



Alaska Board of Physical Therapy and Occupational Therapy Meeting - April 4, 2024

Minutes

Alaska Division of Corporations, Business and Professional Licensing
Apr 4, 2024 at 10:00 AM AKDT
@ Juneau – Zoom

MINUTES

1. Call to Order/Roll Call

The State Physical Therapy and Occupational Therapy Board meeting was called to order at 10:01 am AKDT on Thursday, April 4, 2024 by Chair Tina McLean. Roll call taken:

Board Members:

- Valerie Phelps - present
- Rebecca Dean - present
- Enlow Walker - present
- Tina McLean - present
- Lindsey Hill - absent - excused

A quorum of the board members exists (4 of 7) for the board to meet and do business.

Staff members present:

- Reid Bowman, Program Coordinator 2
- Shane Bannarbie, Program Coordinator 1 - joined at 10:23 am
- Sheri Ryan, Licensing Examiner

2. Review/Approval Agenda

 [PHY Agenda 2024 04 04 Draft revised.pdf](#)

Agenda amended to add discussion on SB91 up for hearing today, April 4 and possibly designate a board member to testify.

Motion made by Enlow Walker to approve the agenda as amended. Motion seconded by Rebecca Dean. All in favor; none opposed. The amended agenda for the board meeting for April 4, 2024 passes unanimously.

Roll call vote:

- Valerie Phelps - yes
- Rebecca Dean - yes
- Enlow Walker - yes

- Tina McLean - yes

3. Ethics Reporting

No ethics concerns reported by any board members.

4. Public Comment

No public member(s) connected. No Public Comment given at this meeting.

5. Administrative Business

A. Review Board Correspondence Process

Board discussed current process of how board correspondence is handled administratively - comes to full board for review; referred to appropriate committee; committee researches and makes recommendation to board at next meeting; board reviews/approves. Recommendation to have board correspondence go directly to appropriate committee first and then recommendation to board for review to speed up process.

Rebecca Dean motioned to accept the process for efficiency for board correspondence and reverse it having correspondence received initially go to the appropriate committee and then the committee recommendation come back to the board for the purpose of expediting processing all communications. Motion seconded by Valerie Phelps. All in favor; none opposed. Motion for reversing the process for correspondence passes unanimously.

The Physical Therapy and Occupational Therapy Board will process all board correspondence by sending to the appropriate standing committee for review initially. Committee(s) to review correspondence and make recommendation to the board.

Roll call vote:

- Valerie Phelps - yes
- Rebecca Dean - yes
- Enlow Walker - yes
- Tina McLean - yes

Action Item:

Staff to refer all incoming board correspondence to appropriate committee when received.

B. FSBPT Dry Needling Competencies Task Force

Discuss appointment of Tina McLean to FSBPT Dry Needling Competencies Task Force and attendance at in-person meeting August 9-11, 2024 in Alexandria, VA.

Tina McLean has been asked to be part of the FSBPT Dry Needling Competencies Task Force. Purpose of the task force is to revise/update and assist with the HUMRRO research analysis of physical therapy dry needling competencies nationwide which was last updated 2020. This is a national task force. All people seated have to apply and be approved by FSBPT as well as their state board to serve. Task force to be made up of ten individuals across the country. Virtual meetings to be held with one in-person meeting August 9-11, 2024 in Alexandria, VA. FSBPT to cover all expenses related to travel. Appointment through December, 2024.

Rebecca Dean motions that the board support Tina McLean, approve her joining the task force and working with FSBPT for the standard of care nationwide for physical therapy dry needling, and approval of travel for August, 2024 provided at the funding of FSBPT with the appropriate travel protocol submitted for state travel.

Discussion about bringing forth to the task force appropriate education standards development process for dry needling. Motion seconded by Valerie Phelps. All in favor; none opposed. Motion passes unanimously.

The Physical Therapy and Occupational Therapy Board will support Tina McLean, approves her joining the task force and working with FSBPT for the standard of care nationwide for physical therapy dry needling, and approves board travel to be funded by FSBPT for August, 2024 for Tina McLean.

Roll call vote:

- Valerie Phelps - yes
- Rebecca Dean - yes
- Enlow Walker - yes
- Tina McLean - yes

Action Item:

Staff to complete Conference Justification for August, 2024 travel.

6. PT Dry Needling Regulations Project

Discuss/approve amended draft physical therapy dry needling regulations and approve for public comment.

"I, _____, motion to approve the draft language for proposed regulations changes to 12AAC 54.505 in relation to Standards for Practice of Dry Needling for public notice, subject to approval by the Department of Law."

 [PHY PT Dry Needling Regulations Project Opening Questionnaire 03-20-2024 packet.pdf](#)

Reviewed amended 03-19-2024 draft regulations language for physical therapy dry needling. Discussed regulation project process and proposed motion wording. There is concern that board should review any potential regulation language changes made by the Department of Law before final regulations move forward to public comment for both physical therapy and occupational therapy.

Discussion of amended physical therapy dry needling draft regulations language.

- 2a - not a requirement of any other modality.
- 2c - standard of quality of course and equivalent language for physical therapy governing body for course approvals as compared to use of American Occupational Therapy Association Approved Provider Program usage in approved Occupational Therapy dry needling draft regulations.
- 5- written documentation requirement - investigation requirement? Doesn't this already exist in audit/investigation regulation? Intent of the board is not to require certification. This language was added to demonstrate/clarify requirement for training before licensee can perform dry needling and provide for requirement for proof of training, if requested as separate certification not required.

I, Rebecca Dean, motion to approve the draft language for proposed regulations changes as put forth 03-19-2024 to 12AAC 54.505 in relation to Standards for Practice of Dry Needling for physical therapy to be submitted for review to the Department of Law as well as previously submitted approved draft language 12 AAC 54.805 for Standards for Practice of Dry Needling for occupational therapy with both being subject to review by the board prior to going out for public comment.

Rebecca Dean make a motion that the request above for the Department of Law option to review any changes that are made to the physical therapy dry needling regulations project prior to it going out to public comment include the previously submitted occupational therapy dry needling regulations project so that both would come back simultaneously to the board for review before public comment utilizing the physical therapy dry needling draft language as written put forth 03-19-2024 pending the opportunity for a final review before public comment.

Motions seconded by Enlow Walker.

Roll call vote:

- Valerie Phelps - no
- Rebecca Dean - yes
- Enlow Walker - yes
- Tina McLean - yes

Three in favor; one opposed. Motion carries by majority.

Action Item:

Staff to submit approved Physical Therapy Dry Needling Regulations Opening Questionnaire with approved Amended Language from 03-19-2024 to Regulations Specialist with motion for both Physical Therapy and Occupational Therapy regulations language to come back for board review prior to going out for public comment.

7. HB 137/SB 74 (PT Compact bills) - Letter of Inquiry

Discuss/approve draft Letter of Inquiry to House Finance Committee re: PT Compact bills HB137/SB74 - PT Compact Bill status

 [HB137 SB74 Letter of Reiterated Support 2024 - Draft.pdf](#)

Rebecca Dean motioned to accept draft Letter of Reiterated Support for HB137/SB74 - PT Compact Licensure as written. Original board Letters of Support for HB 137/SB 74 dated 09-07-2023 to be attached to Letter of Reiterated Support when sent. Motion seconded by Valerie Phelps. All in favor; none opposed. Motion passes unanimously. Roll call vote:

- Valerie Phelps - yes
- Rebecca Dean - yes
- Enlow Walker - yes
- Tina McLean - yes

The Physical Therapy and Occupational Therapy Board to send Letter of Reiterated Support for HB 137/SB 74 - PT Compact Licensure. Original board Letters of Support for HB 137/SB 74 dated 09-07-2023 to be attached when sent.

Discussion on process of also distributing approved Letter of Reiterated Support for HB 137/SB 74 to all members of the House Finance Committee.

Rebecca Dean motioned designate Dr. Enlow Walker to forward our letter regarding the PT Compact directly to each of the committee members for the House Finance committee.

Motion seconded by Valerie Phelps.

All in favor; none opposed. Motion passes unanimously.

Roll call vote:

- Valerie Phelps - yes

- Rebecca Dean - yes
- Enlow Walker - yes
- Tina McLean - yes

Action Items:

- Staff to send Letter of Reiterated Support for HB 137/SB 74 - PT Compact Licensure with original board Letters of Support dated 09-07-2023 to be attached to Legislative Liaison.
- Staff to provide link for contact information of House Finance Committee members to Enlow Walker.
- Staff to forward final Letter of Reiterated Support for HB 137/SB 74 - PT Compact Licensure to Enlow Walker for distribution to members of the House Finance committee.
- Enlow Walker to forward copy of Board Letter of Reiterated Support for HB137-SB74 – PT Compact with attached original Board letter from September, 2023 to all members of House Finance Committee.

8. HB 336 - Athletic Trainer Scope of Practice Bill

- Designate Board member(s) to testify on [HB336](#) - Athletic Trainer Scope of Practice Bill - Introduced 02/20/2024.
- Discuss/approve draft PHY Board Letter re: HB336

 [HB0336A.pdf](#)

 [HB336 PHY Letter of Opposition DRAFT.pdf](#)

Board discussed concerns of HB336 as written.

- Replacement of "athlete" with "an individual" - opening scope to any person in the general population not just athletes- such as pediatric, geriatric or chronic pain.
- Removal of "athletic" when defining injury - opening scope to any medical condition in any setting.
- Adding "diagnosis" - concern regarding level of education/training to support diagnosis of any condition, illness or injury regardless of the cause.

Objective for letter is to have language of bill re-worked. Draft amended

Valerie Phelps motioned to accept the amended draft letter of opposition on HB 336 as a board opinion on the proposed changes for athletic trainers.

Motion seconded by Enlow Walker.

All in favor; none opposed. Motion carries to accept the letter to go forward to the appropriate recipients.

Roll call vote:

- Valerie Phelps - yes
- Rebecca Dean - yes
- Enlow Walker - yes
- Tina McLean - yes

Action Items:

- Staff to Staff to submit amended Letter of Opposition for HB 336 - Athletic Trainer Scope of Practice to Legislative Liaison.
- Board and staff to add HB336 to BTMF for monitoring.

9. SB91 - Telehealth Multidisciplinary Care

 [SB0091C.pdf](#)

Board discussed SB91- opens up telehealth care to also include multidisciplinary care team by providers licensed in other states (not in Alaska) in emergent situations - not reasonably available in the state. Introduced March, 2023. Passed in the Senate March, 2024. Hearing to be held today, April 4 in House Health and Social Services at 3:00 pm. Decision - No board member designated to testify. Board to monitor bill.

Action Item:

Board and staff to add SB91 to BTMF for monitoring.

10. Meeting Summary - Action Items

1. Staff to refer all incoming board correspondence to appropriate committee when received instead of holding for next board meeting.
2. Conference Justification to be submitted for Tina McLean's attendance at FSBPT Task Force for Dry Needling August 9-11, 2024.
3. Staff to submit approved Physical Therapy Dry Needling Regulations Opening Questionnaire with approved Amended Language from 03-19-2024 to Regulations Specialist with motion for both Physical Therapy and Occupational Therapy regulations language to come back for board review prior to going out for public comment.
4. Staff to submit approved Board Letter of Reiterated Support for HB137/SB74 - PT Compact Licensure with attached original Board letter from September, 2023 to Legislative Liaison.
5. Staff to provide copy of Board Letter of Reiterated Support for HB137/SB74 - PT Compact Licensure with attached original Board letter from September, 2023

for distribution to House Finance Committee members to Board member Enlow Walker with link for email addresses for committee members.

6. Enlow Walker to forward copy of Board Letter of Reiterated Support for HB137-SB74 – PT Compact with attached original Board letter from September, 2023 to all members of House Finance Committee.
7. Staff to submit amended Board Letter of Opposition for HB 336 - Athletic Trainer Scope of Practice to Legislative Liaison.
8. Board and staff to add HB336 and SB91 to BTMF for monitoring.

11. Adjourn

The State Physical Therapy and Occupational Therapy Board meeting was adjourned at 12:04 pm AKDT on Thursday, April 4, 2024 by Chair Tina McLean.

Next board meeting scheduled for October 24-25, 2024 at the Robert B. Atwood Building in Anchorage, Alaska.

APPROVED BY UNANIMOUS BOARD VOTE IN ONBOARD 04-25-2024.