

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

MINUTES OF MEETING

MARCH 30-31, 2006

By the 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 held on March 30-31, 2006 in Conference Room A, State Office Building 333 Willoughby Ave, Juneau, Alaska.

Thursday, March 30, 2006

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Mary Ann Paul, PT, Chair, at 9:00 a.m.

Those present, constituting a quorum of the Board, were:

Mary Ann Paul, PT, Chair
Dee Berline, OTR
Jo Boehme, OT/L
Jay McDiarmid, PT
Alec Kay, PT
Gary Burleson, Public Member
Julius Stephen Brecht, M.D.

Staff Present was:

Steven B. Snyder, Licensing Examiner

Agenda Item 2 Public Comment

No public was present.

Agenda Item 3 Review/Approve Agenda

The following changes were made to the agenda:

- Foreign-trained Occupational Therapists under Item 6B.
- Self-Study Continuing Education under Item 6B
- Legislative Audit under Item 11

On a motion by Boehme, seconded by Brecht, and carried unanimously it was

Resolved to approve the agenda as amended.

Agenda Item 4 Minutes

Page 7 – change “has” to “his”; Page 3 – “then” to “than”; Page 5 – “March” to “May 2005”; Page 10 – “AMPTA” to “APTA”, “AKPTA” to APTA”, “AMOTA” to “AOTA”, “AKOTA” to “AOTA”.

After review of the minutes and on a motion by Kay, seconded by McDiarmid, and carried unanimously it was

Resolved to approve the minutes of the meeting held March 30-31, 2006 as amended.

The November 10, 2005 minutes should be amended to reflect Jo Boehme as an “OT/L” and not “OTR”.

On a motion by Berline, seconded by Brecht, and carried unanimously it was

Resolved to amend the minutes of the meeting held November 10, 2005.

Agenda Item 5 Liaison Reports

Alec Kay reported that he had submitted a brief summary in the Big Dipper APTA newsletter and gave an oral report at the APTA meeting Girdwood.

Jo Boehme reported that she provided highlights of the board’s last meeting for the AOTA newsletter.

9:22 a.m. Off record to review Ethics Video
10:18 a.m. Reconvene

Agenda Item 6 Regulations

A. Review project adopted 10/04/05

This project was reviewed and no action necessary.

B. Review next project/Discuss new amendments

The board reviewed the February 21, 2006 draft regulation project and made the following changes as appropriate.

12 AAC 54.040(e) – No changes

12 AAC 54.040(j)(3) – insert a period after the word “points” and delete the semicolon as well as the word “and”.

12 AAC 54.040(j)(4) – Capitalize the letter “i” in the word “if”.

12 AAC 54.100(5) – No changes

12 AAC 54.800 – No changes

New projects:

Add the new change proposed under 12 AAC 54.100(5)(c) to be included under 12 AAC 54.600(6), regarding 150 hours internship in lieu of practice hours.

The board directed that a regulation be initiated under the authority of AS 08.01.100(f), in which the board may establish and implement a waiver of continuing education requirements for renewal of a license for the period in which a licensee is engaged in active duty military service in the armed forces of the United States. The board would like to pursue a regulation change allowing such waiver for a licensee unable to obtain continuing education due to active military duty.

12 AAC 54.610(a) change to meet requirements of 12 AAC 54.600(6)(A) and (B); (b) and (c) under 12 AAC 54.610 should stay the same.

The board reviewed 12 AAC 54.510(g)(2) and 12 AAC 54.810(b)(2) and discussed supervision of PTA and keeping records. Most PTs keep the consult records in patient chart but not in a separate file. No action necessary.

The board also reviewed the number of continuing education hours and made no changes to those hours.

The board discussed self-study courses and whether to limit self-study/computer/internet courses. If the board wants to limit those hours, a regulation change will be needed.

The board decided to hold off on limiting self-study courses until after review of the upcoming audit responses. The board will discuss this issue again at another meeting.

The board reviewed the document submitted by Steve Ross regarding questions concerning supervision of physical therapy and occupational therapy assistants.

The board directed the licensing examiner to respond to Mr. Ross.

1:00 p.m.
2:00 p.m.

Lunch Recess
Reconvene

Agenda Item 7

Investigative Report

Board reviewed and discussed open cases.

Agenda Item 8 Budget Report

Cathy Mason, Administrative Manager met with the board and advised that the board's budget is pretty consistent year-to-year and that fee increases are not necessary at this time.

Agenda Item 9 Applications for Licensure

The board reviewed applications for licensure.

The board discussed the number of times an applicant can fail the examination and whether the board should impose a time limit. The board reviewed 12 AAC 54.080(c) which does not limit the number of times an applicant can take an examination. The board discussed that if an applicant has not passed the examination within 24 months after graduation, then the applicant must complete a board approved 150 hour internship.

The board directed the examiner to conduct a "quick poll" of other states and how they handle applicants who have not passed the examination after repeated attempts or within one year.

4:00 p.m.

Break

4:10 p.m.

Reconvene

Questions for quick poll:

1. Does your state limit amount of times to take examination or limit the period of time in which the examination must be passed?
2. Can your state stipulate that a review course or internship be required after exam failure?
3. How long is a file left open (pending) while attempting to pass an examination?
4. Does your state have authority to deny licensure after a certain number of examination failures?

Agenda Item 10 Telemedicine Position Paper

The board reviewed the draft by Alec Kay and made amendments to the draft. Alec will add changes and email to licensing examiner. The examiner will print on letterhead, mail to all board members and send final to Mary Ann Paul for signature. After the document is signed by Mary Ann, the final version will be placed on the website and added as attachment to minutes and annual report.

4:45 p.m.

Recess

Friday, March 31, 2006

Call to Order/Roll Call

The meeting was called to order by Mary Ann Paul, PT, Chair, at 8:30 a.m.

Those present, constituting a quorum of the Board, were:

Mary Ann Paul, PT, Chair
Dee Berline, OTR
Jo Boehme, OT/L
Jay McDiarmid, PT
Alec Kay, PT
Gary Burleson, Public Member
Julius Stephen Brecht, MD

Staff Present was:

Steven B. Snyder, Licensing Examiner

Agenda Item 11 Annual Report Preview

Jo Boehme and Mary Ann Paul were both contacted by Boards and Commissions for reappointment; both said "yes" but had not heard back from Boards and Commissions.

The board discussed meeting in Juneau during the legislative session and how to contact or work with legislators – as board members or individuals. The board also discussed the legislative audit report and the board's continuation bill.

Agenda Item 12 FSBPT Examination

Licensing examiner gave an update on security of exam, form names, exam versions.

Agenda Item 13 National Meetings

FSBPT Annual Meeting, September 9-11, 2006 in Portland, OR. The Federation will reimburse the state for expenses.

Alec Kay is to be the Delegate member and Jay McDiarmid is the Alternate member.

Jo Boehme will attend the NBCOT meeting in September.

Agenda Item 6C Mary Olson Concern (Continued)

Mary Olson had written investigator Phil Petrie regarding an ongoing problem faced by physical therapists who work in the public school system. In particular, the Individual Education Plan (IEP), lists which related services are provided, where the service is provided and who provides the service. Frequently, physical therapy is listed as the service provided, and a teacher, aide or paraprofessional listed as the provider. What is meant to be relayed is that they are providing a program written by a physical therapist (similar to a home program which would be given in a clinic), but that is not what the IEP lists.

The board discussed all the concerns raised by Ms. Olson and whether the board should send a letter to school districts (Director of Related Services at school) that when a parent signs an IEP, the parents see physical therapy on the IEP and it is misleading and in the board's opinion illegal.

Dee will call the school district and find appropriate party with whom to communicate about this issue. Any letter will be signed by the board's investigator.

Dee will email Ms. Olson and copy the examiner.

Agenda Item 14 Ethics Reporting

The board requested that this topic be done at the beginning of each meeting right after Agenda Review.

No ethic violations to report.

10:10 a.m.

Break

10:20 a.m.

Reconvene

Agenda Item 15 Sign Certificates/Schedule Meeting

Meeting dates were scheduled as follows:

October 5-6, 2006 in Anchorage

April 12-13, 2007 in Juneau

October 4-5, 2007 in Anchorage

Agenda Item 16 Miscellaneous Correspondence

There was no miscellaneous correspondence to review.

Agenda Item 17 Recap Board Member assignments and next meeting agenda

- Election or reelection for chair and secretary positions
- Telehealth Position Paper – Alec
- Regulations
- Quick Poll for info on examination
- FSBPT & NBCOT Reports

The Board having no further business to discuss adjourned the meeting at 11:00 a.m.

Respectfully Submitted:

Steven B. Snyder, Licensing Examiner

Approved:

Mary Ann Paul, PT, Chair

Date: _____