

**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.

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.

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

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.