



AK PT/OT Board - Regulations Committee Mtg - April 15, 2024 Minutes

Alaska Division of Corporations, Business and Professional Licensing

Apr 15, 2024 at 10:00 AM AKDT

@ Juneau - Zoom

These are DRAFT minutes prepared by staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

Attendance

1. Call to Order/Roll Call

Committee Members:

Valerie Phelps

Lindsey Hill

Alternate = Rebecca Dean

The Physical Therapy and Occupational Therapy Regulations Committee Meeting was called to order on Monday, April 15, 2024 by committee member Lindsey Hill at 10:12 am. Roll call:

Committee Members:

Valerie Phelps - absent (excused)

Lindsey Hill - present

Rebecca Dean - present

Staff members: Shane Bannarbie, Program Coordinator and Sheri Ryan, Licensing Examiner present

Guests: Kristen Neville, Manager, State Affairs, American Occupational Therapy Association (AOTA) present

2. Review/Approve Agenda

 [PHY - Regulations Mtg - Agenda - 04-15-2024.pdf](#)

Rebecca Dean motioned to approved the agenda as written for the Regulations Committee meeting for 04/15/2024. Lindsey Hill seconded. All in favor; none opposed. Motion to approve the agenda for the 04-15-2024 PHY Regulations Committee meeting as written passes unanimously.

3. Approve Minutes 03-18-2024 Regulations Meeting

 [AK PT OT Board - Regulations Committee Mtg - March 18, 2024 Minutes - Draft.pdf](#)

Rebecca Dean motioned to approved the minutes as submitted for the Regulations Committee meeting for 03-18-2024. Lindsey Hill seconded. All in favor; none opposed. Motion to approve the minutes for the 03-18-2024 PHY Regulations Committee meeting as submitted passes unanimously.

Action Items:

Staff to post approved PHY Regulations Committee meeting minutes from 03-18-2024 to website.

4. Public Comment

No members of the public connected. No public testimony given.

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
 - Board modified vote 04/04/2024 - proposed language to be reviewed by the board w/Department of Law modifications before going out to public comment
- 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
 - Regulation language revised 03/19/2024
 - Opening Questionnaire completed 03/19/2024
 - Proposed language approved at 04/04/2024 board meeting + to be reviewed by Board w/Department of Law modifications before going to public comment.

Status update - PT Dry Needling language approved by the Physical Therapy and Occupational Therapy at 04-04-2024 board meeting. Motion included both PT and OT Dry Needling draft language to be reviewed by Board with any Department of Law modifications prior to going out for public comment.

- 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
- Item tabled for PT input

Item remains tabled for physical therapy input.

- 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
- Regulation language drafted - needs to be reviewed
- Opening Questionnaire drafted - needs to be reviewed

 [12 AAC 54.600 Regulations project language DRAFT \(003\) 04052024.pdf](#)

 [Regulations Project Opening Questionnaire OT OTA Requirement Clarification 12 AAC 54.600 draft 04052024 .pdf](#)

 [Regulations Project Opening Questionnaire STAFF - 12 AAC 54.600 - 04-05-2024.pdf](#)

Reviewed draft language completed by Rebecca Dean. Discussed including language in 12 AAC 54.030 Physical Therapy Licensure by Examination that would set a time limit on ability to apply by examination similar to language that already exists for occupational therapy. Need additional input from physical therapy on appropriate time period. Because board is also considering modifying 12 AAC 54.600(6)(C), would need inclusion of completion of 150 hour internship Regulations Project to finalize this regulations project.

Rebecca Dean motioned to accept drafted language for 12 AAC 54.600 (3) as submitted with the following modifications:

- "OR" to be added to 6B after semicolon of 12 AAC 54.6XX Application for Occupational Therapy Licensure by Credentials
- Pending discussion of including additional language in 12 AAC 54.030 limiting time period for taking National Physical Therapy Examination (NPTE) similar to language of 12 AAC 54.6XX(4) Requirements for Occupational Therapy License by Examination "during the 24 months immediately before the date the application is received by the department".
- Completion of secondary Regulations Project modification of 12 AAC 54.6XX(6)(C) "satisfactorily completed an internship of 150 hours approved by the board."

Motion seconded by Lindsey Hill. All in favor; none opposed. Motion carries unanimously.

Action Items:

Staff to correct 12 AAC 54.6XX Application for Occupational Therapy Licensure by Credentials - add "OR" to 6B after semicolon

- 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
 - Committee collected re-entry examples utilized by other states for review. FSBPT link shared - Jurisdiction Licensure Reference Guide - Reinstating Active License After Lapse in Licensure (Re-Entry)
<https://www.fsbpt.net/lrg/Home/ReinstatingActiveLicenseAfterLapseInLicensure>

 [Reentry guidelines - OT.pdf](#)

 [Re-entry chart - OT.pdf](#)

 [NBCOT overview on reentering and students.pdf](#)

 [ReentryOfPhysicalTherapyProviders201605.pdf](#)

 [White paper for therapists FSBPT ReEntry.pdf](#)

Discussion - Objective - Redefine 12 AAC 54.100(5)(C) and 12 AAC 54.600(6)(C) and 12 AAC 54.950(e) pathways for therapists re-entering the workforce and replace 150-hour internship with a combination of education and supervised service delivery. AOTA Guidelines for Reentry Into the Field of Occupational Therapy reviewed.

"Present evidence to the department that the applicant was actively registered or licensed as a therapist in another state during the 3 year period in good standing" - possibly use language similar to MI (ii) OT example - clarifying working history needed within active license status.

No exemption from licensure exists within AS 08.84.150 for physical therapy. Could define as "supervised field work program" specifically for this regulation only for occupational therapy to comply with AS 08.84.150(b)(1) license exemption. Need to check on possibility of temporary permit being issued for this requirement.

Motion made by Rebecca Dean to pend work on this regulations project for further review of options on redefining pathways and temporary permit possibility. Motion seconded by Lindsey Hill. All in favor; none opposed.

Action Items:

- Staff to check on possibility of temporary permit being issued for supervised service delivery of 12 AAC 54.100(5)(C), 12 AAC 54.600(6)(C) and 12 AAC 54.950(e).
- Committee members to continue reviewing collected re-entry examples utilized by other states.

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
- 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.

- Committee will collect data from other states on supervision of students

 [Statutes and Regulations on Students - OT.pdf](#)

Rebecca Dean motioned to recommend to Board to dismiss Regulations Project on Supervision of Students during clinical internship for PT/PTA and OT/OTA - aka "supervised fieldwork" prior to graduation. Conflict exists if regulations written, as board would be dictating standards for educational institutions since new definitions of "supervised field work" put it under CAPTE or ACOTE standards per 12 AAC 54.070 and 12 AAC 54.620. Motion seconded by Lindsey Hill. All in favor; none opposed. Motion to recommend dismissal of regulations project passes unanimously.

E. Examiner Suggestions

- 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.

 [Examiner Suggestions Draft 04-06-2024.pdf](#)

Draft language reviewed. Discussion of 12 AAC 54.500(b) and 54.805 - what if person does not have a business or physical location - where do they post? Website? Traveler - wallet card? Need to research possible language solutions.

Rebecca Dean motioned to accept the following proposed draft regulation language changes as submitted and reviewed and add to an existing regulations project to be forward to the board for recommendation:

- 12 AAC 54.435 (e) and 12 AAC 54.725 (e) Exemption from CE Requirements for Active Duty Military Service - Add Space Force as branch of service included in exemption
- 12 AAC 54.660 (4) - Temporary Military Courtesy License - standardize language so Verification of License must be sent "directly to the Division from the source" like all other application types
- 12 AAC 54.710(h) - modernize language to include all forms of verification of current NBCOT OTR/COTA certification
- 12 AAC 54.920 (b) - Change of Name or address - modify name change to Centralized licensing regulation 12 AAC 02.900 instead

Pend 12 AAC 54.500(b) + 54.805 - Posting of a license or permit - for update of language pending research of solutions for travelers who may not have an actual business location or only a website.

Motion seconded by Lindsey Hill. All in favor; none opposed. Motion to accept proposed draft regulation language changes for 12 AAC 54.435(e); 12 AAC 54.725(e); 12 AAC 54.660(4); 12 AAC 54.710(h); and 12 AAC 54.920(b) for recommendation to the board passes unanimously.

Action Items:

Research possible language solutions for 12 AAC 54.500(b) + 54.805 - Posting of a license or permit - for travelers who may not have an actual business, physical location or only a website.

6. Next Steps

- Staff to post approved PHY Regulations Committee meeting minutes from 03-18-2024 to website.
- Staff to correct 12 AAC 54.6XX Application for Occupational Therapy Licensure by Credentials - add "OR" to 6B after semicolon
- Research possible language solutions for 12 AAC 54.500(b) + 54.805 - Posting of a license or permit - for travelers who may not have an actual business, physical location or only a website.
- Staff to check on possibility of temporary permit being issued for supervised service delivery of 12 AAC 54.100(5)(C), 12 AAC 54.600(6)(C) and 12 AAC 54.950(e).
- Committee members to continue reviewing collected re-entry examples utilized by other states.
- Research possible language solutions for 12 AAC 54.500(b) and 54.805 – Posting of a license or permit – for travelers who may not have an actual business, physical location or only a website.

7. Adjourn

The Physical Therapy and Occupational Therapy Regulations Committee Meeting was adjourned at 11:38 am AKDT on Monday, April 15, 2024.

Next meeting Monday, May 20, 2024 at 10:00 am.