

1
2 STATE OF ALASKA
3 DEPARTMENT OF COMMERCE, COMMUNITY
4 AND ECONOMIC DEVELOPMENT

5 Board of Physical Therapy and Occupational Therapy
6 333 Willoughby Ave, Ninth Floor - Conference Room A, Juneau AK

7
8 February 11-12, 2016
9

10 By authority of AS 08.065.020 and in compliance with the provision of AS 44.62, Article 6,
11 a scheduled meeting of the Board of Physical and Occupational Therapy was held on
12 February 11-12, 2016 at 333 Willoughby Ave, Ninth Floor - Conference Room A, Juneau AK
13

14
15
16 **Thursday – February 11, 2016**

17
18 **Call Meeting to Order/Roll Call**

19
20 Kathy Lind, Chair of the Board of Physical Therapy and Occupational Therapy called the
21 meeting to order at 8:35 a.m. Those present, constituting a quorum of the Board, were:

22
23 Kathleen Lind, Chair, OT
24 Mary Melissa Robinson, OT
25 James Parietti, PT
26 Ilona Farr, MD
27 Ruth Kostik, Public Member
28 Joseph Kennedy, PT
29

30 Valerie Phelps, PT - approved absence

31
32 Staff Present: Janey Hovenden, Director
33 Sonia Lipker, Investigator (telephonically)
34 Charles Ward, Paralegal
35 Connie Petz, Licensing Examiner
36

37 Public Present: Rande Lucas, L.Ac., Daniel Young, ND, L.Ac., and telephonically: Jeffrey Gordon,
38 DPT, OCS
39

40 **Agenda Item 1 – Review/Approve Consent Agenda**

41
42 **ON A MOTION MADE BY FARR SECONDED BY KENNEDY, TO ACCEPT THE CONSENT**
43 **AGENDA, LETTER TO ALEX KAY, LETTER TO LESLIE ADRIAN, ENACTED REGULATIONS AND THE**
44 **LETTER TO SARA CHAMBERS. PULLING THE UAA PTA LETTER AND MINUTES BECAUSE THERE IS**
45 **A COUPLE OF CHANGES TO THEM AND MOVING THEM TO CORRESPONDENCE.**
46 **ALL IN FAVOR, CARRIED UNANIMOUSLY.**
47

48 The September 24-25, 2015 draft minutes and the letter from CAPTE will be discussed under
49 agenda item 6.
50
51
52

53 **Agenda Item 2 – Review/Approve Agenda**

54
55 Ms. Lind asked the board to consider having a 5 year or 10 year plan for goals as it was
56 suggested for boards to consider this at the Orlando meeting. This will be discussed under the
57 annual report.

58
59 **ON A MOTION MADE BY FARR, SECONDED BY KENNEDY, IT WAS RESOLVED TO ACCEPT THE**
60 **CURRENT AGENDA. ALL IN FAVOR, NO NAYS.**

61
62 **Agenda Item 3 – Ethics Reporting**

63
64 No ethical violations to report for Robinson, Farr, Kostik or Kennedy. Ethics disclosure for gifts
65 reported for Lind, Parietti and Petz. All three attended the October 2015 Annual meeting of the
66 Federation of State Boards of Physical Therapy in Orlando FL and reported 3rd party
67 reimbursement gift of \$1700.00 for each.

68
69 Dr. Farr asked if she would be able to receive or watch a dry needling demonstration to have a
70 better understanding of the process. The board did not think this would be an ethical violation.

71
72 **Agenda Item 4 – Old Business/Tasks**

73
74 Both Ruth Kostik and James Parietti had submitted their letters requesting reappointment and
75 both have been told they are to be reappointed.

76
77 This is Ms. Lind's last board meeting. Mr. Kennedy had been asked if he would accept the role of
78 the chair and he agreed.

79
80 **ON A MOTION MADE BY FARR, SECONDED BY PARIETTI, NOMINATE JOE KENNEDY AS THE**
81 **NEW CHAIR OF THE BOARD EFFECTIVE MARCH 1, 2016. ALL IN FAVOR, NO NAYS.**

82
83 **Break 9:10 a.m. back on record at 9:32 a.m.**

84
85 **Agenda Item 5 – Investigative Report**

86
87 Investigator Sonia Lipker telephonically reported the division had opened six (6) new matters
88 and closed six (6) matters. One matter is ongoing.

89
90 TASK: Staff will send Ms. Lipker a new board roster once all board members are officially
91 approved by the legislators.

92
93 **Agenda Item 6 - Correspondence**

94
95 Commission on Accreditation in Physical Therapy Education (CAPTE) sent a letter to the board
96 advising the University of Alaska Anchorage physical therapy assistant education degree
97 program is now accredited. Their school code is 2201.

98
99 The board reviewed the draft September 24-25, 2016 minutes amended for grammar in two
100 sentences and two duplicated names in motions and approved minutes as final.

101
102 **ON A MOTION MADE BY ROBINSON, SECONDED BY KENNEDY TO ACCEPT THE MINUTES AS**
103 **CORRECTED. ALL IN FAVOR, NO NAYS.**

104

105 Ms. Lind signed the final draft minutes.

106
107 TASK: Staff will publish September 24-25, 2015 final minutes to the website.

108
109 The board reviewed requests for consideration and direction for continuing competency. They
110 appreciated licensees seeking board direction in advance of the license renewal period. It was
111 determined that the regulations are specific as to what is required to meet the educational
112 requirements which then does not allow the board to change the law without a regulatory
113 change. The board is not in a position to modify or change rules at this late date for the
114 upcoming June renewal.

115
116 The board also reviewed an email with concerns for education courses being offered to
117 massage therapists that is specific to physical therapy. The licensee informed the board that a
118 course being taught to physical therapists and massage therapists was alarming. There is a risk
119 to the public if a massage therapist used modalities outside of their formal education and they
120 could harm their client. Both the licensee and the Massage Therapy board will be sent a letter.

121
122 The board will continue to monitor Telehealth across the nation. They will add a question to the
123 jurisprudence questionnaire related to state law to increase awareness of the requirement to be
124 in Alaska in order to practice telehealth.

125
126 Ms. Lind crafted letters and the board reviewed and approved them to be sent.

127
128 TASK: Staff will put all correspondence drafted by the board on state letterhead and forward to
129 each person.

130
131 Ms. Kostik left the meeting at 10:10 a.m.

132
133 **Agenda Item 7 – Budget Report**

134
135 Director Janey Hovenden reviewed the year end budget for FY15 and the first quarter FY16
136 budget. She also shared the fee analysis tool where the board could input projections for
137 increases to see how it would impact the budget over future years. The current non-refundable
138 application fee is \$70.00. The board determined to increase it to \$150.00 as they recognize this
139 increase would help cover the actual costs incurred for the initial licensure application process.
140 Ms. Robinson was not in agreement for a fee increase without further study of costs.

141
142 **ON A MOTION BY KENNEDY, SECONDED BY PARIETTI, REQUEST AN INCREASE IN INITIAL**
143 **APPLICATION FEE FROM \$70.00 TO \$150.00 PER 08.01.070 ADMINISTRATIVE DUTIES OF**
144 **BOARDS (10) SUBMIT BEFORE THE END OF THE FISCAL YEAR AND ANNUAL PERFORMANCE**
145 **REPORT TO THE DEPARTMENT STATING THE BOARD'S ACCOMPLISHMENTS, ACTIVITIES AND**
146 **NEEDS". THE INITIAL NON-REFUNDABLE APPLICATION FEE INCREASE OF \$80.00 WILL BETTER**
147 **REFLECT THE COST FOR THE APPLICATION PROCESS. FOUR YES VOTES, ONE NO – ROBINSON.**

148
149 Ms. Kostick was not present for this vote.

150
151 TASK: Staff will forward the motion in support of the fee regulation to Director Hovenden.

152
153 Ms. Hovenden explained new processes for cost savings that are under consideration. Board
154 packets are being moved to electronic format. There is potential that in the future tablets will be
155 available for board meetings. This will save paper, printing as well as the preparation time for
156 putting the board packets together.

157
158 Boards are now required to justify in person meetings. They are being asked to look at ways to
159 cover meeting tasks via teleconference to reduce the time required for an in person meeting.
160 This may allow a one day meeting instead of two days.

161
162 Out of state travel is only allowed if fully funded by the 3rd party or mission critical. The board
163 thanked Ms. Hovenden for her time and information.

164
165 **LUNCH recess 11:47 a.m.**

166
167 Ms. Lind called the meeting to order at 1:00 p.m. Roll call, Robinson, Parietti, Farr, Kostik,
168 Kennedy, Lind and staff were present.

169
170 **Agenda Item 8 – Public Comment**

171
172 The board heard public comment from three individuals regarding dry needling. Ms. Rande
173 Lucas, L.Ac., Daniel Young, ND, L.Ac., and telephonically Mr. Jeffrey Gordon, DPT, OCS from
174 Fairbanks. Investigator, Sonia Lipker from Anchorage listened in to the meeting.

175
176 Ms. Lucas is an Alaska licensed acupuncturist and representative of The Acupuncture and
177 Oriental Medicine Association of Alaska shared her concerns for the practice of dry needling by
178 physical therapists. She stated she appreciates the physical therapy profession and that from her
179 perspective dry needling is acupuncture and should not be practiced by physical therapists.

180
181 Mr. Young is an Alaska licensed naturopath and an Alaska licensed acupuncturist. He stated he
182 has a good working relationship with physical therapists. The increase in dry needling by
183 physical therapists is a great concern to him. He is dually licensed in order to have the training
184 and to be authorized to practice as an acupuncturist. He requested the board address his
185 concern for the protection of Alaskans.

186
187 Mr. Gordon, an Alaska licensed physical therapist said he was glad to hear that both Ms. Lucas
188 and Mr. Young want to keep a collaborative relationship with physical therapists. He said that all
189 professions may hear from clients where they are not satisfied with outcomes from other types of
190 health care however this does not reflect outcomes for everyone's treatment from each
191 profession. Education for physical therapy makes them muscle skeletal experts and dry needling
192 education is available to them.

193
194 Ms. Lind thanked all three for their comments and later drafted response letters which the board
195 approved and staff will forward to each person.

196
197 **Agenda Item 9 – Dry Needling Update**

198
199 Ms. Phelps was unable to attend the board meeting and the Dry Needling update was tabled to
200 the next board meeting.

201
202 **Agenda Item 10 – Future Regulations Project**

203
204 Ms. Robinson recommended adding to future regulations consideration of 'certification' with the
205 NBCOT as alternative to CE's. Mr. Kennedy thought this would modernize the regulations. To be
206 discussed at the next meeting.

207

208 Ms. Lind recapped the board does not want to make a regulation change to NBCOT Navigator
209 or FSBPT aPTitude. She recommended the board consider a change that would accept
210 national standards as an option or alternative in the future.

211
212 The FSBPT will enact TOEFL score requirements in 2017. Their scores are consistent with Alaska law
213 and the board considered they may work towards revising current law to accept TOEFL scores
214 as part of the FSBPT report. Current law 12 AAC 54.040 FOREIGN-TRAINED PHYSICAL THERAPY
215 APPLICANT (j) requires the scores be sent directly to the department from the testing
216 organization. It is noted that the TOEFL scores will continue to be part of the licensing
217 requirements for many years as FSBPTs new requirements will only help those who are new to the
218 national examination and forward. We will still have licensees who move around the country
219 who are foreign trained and took the exam years ago and a TOEFL is part of the application
220 process.

221
222 **Agenda Item 11 – Licensure Compact Discussion**

223
224 The Board opened the telephone line to hear from Jim Heider, executive administrator for the
225 Oregon Board of Physical Therapy and the FSBPT liaison for the AK Board of Physical Therapy and
226 Occupational Therapy. Leslie Adrian is the Director of Professional Standards, Federation of
227 State Boards of Physical Therapy.

228
229 They both spoke about the licensure compact movement across the country. The state of
230 Oregon has introduced SB1504 for licensure compacting law. Ms. Adrian has been working with
231 each jurisdiction as they move forward to adopt the licensure compact law.

232
233 Any jurisdiction that joins the licensure compact can be assured compact law preserves their
234 sovereignty and only squeaky clean licensees can work under the compact privilege. A
235 licensee must hold a license in their home state (state of residence). Each state in the compact
236 would be able to seek a fee from anyone who would like to have compact privilege with them.
237 Each state's law is in control while someone is practicing within that jurisdiction.

238
239 In brief, this is a licensure portability benefit which allows ease of access to practice and also
240 hold a permanent license within a specific state in a compact. For any person who wants to be
241 part of the compact, they pay the fee for that privilege and each fee is given to that
242 jurisdiction.

243
244 The AK Board asked what Oregon did to move the compact forward. They first met with the
245 Oregon Physical Therapy Association (ORPTA) and collaborated for support towards the
246 licensure compact. The OR licensure board was by law unable to lobby for a bill and it was the
247 ORPTA who sponsored the bill. There was no opposition to the bill so it moved rather quickly
248 from the house side to the senate side. There is great support in favor for the compact.

249
250 Mr. Heider will keep the Alaska PTOT board informed on the process of Oregon SB 1504.

251
252 **Break 3:07 p.m. to 3:25 p.m.**

253
254 The board discussed the compact and Ms. Lind recapped the discussion. Oregon is moving
255 ahead with their compact. Alaska at this time does not feel the need to join in the compact
256 movement but the board will continue to watch and see what happens with Oregon and
257 Washington compact law. Alaska is unique with our remote location and it does not seem to
258 have the benefits that other states do for joining a compact. Mr. Heider and Ms. Adrian were a
259 big help in explaining the compact law and the legislative change process. It was noted that

260 the Oregon Physical Therapy Association was critical to the progressive movement of licensure
261 compact in the state of OR.

262
263 **Agenda Item 12 – Legislative Progress update**

264
265 The board discussed they lacked the terminology to enforce disciplinary decisions. They
266 determined they needed to add to their proposed legislative statute changes and added a
267 number 15 to the recommendation.

268 It was noted the Alaska statutes for physical therapy and occupational therapy does not have a
269 "catch-all" statute for imposing discipline for violation of the law like some of the other health
270 care professions. By adding similar wording to the statute it would bring the powers of the board
271 to discipline into alignment with other boards.

272 The board added #15 to the proposed recommendations for AS 08.84.120 to include for clarity
273 in disciplinary actions, revising the title (adding the word disciplinary), adding to (a) the word
274 discipline and adding a #9 which would read: "failed to comply with this chapter, with a
275 regulation adopted under this chapter, or with an order of the board;

276 It could now read: 08.84.120. Refusal, revocation, **disciplinary** and suspension of license. (a) "The
277 board may refuse to license an applicant, may refuse to renew the license of a person, and
278 may suspend, **discipline** or revoke the license of a person who" **(9) "failed to comply with this**
279 **chapter, with a regulation adopted under this chapter, or with an order of the board;**

280 The board reviewed the entire 15 items on the recommendation list and planned to seek a
281 friendly legislator to help move forward with their legislative goals.

282
283 Staff will type up the changes and the board will review it one more time on Friday in order to be
284 ready to share with their legislators.

285
286 The board recessed at 4:12 p.m.

287
288 **Friday – February 12, 2016**

289
290 Ms. Lind called the meeting to order at 8:36 a.m. Roll call; present, constituting a quorum of the
291 Board, were; Robinson, Parietti, Farr, Kostik, Kennedy, Lind and staff Petz.

292
293 **Agenda Item 13 – Applications**

294
295 **ON A MOTION BY KENNEDY, SECONDED BY FARR, THE ALASKA BOARD OF PHYSICAL**
296 **THERAPY AND OCCUPATIONAL THERAPY IS RESOLVED TO ENTER EXECUTIVE SESSION IN**
297 **ACCORDANCE WITH AS 44.62.310(C)(2) AND (3), AND THE ALASKA CONSTITUTIONAL RIGHT**
298 **TO PRIVACY PROVISIONS, FOR THE PURPOSE OF APPLICATION REVIEW. ROLL CALL VOTE:**
299 **ROBINSON, PARIETTI, FARR, KOSTIK AND KENNEDY. ALL VOTED YES. MOTION PASSED.**

300
301 All board members and staff Petz to stay in the room.

302
303 Entered Executive 8:58 a.m. and out of Executive Session at 9:17 a.m.

304
305 **ON A MOTION BY KENNEDY, SECONDED BY ROBINSON, THE BOARD DETERMINED THIS**
306 **APPLICATION FILE WAS INCOMPLETE AND STAFF WILL FOLLOW UP WITH THE APPLICANT FOR**
307 **ADDITIONAL INFORMATION. ALL IN FAVOR, NO NAYS**

308
309 The board reviewed 4 applications for licensure. Staff read for the record:

310
311 Seth Arnold application by Examination approved for a PTA license pending receipt of
312 conferred degree and pending passing the national physical therapy assistant exam.
313
314 Katelyn Szama application by Credentials approved for a PTA license pending receipt of
315 current and complete verification of license from Florida.
316
317 Kimberly Ramey application by Credentials approved for a PT license.
318
319 Emily Smolak application by Credentials approved for an OT license.
320
321 **ON A MOTION BY FARR, SECONDED BY ROBINSON TO ACCEPT THESE APPLICANTS FOR LICENSE**
322 **AS READ. ALL IN FAVOR, NO NAYS.**
323
324 TASK: Staff Issue licenses or contact licensees per application review. Staff to find out for the
325 board if there is a centralized statute which applies to all health care providers for telehealth.
326
327 BREAK: off record at 9:35 a.m. and back on record at 9:51 a.m.
328
329 **Agenda Item 14 – Jurisprudence redraft**
330
331 Revise question # 13 on the PT/PTA jurisprudence and # 15 on the OT/OTA jurisprudence as well
332 as add question # 21 to both PT/OT regarding telerehabilitation law.
333
334 Form 08-4065 Revise entire Question #13 and it should now read:
335
336 #13. Physical therapist and/or physical therapy assistants must adhere to the physical therapy
337 standards including the National Professional Core Values and Ethical Standards and the AK
338 board of Physical Therapy and Occupational Therapy principles of practice.
339
340 False
341 True 12 AAC 54 _____
342
343 Form 08-4123 Revise entire Question #15 and it should now read:
344
345 #15. Occupational therapist and/or occupational therapy assistants must adhere to the
346 occupation therapy standards including the National Professional Core Values and Ethical
347 Standards and the AK board of Physical Therapy and Occupational Therapy principles of
348 practice.
349
350 False
351 True 12 AAC 54 _____
352
353 Add to form # 08-4065 Jurisprudence question # 21.
354
355 The Physical Therapist and/or Physical Therapy Assistant must be licensed and must be present in
356 the state of Alaska to perform telerehabilitation.
357
358 False
359 True 12 AAC 54 _____
360
361 Add to form # 08-4123 Jurisprudence question # 21.

362
363 The Occupational Therapist and/or Occupational Therapy Assistant must be licensed and must
364 be present in the state of Alaska to perform telerehabilitation.

365
366 False

367 True

12 AAC 54 _____

368
369 Task: Staff to revise applications with the changes and add new jurisprudence questions.

370
371 **BREAK** off record at 9:35 a.m. and back at 9:51 a.m.

372
373 **Agenda Item 12 Continued Legislative progress discussion**

374
375 Staff typed the boards revised legislative recommendations now dated February 2016 and the
376 board reviewed and approved the draft.

377
378 **ON A MOTION BY KENNEDY, SECONDED BY ROBINSON TO ACCEPT PROPOSED LEGISLATION**
379 **MODIFICATION. ALL IN FAVOR, NO NAYS.**

380
381 All board members received copies to hand out to their state legislators.

382
383 TASK: Staff to attach the revised February 2016 Recommendations for Proposed Legislation to
384 these draft minutes.

385
386 **Agenda Item 15 CE Audits – Continuing Education**

387
388 Charles Ward, Paralegal attended the meeting to discuss the CE audits.

389
390 **ON A MOTION BY ROBINSON, SECONDED BY PARIETTI TO ENTER EXECUTIVE SESSION, THE**
391 **ALASKA BOARD OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY IS RESOLVED TO**
392 **EXECUTIVE SESSION IN ACCORDANCE WITH AS 44 62.310(C)(2), AND THE ALASKA**
393 **CONSTITUTIONAL RIGHT TO PRIVACY PROVISION, FOR THE PURPOSE OF REVIEW OF PRESENT**
394 **CONTINUING EDUCATION AUDITS AND POTENTIAL CONSENT AGREEMENTS. ALL BOARD**
395 **MEMBERS VOTED YES. MOTION PASSED.**

396
397 All board members and staff Ward and Petz to stay in the room. There were no public present.

398
399 Off the record at 11:10 a.m. and back on record 11:40 a.m.

400
401 **ON A MOTION BY KENNEDY, SECONDED PARIETTI REGARDING CASE # 2015-001053 THE**
402 **ALASKA BOARD OR PHYSICAL THERAPY AND OCCUPATIONAL THERAPY HEREBY ADOPTS THE**
403 **IMPOSITION OF CIVIL FINE IN THIS MATTER. THE BOARD HAS DETERMINED THAT THIS**
404 **VIOLATION OF PROFESSIONAL LICENSING STATUES AND REGULATIONS IS TECHNICAL IN**
405 **NATURE, NOT RELATED TO THE DELIVERY OF PATIENT CARE AND CAN BE RESOLVED WITH A**
406 **CIVIL FINE. ALL IN FAVOR, NO NAYS.**

407
408 **ON A MOTION BY KENNEDY, SECONDED ROBINSON REGARDING THE ALASKA BOARD OR**
409 **PHYSICAL THERAPY AND OCCUPATIONAL THERAPY, FOR THE STATE OF ALASKA, HAVING**
410 **EXAMINED THE CONSENT AGREEMENT AND PROPOSED DECISION AND ORDER IN CASE #**
411 **2015-001061, BY THE PARTIES, HEREBY ADOPTS THE CONSENT AGREEMENT, DECISION AND**
412 **ORDER IN THIS MATTER. FIVE YES VOTES, ONE RECUSED -**

413

414 ALL IN FAVOR EXCEPT PARIETTI WHO RECUSED HIMSELF FROM THIS VOTE.
415

416 ON A MOTION BY KENNEDY, SECONDED ROBINSON THE ALASKA BOARD OF PHYSICAL
417 THERAPY AND OCCUPATIONAL THERAPY, FOR THE STATE OF ALASKA, HAVING EXAMINED
418 THE CONSENT AGREEMENT AND PROPOSED DECISION AND ORDER IN CASE # 2015-001044,
419 BY THE PARTIES, HEREBY ADOPTS THE CONSENT AGREEMENT, DECISION AND ORDER IN THIS
420 MATTER. FIVE YES VOTES, ONE ABSTENTION - LIND.
421

422 Kathy Lind signed all 3 board orders for Mr. Ward.
423

424 Task: Staff will publish the disciplinary actions on the website.
425

426 LUNCH recess 11:45 p.m. Meeting called to Order at - 1:22 p.m.
427

428 Some board members went separately over to the AK state capital and dispersed to legislative
429 offices to hand out the proposed legislative recommendations. It is hoped Senator Giessel and
430 Representative Vasquez will consider sponsoring a bill for the recommended legislative changes.
431

432 **Agenda Item 16 Discussion Time – 10 Minute Topics**
433

434 Ms. Lind, Mr. Parietti and staff Ms. Petz all reported on the annual meeting they were able to
435 attend with the Federation of State Boards of Physical Therapy in Orlando FL. Ms. Lind said this
436 was one of the finest meetings she has ever attended. Very forward thinking, international
437 speakers from Australia and Scotland.
438

439 All agreed the licensure compact has potential for the lower 48 states with adjoined boarders
440 but are unclear how it will help AK. The fact there is the requirement to have a license in your
441 home state gives a sense of security for those who choose to live in AK. Telehealth law is also on
442 the rise across the country.
443

444 **Agenda Item 17 – Annual Report – Discuss Goals**
445

446 The draft narrative will be completed by the secretary Robinson once the draft minutes are
447 completed. The board reviewed their accomplishments for the year to date and determined
448 they needed to develop a strategic plan. They created a list of potential goals for a 5 year
449 strategic plan which will be developed further at the fall board meeting.
450

- 451 1. Track different states licensure compact legislation
- 452
- 453 2. Track different states Telehealth
- 454
- 455 3. Monitor NBCOT and FSBPT for acceptance of required continuing certificate
456 documentation
- 457
- 458 4. Modify Limited Permit
- 459
- 460 5. Does our current practice act (statutes) limit our practice
- 461
- 462 6. Look at other states boards and other AK boards to be aware of what they are doing
463 and being in collaboration.
- 464
- 465 7. Create Standard Operation Procedure forms and board packet info; tips

- 466
467 8. Occupational Therapy compensation versus volunteerism with regard to work history
468
469 9. Expanding the requirements for continuing competency
470
471 10. Review Foreign Educated inequality for internship requirements
472

473 The board is in support of attending national conferences. They recognize it educates board
474 members and staff as well as keeps them informed of national issues which impact all licensing
475 jurisdictions. The NBCOT has a goal to have all jurisdictions represented at their May 2016
476 leadership forum and they have offered to fully fund one occupational therapist board member
477 and one staff member from each state board. Ms. Robinson, OT and staff Connie Petz are both
478 available to attend if approved by the state of AK.
479

480 **ON A MOTION BY KOSTIK, SECONDED BY LIND, THE BOARD APPROVES ONE BOARD**
481 **MEMBER AND ONE STAFF MEMBER TRAVEL TO NEW ORLEANS FOR THE NATIONAL BOARD OF**
482 **OCCUPATIONAL THERAPY ANNUAL MEETING IN MAY, 2016. ALL COSTS TO BE FULLY**
483 **REIMBURSED BY A THIRD PARTY. ALL IN FAVOR. NO NAYS.**
484

485 Task: Staff will work on requesting approval for this out of state travel to NBCOT meeting.
486

487 Travel options may be tough with the current climate but this board has 3rd party reimbursement
488 options which make it much more optimistic for board member educational opportunities.
489

490 Board member Training with FSBPT – June 24-26, 2016 and the FSBPT Annual Meeting – November
491 3-5, 2016 in Columbus, OH. It was determined that no board members will attend the June
492 board member training in 2016 or the FSBPT annual meeting.
493

494 Ms. Lind read a letter provided by Director Hovenden to the board which was in support of the
495 fee regulation project and the board appreciated the feedback.
496

497 The board had correspondence from the Attorney General and determined it would be best
498 discussed under client attorney privileges.
499

500 **ON A MOTION BY ROBINSON, SECONDED BY KOSTICK TO ENTER EXECUTIVE SESSION, THE**
501 **ALASKA BOARD OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY IS RESOLVED TO**
502 **EXECUTIVE SESSION IN ACCORDANCE WITH AS 44 62.310(C)(3), AND THE ALASKA**
503 **CONSTITUTIONAL RIGHT TO PRIVACY PROVISION, FOR THE PURPOSE OF CLIENT/ATTORNEY**
504 **PRIVILEGE DISCUSSION. ALL BOARD MEMBERS VOTED YES. MOTION PASSED.**
505

506 All board members and staff Petz to stay in the room. No public present.
507

508 Off the record at 2:27 p.m. and back on record 2:33 p.m.
509

510 Ms. Lind recapped and stated information was received, discussed and shared. No Action
511 taken.
512

513 The board returned back to the annual report discussion.
514

515 TASK: Ms. Robinson will draft the narrative and submit to staff for FY16 report.
516 Staff to revise FY15 annual report pages per discussion.
517

518 Break off record at 2:42 p.m. and back on record at 2:51 p.m.

519

520 **Agenda Item 18 – Schedule Meetings**

521

522 Fall meeting – Anchorage October 6-7, 2016

523 April 20, 2016 noon teleconference

524 August 3, 2016 noon teleconference

525 Spring 2017 meeting – FEB 23-24, 2017 in Juneau, AK

526

527 **Agenda Item 19 – Other Discussion/Task Follow Up/Adjourn Meeting**

528

529 The board completed the travel action summary report.

530

531 TASK: Staff will submit to the travel desk.

532 Kathy Lind was first appointed to the board on 1/29/08 and reappointed 3/1/12. She has served
533 as chair from Sept 23, 2010. The board presented Ms. Lind with a certificate of appreciation for
534 her service on the board.

535

536 TASKS:

537

538 Robinson: craft for annual report draft narrative and submit to staff for FY16 report.

539

540 Staff:

541

542 • Send Ms. Lipker a new board roster once all board members are officially approved by
543 the legislators.

544

545 • Publish September 24-25, 2015 final minutes to the website.

546

547 • Put all correspondence drafted by the board on state letterhead and forward to each
548 person.

549

550 • Forward the support for the fee regulation motion to Director Hovenden.

551

552 • Issue licenses or contact licensees per application review. Staff to find out for the board
553 if there is a centralized statute which applies to all health care providers for telehealth.

554

555 • Revise applications with the changes and add new jurisprudence questions.

556

557 • Publish the disciplinary actions on the website.

558

559 • Work on requesting approval for this out of state travel to NBCOT meeting.

560

561 • Complete the FY16 updated goals for the annual report.

562

563 • Attach to the draft February 2016 minutes the legislative recommendations.

564

565 • Submit receipts for travel reimbursement for all board members.

566

567 • Submit travel action summary report

568

569 The Board having no further business to discuss adjourned the meeting at 4:13 p.m.

570
571
572
573
574
575
576
577
578
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Respectfully Submitted:

Connie Petz

Connie Petz, Licensing Examiner

Approved:

[Signature]

FOR KATHLEEN LIND

Kathleen Lind, Chair

10/19/2016

Date

ATTACHMENT: February 2016 Legislative Recommendations

**ALASKA STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD
RECOMMENDATIONS FOR PROPOSED LEGISLATION**

1. AS 08.84.010 Add (c) This [act] is enacted for the purpose of protecting the public health safety and welfare, and provides for jurisdiction administrative control, supervision, licensure, and regulation of the practice of physical therapy and occupational therapy. It is the legislatures' intent that only individuals who meet and maintain prescribed standards of competence and conduct may engage in the practice of physical therapy and occupational therapy as authorized by this [act]. This [act] shall be liberally construed to promote the public interest and to accomplish the purpose stated herein.
2. AS 08.84.030(a)(1) amended to read: "have graduated from a professional physical therapy education program accredited by a national accreditation agency approved by the Board".
3. AS 08.84.030(b)(1) be amended to read: "have graduated from a professional occupational therapy education program accredited by a national accreditation agency approved by the Board".
4. Repealing AS 08.84.030(b)(2) regarding documentation for occupational therapy fieldwork.
5. AS 08.84.032(a)(3) and (b)(3) be amended to require an English examination only if the degree program was not taught in English.
6. AS 08.84.032 "Foreign Trained" be changed to "Foreign Educated".
7. AS 08.84.032(a)(7) and (b)(7) changing the statute regarding foreign educated PTs and OTs, to be required to "meet qualifications for licensure established in regulations adopted by the board under AS 08.84.010(b)".
8. AS 08.84.075 be amended to clarify that a limited permit is valid for 120 consecutive days and that only one limited permit may be issued in a 12 month period.
9. AS 08.84.032 (a) (1) be amended to read "have completed, to the satisfaction of the board, a resident course of study and professional instruction substantially equivalent to the first professional degree in physical therapy in the United States."
10. AS 08.84.032 (b) (1) be amended to read "have completed, to the satisfaction of the board, a resident course of study and professional instruction substantially equivalent to the first professional degree in occupational therapy in the United States."
11. AS 08.84.190 (6) Add to the definitions in Sec 08.84.190 The term "physiotherapy" shall be synonymous with "physical therapy".
12. AS 08.84.010(a) removal of physician and replace by an occupational therapist or an occupational therapy assistant.

13. AS 08.84.130(a) removal of wording LPT - Licensed Physical Therapist to be replaced with PT - Physical Therapist based on national trends.
14. AS 08.84 change all references of "physical therapy assistant" to "physical therapist assistant" based on national trends.
15. AS 08.84.120 include for clarity for disciplinary actions, revising title, adding in (a) and adding #9