

Oregon Board of Physical Therapy
Board Meeting Minutes
Nov 15 and Nov 17, 2023

Wednesday, November 15

Board Members Present: Erica Shanahan, PTA, Chair; Hoku Okumura, PT, Vice Chair; Erin Crawford, PT; Sandra Hahn; Michael Rennick, PT; Susan Reynolds, PT; Dwight Terry

Board Members Absent: Becca Reisch, PT, Excused.

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

Staff Absent: None.

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Shanahan convened the Board into Public Session at 4:18 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 4:20 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 6:38 PM, Chair Shanahan adjourned Executive Session.

Friday, November 17

PUBLIC (OPEN) SESSION

Chair Shanahan convened the Board into Public Session at 8:35 AM.

Board Members Present: Erica Shanahan, PTA, Chair; Hoku Okumura, PT, Vice Chair; Erin Crawford, PT; Sandra Hahn; Michael Rennick, PT; Susan Reynolds, PT; Dwight Terry.

Board Members Absent: Becca Reisch, PT, Excused

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

Staff Absent: None

Legal Counsel: Angie Hunt, AAG.

Members of the Public Present: Tim Goldforth, Kevin Sullivan

Board Motions:

Case PT 787-12/22

Motion by Member Okumura of finding of sufficient evidence of violation of ORS 688.140(2)(a)(d)(n)(o) and OAR 848-045-0020(2)(i)(o)(p)(B), and (q).

Motion seconded by Member Rennick.

Motion passed unanimously by a vote of 7-0.

Case PT 822-08/23

Motion by Member Okumura to close case.

Motion seconded by Member Rennick.

Motion passed unanimously by a vote of 7-0.

Case PT 830-10/23

Motion by Member Okumura to close case and issue upon completed application.

Motion seconded by Member Rennick.

Motion passed unanimously by a vote of 7-0.

Case PT 829-10/23

Motion by Member Okumura to close case.

Motion seconded by Member Rennick.

Motion passed unanimously by a vote of 7-0.

Case PT 827-09/23

Motion by Member Okumura to ratify the administrative closure of this case pursuant to delegated authority.

Motion seconded by Member Rennick.

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—Sept 22, 2023.
- 2 Ratification of PT/PTA Licenses & Temp Permits issued Sept 1, 2023 – Oct 31, 2023.
- 3 Executive Director's Report for November 2023.
- 4 Summary Report: Developing Culturally Responsive Regulation.

Director Sigmund-Gaines referred to the Executive Director's report section under administrative highlights and noted that the migration to the updated version of our licensing software originally expected to be completed by the end of the calendar year has been delayed. Due to renewals starting in January, the migration has been put on hold and scheduled to resume sometime after April 1, 2024. Staff are working with the provider to move forward with change requests in the current version for items needed to support renewals.

Member Okumura moved to approve the consent agenda items as written.

Member Rennick seconded the motion.

Motion passed unanimously by a vote of 7-0.

Public Comments

None.

Board Member/Committee/Delegate Reports

New Board Member Introduction:

Director Sigmund-Gaines recognized our new public member Dwight Terry.

PT Compact Commission and FSBPT Delegate Update:

Director Sigmund-Gaines noted that Washington DC has now started issuing compact privileges. The Annual PT Compact Commission meeting is scheduled for Dec 5, 2023 and will be a virtual meeting. Staff Paru, as the PT Compact Delegate, added that she is serving on the Compact Compliance Committee and gave a brief overview of the Committee's work.

FSBPT Update:

Director Sigmund-Gaines talked about an upcoming webinar scheduled for Dec 13, titled "New Board Members & Staff: Preparation to Serve", presented by Dale Atkinson. Chair Shanahan, as the FSBPT delegate, reviewed the dates for the 2024 meetings. Congratulations to Director Sigmund-Gaines for being elected for the FSBPT Board of Directors and serving as liaison to multiple jurisdictions including Oregon.

Strategic Plan Progress Review: Director Sigmund-Gaines provided a review of the strategic plan. Based on Board discussions, the strategic initiatives will be carried forward into the next 5 years. The state of Oregon is standardizing the strategic planning forms and we will be adjusting our format accordingly. We hope to have the information that the Board has been working on over the past year put into the new format for review at the January Board meeting. Director Sigmund-Gaines hopes to be able to identify for the Board the priorities that are going to be introduced with regard to the Executive Branch in regards to the bills currently being considered by the Governor for the short legislative session.

Open Roundtable:

None

Board General Discussion & Action Items

Oregon Wellness Program Presentation-Tim Goldfarb, OWP

Tim Goldfarb presented an overview of the counseling services for healthcare professionals provided by the Oregon Wellness Program. Currently, the Oregon Medical Board, Oregon Board of Dentistry, and Oregon State Board of Nursing participate in the program. It is funded primarily by the participating Boards and ongoing grants. Participation in the program would afford our licensees confidential counseling services. One other key advantage is most appointments are available within 72 hours.

DOJ Medicaid Fraud Division-Rob Seimetz & Elizabeth Ballard-Colgrove

Rob Seimetz, Chief Investigator for the Oregon Dept of Justice Medicaid Fraud Unit, and Elizabeth Ballard-Colgrove, Assistant Director, presented an overview of the role of the Medicaid Fraud Unit. They provided examples of some of the types of fraud they investigate and explained how the OBPT would proceed with a referral if warranted.

Rulemaking Forecast

Director Sigmund-Gaines and Board AAG Hunt, have been reviewing our rules to make sure we are in compliance with recent statutory changes in regards to public meetings law and other new requirements. Review will help to identify what we may need as far as rulemaking in response to the statutory changes. We will also be reviewing the PT Compact Commission rules. If any rule amendments are needed, Director Sigmund-Gaines will initiate the public rulemaking process and advise the Board. Lastly, we are currently conducting a 5-year rule review. Statute requires that recently adopted rules need to be reviewed at 5 years to validate that the purpose of the rule is being achieved.

Staff Paru is in the process of confirming the members of the Rules Advisory Committee to review the rules relating to documentation and supervision standards. They plan to have their first meeting in Dec or Jan.

General Discussion

FSBPT 2023 Annual Education Meeting

Director Sigmund-Gaines, Member Rennick and Chair Shanahan attended the in-person FSBPT Annual Education Meeting in October and shared some of the highlights.

These included: Survey results that reflected the public understanding of regulation and the complaint process, discussion of how we can increase the public's awareness of who we are and what we do, resources from the FSBPT Sexual Misconduct & Boundaries Committee now available on their website, and items to consider for future News Brief relating to appropriate behaviors. Other highlights included the use of AI in physical therapy. Staff Paru will be attending the Clear Winter Symposium in July which will include discussions about AI. One other item discussed was competency drift among practitioners and the topic of required continuing education and its relation to competency.

Other Business

None.

Meeting Adjourned at 11:21 AM.