



# Alaska Board of Physical Therapy and Occupational Therapy Board Meeting October 2, 2025 - Day 1 Minutes

Alaska Division of Corporations, Business and Professional Licensing  
10/2/2025 9:00 AM AKDT  
Virtual Meeting via 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.***

## 1. Call to Order/Roll Call

The Alaska Board of Physical Therapy and Occupational Therapy board meeting was called to order on Thursday, October 2, 2025 by Chair Valerie Phelps at 9:01 am.

### A. Roll Call

Roll call taken.

Board members present: Valerie Phelps, Chair; Tori Daugherty, Secretary; Jonathan Gates, Michelle Scott-Weber and Eliza Ellsworth.

Staff present: Reid Bowman, Program Coordinator 2; Shane Bannarbie, Program Coordinator 1; and Sheri Ryan, License Examiner

Guests: Kristen Neville, State Affairs Manager AOTA and Alec Kay, President APTA-Alaska

Quorum in effect; 5 of 7 board members present. Two board positions open. Public member seat vacated 09/23/2025. OT/OTA seat vacant since 03/2025.

### B. Ethics Reporting

No conflicts of interest for today's agenda items reported by any board members present. Chair Phelps read into the record six conflicts of interest that occurred for electronic voting incidents in OnBoard 06/13/2025 - 08/22/2025.

1. On June 13, 2025 Board member Tori Daugherty disclosed a potential conflict of interest with license applicant Rob Andrade PT application by Credentials #239482. She reported that the applicant was a coworker as a physical therapist and that she had shared office space with him and collaborated on patients with him. She stated she had not developed a friendship with him outside of work and all interactions were limited to the workplace. She stated she was not his

employer or supervisor and did not have a financial conflict of interest. On June 16, 2025, per AS 39.52.120, PHY board chair Valerie Phelps determined there was no conflict of interest as Ms. Daugherty was not the applicant's employer or supervisor nor held any financial interest in the company. Ms. Daugherty was allowed to vote on the application.

2. On July 3, 2025, Board member Tori Daugherty disclosed a potential conflict of interest with a license applicant, William Aylward PT by Examination#239451. Ms. Daugherty reported the applicant was a coworker as a physical therapist at her job and she shared office space with him. She stated she had not developed a friendship with him outside of work and all interactions were limited to the workplace. She stated she was not his employer or supervisor and did not have a financial conflict of interest. On July 7, 2025, per AS 39.52.120, PHY board chair Valerie Phelps determined there was no conflict of interest as Ms. Daugherty was not the applicant's employer or supervisor nor held any financial interest in the company and Ms. Daugherty was allowed to vote on the application.

3. On July 10, 2025, Board member Tori Daugherty disclosed a potential conflict of interest as she had a working relationship with a license applicant, John Schooley OT application by Credentials #241205. Ms. Daugherty reported she worked with him, shared an office space as a co-worker, but was not his employer or supervisor and had no personal relationship with him outside the workplace and did not have a financial conflict of interest. On July 14, 2025, per AS 39.52.120, PHY board chair Valerie Phelps determined there was no conflict of interest as Ms. Daugherty was not the applicant's employer or supervisor nor held any financial interest in the company and Ms. Daugherty was allowed to vote on the application.

4. On July 11, 2025, Board member Eliza Ellsworth requested recusal from voting on Sean Buckley OT application by Credentials #240391 under the Alaska Executive Branch Ethics Act AS 39.52.120. Ms. Ellsworth reported the applicant would be employed under her supervision in Bethel, Alaska. Recusal granted by PHY board chair Valerie Phelps July 14, 2025 per AS 39.52.120. Misuse of official position.

5. On August 1, 2025, Board member Eliza Ellsworth requested recusal from voting on Alec Benavides OT application by Credentials #241647 under the Alaska Executive Branch Ethics Act. Ms. Ellsworth reported the applicant would be coming to work in her department and she would be his direct supervisor/manager. Recusal granted by PHY board chair Valerie Phelps August 4, 2025 per AS 39.52.120. Misuse of official position.

6. On August 22, 2025, Board member Eliza Ellsworth requested recusal from voting on Caryn Roach - OT application by Credentials #243491 under the Alaska Executive Branch Ethics Act. Ms. Ellsworth reported the applicant would be working at her facility, would be a staff OT in her department, and she would be the applicant's direct supervisor. Recusal granted by PHY board chair Valerie Phelps August 24, 2025 per AS 39.52.120. Misuse of official position.

C. Review/Approval Agenda

**Tori Daugherty motioned to approve the agenda for the October 2, 2025 board meeting as submitted. Jonathan Gates seconded. All in favor; none opposed. Motion passes unanimously.**

D. Statistics

- 68 PT Compact Privileges
  - 7 PTA privileges
  - 61 PT privileges
- 739 Active Occupational therapy licenses
  - 671 OT licenses
  - 3 OT Temporary permits
  - 64 OTA licenses
  - 1 OTA Temporary permit
- 1731 Active Physical therapy licenses
  - 1501 PT licenses
  - 4 PT Limited Permits
  - 3 PT Temporary permits
  - 223 PTA licenses
- 209 licenses issued 02/27/2025 - 09/30/2025
  - 73 occupational therapy licenses
    - 66 OT
    - 7 OTA
  - 136 physical therapy licenses
    - 117 PT
    - 19 PTA
- 8 Limited permits issued 02/27/2025 - 09/30/2025
  - 1 OT
  - 7 PT

License report submitted by Licensing Examiner Sheri Ryan. Alaska Physical Therapy Compact report reviewed by the board.

2. Public Comment

No public comment given.

3. Meeting Reports

FSBPT Leadership Issues Forum - July, 2025

Board members reviewed written report submitted by previous board member Rebecca Dean from her attendance at the July, 2025 virtual FSBPT Leadership Issues Forum. It appears the APTA has revised or is revising their Code of Ethics. The board discussed need to evaluate updated PT Code of Ethics to ensure it aligns with standards as referred to in the Alaska PT/OT Principles of Practice - March 2015. AOTA Code of Ethics was also recently updated for occupational therapy earlier this year. Kristen Neville, AOTA stated it will be published at end of this year (2025) but draft is available on their website currently. Board determination to defer review of updated PT and OT Codes of Ethics to February board meeting when final editions will be available.

4. Administrative Business

A. SCRA Application Processing

Board members discussed delegating authority specifically (and only) for licenses issued under the Federal Servicemembers Civil Relief Act (SCRA) to the division.

**Jonathan Gates moved that licenses applied for under the Federal Servicemembers Civil Relief Act's (or "SCRA") licensure portability laws be reviewed, approved, and issued by the division, rather than by the board, in order to comply with federal law requiring expediency and due to the fact that the board's authority and requirement to approve and issue licenses is under Alaska Statute Title 8, rather than federal law. Once a license is issued pursuant to the SCRA, these licensees will be subject to the requirements of Title 8 of Alaska Statutes and subject to the board's authority, same as all other Alaska professional licensees under the board's jurisdiction. Motion seconded by Michelle Scott-Weber. All in favor; none opposed. Motion passed unanimously.**

B. Random Audits - 2026

The board reviewed PHY OL-802 Audit Checklist used in the review of random renewal audits. Several typographical errors were noted. AMOTA should be AOTA and AMPTA should be APTA.

**Jonathan Gates moved to approve the PHY OL-802 Audit Checklist with changes as discussed for use in random audits. Furthermore, he moved to delegate authority to staff to clear the 2026 renewal physical therapy and occupational therapy random audits, with the exception of any audits containing questionable items, which will be sent to the board for review. Motion seconded by Michelle Scott-Weber. All in favor; none opposed. Motion passes unanimously.**

C. FY2026 Annual Report

The board discussed a plan to accomplish the statutorily required annual report. Determination to treat as a living document and update at each meeting. Board members volunteered to maintain a section with one fact checking and another to do final review/edit.

- Accomplishments - Jonathan Gates; Eliza Ellsworth to fact check
- Activities - Tori Daugherty; Eliza Ellsworth to fact check
- Needs - Valerie Phelps
- Final review/edit - Michelle Scott-Weber

**Action item:**

- Staff to email appropriate resources to board members and ensure ability to upload (contributor) in OnBoard.
- Board members to upload section(s) to each board meeting for review.

Break taken. Off recording 10:02 am. Recording resumed 10:09 am.

Roll call taken:

Board members present: Valerie Phelps, Tori Daugherty, Jonathan Gates, Michelle Scott-Weber, and Eliza Ellsworth.

Staff present: Reid Bowman, Shane Bannarbie, Sheri Ryan.

Guest: Kristen Neville.

Quorum remains in effect. 5 of 7 board members present.

D. Board Correspondence - informational

The board briefly discussed the informational correspondence included in the board packet. Survey results for the jurisdiction provided by FSBPT show improvement in satisfaction.

E. Tabled Items

i. Tabled Correspondence

- FCCPT CWT6 - 05-20- 2025- Letter referred for board discussion by Scope of Practices Committee. The board has already approved a response to the letter but committee would like full board discussion regarding what course work tool is used/required for foreign-educated applicants. Board reviewed AS 08.84.032, 12 AAC 54.040, and 12 AAC 54.110 which does not specify use of a particular course work tool. The board reviewed the instructions from Foreign-educated application forms #08-4926/4927 which states "*A Credentials Evaluation Report sent directly to the division*

*by a board approved credentials evaluation service."* and *"Before applying, you must have your foreign education evaluated by a credentialing provider who uses the qualifying Course Work Tool."* The board decided not to write requirements into regulation but change application process. Licensing examiner to bring more information to the board regarding to the board at February, 2026 board meeting.

- Halee Henderson – AK OT/PT Employment Verification Forms – 04-09-2025. Travel healthcare staffing agency completing verification of work experience forms for applicants. Agency states they cannot provide names of facilities they contract with due to confidentiality clauses and is asking if it is okay to put “Confidential” for the name of the facility but provide the city and state where the employer is located in the Employer section on the form. Board discussed request. Latitude within regulation to accept. Policy decision made by the board to accept. Value of completion of the form by the employer as long as there is physical observation of the care provided. Question to be answered simply “yes – scenario is acceptable as presented”. Delegated to staff to respond.
- Maggie Hotch – Rural Referral – 08-26-2025 – A therapist has received a referral in her rural clinic of a non-blood related family member and is asking the board if it is acceptable to accept the referral and bill for services by another therapist in her clinic. Board discussion that kids deserve care; unethical not to treat; barrier to care when care is not available in close proximity. If treatment provide, expectation would be to bill for services – Medicare/Medicaid do not allow for services to be provided for free. Tori Daugherty to write draft to be voted on at meeting 10/3/2025.
- Emily Rogers – PTA Scope – Sling/Brace Fittings + Functional Capacity Evaluations – 09-10-2025 – Question received whether a PTA can perform sling/brace fittings on a patient not yet evaluated by a PT and whether a PTA can perform a function capacity evaluation. Board clarified PTA cannot perform an FCE – functional capacity evaluation. If it is a sling/brace fitting, the patient has to have been evaluated by a physical therapist first. Staff to respond.

- Angela Harter – Draft Response Return to Work Screen 06-18-2025. Remove sentence “Typically, a return to work “screening” ... under the CPT code 99455 which is an evaluation code.” The board does not have authority over insurance billing or give billing advice. **Tori Daugherty moved to approve the recommended response letter with changes as discussed. Jonathan Gates seconded the motion. All in favor; none opposed. Motion passed unanimously.** Staff to modify letter as discussed and send.
- Jessica Thomas – OTA License Renewal Question – 07-29-2025 – Licensee wants to take AOTA national certification exam preparatory course to meet requirements of 12 AAC 54.705(a)(2)(C) as she has not worked as an OTA during the last licensing period. Board discussed and AOTA exam prep course meets the spirit of the regulation. Staff to respond to licensee with information and that she will need to provide adequate documentation of completion of the course.
- Marggie McCulley Sweetman – Physical Therapy Active Practice Requirement – 09-22-2025 – Additional information required to answer question. Licensee needs to describe how care giving responsibilities related to physical therapy in AS 08.84.190(7). Approval would be based on information provided. Staff to request additional information. Auto response – work with Scope of Practices Committee for generic response for these types of requests.

5. Lunch

Lunch break. Recording stopped 12:08 pm. Recording resumed 12:33 pm.

Roll call:

Board members present: Valerie Phelps, Tori Daugherty, Jonathan Gates, Michelle Scott-Weber, and Eliza Ellsworth.

Staff present: Reid Bowman, Shane Bannarbie, and Sheri Ryan.

Guest: Kristen Neville, AOTA

Quorum in effect; 5 of 7 board members.

6. Investigative Report + Training

Investigator Jasmin Bautista presented the investigative report for 01/25/2025 through 09/25/2025. 7 open cases and 9 closed cases during this time period.

**In accordance with the provisions of Alaska Statute 44.62.310 (c), Tori Daugherty moved that the Alaska State Physical Therapy and Occupational Therapy Board go into executive session for the purpose of discussing matters which by law, municipal charter, or ordinance are required to be confidential and also Board staff should remain present and be included in the executive session. Motion seconded by Michelle Scott-Weber. All in favor; none opposed. Motion passes unanimously.**

Recording stopped 12:38 pm. Recording resumed 1:38 pm.

Roll call:

Board members present: Valerie Phelps, Tori Daugherty, Jonathan Gates, Michelle Scott-Weber, and Eliza Ellsworth.

Staff present: Reid Bowman, Shane Bannarbie, and Sheri Ryan.

Guest: Kristen Neville, AOTA and Alec Kay, APTA-Alaska.

Quorum remains in effect; 5 of 7 board members present.

## 7. Association Updates

### A. APTA-AK (Presenters: Alec Kay, MSPT, DMT, OCS, ATC, FAAOMPT - President)

Alec Kay, outgoing president for APTA-Alaska gave a state association to the board. Association to discuss appointing liaison from APTA-AK to attending board meetings and monitor website postings, emails, etc. APTA-AK working on updating their Strategic plan - #1 issue is payment issues and administrative burdens based on a couple of years of surveys. APTA national strategic plan anticipated soon. Some of AK Chapter goals are mirrored in the new PT scope modernization language such as primary care provider status. UT had a big legislative win with adoption of language. Primary care provider status would provide for a clearer path towards imaging as well as direct access for workers comp patients, DOT physicals and sports physicals.

The AK chapter has reviewed the OT practice act changes. No concerns conveyed by PT association at state level. Submitted at national level but have not received a response as of this date. Annual business meeting scheduled for Sunday.

Discussed AK PT/OT board's vision of shepherding PT (and OT) scope modernization statutory changes and establishing an Executive Administrator position through legislation. PT draft language still being vetted, not finalized. PT work group to be reconvened and meet again in January, 2026. 2026 legislative session is not the goal for PT draft bill. OT scope bill started in 2023 and has been completed and projected to be introduced this session. Discussed possible letter of support by APTA-AK for OT bill when introduced. Valerie Phelps to share draft

language, talking points and emails sent regarding sponsorship regarding an Executive Administrator position with Alec Kay. Alec Kay shared that the association relies on their lobbyist to find (strategic) sponsor(s) for bill introduction. Alec Kay to discuss with APTA-AK membership and board for possible endorsement and next steps.

Licensing Examiner Keri Mell joined the meeting at 1:56 pm.

- B. AKOTA (Presenters: Brienne (Bri) Oswald, OTD, OTR/L, LSVT-BIG, CSCS)  
AKOTA was unable to join the meeting.

8. Tabled Applications

Tabled for October 3, 2025 agenda item.

9. Board Recruitment

Tabled for October 3, 2025 agenda item.

10. Adjourn

**Tori Daugherty moved to adjourn. Motion seconded by Michelle Scott-Weber. All in favor; none opposed. Motion passes unanimously.**

The Physical Therapy and Occupational Therapy Board meeting was adjourned at 2:16 pm on Thursday, October 2, 2025.



# Alaska Board of Physical Therapy and Occupational Therapy Board Meeting October 3, 2025 - Day 2 Minutes

Alaska Division of Corporations, Business and Professional Licensing  
10/3/2025 9:00 AM AKDT  
Zoom

## 11. Call to Order/Roll Call

The Alaska Board of Physical Therapy and Occupational Therapy board meeting was called to order on Friday, October 3, 2025 by Chair Valerie Phelps at 9:02 am.

### A. Roll Call

Roll call taken:

Board members present: Valerie Phelps, Chair; Tori Daugherty, Secretary; Jonathan Gates, Michelle Scott-Weber and Eliza Ellsworth.

Staff present: Reid Bowman, Program Coordinator 2 and Sheri Ryan, License Examiner.

Guest: Francielle Pineda, Assistant Director, External & Regulatory Affairs NBCOT. Quorum in effect; 5 of 7 board members present. Two board positions open. Public member seat vacated 09/23/2025. OT/OTA seat vacant since 03/2025.

### B. Ethics Reporting

No conflicts of interest for today's agenda items reported by any board members present.

### C. Review/Approval Agenda

**Tori Daugherty motioned to amend the agenda for the October 3, 2025 board meeting to move the discussion regarding regulations changes on foreign-trained occupational applicants to earlier in the agenda so the guest from NBCOT on the east coast could participate. Jonathan Gates seconded. All in favor; none opposed. Motion passes unanimously.**

## 12. Tabled Applications

Eladio Vinas - 244674 - OT - Application. The board discussed 12 AAC 54.610 requirements as they related to Mr. Vinas's application and whether the board had the authority to deviate from what is written in regulation. Francielle Pineda, NBCOT provided an overview of the Occupational Therapist Eligibility Determination (OTED®) process and the verifications required to test for the NBCOT OTR as a foreign-educated

occupational therapist. Program Coordinator Reid Bowman counseled the board that statute indicates that regulation needs to be followed and 12 AAC 54.610(3) that specifically states an occupational therapist must have an active license to practice occupational therapy in good standing. The board has the ability to interpret regulations but 54.610(3) is quite clear. Mr. Vinas does not have an active license in any US jurisdiction and states he has never had a license (or similar) in the Philippines (only maintained his NBCOT OTR certification). Tori Daugherty shared information that the Philippines has required registration, certification, licensure since 2023. Mr. Vinas was also unable to provide recent work history in the last 24 months to fulfill the requirement of 12 AAC 54.610(6)(A) and cannot meet the requirement under 54.610(6)(B) as he passed the NBCOT OTR in Nov. 2014. The board determined additional information is needed to make a decision on this application. Staff to request a copy of his Philippines OT license or explanation why he does not have one as well as recent work history information. Board to consider additional information at another board meeting. The board discussed writing a letter to Department of Law about authority to issue a license based on meeting all other qualifications but not meeting 12 AAC 54.610(3) - license in good standing - that needs to be changed. The board also discussed the possible need for a regulations project to clean up 12 AAC 54.610 to allow for ability to apply by examination (no active license in another jurisdiction).

**Tori Daugherty moved to send a letter to the Department of Law about the application for Eladio Vinas #244674 in order to determine legal guidance related to whether or not the board can issue a license to this individual. Motion seconded by Jonathan Gates. All in favor; none opposed. Motion passes unanimously.**

**Eliza Ellsworth moved to table the application for Eladio Vinas - #244674 - OT until additional information is received. Motion seconded by Michelle Scott-Weber. All in favor; none opposed. Motion passes unanimously.**

**Action Items:**

1. Staff to request additional information from applicant as discussed regarding application.
  - a. Provide registration or explanation of lack of. Provide copy of Philippines registration information.
  - b. Provide work history in last 24 months or explanation of lack of.
2. Valerie Phelps to write letter seeking information from the Department of Law as discussed.
3. Board to work on draft regulatory language to correct 12 AAC 54.610.

Jeanette Silver - 243626 - OT Application by Credentials. Ms. Silver is a foreign-educated occupational therapist who has a valid, non-encumbered license in North Carolina but no recent work experience in occupational therapy in the last 24 months. The board discussed how 12 AAC 54.610(a)(6) differs from 12 AAC 54.600(6) in that there is not an option for a foreign-educated therapist to complete an approved 150-internship to meet the work experience requirement. Options for Ms. Silver to meet eligibility requirements would be to retake NBCOT OTR (12 AAC 54.610(a)(6)(B)); provide verification of volunteer occupational therapy services (teaching) provided in last 24 months (12 AAC 54.610(a)(6)(A)); return to North Carolina and work 60 hours; or if not yet Alaska resident, apply for a Limited Permit and work in Alaska to gain required 60 hours of work experience to gain permanent licensure per 12 AAC 54.610(a)(6)(A).

Short break taken. Recording stopped 10:30 am; recording resumed 10:44 am. Roll call taken:

Board members present: Valerie Phelps, Tori Daugherty, Jonathan Gates, Michelle Scott-Weber, and Eliza Ellsworth. Quorum remains. 5 of 7 board members present.

**Michelle Scott-Weber motion to table discussion on Jeanette Silver's application pending additional information requested. Tori Daugherty seconded. All in favor; none opposed. Motion passes unanimously.**

**Action Items:**

- Staff to present options as discussed to applicant Jeanette Silver for licensure.

Ashley Heister - 237425 - PT Application by Credentials.

**Jonathan Gates requested recusal from discussion and voting on Ms. Heister's application as he was the reviewing board member on the investigation review. Chair Valerie Phelps granted the recusal request.**

All board members confirmed they had an opportunity to review Ms. Heister's application. **Tori Daugherty motioned to approve Ashley Heister #237425 Physical Therapist Application by Credentials. Michelle Scott-Weber seconded. Roll call vote:**

- Eliza Ellsworth = Yes
- Michelle Scott-Weber = Yes
- Tori Daugherty = Yes
- Valerie Phelps = Yes
- Jonathan Gates = Abstains - recusal granted

**Motion to approve passes by majority.**

**Action Item:**

Staff to issue license physical therapist license for Ashley Heister #237425 effective 10/03/2025.

13. Tabled Correspondence

Michelle Scott-Weber left the meeting at 10:59 am. Quorum maintained – 4 of 7 board members in attendance. Board reviewed draft response prepared by Tori Daugherty from discussion at October 2, 2025 meeting.

Michelle Scott-Weber returned at 11:01 am. Quorum maintained – 5 of 7 board member in attendance.

**Jonathan Gates moved to accept the response letter for Rural referral – billing question – 08-25-2025 as written. Michelle Scott-Weber seconded the motion. All in favor; none opposed. Motion passed unanimously.** Staff to send letter as written.

Michelle Scott-Weber left the meeting at 11:03 am. Quorum maintained – 4 of 7 board members in attendance.

14. Strategic Plan Review

Michelle Scott-Weber returned at 11:07 am. Quorum maintained – 5 of 7 board members in attendance.

PHY Strategic Plan process started August 2023 and goals set November 2023. Board reviewed the plan. Six initiatives affirmed: Scope of Practices Update; Education; Licensing; Professional Development; Recruitment/Retention; and Enforcement. Each section updated. See Strategic Plan updated 10-03-2025.

15. Lunch break 12:05 pm recording stopped. Recording resumed at 12:31 pm. Roll call taken:

Board members present: Valerie Phelps, Tori Daugherty, Jonathan Gates, Michelle Scott-Weber, and Eliza Ellsworth. Quorum established – 5 of 7 board members in attendance.

Staff present: Reid Bowman, Program Coordinator 2, Sheri Ryan, Licensing Examiner, and Jasmin Bautista, Investigator 3.

16. Committee Reports

A. Continuing Competency Committee (Presenter: Valerie Phelps)

Jonathan Gates gave a brief overview of the proposed Disciplinary Matrix draft recommended by committee members and explained this is a starting point for accomplishing the task as it needs work in collaboration with the Investigative Unit on certain components. Investigator Jasmin Bautista recommends that Supervisor Billy Homestead from the Investigative Unit work with the committee on finalizing a recommendation of the draft Disciplinary Matrix for the board. Due to confidentiality of some parts of the investigative process, it was recommended that the board enter into executive session to discuss concerns.

**In accordance with the provisions of Alaska Statute 44.62.310 (c), I, Jonathan Gates, move to go into executive session for the purpose of discussing matters which by law, municipal charter, or ordinance are required to be confidential. Motion seconded by Michelle Scott-Weber. Motion amended that staff members Reid Bowman, Sheri Ryan, and Jasmin Bautista to are requested to remain during the executive session. Re-seconded by Michelle Scott-Weber. All in favor; none opposed. Motion passed unanimously.**

Recording stopped at 12:54 pm. Recording resumed 1:07 pm. Roll call taken:

Board members present: Valerie Phelps, Tori Daugherty, Jonathan Gates, Michelle Scott-Weber, and Eliza Ellsworth. Quorum established – 5 of 7 board members in attendance.

Staff present: Reid Bowman, Program Coordinator 2, Sheri Ryan, Licensing Examiner, and Jasmin Bautista, Investigator 3.

**Jonathan Gates moved to send the Disciplinary Matrix project to the Continuing Competency Committee for further evaluation with the assistance of the Investigative Unit. Motion seconded by Michelle Scott-Weber. All in favor; none opposed. Motion passed unanimously.**

Committee presented regulations project regarding national accreditation agency for 12 AAC 54.100(2). I, **Michelle Scott-Weber, move to initiate a regulations project regarding defining the national accreditation agency for physical therapy for 12 AAC 54.100(2) by approving the following language for public comment, unless substantive changes are made by the regulations specialist or Department of Law.**

**(2) the applicant's certified transcript sent directly to the department from a Commission on Accreditation in Physical Therapy Education (CAPTE) accredited physical therapy school meeting the requirements of AS 08.84.030(a)(1).**

**Motion seconded by Jonathan Gates. All in favor; none opposed. Motion passes unanimously.**

Board briefly reviewed Working Document for Alaska CEU Updates – June 2025 and committee’s work on expanding categories for continuing education opportunities as well as possibly increasing continuing education minimum requirements for PT/PTA and OT/OTAs to accommodate for the expansion of categories.

Items remaining to be addressed – jurisprudence questionnaire update and informed consent. See written report included in public packet for additional information.

B. Regulations Committee (Presenters: Valerie Phelps)

Regulations projects have been on hold due to AO358. Exemption was requested but have not heard back. Dry Needling Position paper draft was submitted to the board for approval by the regulations committee – *Acupuncture and Dry Needling Are Not the Same Intervention*. Tori Daugherty shared background on the reason for the position statement request. Currently, the board has a public stance that physical therapists can dry needling and is silent on the question of occupational therapists dry needling as the statute is unclear for occupational therapy. To address the situation, the board is working with AKOTA on updating the occupational therapy scope of practice statutory language to defend an occupational therapist’s ability to dry needling. In the process of introducing the drafted language, AKOTA reached out to stakeholders. The acupuncture association raised concerns that acupuncture and dry needling are the same thing which is consistent with their national acupuncture organizational views. In Alaska, a license is required to perform acupuncture. Other professions in addition to physical therapy and occupational therapy do not feel that dry needling meets the same standards as the definition of “acupuncture”. To address this potential issue in advance, the Regulations committee has recommended that the board adopt a position statement so that if and when the occupational therapy scope modernization statutory bill language is introduced, the position statement would be available for the board’s use for this legislative session. The board discussed the role of a position statement and the requirements of review by the Department of Law before posting. The board reviewed the draft position statement in detail and made changes to the order of the draft and credentials of the board members.

**Tori Daugherty moved to approve the board position statement titled "Dry Needling and Acupuncture are Not the Same Intervention" as amended and**

**have the Department of Law review before posting. If the DOL's review is favorable, both the position statement and DOL review will be loaded into OnBoard for final review/approval by the board. If edits are required, the board will reconvene to discuss. Michelle Scott-Weber seconded the motion. All in favor; none opposed. Motion passed unanimously.**

Break taken. Recording stopped 1:41 pm. Recording resumed 1:44 pm. Roll call taken:

Board members present: Valerie Phelps, Tori Daugherty, Eliza Ellsworth, Michelle Scott-Weber, and Jonathan Gates. Quorum established; 5 of 7 board members in attendance.

Board reviewed committee recommendations for changes to 12 AAC 54.610 discussed earlier today with applications for Eladio Vinas and Jeanette Silver regarding foreign education occupational therapy applicants applying by examination versus by credentials. **Jonathan Gates moved to initiate a regulations project to correct 12 AAC 54.610 to clarify requirements for foreign educated occupational therapists and occupational therapy assistants applying by examination. This project is referred to the PHY Regulations Committee for research and to draft language for the review by the full board.**

Board reviewed committee recommendations for changes to 12 AAC 54.100, 12 AAC 54.110, 12 AAC 54.605, and 12 AAC 54.610 regarding potential changes to professional references and changes to “employment” to “services” to all for volunteer services rather than mandatory “employment” in regulatory requirement. No action taken.

Board discussed committee possibilities for future development.

1. Added fee to 12 AAC 54.950, Late renewal and Reinstatement
2. Consider teaching for work experience
3. License verification for PTs and OTs with prior experience as PTA's or OTA's
4. Consider following Medical Board requirements for any PT/OT professional working for Alaska Tribal Health or Federal facility
  - Board member Tori Daugherty provided overview.

Board consensus to refer future items 1-4 in addition to changes from #3 in report to 12 AAC 54.100, 12 AAC 54.110, 12 AAC 54.605, and 12 AAC 54.610 regarding potential changes to professional references and changes to “employment” to “services” to all for volunteer services rather than mandatory “employment” in regulatory requirement to the Regulations Committee to

research and bring back recommendations to the board. Committee to vet all items through a public safety lens given they may include added requirements.

Board informed about the upcoming [public stakehold meetings regarding AO360](#) to be held.

Item ongoing: PTA/OTA supervision.

See written report included in public packet for additional information.

C. Legislative Committee (Presenter: Victoria Daugherty)

Board discussed upcoming 2026 Legislative session of 01/20/2026 - 05/20/2026 and whether to convene committee or pause for one more session. Consensus to keep committee but due to limited availability of board members, continue the pause of meetings.

**Tori Daugherty moved to maintain the Legislative Committee as a standing committee of the PHY Board. Furthermore, Tori Daugherty moved to continue the temporary suspension of the Legislative committee's activities for the 2026 Alaska legislative session, with the full board assuming responsibility to monitor relevant situations and take appropriate action as needed. Motion seconded by Jonathan Gates. All in favor; none opposed. Motion passed unanimously.**

D. Scope of Practices Committee (Presenter: Victoria Daugherty)

OT Scope of Practice Modernization Work Group has now concluded. AKOTA working to introduce the draft bill this legislative session. Tori Daugherty delegated to attend AKOTA Task Force.

PT Scope of Practice Modernization Work Group to reconvene in January, 2026 per August, 2025 board direction for additional stakeholder input.

See written report included in public packet for additional information.

Prospective legal disclaimers reviewed for use in Scope of Practices responses. Board member consensus that Option #2 included in written report is more concise and should be utilized when appropriate.

*This letter reflects the Board's opinion on your question and is intended as guidance only. It does not replace legal advice or constitute a legal determination. The Board recommends consulting legal counsel for further assistance if required.*

Discussed standardized billing language written for use also when appropriate.  
Consensus of board members that language appropriate for use.

*This Board does not provide instructions related to requirements by funding sources, including insurance reimbursement. Please refer to the requirements as established by those entities for more direction.*

Policy to include use of these templated language sections in board responses. No motion necessary as board responses are individually approved by the board through OnBoard or at board meetings.

Board reviewed generic templated letters recommended by Scope of Practices Committee for questions regarding if license is required in school setting for physical and occupational therapists for use by licensing examiner. Staff to modify templated letters as discussed for use by licensing examiner when appropriate.

#### 17. Board Recruitment

Rebecca Dean resigned her position as public member as of 09/23/2025. OT/OTA position available since March, 2025. Board briefly discussed recruitment and outreach strategies for board vacancies.

FSBPT Voting Delegate and PT Compact Commission Delegate positions need to be filled as Ms. Dean previously filled both roles. Eliza Ellsworth expressed interest in serving in both capacities.

Jonathan Gates moved to approved Eliza Ellsworth as the voting delegate for FSBPT and as the PT Compact Commission delegate. Tori Daugherty seconded. All in favor; none opposed. Motion passes unanimously.

#### **Action Items:**

Staff to notify FSBPT and PT Compact Commission and provide board member Eliza Ellsworth with resources.

#### 18. Committee 2026 Schedule and Member Composition

- Regulations Committee
  - Members = Valerie Phelps (PT); Eliza Ellsworth (PT); Tori Daughery (OT)
  - Cancel scheduled meeting for 11/19/2025
  - Quarterly meetings from 10:00 am – 12:00 pm on Fridays
    - 12/19/2025

- 03/13/2026
    - 06/12/2026
    - 09/18/2026
  - Scope of Practices Committee
    - Members = Jonathan Gates (PT) and Tori Daugherty (OT)
    - Reschedule 11/07/2025 meeting to 11/06/2025
    - Quarterly meetings from 8:00 am – 10:00 am on Thursdays
      - 11/06/2025
      - 02/05/2026
      - 05/07/2026
      - 08/06/2026
  - Continuing Competency Committee
    - Members = Jonathan Gates (PT) and Michelle Scott-Weber (OT)
    - Cancel 12/01/2025 meeting rescheduled from 12/11/2025
    - Quarterly meetings from 7:30 am – 9:30 am on Thursdays
      - 01/22/2026
      - 04/16/2026
      - 07/16/2026
      - 10/15/2026
  - Legislative Committee – committee to remain paused for 2026 legislative session
    - Member – Tori Daugherty (OT)
  - Board Schedule for 2026
    - February 26-27, 2026
    - November 5-6, 2026
19. Animal Physical Therapy - tabled to February, 2026 board meeting.
20. Meeting Summary - Action Items Day 1 + Day 2
- Staff to email appropriate resources to board members and ensure ability to upload (contributor) in OnBoard for 2026 Annual Report. Board members to upload section(s) to each board meeting for review.
  - Staff to updated PHY OL-802 Audit Checklist with changes as discussed for use in random audits.
  - Staff to respond to Halee Henderson - AK OT/PT Employment Verification Forms – 04-09-2025 as discussed.
  - Emily Rogers - PTA Scope – Sling/Brace Fittings + Functional Capacity Evaluations – 09-10-2025
  - Staff to modify draft response for Angela Harter – Return to Work Screen - 06-18-2025 letter as discussed and send..

- Staff to respond to Jessica Thomas - OTA License Renewal Question – 07-29-2025 as discussed.
- Marggie McCulley Sweetman – Physical Therapy Active Practice Requirement – 09-22-2025 – staff to request additional information as discussed for board to make determination for 12 AAC 54.405(c) request.
- Valerie Phelps to share draft language, talking points and emails sent regarding sponsorship regarding EA position with Alec Kay.
- Staff to request additional information from applicant Elanio Vinas as discussed regarding application.
  - Provide registration or explanation of lack of. Provide copy of Philippines registration information.
  - Provide work history in last 24 months or explanation of lack of.
- Valerie Phelps to write letter seeking information from the Department of Law as discussed regarding foreign educated applicant situation.
- Board to work on draft regulatory language to correct 12 AAC 54.610.
- Staff to present options as discussed to applicant Jeanette Silver for licensure.
- Staff to issue license physical therapist license for Ashley Heister #237425 effective 10/03/2025.
- Staff to send Maggie Hotch - Rural referral – billing question – 08-25-2025 as written.
- Disciplinary Matrix project to be returned to the Continuing Competency Committee for further evaluation with the assistance of the Investigative Unit. Supervisor Billy Homestead to be invited to join to assist along with Investigator Jasmin Bautista.
- Staff to amend board position statement titled "Dry Needling and Acupuncture are Not the Same Intervention" as discussed and forward to division for review by Department of Law.
- Staff to notify FSBPT and PT Compact Commission of appointment of Eliza Ellsworth and provide board member with resources.

21. Adjourn

**Valerie Phelps moved to adjourn. All in favor; none opposed. Motion passes unanimously.**

The Physical Therapy and Occupational Therapy Board meeting was adjourned at 3:18 pm on Friday, October 3, 2025.

Next board meeting scheduled for February 26-27, 2026.