

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
**STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD**

**CONDENSED MINUTES OF THE MEETING HELD AUGUST 4, 2023**

Date:	August 4, 2023
Time:	9:00 am – 11:15 am
Location:	Virtual
Attending:	Board Members: Valerie Phelps, Lisa Radley, Bryan Murphy, Enlow Walker, Board Secretary, Rebecca Dean and Tina McLean, Board Chair. Staff Members: Sara Chambers, Board and Regulations Advisor; Reid Bowman, Program Coordinator 2; Sheri Ryan, Licensing Examiner; Karina Madina, Investigator 2
Absent:	Lindsey Hill

<b>1. Call to Order / Roll Call</b> - By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the State Physical Therapy and Occupational Therapy Board was called to order at 9:02 am and Roll Call was done by Board chair, Tina McLean. Present: Valerie Phelps, Lisa Radley, Bryan Murphy, Enlow Walker, Board Secretary, Rebecca Dean and Tina McLean, Board Chair. 6 of 7 appointed board members in attendance; Quorum in effect.	
<b>2. Review/Approve Agenda</b>	
Brief Discussion:	No discussion.
Motion to accept agenda:	<i>All in favor of accepting the agenda as written. None opposed. Motion passes unanimously.</i>
	<b>Agenda for the Board of Physical Therapy and Occupational Therapy for the August 4, 2023 meeting is approved as written.</b>
Recorded Votes:	<i>McLean - Y Walker - Y</i>
	<i>Hill - absent Dean - Y</i>
	<i>Murphy - Y Phelps - Y</i>
	<i>Radley - Y</i>
<b>3. Ethics Reporting</b>	
Brief Discussion:	Board chair, Tina McLean asked all board members if they had any ethics/conflicts of interest to report. None reported.
<b>4. Public Comment</b>	
Brief Discussion:	Written comment submitted 07/27/2023 from Samuel Lucas, Denali Physical Therapy regarding his concerns regarding the new authorization process for Medicaid members and 08/04/2023 from Alec Kay, PT, DMT, OCS, FAAOMPT, ATC regarding added administrative burden new Medicaid changes are creating and potential reduction of providers because of increased costs resulting in barriers to care for this patient pool.
<b>5. Administrative Business</b>	

<b>A. David Lyons – Random Audit for Approval</b>		
Brief Discussion:	David Lyons – Tabled Random Audit for Approval – Discussed requirements of meeting 12 AAC 54.410(b) for Jones Institute courses. The AK PT/OT Board previously approved Jones Institute course under 12 AAC 54.420(c) as they contribute to the professional competency of a physical therapist. Currently the Jones Institute website only shows a course approving body of National Certification Board for Therapeutic Massage & Bodywork (NCBTMB). Licensee needs to provide documentation that the course is recognized/accepted/approved by one of the entities in 12 AAC 54.420 (1), (2), or (3) – for example - any other state physical therapy licensing boards or state physical therapy associations. 30 days to provide w/ex	
	Add FAQ – licensee needs to ensure that all courses are recognized/accepted/approved according to the regulations under 12 AAC 54.420 and be prepared to provide required verification.	
	Enlow Walker pointed out that Mr. Lyons only needs 12 contact hours approved from his courses to meet the criteria under 12 AAC 54.410(b) and that he does not need to seek approval for all the courses he took from the Jones Institute.	
Motion to table Lyons audit:	<i>I, Bryan Murphy, make a motion to table the audit of David Lyons until such time as he can provide evidence that his CEUs are approved by either our state association or some other state association (entity) listed in our regulations and give him a timeline of 30 days from the receipt of the letter to respond. Motion seconded by Valerie Phelps. All in favor; none opposed. Motion passes unanimously.</i>	
	<b>The Board of Physical Therapy and Occupational Therapy unanimously tables the audit of David Lyons until such time as he can provide evidence that his CEUs are approved by either our state association or some other state association (entity) listed in our regulations and give him a timeline of 30 days from the receipt of the letter to respond.</b>	
Recorded Votes:	<i>McLean - Y</i>	<i>Walker -Y</i>
	<i>Hill - absent</i>	<i>Dean - Y</i>
	<i>Murphy - Y</i>	<i>Phelps – Y</i>
	<i>Radley- Y</i>	
Action Items:	<i>Staff to send correspondence to David Lyons requesting documentation of approval of Jones Institute courses by an entity in 12 AAC 54.420 (1), (2) or (3) with 30 days to respond from receipt of email.</i>	
<b>B. Investigative Matters – Executive Session – Case 2023-000674 – Voluntary Surrender</b>		
Brief Discussion:	No discussion.	
Motion to move into Executive Session:	<i>I, Rebecca Dean, move that the Alaska State Physical and Occupation Therapy Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the voluntary surrender case 2023-000674. Motion seconded by Valerie Phelps. All in favor; none opposed. Motion passes unanimously.</i>	
	<i>Motion amended that staff members Sheri Ryan, Sara Chambers, Karina Madina, and Reid Bowman stay in executive session. All in favor; none opposed. Amended motion passes unanimously. Off record as of 9:36 am.</i>	
Recorded Votes:	<i>McLean - Y</i>	<i>Walker -Y</i>

	<i>Hill - absent</i>	<i>Dean - Y</i>
	<i>Murphy - Y</i>	<i>Phelps – Y</i>
	<i>Radley- Y</i>	
Executive session ended. Back on record as of 9:44 am. Roll call done by Board chair, Tina McLean. Present: Rebecca Dean, Bryan Murphy, Valerie Phelps, Lisa Radley, Enlow Walker, Board Secretary, and Tina McLean, Board chair. Absent: Lindsey Hill. 6 of 7 appointed board members in attendance; Quorum in effect.		
Motion to accept Voluntary surrender case 2023-000674:	I, Rebecca Dean, make a motion that we accept the voluntary surrender of case 2023-000674 for Maeve M. Curran, license #106202. Motion seconded by Lisa Radley. All in favor; none opposed. Motion passes unanimously.	
	<b>The Board of Physical Therapy and Occupational Therapy unanimously accepts the voluntary surrender of Maeve M. Curran, license #106202, case 2023-000674.</b>	
Recorded Votes:	<i>McLean - Y</i>	<i>Walker -Y</i>
	<i>Hill - absent</i>	<i>Dean - Y</i>
	<i>Murphy - Y</i>	<i>Phelps – Y</i>
	<i>Radley- Y</i>	
Action Items:	<i>Staff to forward necessary paperwork on voluntary surrender case 2023-000674 for signature by board chair.</i>	
<b>C. Board Correspondence – Scope of Practice Work Group Response Recommendations</b>		
Brief Discussion:	Discussed response recommendations made from Scope of Practice Work Group for 4 referred board correspondence items from June 16, 2023 board meeting.	
Motion to forward proposed correspondence to Dept. of Law for review:	<i>Valerie Phelps motions to move the current proposed correspondence to the Department of Law for review before the board approves to send to the constituents. Motion seconded by Rebecca Dean. All in favor; none opposed. Motion passes unanimously.</i>	
	<b>The Board of Physical Therapy and Occupational Therapy unanimously moves to forward the current proposed correspondence to the Department of Law for review before the board approves to send to the constituents.</b>	
Recorded Votes:	<i>McLean - Y</i>	<i>Walker -Y</i>
	<i>Hill - absent</i>	<i>Dean - Y</i>
	<i>Murphy - Y</i>	<i>Phelps – Y</i>
	<i>Radley- Y</i>	
Action Items:	<i>Staff to forward proposed board correspondence responses to Department of Law through appropriate channels for review.</i>	
<b>6. PT/OT Coverage Changes to Alaska Medicaid Effective 07/01/2023</b>		
Brief Discussion:	<a href="#">Introduction to Program changes in Alaska Medicaid for physical and occupational services</a> discussed. These are regulation changes made by the Department of Health and Division of Health Care Services; Medicaid billing matters are not under the purview of the PT/OT board. The PT/OT board does not have the ability to regulate the Medicaid program and/or billing matters. Discussion on how to affect change as a profession and educate DOH on standards of care required for physical therapy and occupational therapy treatment.	
	Medicaid follows federal guidelines. Did federal changes mandate these changes?	
	Information distributed on how to sign up for notification of public notices to assist industry and private providers to be pro-active on giving public comment on any proposed future changes.	

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	Draft letter to promote advocacy for change by the profession through the state PT/OT associations reviewed. Discussed sending a copy of the letter to Kathy Berry, DOH to record the board’s concerns.
	Implementation of the utilization limits for adult therapy services under Medicaid will be suspended until November 2023. In preparation for the November 2023 implementation, Comagine, the department’s utilization management contractor, will be issuing guidance and conducting training to ensure providers are ready for this new prior authorization process. See <a href="#">Alaska Medicaid notice</a> .
Motion to send letter to APTA-AK and AKOTA w/copy to DOH:	<i>Valerie Phelps motioned to forward the letter on current Medicaid changes to presidents of the state physical therapy and occupational therapy associations with a copy to be sent to the Department of Health. Motion seconded by Rebecca Dean. All in favor; none opposed. Motion passes unanimously.</i>
	<b>The Board of Physical Therapy and Occupational Therapy unanimously moves to forward the letter on current Medicaid changes to presidents of the state physical therapy and occupational therapy associations with a copy to be sent to the Department of Health.</b>
Recorded Votes:	<i>McLean - Y</i>
	<i>Walker - Y</i>
	<i>Hill - absent</i>
	<i>Dean - Y</i>
	<i>Murphy - Y</i>
	<i>Phelps - Y</i>
	<i>Radley - Y</i>
Action Items:	<i>Sara Chambers to check with Kathy Berry, Department of Health if regulation changes were in response to federal Medicaid change and forward information to staff for board disbursement.</i>
	<i>Staff to forward drafted letter regarding Medicaid regulations changes to Alec Kay with APTA-AK and Cary Moore with AKOTA with a copy to Kathy Berry, Department of Health.</i>
<b>7. Meeting Summary – Action Items</b>	
	<ol style="list-style-type: none"> <li><i>1. Staff to send correspondence to David Lyons requesting documentation of approval of Jones Institute courses by an entity in 12 AAC 54.420 (1), (2) or (3) with 30 days to respond from receipt of email.</i></li> <li><i>2. Staff to forward necessary paperwork on voluntary surrender case 2023-000674 for signature by board chair.</i></li> <li><i>3. Staff to forward proposed board correspondence responses to Department of Law through appropriate channels for review.</i></li> <li><i>4. Sara Chambers to check with Kathy Berry, Department of Health if regulation changes were in response to federal Medicaid change and forward information to staff for board disbursement.</i></li> <li><i>5. Staff to forward drafted letter regarding Medicaid regulations changes to Alec Kay with APTA-AK and Cary Moore with AKOTA with a copy to Kathy Berry, Department of Health.</i></li> </ol>

Next Meeting:	November 16+17, 2023 – Atwood Building, 550 W. 7 <sup>th</sup> Avenue, Anchorage, Alaska
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Adjournment:	The State Physical Therapy and Occupational Therapy Board meeting was adjourned at 11:18 am AKDT on Friday, August 4, 2023.
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Approved by unanimous OnBoard vote 08/28/2023