

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY  
AND ECONOMIC DEVELOPMENT  
BOARD OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY  
333 Willoughby Ave, Conference Room A  
Juneau, AK

March 28-30, 2012

By authority of AS 08.065.020 and in compliance with the provision of  
AS 44.62, Article 6, a scheduled meeting of the Board of  
Physical and Occupational Therapy was held March 28-30, 2012  
at 333 Willoughby Ave, Conference Room A Juneau, AK

March 28, 2012

**Agenda Item 1 - Call to Order/Roll Call**

Kathy Lind, Chair of the Board of Physical Therapy and Occupational Therapy called the meeting to order at 2:00 p.m.

This board meeting was public noticed on February 15, 2012 and was published in the Anchorage Daily News.

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

Kathleen Lind, Chair, OT  
Valerie Phelps, PT  
Mary Melissa Robinson, OTL  
Darin Bell, MD  
Judy Bogard, Secretary, PT  
James Parietti, PT

Approved Absence – David Carey, Public Member

Kathy Lind introduced new board member James Parietti.

Present from the Division of Corporations, Business & Professional Licensing

Connie Petz, Licensing Examiner  
Misty Frawley, Administrative Officer  
Jennifer Wirawan, Investigator, telephonically:

Public present: Carin Robinson, Catherine (Katie) Piraino, Kathleen Hansen

**Agenda Item 2 - Review/Approve Agenda**

**ON A MOTION MADE BY VALERIE PHELPS, SECONDED BY JUDY BOGARD IT WAS  
RESOLVED TO APPROVE THE AGENDA. ALL IN FAVOR, NO NAYS.**

### **Agenda Item 3 – Review/Approve Minutes**

The board discussed they would like the future minutes to be action driven. The board will recap any action on agenda items to minimize the content of discussion in the minutes. This will make it easier to understand the boards decision in future years by only having brief content to allow easier recall of board discussion.

**ON A MOTION MADE BY MELISSA ROBINSON, SECONDED BY DARIN BELL IT WAS RESOLVED TO APPROVE NOVEMBER 17-18, 2011 MINUTES AS WRITTEN. ALL IN FAVOR, CARRIED UNANIMOUSLY.**

No further discussion. Kathy Lind will sign final minutes for staff to post to website.

### **Agenda Item 4 – Old Business/Task Follow Up**

Staff will update website to reflect all current board members.

### **Agenda Item 5 - Ethics Reporting**

There were no ethics violations to report by board members or staff.

Staff explained 'Ex Parte' Communication and advised the board to refer people who contact them directly to staff with their questions and to avoid holding conversations related to board business.

Board members should not hold conversations with applicants prior to licensure and should not discuss any type of a licensing violation concerns with a licensee. Both of these situations limit the board in their ability to perform board business, to be included in future discussions and could hinder the board with the risk of not having a quorum of the board to make a determination or decision.

Staff explained how perception in relation to ethical issues is something the board should be aware of. For instance, when board members are on committees within their profession, the fact they are also on the board could be perceived by the public as a conflict. Even if a board member is representing only themselves in state association meetings. Kathy Lind is the Ethics Supervisor for the board.

Avoiding the risk of Ex-Parte communication with other board members is also important as any conversation between members could be considered an ethical violation and a violation of the open meetings act.

### **Agenda Item 6 – Ethics Project**

The history of the ethics project is to adopt a code of ethics which focuses on the protection of the public. The board has current regulations which reference national code of ethics.

**12 AAC 54.500. PHYSICAL THERAPY STANDARDS (c) and (d)**

**12 AAC 54.800. OCCUPATIONAL THERAPY STANDARDS (a)**

Board members reviewed codes of ethics from many other jurisdictions to develop what our state may want to incorporate into the regulations. The board may also consider including moral turpitude and incorporating the barrier crimes matrix.

TASK: Darin Bell will compile an outline draft code of ethics and forward to staff. It will be discussed in a teleconference; date to be determined. The board hopes to have a final draft of ethics to review at the fall board meeting.

Kathy Lind called for a motion to recess the meeting.

**ON A MOTION MADE BY VALERIE PHELPS, SECONDED BY JUDY BOGARD TO RECESS THE MEETING. ALL IN FAVOR, CARRIED UNANIMOUSLY.**

RECESS 5:05 p.m. Reconvene 8:30 a.m. on March 29, 2012

**Thursday, March 29, 2012**

**Agenda Item 7 - Call to Order/ Roll Call**

Kathy Lind, Chair of the board called the meeting to order at 8:34 a.m.

Roll Call:

Kathleen Lind, Chair, OT  
Valerie Phelps, PT  
Mary Melissa Robinson, OTL  
Darin Bell, MD  
Judy Bogard, Secretary, PT  
James Parietti, PT

Staff: Connie Petz, Licensing Examiner  
Jennifer Wirawan, Investigator (via telephone)

**Agenda Item 8 - Reports: Liaisons**

Melissa Robinson, board liaison to the Alaska Occupational Therapy Association, provided a written recap of the last board meeting to the AKOTA and to the board.

Valerie Phelps is now the board liaison to the Alaska Physical Therapy Association and she will attend at least one business meeting per year and report to the board. It was noted the board does not have any formal documentation to guide board members in processes in their role on the board as a liaison. She then offered to compile guidelines and manage it during board meetings for the benefit of future board liaisons.

**Agenda Item 9 - Investigative Report**

Investigator, Jennifer Wirawan shared with the board the investigative report. Case number 2011-000338 was closed since the report was compiled.

**OPEN COMPLAINTS:**

**STATUS:**

None

**OPEN INVESTIGATIONS:**

**STATUS:**

2700-07-001

Professional Ethics

Litigation Initiated

2012-000039	Contested License Denial	Litigation Initiated
2011-000338	License Application Problem	Investigation ongoing

**COMPLAINT OR INVESTIGATION ACTIVITY SINCE LAST BOARD MEETING:**

2011-000524	License Application Problem	Consent Agreement
2011-000963	License Application Problem	Closed – No Violation
2010-001096	Continuing Education	Voluntary License Surrender

**Agenda Item 10 – FY12 Annual Report/Budget Report**

Administrative officer, Misty Frawley explained the budget to the board. This board has a stable budget and license fees will not increase at this renewal.

The board reviewed the annual report line by line to be ready for the FY12 deadline. The legislative and regulatory goals were re-evaluated to determine the direction the current board will work for change in both statutes and regulations.

Judy Bogard will compile the narrative statement and forward to staff by the end of April. Staff will update all the goals and objectives according to the board's discussion and compile the FY12 annual report to meet the August 1, 2012 deadline.

Break at 9:55 a.m. back on record at 10:11 a.m.

**Agenda Item 11 - Legislative contact**

Carin Robinson attended the board meeting to share about current legislative issues which the physical therapy and occupational therapy board may want to track.

The board re-evaluated and revised the list of proposed legislative issues and removed items which were no longer a concern or goal of the board.

Board members would like to have the opportunity to see how laws are addressed with their legislators. In order to attend part of a legislative session at the state capital they will adjourn early on the last day of a board meeting.

Lunch break – off record at 12:15 p.m. at 1:01 p.m. Kathy Lind called the meeting to order. All board members and staff were present.

**Agenda Item 12 - Public Comment**

Kathleen Hansen spoke on behalf of Katie Kerris of the Alaska Occupational Therapy Association as she could not attend the meeting. The AKOTA has a committee who is working on legislation and is concerned about the statutory issues and updating language in the state law.

Ms. Hansen also spoke to the board regarding the application directions for occupational therapists applying by examination. She asked the board to either change the wording on the application and notify the NBCOT that only the verification of certification would be accepted or honor the application instructions.

Catherine Piraino spoke to the board as a representative for the Alaska Physical Therapy Association and shared about the upcoming AKAPTA spring conference to be held on May 5-6, 2012. She wanted the board to be aware of an opportunity for continuing education on May 5, 2012 entitled, Ethical Reasoning and Decision Making: Practical Strategies for Everyday Practice.

The board agreed the ethics course would be beneficial for the professional but said they did not think the course would meet the qualifications for continuing education which state courses must contribute directly to professional competency and must be directly related to the skills and knowledge required to implement the principles and methods of physical therapy.

### **Agenda Item 13 - Discussion for CE/Competency**

An applicant who completes continuing education for initial license requirements may count the same certificates as long as they are completed during that licensing period.

FSBPT is launching its' certification program with their standards for continuing competence. This is not language the Alaska board uses and more importantly, there is confusion as to how their valuation under their language 'continuing competency units' or CCU's equates to continuing education units.

The NBCOT also has changed their language and have begun using the language 'professional development units' or PDU's versus continuing education units.

The board noted in centralized regulations the language 'continuing competency does exist under 12 AAC 02.960. The complexity comes in how the educational units are going to be calculated. The board will need to work on finding out what the equality of the equation is.

This will be an ongoing process and the board recognizes Alaska regulations for contact hours may be out of sync with the future modes (CCU and PDU) of for continuing education. credit

### **Agenda Item 14 - Requests for CE approval**

The board reviewed the request from Ms. Obermeyer for approval of her continuing education. The board approved the course Mobilizing the Medically Complex Acute Care Patient certificate for the appointed 15 hours of continuing education. Staff will send letter advising these 15 CE's qualify and advise Ms. Obermeyer that she will need to complete 9 more continuing education units for this licensing period.

The board reviewed the request from Ms. Tydingco of her volunteer service/practice for the current licensing period. The board requested additional information from Ms. Tydingco in order to make a determination.

Task: Staff will send a letter to Ms. Tydingco outlining the areas needing clarification and then forward her response to the board via mail for their consideration.

Break at 2:57 p.m. Back on record at 3:01 p.m.

## Agenda Item 15 - Regulations Project

Proposed Regulation changes: This DRAFT regulation project includes how the regulation currently reads and is followed with how the board would like the regulation to be drafted.

- The board wants the intent of each regulation to be clearly stated. Required documentation to be sent directly to the department from each source and on the boards' forms. The board also wants to have consistency in licensure requirements for all applicants (both US and foreign trained) and to clearly define areas in regulations which appear to be vague.

### PHYSICAL THERAPY:

#### **12 AAC 54.030. REQUIREMENTS FOR PHYSICAL THERAPY LICENSE BY EXAMINATION**

(a) (2) the applicant's certified transcript from a physical therapy school meeting the requirements of AS 08.84.030(a) (1); and

**12 AAC 54.030** (a)(2) the applicant's certified transcript sent directly to the department from a physical therapy school meeting the requirements of AS 08.84.030(a)(1); and

- To have consistency in licensing requirements, request the professional reference sign and send the form directly to the department for all license applications.

**12 AAC 54.030** (a) (3) a letter of professional reference from

**12 AAC 54.030** (a) (3) a signed letter of professional reference sent directly to the department on a form provided by the department from

- It is the intent of the board that foreign-trained applicants be required to learn the laws of the state of Alaska by completing the jurisprudence questionnaire. Transcripts, which qualify from an approved school be sent directly to the department. Other required documentation to be sent directly to the department from each source and on the boards' forms.

**12 AAC 54.040. FOREIGN-TRAINED PHYSICAL THERAPY APPLICANTS.** (a) An applicant for a physical therapist or physical therapy assistant license by examination who received an education and degree outside the United States shall meet all requirements for licensure under AS 08.84, 12 AAC 54.030(a)(1) and (3), 12 AAC 54.030(b), and this section

**12 AAC 54.040** (a) An applicant for a physical therapist or physical therapy assistant license by examination who received an education and degree outside the United States shall meet all requirements for licensure under AS 08.84, 12 AAC 54.030(a) (1), (3) and (4), 12 AAC 54.030(b), and this section.

#### **12 AAC 54.040. FOREIGN-TRAINED PHYSICAL THERAPY APPLICANTS.**

(b) A foreign-trained physical therapist or physical therapy assistant applicant who has graduated from a school of physical therapy approved by the Council on Medical Education and Hospitals of the American Medical Association, or the American Physical Therapy Association, shall submit the applicant's certified transcript from that school. A foreign-trained physical therapist or physical therapy assistant applicant who has not graduated from a school of physical therapy approved by the Council on Medical Education and Hospitals of the American Medical Association, or the American Physical Therapy Association, shall have the applicant's course of study and professional instruction evaluated by a credentials evaluation service

approved by the board. If an applicant cannot submit a transcript for evaluation as required by this subsection, the board will accept as evidence of education verification, to the board's satisfaction, from

**12 AAC 54.040 (b)** A foreign-trained physical therapist or physical therapy assistant applicant who has graduated from a school of physical therapy approved by the Council on Medical Education and Hospitals of the American Medical Association, or the American Physical Therapy Association, shall submit the applicant's certified transcript sent directly to the department from that school. A foreign-trained physical therapist or physical therapy assistant applicant who has not graduated from a school of physical therapy approved by the Council on Medical Education and Hospitals of the American Medical Association, or the American Physical Therapy Association, shall have the applicant's course of study and professional instruction evaluated by a credentials evaluation service approved by the board. If an applicant cannot submit a transcript for evaluation as required by this subsection, the board will accept as evidence of education verification, to the board's satisfaction, from

**12 AAC 54.040 (f)** Upon completion of the internship, the preceptor shall submit a letter to the board attesting to the applicant's

**12 AAC 54.040 (f)** Upon completion of the internship, the preceptor shall submit a letter sent directly to the department on a form provided by the department attesting to the applicant's

- It is the intent of the board that the applicant passes all 4 sections of the TOEFL in one testing session.

**12 AAC 54.040 (j)** To meet the requirements of AS 08.84.032(a) (3), a foreign-trained physical therapist or physical therapy assistant applicant must pass the examinations listed in this subsection. An applicant must obtain at least the following minimum scores:

**12 AAC 54.040 (j)** To meet the requirements of AS 08.84.032(a) (3), a foreign-trained physical therapist or physical therapy assistant applicant must pass the examinations listed in this subsection in one testing session. An applicant must request the scores be sent directly to the department from the testing organization and obtain at least the following minimum scores:

**12 AAC 54.050. PHYSICAL THERAPIST TEMPORARY PERMITS AND SCOPE OF PRACTICE UNDER THOSE PERMITS.** [(c) is for foreign educated applicants]

**12 AAC 54.050 (c) (2) (A)** credentials evaluation from an agency approved by the board; or

**12 AAC 54.050 (c) (2) (A)** credentials evaluation sent directly to the department from an agency approved by the board; or

**12 AAC 54.050(c) (3)** a signed and notarized letter of professional reference on a form provided by the department from

**12 AAC 54.050 (c) (3)** a signed ~~and notarized~~ letter of professional reference on a form provided by the department and sent directly to the department from

**12 AAC 54.050(c) (4)** a signed and notarized statement of responsibility from the supervising physical therapist; the statement must indicate that the supervising physical therapist will assume the full responsibility of supervising the applicant;

**12 AAC 54.050(c) (4)** a signed and notarized statement of responsibility sent directly to the department on a form provided by the department from the supervising physical therapist; the statement must indicate that the supervising physical therapist will assume the full responsibility of supervising the applicant;

**12 AAC 54.050(c) (6)** verification from the preceptor attesting to the applicant's satisfactory completion of the internship;

**12 AAC 54.050(c) (6)** a signed letter of verification sent directly to the department on a form provided by the department from the preceptor attesting to the applicant's satisfactory completion of the internship;

**12 AAC 54.050 (c) (8)** verification that the applicant has passed the English language proficiency examination approved by the board.

**12 AAC 54.050(c) (8)** verification sent directly to the department from the testing organization that the applicant has passed the English language proficiency examination approved by the board under 12 AAC 54.040(j).

**12 AAC 54.100. APPLICATION FOR LICENSURE BY CREDENTIALS (physical therapy).**

**12 AAC 54.100 (2)** a report of the applicant's national physical therapy examination scores;

**12 AAC 54.100 (2)** a report sent directly to the department from the testing organization of the applicant's national physical therapy examination scores;

**12 AAC 54.100 (3)** verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice physical therapy, one of which must indicate a current license in good standing;

**12 AAC 54.100 (3)** verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice physical therapy, one of which must indicate a current license in good standing; including an explanation of any disciplinary actions taken against the licensee, from each jurisdiction where the applicant has, or has ever held a license;

**12 AAC 54.100 (5)** verification of having

**12 AAC 54.100 (5)** verification sent directly to the department from the source of having

**12 AAC 54.110. FOREIGN-TRAINED APPLICANTS. (by Credentials)**

**12 AAC 54.110 (2)** a report of the applicant's national physical therapy examination scores;

**12 AAC 54.110 (2)** a report sent directly to the department from the testing organization of the applicant's national physical therapy examination scores;

**12 AAC 54.110 (3)** verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice physical therapy, one of which must indicate a current license in good standing;



**12 AAC 54.110** (3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice physical therapy, one of which must indicate a current license in good standing; including an explanation of any disciplinary actions taken against the licensee, from each jurisdiction where the applicant has, or has ever held a license;

**12 AAC 54.110** (4) satisfactory evidence of a minimum six months' supervised work experience while licensed as a physical therapist or physical therapy assistant in another state, territory or the District of Columbia, or satisfactory completion of an internship meeting the requirements of 12 AAC 54.040(c), (e), and (f);

**12 AAC 54.110** (4) satisfactory evidence of a minimum six months' supervised work experience while licensed as a physical therapist or physical therapy assistant in another state, territory or the District of Columbia, or satisfactory completion of an internship meeting the requirements of 12 AAC 54.040(c), (e), and (f) sent directly to the department from the supervising therapist on a form provided by the department;

**12 AAC 54.110** (7) a letter of professional reference from

**12 AAC 54.110** (7) a signed letter of professional reference sent directly to the department on a form provided by the department from

- The board does not want the wording 'directly related to patient care' in the below regulation as it is not needed here when this regulation is only addressing the quantity of continuing education that is required.

**12 AAC 54.410. PHYSICAL THERAPY CONTINUING EDUCATION REQUIREMENTS.** (a) Except as provided in 12 AAC 54.435, an applicant for renewal of a physical therapist or physical therapy assistant license who has been licensed for 12 months or more of the concluding licensing period shall have completed during that period 24 contact hours of continuing education ~~directly related to patient care~~. An applicant for renewal of a physical therapist or physical therapy assistant license who has been licensed for less than 12 months of the concluding licensing period shall have

(1) completed during that period 12 contact hours of continuing education ~~directly related to patient care~~; or

**12 AAC 54.410. PHYSICAL THERAPY CONTINUING EDUCATION REQUIREMENTS.** (a) Except as provided in 12 AAC 54.435, an applicant for renewal of a physical therapist or physical therapy assistant license who has been licensed for 12 months or more of the concluding licensing period shall have completed during that period 24 contact hours of continuing education ~~directly related to patient care~~. An applicant for renewal of a physical therapist or physical therapy assistant license who has been licensed for less than 12 months of the concluding licensing period shall have

(1) completed during that period 12 contact hours of continuing education ~~directly related to patient care~~; or

#### **OCCUPATIONAL THERAPY:**

##### **12 AAC 54.600. OCCUPATIONAL THERAPY LICENSE REQUIREMENTS.**

(3) verification of licensure, including an explanation of any disciplinary actions taken against the licensee, from all licensing jurisdictions in which the applicant has held a license;

**12 AAC 54.600** (3) verification of the applicant's licensure status sent directly to the department from each jurisdiction where the applicant holds or has ever held a license to practice occupational therapy, one of which must indicate a current license in good standing; including an explanation of any disciplinary actions taken against the licensee, from each jurisdiction where the applicant has, or has ever held a license;

**12 AAC 54.600** (4) a letter of professional reference from a physician, instructor, supervisor, or official of the applicant's occupational therapy school;

**12 AAC 54.600** (4) a signed letter of professional reference sent directly to the department on a form provided by the department from a physician, instructor, supervisor, or official of the applicant's occupational therapy school;

**12 AAC 54.600** (5) proof of initial certification by the National Board for Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.030(b);

**12 AAC 54.600** (5) proof of initial certification sent directly to the department from the National Board for Certification in Occupational Therapy (NBCOT) as evidence of having met the requirements of AS 08.84.030(b);

#### **12 AAC 54.610. FOREIGN-TRAINED OCCUPATIONAL THERAPY APPLICANTS**

**12 AAC 54.610** (3) verification of licensure, including an explanation of any disciplinary actions taken against the licensee, from all licensing jurisdictions in which the applicant holds or has ever held a license;

**12 AAC 54.610** (3) verification of licensure status sent directly to the department, including an explanation of any disciplinary actions taken against the licensee, from each jurisdiction where the applicant holds, or has ever held a license; one of which must indicate a current license in good standing;

**12 AAC 54.610** (4) a letter of professional reference from a physician, instructor, supervisor, or official of the applicant's occupational therapy school;

**12 AAC 54.610** (4) a signed letter of professional reference sent directly to the department on a form provided by the department from a physician, instructor, supervisor, or official of the applicant's occupational therapy school;

**12 AAC 54.610** (6) evidence that, within the 24 months immediately before the date the application is received by the department, the applicant

**12 AAC 54.610** (6) verification that, within the 24 months immediately before the date the application is received by the department, the applicant

#### **12 AAC 54.640. OCCUPATIONAL THERAPY TEMPORARY PERMITS**

**12 AAC 54.640** (2) a signed and notarized professional reference letter from a physician, instructor, supervisor, or official of the applicant's occupational therapy school;

**12 AAC 54.640** (2) a signed ~~and notarized~~ professional reference letter sent directly to the department on a form provided by the department from a physician, instructor, supervisor, or official of the applicant's occupational therapy school;

**12 AAC 54.640 (3)** a signed and notarized statement of responsibility from the supervising occupational therapist; the statement must indicate that the supervising occupational therapist will assume the full responsibility for supervising the applicant;

**12 AAC 54.640 (3)** a signed and notarized statement of responsibility sent directly to the department on a form provided by the department from the supervising occupational therapist; the statement must indicate that the supervising occupational therapist will assume the full responsibility for supervising the applicant;

**12 AAC 54.640 (b) (4)** providing evidence that, within the 24 months immediately before the date the application is received by the department, the applicant  
(A) performed at least 60 hours of occupational therapy service and completed at least 24 contact hours of occupational therapy related course work; or

**12 AAC 54.640 (b) (4)** verification that, within the 24 months immediately before the date the application is received by the department, the applicant  
(A) performed at least 60 hours of occupational therapy service, on a form provided by the department and completed at least 24 contact hours of occupational therapy related course work; or

- In order to have consistency in continuing education requirements between the PT/PTA/OT's the board will request occupational therapy assistants be required to have as many CE's as physical therapy assistants for renewal.
- Also, the board has found there are other discrepancies' between CE's requirements and will include clarification that OT/OTA's should both have at least half of their courses qualify under the approved providers as outlined in the regulations.

**12 AAC 54.710. OCCUPATIONAL THERAPY CONTINUING EDUCATION REQUIREMENTS.**

(a) Except as provided in 12 AAC 54.725, an applicant for renewal of an occupational therapist license who has been licensed for

(1) 12 months or more of the concluding licensing period must have completed 24 contact hours of continuing education during that licensing period;

(2) less than 12 months of the concluding licensing period must have completed 12 contact hours of continuing education during that licensing period.

**12 AAC 54.710. OCCUPATIONAL THERAPY CONTINUING EDUCATION REQUIREMENTS.**

(a) Except as provided in 12 AAC 54.725, an applicant for renewal of an occupational therapist or occupational therapy assistant license who has been licensed for 12 months or more of the concluding licensing period shall have completed 24 contact hours of continuing education during that licensing period. (b) An applicant for renewal of a occupational therapist or occupational therapy assistant license who has been licensed for less than 12 months of the concluding licensing period shall have

(1) completed during that period 12 contact hours of continuing education; or

(2) passed the national occupational therapy examination within 12 months immediately before the date that the applicant's license is due to lapse.

Repeal all of below 12 AAC 54.710(b)

~~-(b) AN APPLICANT FOR RENEWAL OF AN OCCUPATIONAL THERAPY ASSISTANT LICENSE WHO HAS BEEN LICENSED FOR~~

~~(1) 12 MONTHS OR MORE OF THE CONCLUDING LICENSING PERIOD MUST HAVE COMPLETED 12 CONTACT HOURS OF CONTINUING EDUCATION DURING THAT LICENSING PERIOD;~~  
~~(2) LESS THAN 12 MONTHS OF THE CONCLUDING LICENSING PERIOD MUST HAVE COMPLETED SIX CONTACT HOURS OF CONTINUING EDUCATION DURING THAT LICENSING PERIOD.~~

- At the February 2010 board meeting, the board worked on developing the internship standards. This was then drafted and the board held a teleconference to vote on the final draft revisions with AAG Gayle Horetski. Recently staff discovered there is one reference that was not included in regulation 12 AAC 54.830(a) and that is the reference to 12 AAC 54.600 (6)(c) Application for licensure by credentials. This needs to be corrected by adding it to regulation 12 AAC 54.830 because it is the reference which ties the internship for license by credentials. This was an administrative error and was left off when these standards were sent to the department of law.

**12 AAC 54.830. OCCUPATIONAL THERAPY INTERNSHIP STANDARDS.** (a) This section establishes the standards for an occupational therapy internship required under 12 AAC 54.705(a)(2)(D) or 12 AAC 54.950(e).

12 AAC 54.830. OCCUPATIONAL THERAPY INTERNSHIP STANDARDS(a) This section establishes the standards for an occupational therapy internship required under 12 AAC 54.600 (6)(c), 12 AAC 54.705(a)(2)(D) or 12 AAC 54.950(e).

TASK: Staff will forward this regulation project to the regulation specialist to prepare for review at the fall board meeting and approve for a public comment period.

Kathy Lind called for a vote to recess the meeting.

**ON A MOTION MADE BY JUDY BOGARD, SECONDED BY VALERIE PHELPS TO RECESS THE MEETING. ALL IN FAVOR, CARRIED UNANIMOUSLY.**

RECESS 4:43 p.m. Reconvene 8:30 a.m. on March 30, 2012

Friday, March 30, 2012

#### **Agenda Item 16 - Call to Order/Roll Call**

Kathy Lind called the meeting to order at 8:42 a.m.

Roll Call:

Kathleen Lind, Chair, OT  
Valerie Phelps, PT  
Mary Melissa Robinson, OTL  
Darin Bell, MD  
Judy Bogard, Secretary, PT  
James Parietti, PT

Staff: Connie Petz

**Agenda Item 17 – Review revisions of Applications & Forms and Board member training on application process.**

Board member training for reviewing applications will be conducted at the fall board meeting when all board members are present. In the near future applications will be reviewed 'online' by board members. The benefit to the board is the licensing applications will not be on board member's personal email systems.

**Agenda Item 18 – Review Applications for licensure**

Kathy Lind asked the Alaska Board of Physical and Occupational Therapy to consider entering Executive Session in accordance with AS 44.62.310 (a)(2) and (3) to protect the rights of an applicant for application review.

AS 44.62.310 (a)(2) Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and (3) matters which by law, municipal charter, or ordinance are required to be confidential.

Kathy Lind called for a motion for Executive Session.

**ON A MOTION MADE BY MELISSA ROBINSON, SECONDED BY JUDY BOGARD, THE BOARD RESOLVED TO ENTER EXECUTIVE SESSION TO DISCUSS AN APPLICATION FOR SHARON CAULDER. ALL IN FAVOR, NO NAYS.**

Ms. Lind stated all board members and division staff to stay in the room during executive session.

Voice Roll call for Board Members: Judy Bogard, Darin Bell, Melissa Robinson, James Parietti, Valerie Phelps and Kathy Lind.

Enter Executive Session and off record at 8:59 a.m.

Investigator, Jennifer Wirawan was called during Executive Session.

Returning from Executive Session and back on record at 9:54 a.m.

In attendance coming out of executive session was the entire physical and occupational therapy board, and division staff licensing examiner Connie Petz.

**ON A MOTION DULY MADE BY MELISSA ROBINSON, SECONDED BY JUDY BOGARD, AND APPROVED BY ROLL CALL VOTE, IT WAS: RESOLVED TO DENY A PHYSICAL THERAPIST LICENSE TO SHARON CAULDER.**

**THE BOARD HAS REVIEWED THE APPLICATION AND DETERMINED THAT THE FELONY CONVICTIONS CONSTITUTE A VIOLATION OF AS 08.84.120.**

**AS 08.84.120. REFUSAL, REVOCATION AND SUSPENSION OF LICENSE (A) THE BOARD MAY REFUSE TO LICENSE AN APPLICANT, MAY REFUSE TO RENEW THE LICENSE OF A PERSON AND MAY SUSPEND OR REVOKE THE LICENSE OF A PERSON WHO (3) HAS BEEN CONVICTED OF A STATE OR FEDERAL FELONY OR OTHER CRIME THAT EFFECTS THE PERSON'S ABILITY TO PRACTICE COMPETENTLY AND SAFELY;**

**ROLL CALL YES VOTES: JUDY BOGARD, DARIN BELL, MELISSA ROBINSON, JAMES PARIETTI, VALERIE PHELPS, AND KATHY LIND. NO NAY VOTES.**

The board noted the applicant was contacted by the investigative unit and she stated she could provide documentation proving that the felony conviction was unrelated to the practice of Physical Therapy. After months of attempted contact, and no documentation supplied, the case # 2011-000338 was closed by the investigator and the file was returned to the board.

The board then reviewed 20 applications for licensure.

**ON A MOTION DULY MADE BY MELISSA ROBINSON, SECONDED BY JAMES PARIETTI, AND APPROVED UNANIMOUSLY, IT WAS RESOLVED TO APPROVE APPLICATIONS FOR LICENSURE FOR:**

**Physical Therapists:**

**Jennifer L. Churey**

**Paulette J. Olson**

**Christopher Hurley**

**Emily J. Dzirniz**

**Patrick J. Morgan**

**Micheline R. Molidor** – Pending explanation for practice in Texas prior to permanent licensure

**Lindsey E. Anderson** – Pending receipt of original verification of licensure from California

**Maria C. Vasco** – Pending passing the NPTE

**Physical Therapy Assistant:**

**Robyn M. Goletz**

**Occupational Therapist:**

**Ellen M Hobbs**

**Melissa A. Grant**

**Kalia Cook**

**Cori L. Goodwin**

**Marcia L. Greimann**

**Starlee J. Coulter** – Pending passing NBCOT exam and receipt of the verification of certification

**Occupational Therapy Assistant:**

**Jennifer J. Kalck-Lewis**

**Tiffany A. Maplesden-Anderson** – Pending clarification of work history from 2002 to current date

**Occupational Therapist - Reinstatement applications:**

**Daniel Wychulis**

**Tonya Wychulis (formerly known as Hollingsworth)**

Staff to include a letter advising both reinstatement applicants that their CE's do not have the address of provider as required according to requirements of centralized regulation 12 AAC 02.960 (1-5).

**ALL IN FAVOR, NO NAY VOTES.**

Break at 11:02 a.m., back on record 11:27 a.m.

Staff showed the board members the new format for applications and it was agreed all applications will be revised to a similar format and posted to the website. The board asked if applications could be formatted so applicants can type directly onto the application from the website prior to printing it.

The board discussed the occupational therapy license by examination application instructions. The board determined that 'proof of initial' certification could be accepted when new passing scores are released directly from the NBCOT certification portal to licensing staff. This option is only available to applicants who have not held a license in another jurisdiction. It is up to the applicant to inform the board when they pass the examination. When an applicant does not inform staff they have passed the examination, this creates a delay in the licensing process.

The occupational therapy application instructions under temporary permit 12 AAC 54.640.(4)(B) will be revised to remove PES exam services and direct the applicant to alert the board when they pass the examination. This is because NBCOT only releases scores quarterly.

Task: Staff will work on all the application revisions and post to website. Once the application is in a PDF format it will be added to the website.

### **CEU/Continuing Competency Unit's/Professional Development Unit's**

The national organizations are evolving their continuing education verbiage by focusing more on quality of content than quantity. It is noted, that regulations may need to be changed to allow comparable credit for content based on the new forms of valuations.

The main question is how to identify a 'value' in comparison to current continuing education standards such as one (1) contact hour equals fifty (50) minutes.

FSBPT is using continuing competency units (CCU's) versus continuing education.

NBCOT is using professional development units (PDU's) instead of continuing education.

The upcoming audit period will give the board more information once they see how the current education certificates read and to consider what may need to be part of a future regulation project and competency valuations.

LUNCH – Off record at 1:18 p.m. Back on record at 2:40 p.m.

Kathy Lind called the meeting to order, all board members and staff were present.

### **Agenda Item 19 – Revise Jurisprudence for Renewal**

The board members will review the jurisprudence questionnaire at the next board meeting. It is for the benefit of every licensee to know the law in their profession. The board will wait to revise the jurisprudence until the next regulation project is adopted.

The board asked staff to request someone from department of law to explain fully to the board why the jurisprudence is not 'graded' and why the board cannot require it be graded. They board asked to have a direct conversation (in person or via telephone) at the fall board meeting or to have a written explanation why the jurisprudence is not scored. If this can or cannot be done, what needs to be changed, the statute or a regulation. Staff will research this question for the board.

#### **Agenda Item 20 – Review renewal application**

Board members reviewed the renewal applications which should be mailed from the Juneau office the first week of May to all licensees. Any first time license issued after April 1, 2012 does not need to renew their license until June, 30, 2014.

#### **Agenda Item 21 – Correspondence**

Respond to Alex Kay on his question for Trigger Point Dry Needling. Kathy Lind will draft a response to Mr. Kay. The board still stands that they will not determine what can or cannot be practiced. The professional must be accountable to their education and if trained and or certified in something, those are the credentials which show you are qualified to perform the task.

Staff will draft response to Kathleen Hansen to thank her for attending the board meeting and for her comments. After additional discussion, the board determined the NBCOT portal offers secure access to examination scores when an applicant authorizes their scores to be released to a licensing authority. Therefore, the board has stated they will recognize a passing exam score as 'certification' from the NBCOT for any future applicant who is taking their examination but has not yet held an occupational therapist or occupational therapy assistant license in another jurisdiction.

#### **Agenda Item 22. Other discussion**

Board will meet for 2 ½ days in Anchorage September 26-28, 2012 Anchorage

Tentative Noon Teleconference set for either May 31, 2012 and July 12, 2012 - TBD

Valerie Phelps will attend the FSBPT Annual meeting Sept. 20-22, 2012 in Indianapolis, IN.

James Parietti will attend new board member training June 21-23, 2012 in Alexandria VA.

Kathy Lind will attend the NBCOT annual meeting in October 2012 in Washington D.C.

#### **RECAP OF ASSIGNED TASKS**

Board Member Tasks:

Kathy Lind will draft a response to correspondence from Alex Kay and forward to staff.

Valerie Phelps will maintain an ongoing list for board decisions.

Judy Bogard will complete the FY12 draft narrative by April 30, 2012 and forward to staff.



Darin Bell will draft the ETHICS project and forward to staff by mid May. The board will attempt to have a teleconference in May or July to review the Ethics project draft.

Legislative change goals were dispersed to board members as a project. They will forward draft recommendations for a proposed legislation write up to staff before the next board meeting.

Staff tasks:

Issue all approved licenses

Complete Denial Letter

Draft minutes

Schedule board meeting rooms

Draft letters to: Ms. Hanson, Ms Tydingco, Mr. and Mrs. Wychulis, FSBPT and NBCOT

Forward Regulation project to regulation specialist

Research the 'passing score' question for Jurisprudence questionnaire.

Secure Travel approval for James Parietti to attend FSBPT board member training

Complete all application revisions and post to web

Update web with new board members

Prepare FY12 annual report

Complete draft minutes

Kathy Lind called for a motion to adjourn the meeting.

**ON A MOTION BY JUDY BOGARD, SECONDED BY MELISSA ROBINSON TO ADJOURN THE MEETING. ALL IN FAVOR - NO NAYS.**

The Board having no further business to discuss adjourned the meeting at 5:30 p.m.

Respectfully Submitted:



Connie Petz, Licensing Examiner

Approved:



Kathleen Lind, Chair

9/26/12

Date