

# 2022-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

## Oregon Board of Physical Therapy Board Meeting Minutes January 27 and 28, 2022

### Thursday, January 27, 2022:

**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 and Project Analysis.

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

### **PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 4:07 PM for the purpose of roll call. No members of the public were present.

### **EXECUTIVE (CLOSED) SESSION**

After roll call, the meeting was convened into Executive Session at 4:08 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 6:19 PM, Chair Haworth left the meeting and Vice Chair McAvoy presided.

At 6:36 PM, Vice Chair McAvoy adjourned Executive Session.

### Friday, January 28, 2022:

### **PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:36 AM.

**Members of the Public Present:** Michael Rennick, PT; Mary Halpert, PT

### **Board Motions:**

#### **Case PT 730-09/21**

Motion by Member Reisch to issue restricted internship license pursuant to ORS 688.100(3) and close case.  
Motion seconded by Member Okumura.  
Motion passed unanimously by a vote of 8-0.

#### **Case PT 738-01/22**

Motion by Member Reisch to issue a confidential advisory letter, issue license and close case.  
Motion seconded by Member Okumura.  
Motion passed unanimously by a vote of 8-0.

#### **Case PT 736-11/21**

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.

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## **Case PT 735-10/21**

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 699-07/20**

Motion by Member Reisch to close the case without prejudice and refer to DOJ Medicaid Fraud unit and consider reopening upon new information.  
Motion seconded by Member Okumura.  
Motion passed unanimously by a vote of 8-0.

## **Case PT 721-07/21 and 721b-07/21**

Motion by Member Reisch to issue confidential advisory letter and close case.  
Motion seconded by Member Okumura.  
Motion passed by a vote of 7-0. Board Chair Haworth recused.

## **Consent Agenda Items**

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

1. Board Meeting Minutes, Draft for Sept 23, 2021, Oct 18, 2021, Nov 5, 2021 and Dec 10, 2021.
2. Ratification of PT/PTA Licenses & Temporary Permits issued Sept 18, 2021 – Jan 21, 2022.
3. Ratification of Continuing Competence Course/Activity Special Requests approved through Jan 21, 2022.
4. Executive Director's Report for January 2022.

Chair Haworth opened the floor for questions and discussion. With none noted, Member Reisch 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:**

Michael Rennick, PT reported that the APTA is developing their strategic plan which consists of 4 main goals. He will send us the information once it is published. Staff member Paru noted that she and Michael have been collaborating on materials to include in the APTA Log.

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

### **PT Compact Commission Report:**

Member Benson, as the PT Compact Delegate, noted that there have not been any new states added to the PT Compact since last meeting. She went on to mention the PT Compact Exhibit planned for the upcoming APTA CSM meeting, and an initiative is to raise awareness among PTs and PTAs by implementing additional marketing strategies.

Director Sigmund Gaines added that staff member Paru is serving on the Compact Compliance Committee and that staff member Casey is serving on the newly formed Marketing Committee.

### **FSBPT Report:**

Member Goldsmith, as the FSBPT Delegate, noted the upcoming Virtual workshop scheduled for February 11-13, 2022 and an in-person meeting for Board members and Administrators scheduled for May 20-22, 2022. Director Sigmund-Gaines mentioned the annual meeting scheduled for October 2022 and noted that suggestions for speakers and topics are welcomed.

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## **Staff Report:**

Staff member Paru presented a list of courses offered by PBI Education, one of the providers of courses to which the Board has referred individuals for courses on professional boundaries. She had the opportunity to preview several of the new courses. The Board showed interest in taking some of the courses. Paru will follow up with PBI to inquire about a group training opportunity.

## **Open Roundtable:**

Director Sigmund-Gaines provided an overview of a trauma-informed training opportunity presented by Thomas Tremblay Consulting and Training. The Oregon Medical Board has arranged the training for their Board and investigative staff and have invited several other Boards to attend. It is a live course scheduled for either Friday 6/24/2022 or Saturday 6/25/2022. Director Sigmund-Gaines asked Board Members to respond if they are available to attend.

Director Sigmund-Gaines highlighted the Bills from the upcoming Legislative Session. These included: SB1512, HB4096, and HB4034.

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

### **Strategic Planning Meeting Debrief:**

Director Sigmund-Gaines reviewed the different topics discussed at the Nov 5, 2021 strategic planning meeting. In general discussion, the Board identified additional suggestions for follow up, including the suggestion to add a resource page for those inquiring about opening their own Physical Therapy business including a link to the APTA page regarding private practices. Director Sigmund-Gaines noted we have started the conversation with OBMI regarding the statutes pertaining to Diagnostic Imaging. And Chair Haworth noted the importance of reporting progress on strategic initiatives regularly.

### **Div---35 Continuing Competence**

Director Sigmund-Gaines explained rule changes for the current and future certification period. The following was discussed: Notes from the 2019 Rules Advisor Committee (RAC) regarding the option to carryover extra continuing competency hours from one renewal to the next. There is confusion with the rule text and what was intended for the deadline to request carryover. Options for potential rule language were discussed. Director Sigmund-Gaines recommended updating our rule regarding Cultural Competency to stay consistent with the new OHA rule. The temporary rule regarding the Oregon Pain Management Module requirement is expiring. The RAC recommended removing the exam requirement with the exception of home-study courses.

Member Reisch moved to direct staff to finalize rule draft and initiate the administrative rulemaking process to amend OAR 848-035-0030. Motion seconded by Member Okumura. Motion passed unanimously by a vote of 8-0.

### **Div 45---Grounds for Discipline**

Director Sigmund-Gaines explained the OHA has initiated rulemaking that may make the rules regarding masking and vaccinations permanent. The Board would need to initiate permanent rulemaking to link to these requirements. Member Reisch moved to direct staff to initiate the administrative rulemaking process to amend OAR 848-045-0020. Motion seconded by Member Okumura. Motion passed unanimously by a vote of 8-0.

## **Other Business**

None.

**Meeting Adjourned 10:39 AM.**

**Oregon Board of Physical Therapy  
Special Board Meeting Minutes  
March 11, 2022**

**Friday, March 11, 2022:**

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

**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 8:07 AM for the purpose of roll call.

**Members of the Public Present:** None.

**EXECUTIVE (CLOSED) SESSION**

After roll call, the meeting was convened into Executive Session at 8:08 AM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 9:03 AM, Chair Haworth adjourned Executive Session.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 9:04 AM.

**Members of the Public Present:** None.

**Board Motions:**

**Case PT 740-02/22**

Motion by Member Reisch to enter into an Interim Cease Practice Stipulated Agreement.

Motion seconded by Member McAvoy.

Motion passed unanimously by a vote of 7-0.

**Case PT 725-09/21**

Motion by Member Reisch to close case, no action.

Motion seconded by Member McAvoy.

Motion passed unanimously by a vote of 7-0.

**Case PT 744-03/22**

Motion by Member Reisch to issue notice of intent to revoke for one or more violations of ORS 688.140(2)(a) and (c).

Motion seconded by Member McAvoy.

Motion passed unanimously by a vote of 7-0.

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## **Other Business**

For the record the Board reviewed case number PT 735-10/21 and took no action.

Director Sigmund-Gaines noted that we have completed 50% of expected renewals to date. A debrief of the renewal process is planned for the April Board Meeting. The next Board meeting is scheduled for April 21, 2022 for the Executive Session and April 22, 2022 for the Public Session.

**Meeting Adjourned 9:09 AM.**

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## Oregon Board of Physical Therapy Board Meeting Minutes April 21 and April 22, 2022

### **Thursday, April 21, 2022:**

**Board Members Present:** Phil Haworth, PT, Chair; Alan McAvoy, PT, Vice Chair; Aubree Benson, PT; Erica Shanahan, 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 and Project Analyst.

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

### **PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 4:05 PM for the purpose of roll call. No members of the public were present. Meeting was recessed at 4:06 to wait for Member Hahn to join. Public session was resumed at 4:24 PM.

### **EXECUTIVE (CLOSED) SESSION**

After roll call, the meeting was convened into Executive Session at 4:26 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 7:47 PM, Chair Haworth adjourned Executive Session.

### **Friday, April 22, 2022:**

### **PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:36 AM.

**Board Members Present:** Phil Haworth, PT, Chair; Alan McAvoy, PT, Vice Chair; Aubree Benson, PT; Erica Shanahan, PTA; Sandra Hahn (joined at 8:45); 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 and Project Analysis.

**Legal Counsel:** None.

**Members of the Public Present:** Michael Rennick, PT; Ruggiero (Ruggie) Canizares, PT; Leslie Spalding, PT

### **Board Motions:**

#### **Case PT 747-04/22**

Motion by Member McAvoy to close case and issue license.

Motion seconded by Member Benson.

Motion passed unanimously by a vote of 6-0.

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### Case PT 741-02/22

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

### Case PT 724-09/21

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

### Case PT 733-10/21

Motion by Member McAvoy for finding of sufficient evidence of violation of ORS 688.140(2)(a)(n) and OAR 848-045-0020(2)(o),(p)(B), and (q).  
Motion seconded by Member Benson.  
Motion passed unanimously by a vote of 5-0. Vice Chair McAvoy abstained.

### Case PT 739-02/22

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

### Case PT 745-03/22

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

### Case PT 746-03/22

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

### Case PT 748-03/22

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

### Case PT 749-03/22

Motion by Member McAvoy for finding of sufficient evidence of violation of ORS 688.140(2)(a), ORS 688.240, OAR 848-045-0020(2)(s) and OAR 848-055-0001.  
Motion seconded by Member Benson.  
Motion passed by a vote of 5-1. Member McAvoy voted no.

Member Sandra Hahn joined meeting at 8:45 and voted in motions from this point forward.

### Consent Agenda Items

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

1. Board Meeting Minutes, Draft for Jan 27 and 28 2022, and March 11, 2022.
2. Ratification of PT/PTA Licenses & Temporary Permits issued Jan 22, 2022 – Apr 15, 2022.
3. Executive Director's Report for April 2022.
4. 2022 Governor's Report for the 2019-21 Biennium (includes external audit report).

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Director Sigmund-Gaines explained the breakdown of the different licensee ratification reports which included the 2022 renewal counts. They provided an overview of the budget report and highlighted that number of renewals was less than expected. Chair Haworth opened the floor for questions and discussion. Public attendee, Ruggie Canizares, PT, suggested that we share the data regarding Oregon's licensing trends with the FSBPT. Director Sigmund-Gaines added that we hope to find out what data the other jurisdictions can provide as well. With no other comments, Member McAvoy moved to approve the consent agenda items as written. Member Benson seconded the motion. Motion passed unanimously by a vote of 7-0.

### **Public Comments:**

Michael Rennick, PT asked for clarification of the 20% drop in renewals.

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

#### **PT Compact Commission Report:**

Member Benson, as the PT Compact Delegate, stated there is no new information to report. Director Sigmund-Gaines noted that the PT Compact is currently reviewing their rules. Participating states can provide input. The proposed changes will be presented at the annual meeting scheduled in October 2022.

#### **FSBPT Report:**

Member Goldsmith, as the FSBPT Delegate mentioned the LIF meeting in July. Director Sigmund-Gaines pointed out that this is a key meeting for development of initiatives and discussion topics. An important role of the delegate is to bring forth anything we may want discussed or considered. This would be a good opportunity to discuss topics from our strategic planning sessions and workforce trends.

#### **Recognition of Service:**

Director Sigmund-Gaines and Board Chair Haworth both expressed their thanks and appreciation to Members McAvoy and Benson for their years of service on the Board as they each approach the end of their second term.

#### **Open Roundtable:**

Staff Paru provided an update on the PBI courses. Arrangements for a group training for the Board are being finalized. Details will be provided when confirmed.

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

#### **Election of Officers:**

Director Sigmund-Gaines reviewed the current Board Chairs and Delegates and the list of candidates. After discussion, Member McAvoy moved to elect Phil Haworth as Chair, Erica Shanahan as Vice Chair, Phil Haworth as FSBPT Delegate, Becca Reisch as Alternate Delegate and Sherri Paru as PT Compact Commission Delegate for the term beginning July 1, 2022. Member Benson seconded the motion. Motion passed unanimously by a vote of 7-0.

#### **OAR 848 Div-35 Continuing Competence**

Director Sigmund-Gaines explained the rules advisory committee (RAC) thought it would be beneficial to wait until after the 2022 renewal period to proceed with proposed rule changes regarding continuing competency. In the meantime, it will be necessary to initiate rulemaking to make permanent the approved temporary rule regarding the Oregon Pain Management requirements. Member McAvoy moved to delegate to the Executive Director the authority to initiate and adopt permanent rules based on the currently adopted temporary rules. Member Benson seconded the motion. Motion passed unanimously by a vote of 7-0.



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## **Special Session Board Meeting:**

Director Sigmund-Gaines recommended that the Board hold a special session June 2, 2022 at 4:00 PM. Vice Chair McAvoy moved to add a special meeting of the Board on June 2, 2022 at 4:00 PM. Member Benson seconded the motion. Motion passed unanimously by a vote of 7-0.

## **Compact Privilege and JAM Requirements**

Director Sigmund-Gaines provided the background for the rule regarding the Jurisprudence Exam requirement. Currently, it is required prior to initial purchase of the Compact Privilege. Oregon was the first state to join the Compact. Now that other states have joined, we have a better comparison of our requirements to those of the other Jurisdictions. Sigmund-Gaines presented a table reflecting the fees and jurisprudence requirements of the other states noting that the majority of states require completion of the JAM at initial purchase and at renewal. Highlighted was the model Arizona has adopted which requires the Compact holder to register with them prior to purchase of the compact privilege. After discussion, Member McAvoy moved to require completion of the jurisprudence exam at initial and renewal purchase of an Oregon Compact Privilege and to apply state compact fee waivers for active military, military spouse and veterans. Member Benson seconded the motion. Motion passed unanimously by a vote of 7-0.

## **2022 Renewal Review**

Director Sigmund-Gaines presented a preliminary review of the 2022 renewals. It was a renewal with many firsts for the licensees. The challenges and possible changes/solutions were discussed. Staff will provide a more detailed analysis of the data at the July meeting.

## **Other Business**

None.

**Meeting Adjourned 11:10 AM.**

**Oregon Board of Physical Therapy  
Special Board Meeting Minutes  
June 2, 2022**

**Thursday, June 2, 2022:**

**Board Members Present:** Phil Haworth, PT, Chair; Alan McAvoy, PT, Vice Chair; Erica Shanahan, PTA; Sandra Hahn; 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, Sarah Casey, Operations & Policy Analyst.

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

**PUBLIC (OPEN) SESSION**

Vice Chair McAvoy convened the Board into Public Session at 4:11 PM for the purpose of roll call.

**Members of the Public Present:** None.

**EXECUTIVE (CLOSED) SESSION**

After roll call, Chair Haworth convened the meeting into Executive Session at 4:15 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 6:30 PM, Chair Haworth adjourned Executive Session.

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 6:46 PM.

**Members of the Public Present:** Ruggie Canizares, PT; Susan Reynolds, PT.

**Public Comments:**

Susan Reynolds, PT, currently in the senate confirmation process for appointment to the Board, gave brief introduction.

**Board Motions:**

Motion by Member McAvoy to correct the prior motion made during the 4/22/2022 meeting in order to correct the case number named in that motion from PT 747-03/22 to PT 745-03/22.

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

Motion by Member McAvoy in case number **PT 754-05/22** to issue license and close case.

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

Motion by Member McAvoy in case number **PT 759-05/22** to issue license and close case.

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

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Motion by Member McAvoy in case number **PT 751-04/22** for finding of sufficient evidence of violation of ORS 688.140(2)(a) and OAR 848-045-0020(2)(s).

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

Motion by Member McAvoy in case number **PT 752-04/22** for finding of sufficient evidence of violation of ORS 688.140(2)(a) and OAR 848-045-0020(2)(s).

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

Motion by Member McAvoy in case number **PT 753-04/22** for finding of sufficient evidence of violation of ORS 688.140(2)(a) and OAR 848-045-0020(2)(s).

Motion seconded by Member Shanahan.

Motion failed by a vote of 4-3, with Members Hahn, Muzikant and Okumura voting no.

Motion by Member McAvoy in case number **PT 753-04/22** to close case.

Motion seconded by Member Shanahan.

Motion passed by a vote of 6-1, with Member Shanahan voting no.

Motion by Member McAvoy in case number **PT 757-05/22** to enter into interim agreement.

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

Motion by Member McAvoy in case number **PT 756-05/22** for finding of sufficient evidence of violation of ORS 688.140(2)(a), ORS 688.240, OAR 848-045-0020(2)(s) and OAR 848-055-0001.

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

Motion by Member McAvoy in case number **PT 760-05/22** to close case.

Motion seconded by Member Shanahan.

Motion passed by a vote of 7-0.

### **PT Compact Delegate Selection**

Director Sigmund-Gaines noted that the prior election of Sherri Paru as PT Compact Delegate was not valid as the PT Compact Commission Statute only allows for the position to be filled by a Board Member or primary Administrator for each jurisdiction.

Motion was made by Member McAvoy to elect Michelle Sigmund-Gaines as the PT Compact Delegate for term beginning 7/1/2022.

Motion seconded by Member Shanahan.

Motion passed unanimously by a vote of 7-0.

### **Consideration of Public Feedback and Possible Rulemaking**

Director Sigmund-Gaines noted that no comments were received from licensees or interested parties. Member McAvoy moved to adopt the proposed rule amendments to OAR 848-035-0030 as written effective June 28th, 2022.

Member Shanahan seconded the motion.

Motion passed unanimously by a vote of 7-0.

# 2022-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

## Update, Announcement and July Meeting

Director Sigmund-Gaines provided the following announcements and updates:

- The OBPT had been awarded a grant from the Federation of State Boards of Physical Therapy (FSBPT) to support IT system improvements related to transfer of information between the Board and the FSBPT ELDD system, including transfer of score reports and licensing and disciplinary action information, as well as funding in support of data clean up. The grant was funded for \$18,300 and work will be completed by December 2022.
- Space is still available to attend the Trauma and Sexual Misconduct Investigations training to be held Saturday, June 25<sup>th</sup>. Members Shanahan and Hahn are currently scheduled to attend, as well as Director Sigmund-Gaines.
- One of the individuals slated for appointment to the Board had to withdraw from the process. Member Benson will continue to serve in her role, until a new appointment is made by the Governor. The Senate will be voting on board and commission appointment confirmation on Friday, June 3<sup>rd</sup>. If confirmed, Susan Reynolds, PT, would replace Member McAvoy, with term starting 6/10/2022.

The Board then discussed the July meetings and confirmed the previously discussed plan to hold the July 29<sup>th</sup> Public session in person at the Portland State Office Building. To better facilitate travel arrangements, the Board discussed the date and time of the July 28<sup>th</sup> executive session meeting. Member McAvoy moved to modify the start time of the July 28<sup>th</sup>, 2022 meeting to 4:30 PM.

Member Shanahan seconded the motion.

Motion passed unanimously by a vote of 7-0.

**Meeting Adjourned 7:20 PM.**

**Oregon Board of Physical Therapy  
Board Meeting Minutes  
July 28 and July 29, 2022**

**Thursday, July 28, 2022:**

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

**Board Members Absent:** Becca Reisch, PT, PhD, excused. Andrea Muzikant left meeting at 6:49 PM.

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

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

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 4:35 PM for the purpose of roll call. No members of the public were present.

**EXECUTIVE (CLOSED) SESSION**

After roll call, the meeting was convened into Executive Session at 4:37 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 8:19 PM, Chair Haworth adjourned Executive Session.

**Friday, July 29, 2022:**

**PUBLIC (OPEN) SESSION**

Chair Haworth convened the Board into Public Session at 8:42 AM.

**Board Members Present:** Phil Haworth, PT, Chair; Erica Shanahan, PTA, Vice Chair; Aubree Benson, PT; Sandra Hahn; Hoku Okumura, PT; Susan Reynolds, 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 Coordinator, Sarah Casey, Operations and Project Analyst.

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

**Members of the Public Present (in person or via web conference):** Michael Rennick, PT; Ruggiero (Ruggie) Canizares, PT; Diana Godwin, Prenda Sidebeh.

Chair Haworth recognized new Board member Susan Reynolds, PT, appointed 6/10/2022. Everyone introduced themselves.

**Board Motions:**

**Case PT 757-05/22**

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

Motion seconded by Member Hahn.

Motion passed unanimously by a vote of 6-0.

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### **Case PT 743-03/22**

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

### **Case PT 767-06/22**

Motion by Member Shanahan of finding of sufficient evidence of violation 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 6-0.

### **Case PT 762-06/22**

Motion by Member Shanahan to issue license.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 6-0.

### **Case PT 769-07/22**

Motion by Member Shanahan to issue license with a finding of sufficient evidence of violation of ORS 688.140(2)(a)(j) and OAR 848-045-0020(2)(b).  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 6-0.

### **Case PT 763-06/22**

Motion by Member Shanahan to issue license.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 6-0.

### **Case PT 764-06/22**

Motion by Member Shanahan to issue license.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 6-0.

### **Case PT 773-07/22**

Motion by Member Shanahan to issue license.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 6-0.

### **Case PT 768-06/22**

Motion by Member Shanahan to issue license.  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 6-0.

### **Case PT 728-09/21**

Motion by Member Shanahan of finding of sufficient evidence of violation of ORS 688.140(2)(a) and (j) and OAR 848-045-0020(2)(b)(c).  
Motion seconded by Member Hahn.  
Motion passed unanimously by a vote of 6-0.

### **Case PT 765-06/22**

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

# 2022-Oregon Board of Physical Therapy Annual Meeting Minutes Compilation

## **Case PT 766-06/22**

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

## **Case PT 774-07/22**

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

For the record, the Board reviewed Agency case PT 749-03/22 and took no action.  
For the record, the Board reviewed Agency case PT 208-03/06 and took no action.

## **Consent Agenda Items**

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

1. Board Meeting Minutes, Draft for April 21 and 22, 2022 and June 2, 2022.
2. Ratification of PT/PTA Licenses & Temporary Permits issued April 19, 2022 – July 19, 2022.
3. Executive Director's Report for July 2022.
4. 2021-22 Fiscal Year Budget to Actuals Report.

Director Sigmund-Gaines provided an overview of the items on the consent agenda. With no questions or comments, Member Shanahan moved to approve the consent agenda items as written. Member Hahn seconded the motion. Motion passed unanimously by a vote of 6-0.

## **Public Comments:**

None.

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

### **PT Compact Commission Report and FSBPT Delegate Report:**

Director Sigmund-Gaines explained that previously elected Member Reisch was unable to accept the position of FSBPT Alternate Delegate. Member Benson moved to elect Vice Chair Shanahan as the FSBPT Alternate Delegate. Member Hahn seconded the motion. Motion passed unanimously by a vote of 6-0.

### **FSBPT Leadership Issues Forum Report:**

Chair Haworth and Director Sigmund-Gaines reported on the FSBPT LIF (Leadership Issues Forum). The forum brings together delegates and board administrators from each jurisdiction and serves as a platform to share ideas, problem solve and network. Delegates had the opportunity to meet the candidates for the upcoming election for the FSBPT Board. Members were encouraged to review candidate statements and to relay any questions or recommendations for Oregon's vote to our delegates. Director Sigmund-Gaines and Chair Haworth shared information on the various topics discussed at the meeting.

### **Trauma Informed Sexual Misconduct Investigations Training Report:**

Training was coordinated by the Oregon Medical Board, who opened it up to other professional Boards to co-sponsor and attend. Director Sigmund-Gaines, and Members Hahn and Shanahan attended. All provided insights from the training. Members continued with discussion about Trauma informed care, boundaries, and prevention and requested follow up at future meetings.

## **Strategic Plan Progress Review**

Director Sigmund-Gaines provided an update on strategic plan progress. It was suggested that we start using the term Educational Pathway rather than Educational Pipeline for that strategic initiative. The OHA (Oregon Health Authority) is experiencing a backlog due to staffing turnover which has delayed data collection. The committee will pick back up work in the Fall. Director Sigmund-Gaines also noted that we are still waiting to hear from OBMI (Oregon Board of Medical Imaging) regarding imaging questions posed in January. The Board then reviewed the planning document to determine if anything should be modified or added. No major items were added. The revised document with minor updates will be presented at the next meeting.

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

### **OAR 848 Div-35 Rulemaking Continuing Competence**

Director Sigmund-Gaines reviewed committee recommendations and proposed changes to Div-35 rules. Topics included: online exam requirements, synchronous versus asynchronous, online versus in-person, carry-over of credits to the next renewal, hardship waiver deadline, and course eligibility for workplace trainings and adjunct faculty. Committee will be meeting in the future.

Member Shanahan moved to direct staff to work with Rule Advisory Committee to finalize proposed changes and delegate authority to initiate the public administrative rulemaking process related to OAR 848 Division 35. Member Hahn seconded the motion. Motion passed unanimously by a vote of 6-0.

### **Re-Entry to Practice**

The Board is seeing an increase in therapists wanting to renew their license after taking a period of time away from practice. These individuals have not held a current license and have not practiced for 5 years or more. Director Sigmund-Gaines explained the challenges with our current rule. The FSBPT has recently formed a committee looking into the Re-Entry of practice. It was suggested to defer this item to allow time to review the research coming out of the committee.

### **Applicants from Non-CAPTE Accredited Programs**

Director Sigmund-Gaines reviewed current requirements for Non-CAPTE Accredited graduates for both exam and endorsement applicants. They noted that requirements vary across the jurisdictions and recommended the Board form a RAC to address the rules.

Member Shanahan moved to form a rules advisory committee to review and make recommendations related to applicants who are graduates of non-CAPTE accredited educational programs. Member Hahn seconded the motion. Motion passed unanimously by a vote of 6-0.

Chair Haworth asked Ruggie Canizares, PT to chair the Rules Advisory Committee, who agreed to do so.

### **Other Business**

None.

### **Recognition of Service:**

Director Sigmund-Gaines and Chair Haworth presented Sherri Paru with an award celebrating 20 years of service as the Board Investigator/Clinical Advisor.

Chair Haworth presented a certificate of appreciation to Member Alan McAvoy for his 8 years of service as Board Member and Board Vice-Chair.

### **Meeting Adjourned at 12:16 PM.**



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

**Thursday, October 13, 2022:**

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

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

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

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

**PUBLIC (OPEN) SESSION**

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

**EXECUTIVE (CLOSED) SESSION**

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

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

**Friday, October 14, 2022:**

**PUBLIC (OPEN) SESSION**

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

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

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

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

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

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

**Board Motions:**

**Case PT 755-05/22**

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

Motion seconded by Member Okumura.

Motion passed unanimously by a vote of 7-0.

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### Case PT 726-09/21

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

### Case PT 735-06/21

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

### Case PT 750-04/22

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

### Case PT 776-10/22

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

### Case PT 777-10/22

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

### Case PT 778-10/22

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

### Case PT 778/10/22

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

### Consent Agenda Items

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

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

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

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unanimously by a vote of 7-0.

## **Public Comments:**

None.

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

### **PT Compact Commission Report and FSBPT Delegate Report:**

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

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

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

### **Board Appointments; Recognition of Service**

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

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

### **Strategic Plan Progress Review**

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

### **Open Roundtable:**

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

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

### **Review and Discussion of 2022 Renewals**

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

### **OAR Division 35 Rulemaking**

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

## **Initiate Rulemaking relating to implementation of HB 2359 (2021)**

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

### **2023 Board Meeting Calendar**

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

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

### **Other Business**

None.

**Meeting Adjourned at 10:39 AM.**