 09, 2020**

**Monday, November 09<sup>th</sup>, 2020: Public Session**

**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 Coordinator.

**Legal Counsel:** Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 3:04 PM for the purpose of roll call.

**Members of the Public Present:** Michael Rennick, PT (APTA-Oregon); Diana Godwin (OPTIP); Nancy Kirsch, PT, PhD (FSBPT); Richard Woolf, PT (FSBPT); Jeremy Hilliard, PT (APTA-Oregon); Talina Corvus, PT (APTA-Oregon); JR Baker (NICB),

**Discussion Items:**

The Board reviewed the strategic objectives identified initially during the 2018 strategic planning meeting, as well as background information on the Board's approach to strategic planning. Director Sigmund-Gaines provided an update on progress toward those outcomes to date.

The Board discussed the application of a framework of "Trauma-Informed Regulation", which would consider the impacts of trauma on all stakeholders, and evaluate the appropriate regulatory response in the form of regulations, policies and procedures. To inform the discussion, the Board received presentations from Nancy Kirsch and Richard Woolf of the FSBPT related to the topic. After discussion, the Board decided to add the framework to the list of strategic objectives, pending further articulation of the scope of this objective.

The Board then received a briefing on recent activity in Oregon state government related to diversity, equity, inclusion, cultural competency and racial justice. The Board discussed the application of a framework of "Culturally Competent Regulation" in evaluating and prioritizing existing strategic objectives in this topic area, as well as to identify any additional objectives as the Board continues their planning process. After discussion, the Board added this framework as a tool to their planning process.

Finally, the Board identified that they would hold a debriefing of the planning session at the December meeting of the Board, as well as further discuss the strategic objectives.

**Meeting Adjourned 6:29 PM.**

**Oregon Board of Physical Therapy  
Board Meeting Minutes  
December 10 and 11, 2020**

**Thursday, December 10<sup>th</sup>, 2020: Executive Session**

**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 Coordinator.

**Legal Counsel:** Angie Hunt, AAG.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 4:03 PM for the purpose of roll call. No members of the public were present at this time. Member Hahn joined the meeting at 4:07 PM.

**EXECUTIVE (CLOSED) SESSION**

After roll call, the meeting was convened into Executive Session at 4:05 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 7:20 PM, Chair Haworth adjourned Executive Session.

**Friday, December 11<sup>th</sup>, 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 Coordinator.

**Legal Counsel:** Angie Hunt, AAG (joined the meeting at approximately 8:50 AM)

**PUBLIC (OPEN) SESSION**

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

**Members of the Public Present:** Michael Rennick, PT (APTA-Oregon); Diana Godwin (OPTIP).

**Board Motions:**

**Case PT 704-09/20**

Motion by Member Reisch to issue Confidential Advisory Letter and close case.  
Motion seconded by Member Okumura.  
Motion passed unanimously by a vote of 7-1, with Member Hahn voting no.

**Case PT 706-10/20**

Motion by Member Reisch to issue Confidential Advisory Letter and close case.  
Motion seconded by Member Okumura.  
Motion passed unanimously by a vote of 8-0.



### **Case PT 707-10/20**

Motion by Member Reisch to close case, no action.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

### **Case PT 708-10/20**

Motion by Member Reisch for finding of sufficient evidence of a violation of ORS 688.140(2)(d) and OAR 848-20-0040.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

### **Case PT 709-11/20**

Motion by Member Reisch to approve application and issue confidential advisory letter.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

### **Approval of Board Meeting Minutes:**

The draft minutes from the September 17<sup>th</sup> and September 18<sup>th</sup> Regular Board Meetings and for the November 9<sup>th</sup>, 2020 Strategic Planning 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 Okumura seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Ratification of PT/PTA Licenses & Temporary Permits:**

Staff presented the list of new licenses and temporary permits issued September 12<sup>th</sup>, 2020 through December 8<sup>th</sup>, 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 Okumura seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Public Comment**

None.

### **Presentation and Approval of the Executive Director's Report**

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report for December 2020. Chair Haworth then asked for a motion to accept and approve the report as written.

Member Reisch so moved and Member Okumura seconded the motion. The motion passed unanimously by a vote of 8-0.

### **Board General Discussion and Action Items**

**2021 Board Meeting Calendar**—The Board reviewed the proposed calendar for 2021. At this time, all meetings are planned as virtual meetings, which may change later in the year. Chair Haworth then asked for a motion to adopt the 2021 Board meeting calendar as proposed. Member Reisch so moved and Member Okumura seconded the motion. The motion passed unanimously by a vote of 8-0.

**Strategic Planning Debrief and Follow Up**—Chair Haworth recognized Director Sigmund-Gaines who presented a summary of the work during the November 9<sup>th</sup> Strategic Planning Session, as a foundation to continue the Board discussion. The Chair then asked for additional reflection from the Members about the meeting and the process. Member McAvoy expressed his appreciation of the quality of the content and discussion. The Board discussed generally the importance of focusing on prevention—programs and strategies for preventing violations and patient harm before they happen. The Board identified interest in further exploring education and outreach efforts across the strategic topics identified, and noted the importance of exploring opportunities for partnership. The Board directed staff to compile the discussions

into a document that would be used to inform next steps.

**Board Best Practice Assessment**—The Board employed the FSBPT Board Assessment Resource Tool to perform a board self-assessment. The Board reviewed the first two sections of the assessment, which include Board Performance and Education & Outreach. In performing the assessment, the Board noted that while the identified areas are generally satisfactory, they would like to see further outreach, and opportunities to incorporate more input from the public, from licensees and from the associations throughout the process. They would also like to see strategic planning be incorporated into each meeting, and that the information about the planning process be published beyond meeting minutes and documents—as a way to invite more input and discussion between annual strategic planning meetings. The Board would like to expand regular outreach to all licensees, and explore ways to best increase engagement via multiple channels. The Board also discussed the need to engage licensees in private practice who may not currently be members of APTA or OPTIP. The Board would also like to explore ways to survey complainants, to understand how individuals become aware of the Board and the complaint process, as well as their experience of the process. It was noted that this increased focus on education and outreach is key to supporting prevention, and that the Board should consider increased staffing, if necessary, to support these strategic outcomes. Finally, the Board discussed the fact that the newest members did not have the opportunity this year to attend the FSBPT regulatory training, and directed staff to determine if FSBPT would be providing a virtual version for new members in the near future.

**Culturally Responsive Regulatory Framework**—Jackie Yerby, from the Governor’s Office, joined the meeting to discuss Culturally Responsive Regulation and the most recent work of the Oregon Racial Justice Council. Convened in September, the Council is chartered to advise the Governor on centering equity and racial justice in state government. Ms. Yerby provided an overview of the work to date, and noted the linkage to the work the Board is doing in its strategic planning. Ms. Yerby then led the Board in a discussion on the topic relevant to the health care workforce, and the importance of diversity, representation and cultural responsiveness.

**Temporary Rulemaking OAR 848-045-0030**—The Board discussed a proposed temporary rule to clarify licensee obligations pertaining to a declared health emergency and enforcement of Executive Orders. The temporary rule provides immediate clarification, while the Board initiates a regular permanent administrative rulemaking process to address this and other temporary rules passed during the current pandemic. The temporary rule will be effective immediately upon passage. After discussion, Member Reisch moved to adopt the rule and Member Okumura seconded the motion. The motion passed unanimously by a vote of 7-0, with Member McAvoy absent. Notice of the temporary rulemaking will be posted on the board website and notice sent to interested parties.

**Delegation of Specific Rulemaking Authority**—Member Reisch introduced a motion to delegate authority to the Executive Director to initiate the formal administrative rulemaking process relating to temporary rules passed related to the current pandemic and declared public health emergencies. Member Okumura seconded the motion. The motion passed unanimously by a vote of 7-0, with Member McAvoy absent.

**Board Stipends Policy**—The Board reviewed the current policy related to payment of board stipends, last reviewed in 2009. At that time, the current rate was established via input by a rules advisory team, and “performance of official duties” was defined as participation in Board meetings. Director Sigmund-Gaines made recommendation that the definition of the performance of official duties be broadened to reflect the additional work performed by members in reviewing materials, attending mandatory trainings, and attending other meetings or performing assignments as an official representative of the Board—all workload that has greatly increased since 2009. This practice is in line with the practices of other health professional boards. After discussion, Chair Haworth asked for a motion to adopt the modified policy. Member Reisch so moved and Member Okumura seconded the motion. The motion passed unanimously by a vote of 7-0, with Member McAvoy absent.

## **Board Member/Committee/Delegate Reports**

**PT Compact Commission Report:** Member Benson, as the PT Compact Commission Delegate, presented a verbal report. She and the other delegates met at the Compact Commission annual meeting at the end of October, adopting new rules, electing new members to the executive board and to committees. She also noted that Pennsylvania has passed compact legislation and is working toward actively issuing privileges. In discussion, Clinical Advisor/Investigator Sherri Paru noted that the Compact Commission has produced several helpful videos on their website that walk through several questions that applicants or members of the public may have.

**FSBPT Report:** Member Goldsmith, as the FSBPT Delegate, provided a brief verbal report, noting that the FSBPT is seeking applicants for elected positions, and interested parties should apply by January 31<sup>st</sup>. In the interest of time, Member Goldsmith asked staff to send out any additional information, or bring to the next meeting.

**Other Business**—Chair Haworth asked if there was any other remaining business. Chair Haworth recognized Michael Rennick. Michael requested that staff forward the slides from the presentation to support his follow up on Trauma-Informed Regulation. Chair Haworth then recognized all Members, Staff and members of the public for their participation and support of public service, as well as wish everyone Happy Holidays.

**Meeting Adjourned 11:44 AM.**