

**Oregon Board of Physical Therapy
Board Meeting Minutes
February 04 and 05, 2021**

Thursday, February 4th, 2021: Executive Session

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

Board Members Absent: Erica Goldsmith, PTA.

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.

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 6:49 PM, Chair Haworth adjourned Executive Session.

Friday, February 5th, 2021

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

Board Members Absent: Erica Goldsmith, PTA.

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 8:39 AM.

Members of the Public Present: Michael Rennick, PT (APTA-Oregon); Diana Godwin (OPTIP); Brian Wilson; Ruggie Canizares, PT;

Board Motions:

Case PT 704A-09/20

Motion by Member McAvoy to close case, no action.
Motion seconded by Member Hahn.
Motion passed unanimously by a vote of 7-0.

Case PT 710-11/20

Motion by Member McAvoy to issue Confidential Advisory Letter and close case.
Motion seconded by Member Hahn.
Motion passed unanimously by a vote of 7-0.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Case PT 711-12/20

Motion by Member McAvoy to initiate disciplinary action and delegate authority to the Executive Director to settle case.

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0.

Case PT 714-10/20

Motion by Member McAvoy to issue license and close case.

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 7-0.

Approval of Board Meeting Minutes:

Chair Haworth asked for a motion to approve the minutes from the December 10th and December 11th, 2020 Board Meetings as written. Member McAvoy so moved. Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

Ratification of PT/PTA Licenses & Temporary Permits:

Staff presented the list of new licenses and temporary permits issued December 9th, 2020 through January 31st, 2021. 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.

Public Comment

None.

Board Member/Committee/Delegate Reports

PT Compact Commission Report: Member Benson, as the PT Compact Commission Delegate, presented a verbal report noting that there had not been any substantive updates since the last Board meeting.

FSBPT Report: Director Sigmund-Gaines provided a brief verbal report, noting the schedule of upcoming FSBPT events for 2021 will be virtual this year, and noting the dates of Leadership Issues Forum (July 17-18) and the Delegate Assembly (October 22-23). After being recognized by the Chair, Ruggie Canizares, PT, noted that the FSBPT Board of Directors had recently met, with a focus on topics of Budget, Diversity and working to make virtual content throughout the year more interactive than was possible in 2020.

Presentation and Approval of the Executive Director's Report

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report for February 2021. Staff noted that missing from the report was mention of outreach on practitioner vaccination and SERV-OR opportunities. Chair Haworth then asked for a motion to accept and approve the report as amended. Member McAvoy so moved and Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

Board General Discussion and Action Items

Strategic Planning Debrief and Follow Up—Chair Haworth recognized Director Sigmund-Gaines who presented a summary document of the work to date, as well as areas of focus going forward. This document will form the basis of the work going forward, and will be expanded into a more detailed and ongoing report. Director Sigmund-Gaines further shared a memo released by the Oregon Health Authority on February 3rd, 2021 and the 2020 Report of the Diversity of Oregon's Licensed Health Care Workforce.

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The Board reviewed and briefly discussed the content of these two documents, and noted that they would be used as reference for ongoing work on addressing the diversity of the PT/PTA workforce. Director Sigmund-Gaines noted that the report did not include data from the most recent PT/PTA renewal period, due to the timing of the state-wide reporting. The Board directed staff to bring this information to the Board once available.

Educational Pipeline Discussion—The Board had invited the testimony of representatives from Oregon’s PT and PTA programs to discuss their programs, as well as their institution’s current efforts addressing the diversity of the educational pipeline to practice. Guest speakers present: Kimberly Malin, PT, MS, DHSc, Pacific University; Chad Lairamore, PT, PhD, FNAP, GCS, NCS, WesternU Oregon; Kristin Kjensrud, PT, MSPT, OCS, Mt Hood Community College; Christina Howard, PT, MPT, Ed.D, Lane Community College; Paul Shew, PT, DPT, George Fox University; Lisa Flexner, PT, DPT, FAAOMPT, OSU-Cascades.

Each institution took turns presenting, with an opportunity to address questions from Board members or other speakers. All participants expressed interest in continued discussions relating to the Board’s strategic initiative to address the educational pipeline to licensure in partnership with Oregon’s PT/PTA programs, and a follow-up workgroup will be scheduled to discuss next steps. The workgroup will report out recommendations to the Board at the April meeting. Chad Lairamore, PT, PhD, FNAP, WesternU Oregon, did not have the opportunity to present before needing to leave the meeting, and will return to the April meeting of the Board to present.

Board Best Practice Assessment—The Board completed a self-assessment using the FSBPT Board Assessment Resource Tool, focused on the categories of licensure and complaint resolution. Using the Tool as a guide, the Board noted that generally, all categories are being met. Even so, the Board discussed ways that additional improvements could be made in these areas.

During the discussion, the Board would like to see more explicit focus on describing how a risk-based approach is being applied to continuing competence requirements. For example, that the current expansion of the Board’s CC program to allow courses that support licensees in understanding and mitigating burnout was informed by recent research on the potential for public harm as a result of practitioner burnout. The Board also noted they would like to see more outreach to licensees on types of violations and trends in general framed, to help avoid similar violations from occurring. The Board would also like to see disciplinary actions be searchable not just by licensee, as is available now, but also by month. This functionality is planned for the Board’s website later this calendar year. Staff noted that they would like to improve the detail about the complaint resolution process that is currently published on the website to make more accessible to all audiences, and will look to make these changes to the website this calendar year as well.

Staff will compile the discussions on the assessment from this and the prior meeting, and will bring to an upcoming meeting for review and to discuss link to strategic planning efforts.

Preliminary 21-23 Budget—Director Sigmund-Gaines presented materials related to the development of the agency budget for the 2021-2023 biennium. Director Sigmund-Gaines noted several trends that will impact the budget development; specifically noted: 1) The Legislative Fiscal Office (LFO) and Department of Administrative Services (DAS) issued a memo with projections for state government as a whole, projecting inflationary factors of 10% increase for personal services and a 4.3% increase for services and supplies; 2) Income historically has run between flat line to 4% in licensing revenue and expenses have run between roughly 7-10%; 3) For 21-23, income is anticipated to be at a 4% increase and expenses to be in the range of 3-5% over 19-21 budget; 4) As noted initially when developing the 19-21 budget, staff anticipates needing to address fee increases sometime before the end of 2023, looking first and imposing fees that are currently in rule but not accessed to licensees, such as the cost of background checks, the OHA workforce data survey, and credit card processing fees. The proposed budget for 21-23 will be presented at

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

the April Board meeting, and then will be submitted for public comment as part of the administrative rulemaking process for adopting the biennium budget.

Review of Public Input and Adoption of Amendment to OAR 848-055-0001—The Board discussed a proposed rule amendment to adopt the October 2020 PT Compact Commission Rules. Director Sigmund-Gaines, as Hearings Officer, noted no public comment was received. Member McAvoy moved to adopt the rule amendment and Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

Initiation of Rulemaking to Amend OAR 848-040-0175—The Board discussed a proposed rule amendment based on stakeholder input to clarify the screening of current patients. Member McAvoy moved to initiate the administrative rulemaking process and Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

Initiation of Rulemaking to Amend OAR 848-020-0020(2)—The Board discussed a proposed rule amendment based on stakeholder input to clarify requirements for reporting violations as well as the standard used for professional ethics. Member McAvoy moved to initiate the administrative rulemaking process and Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

Initiation of Rule Advisory Team Relating to OAR 848-010-0026—The Board discussed a proposed rule amendment relating to temporary permits by exam or by endorsement. Staff noted that a temp permit by endorsement is no longer necessary, and may also not be supported by statute. Staff further noted that there are aspects of the temp permit by exam that could be improved/clarified, and that there wasn't extensive utilization of that permit type in general. After discussion, Member McAvoy moved to direct staff to initiate the rule advisory process to seek input from licensees who had both held a temp permit or served as a supervisor of a permit holder, to comment on the program and potential changes to the rule. Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

Initiation of Permanent Rulemaking Process to Adopt OAR 848-005-0015—The Board discussed adopting a permanent rule relating to board member compensation, which is currently a temporary rule. Member McAvoy moved to initiate the administrative rulemaking process and Member Hahn seconded the motion. The motion passed unanimously by a vote of 7-0.

2021 Legislative Session—Director Sigmund-Gaines presented an update on bills introduced during the current legislative session that may have an impact on the agency. An update will be provided at the April meeting.

Other Business

None.

Meeting Adjourned 12:33 PM.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Oregon Board of Physical Therapy

Board Meeting Minutes

April 22 and 23, 2021

Thursday, April 22, 2021: 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 4:03 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 7:06 PM, Chair Haworth adjourned Executive Session.

Friday, April 23, 2021

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 8:33 AM.

Members of the Public Present: Grant Engrav, Engrav Law Office; Ruggie Canizares, PT; Chad Lairamore, PT, PhD, FNAP, GS, NCS, Western U; Christina Gomez, PT, DPT, OCS, SCS, FAAOMPT, Western U; Kristin Kjensrud, PT, MHCC; Diana Godwin (OPTIP); Tristen Proett, PT, Southwest Physical Therapy; Derik Hite, PTA, Southwest Physical Therapy; Robert Long, PT, DPT, Med; Daniel Kang, PT, DPT; Dan Jenkins, DPT; Jeff Houck, PT, PhD, George Fox University.

Board Motions:

Case PT 697-11/19

Motion by Member McAvoy to close case, no action.

Motion seconded by Member Benson.

Motion passed unanimously by a vote of 8-0.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Case PT 698-06/20

Motion by Member McAvoy to close case, no action.
Motion seconded by Member Benson.
Motion passed unanimously by a vote of 8-0.

Case PT 712-01/21

Motion by Member McAvoy to close case, no action.
Motion seconded by Member Benson.
Motion passed unanimously by a vote of 8-0.

Case PT 713-01/21

Motion by Member McAvoy to issue confidential advisory letter and close case.
Motion seconded by Member Benson.
Motion passed by a vote of 7-1, with Member Hahn voting No.

Case PT 715-03/21

Motion by Member McAvoy to issue confidential advisory letter and close case.
Motion seconded by Member Benson.
Motion passed by a vote of 7-1, with Member Hahn voting No.

Approval of Board Meeting Minutes:

Chair Haworth asked for a motion to approve the minutes from the February 4th and February 5th 2021 Board Meetings as written. Member McAvoy so moved. Member Benson 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 January 29, 2021 through April 16, 2021. 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 Benson seconded the motion. The motion passed unanimously by a vote of 8-0.

Board Member/Committee/Delegate Reports

PT Compact Commission Report: Member Benson, as the PT Compact Commission Delegate, presented a verbal report. It was noted that Georgia had joined the PT Compact since the last Board meeting. No other new business to report.

FSBPT Report: Member Goldsmith provided a verbal report, noting that the FSBPT has continued deferral of the implementation of the published required standards of sitting for the NPTE for Non-CAPTE accredited applicants. It was suggested that the Board revisit the Board OAR on same topic. Member Goldsmith also noted the schedule of upcoming FSBPT events for 2021 will be virtual this year and noting the dates of Leadership Issues Forum (July 17-18) and the Delegate Assembly (October 22-23).

Presentation and Approval of the Executive Director's Report

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report for April 2021. Chair Haworth asked for a motion to accept and approve the report. Member McAvoy so moved and Member Benson seconded the motion. The motion passed unanimously by a vote of 8-0.

Board General Discussion and Action Items

Memo to Board Regarding Corporate Practice of Medicine---Grant Engrav with Engrav Law Office addressed the Board summarizing his written memo on the Corporate Practice of Medicine, requesting the Board implement regulation of professional corporations pursuant to ORS 58, specifically to require total or majority ownership of such entities by a licensed physical therapist.

Related Public Comment

Ruggie Canizares, PT. Mr. Canizares noted that he believed the corporate practice of medicine as defined in ORS 58 did not apply to physical therapy, based on the definition in that statute, and that the PT scope of practice did not in of itself apply to facilities.

Board General Discussion and Action Items (cont.)

Western University DPT Program---Chad Lairamore, PT, PhD, FNAP, GS, NCS and Christina Gomez, PT, DPT, OCS, SCS, FAAOMPT presented Western University's student recruitment and holistic admissions approach to reach a more diverse population and answered questions from the Board.

Educational Pipeline Workgroup Report---Director Sigmund-Gaines presented the educational pipeline workgroup report. It was explained that the educational pipeline group is a product of the Board's strategic planning goals in an effort to increase diversity of the workforce. The group's progress and proposed next steps were discussed. Staff member Sherri Paru noted that Kevin Troy will be the APTA-OR representative for the group. The Board expressed their support of moving forward with proposed plans.

Administrative Rulemaking---Director Sigmund-Gaines presented the public comment received related to the open administrative rulemaking process for changes to three OARS. They noted there was one written comment from OPTIP supporting two of the items and neutral on the third proposed rule. Member McAvoy moved to adopt the proposed rules 848-045-0020, 848-040-0175, and 848-005-0015 as written and Member Benson seconded the motion. The motion passed unanimously by a vote of 8-0.

Election of Officers and Delegates---The slate of officers and delegates was presented, and no additional candidates expressed interest. Member McAvoy moved to elect the slate of officers and delegates as listed. Member Benson seconded the motion. The motion passed unanimously by a vote of 8-0. For the term of July 2021-June 2022 the officers and delegates are as follows: Member Haworth, PT, Chair; Member McAvoy, PT, Vice Chair, Member Goldsmith, PTA, FSBPT Delegate, Member Benson, PT, Alternate Delegate and PT Compact Commission Delegate.

Request Regarding Athletic Events and OAR 848-040-0125---Diana Godwin, OPTIP, Tristan Proett, PT, and Derek Hite, PTA of Southwest Physical Therapy addressed the Board to discuss OAR 848-040-0125. Ms. Godwin discussed the need for a trained individual to help on the sidelines of school athletic events, particularly in rural areas. She presented proposed rule language for the Board to consider as a starting point to address the issue. Mr. Proett asked the Board to consider modifications to OAR 848-040-0125 to allow PTAs to function in this role.

Proposed 21-23 Budget--- Director Sigmund-Gaines presented the proposed 2021-2023 biennium budget, the underlying trends in revenue and expenses, and discussed the anticipated need to increase fees. The Board will schedule a special Board meeting to discuss options for possible fee increases. Member McAvoy moved to initiate the administrative rulemaking process to adopt the 21-23 budget, and to schedule a special Board meeting to discuss possible fee increases. Member Benson seconded the motion. The motion passed unanimously 8-0.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

COVID Related Rules Review---Director Sigmund-Gaines reviewed the temporary rules put in place to address COVID related issues and explained that most have since expired. Director Sigmund-Gaines recommended that the Board initiate a new temporary rule to address continuing impacts to the availability of continuing educational coursework, and to also initiate permanent rulemaking to amend rule 848-035-0030. Member McAvoy moved to amend OAR 848-035-0030 as temporary rule effective immediately and to also initiate the permanent administrative rule making process for the same. Member Benson seconded the motion. The motion passed unanimously by a vote of 8-0.

2021 Legislative Session Update--- Director Sigmund-Gaines presented an update on bills introduced during the current legislative session that may have an impact on the agency. Any additional updates will be presented at the July meeting.

Temp Permits OAR Advisory Team Report---Staff gave an overview of the Advisory Team April 19, 2021 meeting. Team members agreed that the temporary permit for examination applicants is of value. It was also agreed that there is not a need to keep the temporary permit option for endorsement applicants. Staff was directed to continue with the potential rule change draft to OAR-848-010-0026 and to consult with IT personnel to explore ways to streamline the administrative process.

Embedded PT---- Robert Long, PT, DPT, Med; Daniel Kang, PT, DPT; Dan Jenkins, DPT; Jeff Houck, PT, PhD, George Fox University presented their primary care pilot project in collaboration with George Fox University. The Board requested a future update on the progress of the pilot, and for notice should the pilot identify areas where current requirements may present a barrier to achieving improved patient outcomes under the model.

Other Business

None.

Meeting Adjourned 12:29 PM.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Oregon Board of Physical Therapy

Special Board Meeting Minutes

May 21st, 2021

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

Board Members Absent: Aubree Benson, PT.

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 8:33 AM.

Public Comment

None.

Board General Discussion and Action Items

Discussion of Possible Fee Changes—The Board reviewed revenue and expense forecasts and four fee scenarios projected through 2025. The Board last raised fees in 2004, and reduced renewal fees by 15% in 2016. After discussion, Member McAvoy made a motion to begin charging additional costs currently allowed in OAR, as well as to initiate the public administrative rulemaking process to raise initial application and renewal fees, eliminate duplicate license fee, and to add pass-through of actual costs of performing background verification on renewal. The motion was seconded by Member Muzikant. The motion passed 7-0.

Other Business

Director Sigmund-Gaines noted that she will be participating on a panel presentation on telehealth for FSBPT on May 27th. The webinar will be recorded and available after the scheduled date.

Meeting Adjourned 10:07 AM.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Oregon Board of Physical Therapy

Special Board Meeting Minutes

June 21st, 2021

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

Board Members Absent: Aubree Benson, PT.

Staff: Michelle Sigmund-Gaines, Executive Director; Sherri Paru, PT, Clinical Advisor/Investigator.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 9:03 AM.

Public Comment

None.

Board General Discussion and Action Items

Review of Public Input and Adoption of Proposed Rule Amendment—The Board reviewed public input relating to the proposed 2021-2023 Biennium budget and related amendment to OAR 848-005-0010. Director Sigmund-Gaines noted that there were no attendees to the public hearing, and the only written comments received were neutral. Notice of the proposed rulemaking was sent to all licensees and interested parties pursuant to OAR. Member Muzikant made a motion to adopt the amendment to OAR 848-005-0010 as written, effective July 1st, 2021. Member Reisch seconded the motion. The motion passed 7-0.

Other Business

Due to a scheduling conflict, the Board changed the date of the July Executive Session from July 15th to July 14th, at 4:00 PM. The July Public Session Board Meeting remains unchanged, July 16th, at 8:30 AM.

Member Muzikant inquired if there was a projection on when the Board may return to in-person meetings. Director Sigmund-Gaines noted that the State is currently developing the re-opening plan and timing, and more detail should be available at the July meeting.

Clinical Advisor Paru noted that Director Sigmund-Gaines was selected as the FSBPT 2021 President's Award recipient for 2021. Director Sigmund-Gaines previously received an FSBPT Outstanding Service Award in 2020. Paru also noted that the Board was nominated for the 2021 Excellence in Regulation Award; that award will be determined in the near future. Recipients of the 2020 and 2021 awards will be recognized at the next in-person FSBPT Annual Meeting and Educational Conference, scheduled to be held in October of 2022.

Meeting Adjourned 9:18 AM.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Oregon Board of Physical Therapy

Board Meeting Minutes

July 14 and 16, 2021

Wednesday, July 14, 2021

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.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 4:01 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 4:03 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 6.21 PM, Chair Haworth adjourned Executive Session.

Friday, July 16, 2021

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 8:33 AM.

Members of the Public Present: Michael Rennick, APTA-OR joined at 8:49.

Board Motions:

Case PT 716-03/21

Motion by Member Reisch for finding of sufficient evidence of a violation of ORS 688.140(2)(a)(t), OAR 848-045-0020(2)(i) and OAR 848-040-0105(5) and (6).

Motion seconded by Member Okumura.

Motion passed by a vote of 7-1. Member Goldsmith voted no.

Case PT 717-03/21

Motion by Member Reisch to close case, no action.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Case PT 719-05/21

Motion by Member Reisch to close case and issue license.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

Approval of Board Meeting Minutes:

Chair Haworth asked for a motion to approve the minutes from the April 22 and 23, May 21 and June 21, 2021 Board Meetings 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 April 17, 2021 through July 8, 2021. 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.

Board Member/Committee/Delegate Reports

PT Compact Commission Report: Member Benson, as the PT Compact Commission Delegate, presented a verbal report. It was noted that Montana and Maryland have joined, bringing the total states issuing and accepting compact privileges to twenty-three. Eleven other compact states continue to work on implementing the compact requirements to be ready to "Go Live" soon. It is anticipated Delaware, Ohio, and Wisconsin may be ready in the next few months. Indiana and Kansas recently enacted the Compact legislation and will begin the implementation process. The Rules and Bylaws Committee met in May and June and has made recommendations to the Executive Committee for possible clarifying changes, Director Michelle Sigmund-Gaines is on this committee. Executive Committee met in May and formed a new standing committee – Compliance Committee – that will focus on support and monitoring of jurisdictional compliance with Compact statute, bylaws, rules. Staff member Sherri Paru has been appointed to this committee.

FSBPT Report: Member Goldsmith provided a verbal report, noting that the Candidate Forum meeting took place on July 15, the Leadership Issues Forum is scheduled for July 17-18 and the Virtual Board Member Training is in August. She also noted that the FSBPT would like any ideas for ongoing webinar topics. Staff Sherri Paru shared that the OBPT received the Excellence in Regulation Award and will be recognized at the annual meeting in October 2021. She highlighted upcoming webinars and discussed the candidate forum and how to apply to participate on a committee.

Completion of Biannual Board of Best Practice Assessment: The Board considered the biannual board best practices assessment categories and discussed performance for the 19-21 biennium. The Board reviewed each item, and noted 100% compliance for the review period.

FSBPT May 2021 Virtual Board Member Training: Staff and Members who attended the most recent training session noted that the event was beneficial, and recommended attendance for those who have not yet had a chance to attend. The next meeting is scheduled for August 2021.

Upcoming Meetings, Schedule and Format: Director Sigmund-Gaines recommended that the Board continue with virtual meetings for the remainder of 2021 and plan to consider a hybrid format in 2022 as building facilities permit. They also recommended moving reports and other similar items to a consent agenda for review and ratification, thereby allowing more time for strategic discussion during Board meetings. The Board directed Sigmund-Gaines to implement these recommendations.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Open Roundtable: Staff member Sherri Paru noted that she is currently serving on a committee for the Council on Licensure, Enforcement & Regulation (CLEAR), which is developing a sexual misconduct course for practitioners. CLEAR is comprised of regulatory bodies from all professions.

Presentation and Approval of the Executive Director's Report

Chair Haworth recognized Director Sigmund-Gaines who presented the Executive Director's Report for July 2021. Chair Haworth asked for a motion to accept and approve the report. 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

2021 Legislative Session: Director Sigmund-Gaines presented an overview of enrolled bills that may have an impact on the agency, based on bill information as published on oregonlegislature.gov. Bills highlighted: HB 3057, HB 2359, HB 3159, HB 2078, SB 567, and HB 2992.

Temp Permits OAR Advisory Team Report: Staff gave an overview of the discussions with the temporary permit advisory committee. The committee further reviewed OAR 848-010-0026 and proposed rule amendments and changes to the temporary permit letter from the employer. After discussion, staff will make additional changes and consult with advisory committee. Feedback and final proposals will be discussed at the September Board Meeting.

Educational Pipeline Workgroup Report: Staff Member Sherri Paru provided an update on the ongoing work of the group. She stated they are starting to look at data collection. Christina Howard, PT with Lane Community College has set up a common area for everyone on the committee to share documents.

Div 35---Continuing Competence: Staff member Sherri Paru reported preliminary discussions with the advisory committee regarding recent temporary rulemaking and future permanent rulemaking. She was directed to schedule another meeting again with the committee for further discussion and will bring this item back to the September 2, 2021 Board meeting.

Annual Delegation of Authority Review: Director Sigmund-Gaines noted that no changes are currently being proposed. The Board reviewed the existing delegation and did not make any changes. The next review will be scheduled in mid-2022.

Non-CAPTE Accredited Graduates: Director Sigmund-Gaines recommended that the board update language used in Rule from "Foreign-Educated" to "Non-CAPTE Accredited Program" graduate consistent with best practices. They discussed the FSBPT recommendations adopted in 2018 that have since been deferred and the effect this has had on applicants' education equivalency. They further discussed other considerations to reduce unnecessary barriers for this group. Staff was directed to gather additional information to bring back to the Board for further discussion.

Re-Entry to Practice: Director Sigmund-Gaines discussed that the board is seeing an increase in inquiries from licensees who have not held a current license for more than 5 years and who wish to return to practice. Sigmund-Gaines reviewed current rules and policy, as well as examples of requirements other states have in place. They recommend establishing a clear benchmark of requirements for returning to practice to replace the oPTion tool previously used as minimum standard. The oPTion tool was discontinued in late 2019.

Administrative Rulemaking: Proposed Fee Increases: Director Sigmund-Gaines reviewed the proposed fee increases as published in the amended rule notice. Director Sigmund-Gaines noted there was only one public comment received in support of the increases. Member Reisch moved to adopt the proposed amendments to OAR 848-005-0020 as written effective August 9, 2021. Member Okumura seconded the

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

motion. The motion passed unanimously by a vote of 8-0.

September Strategic Planning Session: Director Sigmund-Gaines recommended a modular style meeting to include group discussions on specific topics and outside speakers for the Strategic Planning Session on September 24, 2021 with a 1-hour lunch break. The Board directed staff to proceed with this format.

Other Business:

Director Sigmund-Gaines recommended that a Special Board Meeting be scheduled for September 2, 2021 at 4:00 PM for the primary purpose to consider the initiation of rulemaking related to Division 35 and making permanent changes related to the current temporary rule.

Meeting Adjourned 12:17 PM.

**Oregon Board of Physical Therapy
Special Board Meeting Minutes
September 2, 2021**

Thursday, September 2, 2021:

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 4:12 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 4:13 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 5:07 PM, Chair Haworth adjourned Executive Session.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 5:14 PM.

Members of the Public Present: None.

Board Motions:

Case PT 718-04/21

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 734-06/21

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

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

Case PT 720-06/21

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

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0

Public Comments: None.

Board General Discussion and Action Items

Administrative Rulemaking: Div 35

Director Sigmund-Gaines reviewed the proposed amendments to OAR 848 Division 35. The proposed amendments would make permanent the current temporary rule exempting the exam requirement for online course content during the 2020-2022 certification period, update credit hours for Oregon Pain Management Commission module that was revised in July 2021, and clarify qualification for credit for serving as a certified Clinical Instructor.

Motion by Member Benson to initiate the administrative rulemaking process to amend OAR 848-035-0030 as written.

Motion Seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

Board Meeting Schedule:

Director Sigmund-Gaines suggested that due to the current situation regarding the pandemic, the Board consider moving the strategic planning meeting to a later date and keep the Board Meeting in September as a regular meeting. After discussion, a proposal to move the Strategic Planning session to November 5, 2021, expand the September Regular Board Meeting currently scheduled on September 23, 2021 to begin at 3:00 PM with the Public Session following the Executive Session, and cancel the September 24, 2021 Public Session.

Member Benson moved to modify the Board Meeting Schedule as proposed.

Motion seconded by Member Reisch.

Motion passed unanimously by a vote of 8-0.

Other Business

Staff Sherri Paru asked that everyone bring their schedules to the September meeting to start scheduling dates for 2022 Board Meetings.

Meeting Adjourned 5:50 PM.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Oregon Board of Physical Therapy

Board Meeting Minutes

September 23, 2021

Thursday, September 23, 2021:

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; Sarah Casey, Operations & Policy Analyst.

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 3:03 PM for the purpose of roll call. No members of the public were present.

EXECUTIVE (CLOSED) SESSION

After roll call, the meeting was convened into Executive Session at 3:05 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 6:15 PM, Chair Haworth adjourned Executive Session.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 6:21 PM.

Members of the Public Present: None.

Board Motions:

Case PT 722-07/21

Motion by Member McAvoy to close case, no action.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

Case PT 723-08/21

Motion by Member McAvoy to close case, no action.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

Case PT 729-09/21

Motion by Member McAvoy for finding of sufficient evidence of violation of OAR 848-045-0020(a) and (v)(A).

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 8-0.

Consent Agenda Items

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

1. Board Meeting Minutes, Draft for July 14 & 16, 2021 and September 2, 2021.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

2. Ratification of PT/PTA licenses and Temporary Permits issued July 9, 2021 - September 17, 2021.
3. Executive Director's Report for September 2021.
4. 19-21 Biennium Financial Report.

Chair Haworth opened the floor for questions and discussion. With none noted, Member McAvoy moved to approve the consent agenda items as written. Member Okumura seconded the motion. The motion passed unanimously by a vote of 8-0.

Public Comments: None.

Board Member/Committee/Delegate Reports

PT Compact Commission Report:

Delaware began issuing and accepting compact privileges September 20, 2021 bringing the total number of states issuing and accepting compact privileges to twenty-four. Ten other compact states continue to work on implementing the compact requirements to be ready to "Go Live" soon. It is anticipated Ohio and Wisconsin may be ready in the next couple of months. The PTCC has released their 2020 annual report.

Recent PTCC Meetings and Activities:

- The Physical Therapy Compact Commission (PTCC) Rules and Bylaws Committee met in August to finalize and recommend potential amendments to the PTCC governing documents. The recommended draft amendments were considered by the PTCC Executive Board at its September 14 meeting, and the PTCC has subsequently published the proposed rule amendments for public comment. OBPT, as a compact member state, cross-posts these proposed rule amendments on our website. If the rule amendments are adopted by the Commission at their October meeting, OBPT would need to initiate the administrative rulemaking process to amend OAR 848 to reference the most recent version of the PTCC rules.
- The PTCC Compliance Committee met on August 12 to review and discuss second quarter compliance issues. Compliance Committee members will meet with various states prior to the third quarter to discuss compliance and work on remediation.
- The next PTCC Annual Meeting is scheduled October 24th.

Member Benson, as the PT Compact Commission Delegate, noted that the PTCC is looking for volunteers to serve on various committees.

FSBPT Report:

The FSBPT will pilot two-day testing windows for all exam administrations in 2022 rather than return to single day events. The goal is to provide candidates with flexibility in scheduling while maintaining the security of the exam. The updated exam schedule has been published on the FSBPT website.

As part of its webinar series, the FSBPT is hosting a special interactive session on September 30th focused on "Development of a Resource for Healthy Practice" The FSBPT Continuing Competence Committee is seeking input through the session to support the further development of a Healthy Practice Self-Reflection resource. The ultimate goal of the resource is to provide licensees with a structure to consider their own well-being and the health of their practice in a holistic way, following the Healthy Practice Model developed by the committee.

Recent/Upcoming Meetings & Activities:

- Leadership Issues Forum: July 2021
- Council of Board Administrators Forum: October 21st, 2:00 p.m. ET
- Candidate Forum 2: October 21, 7:00 p.m. ET
- Delegate Workshop: October 23, 2:00 p.m. ET
- Delegate Assembly: October 23, 4:00 p.m. ET

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Member Goldsmith, as the FSBPT Delegate, gave a brief overview of the delegate candidates. She welcomes any input for the upcoming election.

Board Meeting Schedule for 2022: Director Sigmund-Gaines reported that the State Office Building will remain closed through January 1, 2022. They advised that the Board continue virtual meetings through March, and possibly switching to a hybrid option starting in May, 2022. In-person meetings would be dependent on having measures in place to allow the public to attend virtually. The Board expressed preference for meetings scheduled over two days with the Executive Session on one and the Public Session the next. Motion by Member McAvoy to adopt the 2022 Board Meeting calendar option 2 as proposed. Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 8-0.

Open Roundtable:

Board General Discussion and Action Items

Temp Permits: Staff presented the final changes by the rule advisory committee relating to the proposed rule amendments along with the updated letter to employer. Motion by Member McAvoy to initiate the administrative rulemaking process to amend OAR 848-010-0026 as written. Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 8-0.

Div 35---Continuing Competence: Staff gave a summary of the preliminary discussion with the rule advisory committee regarding possible amendments to OAR 848-035-0030 relating to credit for online courses, webinars, and other content. Discussion to continue. Target is to have any changes ready to go into effect for the certification period of 2022-2024.

Other Business:

Proposed OAR Amendment: Temporary Rule OAR 848-045-0020(2)

Director Sigmund-Gaines presented the recent temporary administrative rules passed by the Oregon Health Authority requiring mask and vaccination compliance by licensed healthcare practitioners. As a result of the OHA temporary rule, the proposed temporary amendment is necessary. The Board can address permanent rule making at a later date, if needed.

(bb) Failing to comply with Oregon Health Authority's rules requiring masks, face coverings or face shields, including OAR 333-019-1011 and OAR 333-019-1015, if applicable.

(cc) Failing to comply with Oregon Health Authority's rules requiring vaccinations, including OAR 333-019-1010 and OAR 333-019-1030.

Motion by Member McAvoy to adopt the temporary rule to amend OAR 848-045-0020(2) as written. Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 8-0.

Meeting Adjourned 7:03 PM.

**Oregon Board of Physical Therapy
Special Board Meeting Minutes
October 18, 2021**

Monday, October 18, 2021:

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

Board Members Absent: Andrea Muzikant; Excused.

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

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 4:04 PM for the purpose of roll call.

Members of the Public Present: Michael Rennick, PT, DPT, MPH.

EXECUTIVE (CLOSED) SESSION

After roll call, the meeting was convened into Executive Session at 4:06 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 4:54 PM, Chair Haworth adjourned Executive Session.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 5:01PM.

Members of the Public Present: Michael Rennick, PT, DPT, MPH.

Board Motions:

Case PT 716-03/21

Motion by Member Benson to enter into settlement agreement and final order for violations of ORS 688.140(2)(a) and OAR 848-040-0105(5).

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 7-0.

Case PT 734-10/21

Motion by Member Benson for a finding of sufficient evidence violation of ORS 688.140(2)(a) and OAR 848-045-0020(2)(i).

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 7-0.

Case PT 731-10/21

Motion by Member Benson to issue a Confidential Advisory Letter and Close Case.

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 7-0.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Public Comments: None.

Other Business

Director Sigmund-Gaines noted that a the most recent News Brief sent to all licensees highlighted the November 5, 2021 Strategic Planning Meeting. As a result, several have registered. They further encouraged everyone to share the meeting information and encourage attendance.

Meeting Adjourned 5:07 PM.

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Oregon Board of Physical Therapy Strategic Planning Meeting Minutes November 05, 2021

Friday, November 5, 2021: 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, Sarah Casey, Operations & Policy Analyst.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 8:02 AM.

Members of the Public Present: The following were present some, or all, of the day:
Nancy Kirsch, PT; Michael Rennick, PT; Mary Halpert, PT; Jeremy Hilliard, PT, Jackie Yerby;
Kimberly Malin, PT; Christina Gomez, PT; Christina Howard, PT; Andrew Fifield, PT; Lisa Flexner, PT;
Jennifer Wissinger; Joni Kalis, PT; Ely Sanders; Dana Selover.

Discussion Items:

The day was arranged in different modules scheduled at a certain time slot. Individuals had the option to attend some or all of the discussions.

Module I: General Strategic Plan Overview: Director Sigmund-Gaines reviewed the OBPT strategic plan and provided an update of the progress to date, since the last strategic planning session.

Module II: Educational Pipeline Strategic Initiative

Discussion relating to supporting the diversification of the physical therapy workforce.

Nancy Kirsch, PT, with the FSBPT, presented a study from Rutgers University.

Christina Howard, PT, with Lane Community College shared some of the steps they are taking to increase program retention and identifying barriers.

Based on the discussion and presentations, staff will move forward with identifying additional available data.

Michael Rennick, PT, suggested we add the Oregon Institute of Technology to the workgroup. They are starting a DPT program in the fall of 2023 in Klamath Falls, OR and will be focusing on rural health.

Module III: Trauma Informed Regulation and Boundaries and Sexual Misconduct

Director Sigmund-Gaines reviewed the previously identified strategic priorities, the current progress and the direction moving forward.

Jennifer Wissinger with the Ohio Board of Physical Therapy and Chair of the FSBPT Boundary Violation Task Force provided an overview of their work. She noted that the task force is now becoming an ongoing committee. The committee will be providing more information and updates via the FSBPT newsletter.

Staff Sherri Paru, PT, presented information from CLEAR. The organization has developed a training program on investigating allegations of sexual misconduct. Paru also discussed the work of the Oregon

2021-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

Medical Board Workgroup on Sexual Misconduct and actions they are taking as a result.

Director Sigmund-Gaines reviewed the results of a survey completed by other Health-Related Boards regarding the types of actions their Boards are currently taking or plan to take in the future on this topic. Board Member Sandra Hahn gave a presentation describing Motivational Interviewing and Trauma Informed Care, and how these skills can be used to improve patient care, prevent practitioner burnout and potentially decrease complaints against licensees. Suggestions to move forward with include providing information in our News Briefs, developing educational materials that can be shared with employers for staff training and sharing opportunities for motivational interviewing continuing competency courses with licensees.

Module IV: Facility/Clinic Regulation

Director Sigmund-Gaines provided a review of how, via statutory scope, the OBPT regulates the practice of Physical Therapy, in comparison to what other Health Related Boards are currently doing. In Oregon, the majority of Boards regulate the individual practitioner, with few licensing Boards also regulating facilities in some manner. Nationally, they noted that Massachusetts is currently the only PT Board that regulates facilities. All other jurisdictions regulate individuals in a similar manner to Oregon.

Dana Selover with the Oregon Health authority (OHA) discussed their role in the regulation of healthcare facilities. Ely Sanders with the Oregon Dept of Education addressed PT services in schools, and some of the challenges faced in this care setting.

Board staff Sherri Paru provided a recap of a discussion she had with Erin Bompiani, PT, who has organized a Town Hall for Pediatric PT and OT. Paru has been working in collaboration with them to help address questions from local physical therapists and physical therapist assistants.

Staff Sarah Casey reviewed the OHA workforce data collected at the time of license renewals. This included where licensees reported working in OR at the time of the survey. The Board directed staff to determine if we can work with the OHA to update the questions on the survey to clarify the scope of the care setting questions.

Practice Trends

During discussion, the following questions or trends in physical therapy were discussed:

- **BURNOUT:** It was noted that, due to COVID, all healthcare practitioners are experiencing increased burnout, moral injury and/or compassion fatigue, which can potentially also impact patient care. How can we as a regulatory board find ways to support the practitioner so that they can continue to provide the best patient care, and prevent any potential issues from occurring?
- **IMAGING ORDERS:** There is an increase in other states of imaging or diagnostic ultrasound being ordered by PT for the sole purpose of PT diagnosis. Since a Physical Therapist can often be the first point of contact for a patient, having the ability to order imaging and/or diagnostic ultrasounds could enhance patient care and/or reduce patient costs. Currently, the Board of Medical Imaging appears to have statutes that would prevent an Oregon PT from placing such an order directly.
- **RETURN TO PRACTICE:** There has been an increase in individuals wishing to return to practice after an extended period. Requirements for reentry vary from state to state. The Board will consider the existing rule(s) for those who have been out of practice for 5 years or more in comparison with other states and recommended best practice and determine if a revision to rule is required.

Meeting Adjourned 3:54 PM.

**Oregon Board of Physical Therapy
Special Board Meeting Minutes
December 10, 2021**

Friday, December 10, 2021:

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.

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

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 8:34 AM for the purpose of roll call.

Members of the Public Present: Michael Rennick, PT; Ruggie Canizares, PT

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 9:02 AM, Chair Haworth adjourned Executive Session.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 9:03 AM.

Members of the Public Present: Michael Rennick, PT; Ruggie Canizares, PT rejoined the meeting for Public session.

Board Motions:

Case PT 729b-09/21

Motion by Member McAvoy for finding of sufficient evidence of violation of OAR 848-045-0020(a) and (v)(A).

Motion seconded by Member Muzikant.

Motion passed by a vote of 6-0 with member Hahn Abstaining.

Special Requests for Approval of Continuing Competence (CC) Courses or Activities pursuant to OAR 848-035-0030(2)(m).

Motion by Member McAvoy to amend the delegation of authority letter as revised.

Motion seconded by Member Muzikant.

Motion passed unanimously by a vote of 7-0.

Consideration of Public Feedback on Open Administrative Rulemaking and Possible Adoption of Proposed Administrative Rule Amendments:

Director Sigmund-Gaines noted that no comments were received from the licensees or interested parties. Member McAvoy moved to adopt the proposed rule amendments to OAR 848-055-0001, OAR 848-010-0026 and OAR 848-035-0030 as written.

Member Muzikant seconded the motion.

Motion passed unanimously by a vote of 7-0.

Adoption of Temporary Rule Amendment to OAR 848-035-0030

Member McAvoy moved to adopt the temporary amendments to OAR 848-035-0030 as written.

Member Muzikant seconded the motion.

Motion passed unanimously by a vote of 7-0.

Public Comments:

Ruggie Canizares, PT provided comment on the FSBPT training in February 2022 as well as the committee selection process.

Other Business

Director Sigmund-Gaines reminded Board Members of the mandatory training that is to be completed by December 31, 2021 and the new process for completion. Accounts through Workday are being set up and they should expect an email with instructions regarding setting up their accounts. Director Sigmund-Gaines also briefly reviewed HB 2992 regarding Board Compensation. DAS has developed an Attestation form for all members to complete. The completed forms are also due to Sigmund-Gaines by December 31, 2021.

Meeting Adjourned 9:49 AM.