



AK PT/OT Board - Regulations Committee Mtg - March 18, 2024 Minutes

Alaska Division of Corporations, Business and Professional Licensing

Mar 18, 2024 at 10:00 AM AKDT

@ Juneau – Zoom

1. Call to Order/Roll Call

Committee Members:

Valerie Phelps

Lindsey Hill

Alternate = Rebecca Dean

Regulations Committee of the Physical Therapy and Occupational Therapy Board was called to order at 10:11 am AKDT on Monday, March 18, 2024 by Rebecca Dean. Roll Call done.

Committee Members:

- Valerie Phelps - absent (excused)
- Lindsey Hill - present
- Rebecca Dean - present

Staff present:

- Shane Bannarbie, Program Coordinator I
- Sheri Ryan, License Examiner

2. Review/Approve Agenda

 [PHY - Regulations Mtg - Agenda - 03-18-2024.pdf](#)

Motion:

Motion to approve agenda as written.

Motion to approve the March 18, 2024 PHY Regulations Committee agenda as written passes unanimously.

3. Sept 16 Mtg date - Reschedule?

Discussed possible options for September committee mtg. September 23 is best available date for committee members Lindsey Hill and Rebecca Dean. Staff to follow up with Valerie Phelps on availability and coordinate rescheduling of meeting date.

4. Public Comment

No members of the public connected to the meeting to give public comment.

5. Regulations Projects

Regulations Projects Status Updates:

- Occupational Therapy Dry Needling –
 - Project adopted at 11/16/2023 board meeting
 - Initial regulation language written as part of Scope of Practice work group and approved at 6/16/2023 board meeting. Language revised 12/4/2023.
 - Opening Questionnaire completed 12/4/2023
 - Proposed language approved for public comment subject to approval by Department of Law at 2/16/2024 board meeting
- Physical Therapy Dry Needling –
 - Project adopted at 6/16/2023 board meeting + language approved by the board 06/16/2023.
 - Regulation language written as part of Scope of Practice work group
 - Opening Questionnaire to mirror OT Dry Needling Questionnaire completed 12/4/2023

 [Occupational Therapy Dry Needling Regulations - approved 2-16-2024.pdf](#)

 [Dry Needling Regulations Approved - 06-16-2023.pdf](#)

Regulations Specialist not available to attend meeting. Staff to follow up with Regulations Specialist on status of OT/PT regulations project.

A. 12 AAC 54.040(c) - (h) and 12 AAC 54.110 (4) per 08.84.032(2) revision for removal of PT 6-month Internship for Foreign-Educated applicants - revamp "supervised field work" definition for physical therapy

- Project adopted at 11/17/2023 board meeting
- Draft regulation language need to be written
- Opening Questionnaire needs to be completed

 [Regulations Project Opening Questionnaire 2023 9-5-23.docx](#)

08.84.032(2) have completed, to the satisfaction of the board, an internship under the continuous direction and immediate supervision of a physical therapist in an institution that ordinarily provides physical therapy and is approved by the board, for that period of time specified by the board, and furnish documentary evidence of compliance with this paragraph;

Original intent of regulations project was to look at elimination of internship from foreign-educated applicant process within 12 AAC 54.040 (c)- (h). Discussion of conflict due to requirement of inclusion of an "internship" as part of statute 08.84.032(2) and definition of internship "in an institution that ordinarily provides physical therapy". Intent of an internship for foreign-educated applicant is in a clinical setting, not educational setting and post-graduate not as part of school work aka "supervised field work".

Purpose of internship - Acclimate to American culture/standards for delivery of care.

1. Reduce time frame needed to meet requirements but still maintain purpose of internship - current internship is 6 months 910 hours.
2. Expand opportunities for foreign-educated interns to participate - current regulations limit to larger practices.
3. Clarify language - does internship need to be served in Alaska w/Alaska licensed physical therapist as preceptor?

Item tabled until physical therapy expertise is available.

B. 12 AAC 54.600 (3) – cleanup language regarding verification of applicant’s licensure status – specifically “one of which must indicate a current license in good standing”.

- Project adopted at 2/16/2024 board meeting
- Draft regulation language needs to be written
- Opening Questionnaire needs to be completed
- Suggestion from Glenn Saviers - Add a requirement when applying by examination to 12 AAC 54.030 and 12 AAC 54.600 that require verifications of licensure from any jurisdictions where a person is or has ever been licensed.

 [Regulations Project Opening Questionnaire 2023 9-5-23.docx](#)

Discussion about conflict within the language of 12 AAC 54.600(c) for applicants applying by examination and requirement of "shall submit" #3.

12 AAC 54.600(3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy, one of which must indicate a current license in good standing ; each verification from each jurisdiction where the applicant holds or has ever held a license must include an explanation of any disciplinary actions taken against the license.

Determination made to split out language in 12 AAC 54.600 for Occupational Therapy Licensure Requirements by Examination and Occupational Therapy Licensure Requirements by Credentials similar to 12 AAC 54.030 and 12 AAC 54.100.

Rebecca Dean to draft language and opening questionnaire for review at next Regulations Committee meeting. New version of Physical Therapy and

Occupational Therapy Statutes and Regulations due out next week - 3/26/2024 - due to approved regulations changes.

C. 12 AAC 54.600(6)(c) + 12 AAC 54.950(e) - 150-hour Internship requirement for Initial applicants and new license whose original license lapsed for 5 years or more - revamp definition of internship for these sections

- Project adopted at 2/16/2024 board meeting
- Draft regulation language needs to be written
- Opening Questionnaire needs to be completed

 [Regulations Project Opening Questionnaire 2023 9-5-23.docx](#)

Situation - 12 AAC 54.600(6)(c) allows for occupational therapy applicants who are re-entering the workforce to complete a 150-hour internship approved by the board but there is no exemption under 08.84.150 for an occupational therapist to provide the needed occupational therapy services to meet the internship without a license. Exemption from licensure in 08.84.1509b)(1) is for "*a student in an accredited occupational therapy program or in a supervised field work program*".

Same scenario exists for physical therapy applicants under 12 AAC 54.100(5)(c) but would require statute change for exemption. 08.84.150(a)(1) language is different for physical therapy. It states "(1) *a student in an accredited physical therapy program*". Does not include the same "supervised field work program" language.

Option 1 - Create new definition for "supervised field work program" and define the applicant as a "student" while participating in the internship or supervised field work program for the purposes of this regulation only.

Option 2 - Do away with "150-hour internship" entirely and create a different achievable pathway applicable to both physical therapy and occupational therapy.

Selected Option 2 to move forward. Committee will collect re-entry examples utilized by other states.

FSBPT link shared - Jurisdiction Licensure Reference Guide - Reinstating Active License After Lapse in Licensure (Re-Entry)

<https://www.fsbpt.net/lrg/Home/ReinstatingActiveLicenseAfterLapseInLicensure>

Staff to post request on FSBPT Administrators List Serve to collect data for physical therapy related to re-entry requirements for licensure.

Lindsey Hill to collect through contacts with NBCOT and AKOTA related to re-entry requirements for licensure. Staff to forward contact information for new president of AKOTA to Lindsey Hill.

D. Supervision of Students during clinical internship of PT/PTA and OT/OTA – aka “supervised fieldwork” prior to graduation

- Project adopted at 2/16/2024 board meeting
- Draft regulation language needs to be written
- Opening Questionnaire needs to be completed

 [Regulations Project Opening Questionnaire 2023 9-5-23.docx](#)

Discussion about overall objective and how to achieve. Decision to collect data from other states re: student supervision. Concern about billing for services performed by students as non-licensed personnel and need to clarify in any regulatory language written.

Lindsey Hill to collect through contacts with NBCOT and AKOTA for occupational therapy on supervision of students.

Staff to post request on FSBPT Administrators List Serve to collect data for physical therapy on supervision of students.

Concern to be discussed at next meeting - if regulations are written, would language be dictating standards for educational institutions since new definitions of "supervised field work" put it under CAPTE or ACOTE standards?

New definitions of "supervised field work" effective 03/26/2024:

12 AAC 54.070. Supervised field work. As used in AS 08.84.030(a)(1), "supervised field work" means the clinical education experience portion of a CAPTE-accredited educational program to be completed under the supervision of a licensed physical therapist.

12 AAC 54.620. Supervised field work. As used in AS 08.84.030(b)(1), 08.84.032(b)(2), and 08.84.150(b)(1) "supervised field work" means the portion of an ACOTE-accredited professional occupational therapy education program to be completed by an applicant under the supervision of a licensed occupational therapist.

E. Examiner Suggestions for additions

- Add "Space Force" to 12 AAC 54.435 (e) and 12 AAC 54.725 (e) Exemption from CE Requirements for Active Duty Military Service

- 12 AAC 54.500(b) + 54.805 - Posting of a license or permit - update language
- 12 AAC 54.660 Temporary Military Courtesy License does not require Verification of License must be sent "directly to the Division from the source" like all other application types
- 12 AAC 54.710(h) - why do we require photocopy of the front and back of the applicant's current NBCOT certificate. Accept Electronic wallet card or NBCOT Primary source online OTR/COTA verification?
- 12 AAC 54.920 - Change of Name or address - Repeal and default to Centralized licensing regulation 12 AAC 02.900 instead. 54.920 requires notarized copy of a legal document for name change which is more than 12 AAC 02.900.

Items shared with committee and to be taken under advisement.

6. Next Steps

1. Staff to follow up with Valerie Phelps on availability and coordinate rescheduling of September committee meeting date.
2. Staff to follow up with Regulations Specialist on status of OT/PT regulations project.
3. 12 AAC 54.040(c) - (h) and 12 AAC 54.110 (4) per 08.84.032(2) revision for removal of PT 6-month Internship for Foreign-Educated applicants - revamp "supervised field work" definition for physical therapy - TABLED for physical therapy expertise - Add to next meeting agenda.
4. Rebecca Dean to draft language and opening questionnaire for 12 AAC 54.600(3) Regulations Project for review at next Regulations Committee meeting. New version of Physical Therapy and Occupational Therapy Statutes and Regulations due out next week - 3/26/2024 - due to approved regulations changes.
5. Staff to post request on FSBPT Administrators List Serve to collect data for physical therapy related to re-entry requirements for licensure.
6. Lindsey Hill to collect through contacts with NBCOT and AKOTA related to re-entry requirements for licensure.
7. Staff to forward contact information for new president of AKOTA to Lindsey Hill.
8. Lindsey Hill to collect through contacts with NBCOT and AKOTA for occupational therapy on supervision of students.
9. Staff to post request on FSBPT Administrators List Serve to collect data for physical therapy on supervision of students.

7. Adjourn

Regulations Committee of the Physical Therapy and Occupational Therapy Board was adjourned at 12:31 pm AKDT on Monday, March 18, 2024. Next meeting is Monday, April 15, 2024 via Zoom.

Committee meeting schedule for 2024:

3-18-2024
4-15-2024
5-20-2024
6-17-2024
7-5-2024
8-19-2024
9-16-2024 or 9-23-2024
10-21-2024
11-18-2024
12-16-2024

Approved 04-15-2024 by Regulations Committee.