

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY  
AND ECONOMIC DEVELOPMENT  
BOARD OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY  
333 WILLOUGHBY AVE, 9<sup>TH</sup> FLOOR, CONFERENCE ROOM A, JUNEAU, AK**

TELECONFERENCE MEETING

February 17, 2010

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, a scheduled teleconference meeting of the State Physical Therapy and Occupational Therapy Board was held on February 17, 2010 at the State Office Building, Conference Room A, Juneau, Alaska.

**WEDNESDAY FEBRUARY 17, 2010**

**Call to Order/Roll Call**

The meeting was called to order by Mary Ann Paul, PT, Chair at 12:03 p.m.

Those present, constituting a quorum of the Board in a roll call vote were:

Kathleen Lind, OT  
Joyce Barnett, PT  
Gary Burleson, Public Member  
Jo Boehme, OT/L  
Darin Bell, MD (signed on at 12:10 p.m.)  
Mary Ann Paul, PT, Chair

Excused absence: Jay McDiarmid, PT, Secretary

Staff present:

Connie Petz, Licensing Examiner  
Gayle Horetski, Attorney – Department of Law  
Jun Maiquis, Regulations Specialist

The purpose of the teleconference was to discuss the amended revisions to the proposed regulations from the February 4-5, 2010 board meeting. This teleconference was public noticed in the Anchorage Daily News on February 11, 2010.

At the February 4-5, 2010 board meeting the Board reviewed all written public comment received for the proposed regulations and took into consideration the concerns expressed by the public. The board will also consider the cost to the public as a result of adopting these regulations and determine if there would be any cost to the public.

The draft regulation project revisions were provided in version 1 and version 2. Version 2 was identical to version 1 except for insertions of physical therapy assistant and occupational therapy assistant in various locations throughout the document.

The board discussed there were places which both physical therapy assistant and occupational therapy assistant was appropriately stated. Therefore it would be more

efficient to review the draft of version 2 and then delete PTA or OTA in any locations of the draft version 2 in which PTA or OTA are incorrectly inserted.

**On a motion by Gary Burleson, 2<sup>nd</sup> by Jo Boehme it was RESOLVED to work from draft version 2 of the regulation project.**

**Voice roll call vote in favor of working from version 2 - all voted YES:**

Kathleen Lind  
Joyce Barnett  
Gary Burleson  
Jo Boehme  
Darin Bell  
Mary Ann Paul

The board reviewed and discussed the document line by line. There was no substantive change from the original regulation project document which the public had received and commented on.

**Discussion of: 12 AAC 54.520 Supervision of non-licensed personnel:**

Strike 'by licensed physical therapist' from the heading of **12 AAC 54.520 Supervision of non-licensed personnel by licensed physical therapist**, as it is already in (a).

Also, strike ~~or physical therapy assistant~~ from both (a) and strike ~~or physical therapy assistant~~ from (c) between the words 'A licensed physical therapist... shall oversee' as it is the physical therapist who is ultimately responsible for both non-licensed personnel and physical therapy assistants.

Change the word 'oversee' in (c) to the word 'assure'.

The entire board agreed to strike all of (e) as it was added to the original draft and not necessary to the definition of supervision as it is already covered in (b).

**Discussion of: 12 AAC 54.535 Physical Therapy internship standards:**

Gayle explained to the board that she included the references 12 AAC 54.100(5)(C), 12 AAC 54.405(a)(2)(D), and 12 AAC 54.950(e) as these refer to the areas in regulations in which these internship standards are related. This was to avoid the physical therapy internship standards regulation conflicting with foreign trained 'internship'.

Revisions did not change the content or intent of the original draft. Wording was revised for clarity of purpose for the internship, to identify how an internship is fulfilled, quantifies duration and added (f) to define who the "preceptor" is in relation to supervisor.

In (b) (1) add the word 'continual' in front of 'on-site supervision'

**Discussion of: 12 AAC 54.590 Definitions related to physical therapy:**

Revisions did not make any substantive changes to this original draft. In areas where physical therapy assistant was inserted out of context it was removed.

(A) (ii) strike the word "supervised" as it is not appropriate within this sentence

Strike ~~or physical therapy assistant~~ from **(6)(A) and (6)(B)** A physical therapy assistant cannot perform any duties related to 'supervision' in these areas.

Added to clarify physical therapy definitions and in review of public comment was:

(b) In AS 08.84.190(6), "physical therapy" does not include exercise or activities performed by non-licensed personnel in a home or school setting for the benefit of a patient or student.

**Discussion of: 12 AAC 54.815 Supervision of non-licensed personnel**

Strike 'by licensed occupational therapist' from the heading **Supervision of non-licensed personnel by licensed occupational therapist**. It is not needed in the heading.

Also, strike ~~or occupational therapy assistant~~ from (a) and strike ~~or occupational therapy assistant~~ in (c) between the words 'A licensed occupational therapist... shall' as it is the occupational therapist who is ultimately responsible for both non-licensed personnel and occupational therapy assistants.

Change the word 'oversee' in (c) to the word 'assure'.

The addition of; (e) Nothing in this section restricts the implementation by a teacher or teacher's aide of a program that meets the requirements of AS 08.84.150(b)(6); was discussed by the Board and all agreed adding this to the original draft would be beneficial wording to this regulation project in light of public comment.

**12 AAC 54.820 Standards for supervision** – repealed as it is now defined in 12 AAC 54.830 (this was not reflected in the original draft but should have been as it does not need to be in 2 places in the regulations)

**12 AAC 54.830 Occupational Therapy internship standards**

Gayle explained to the board that she included the references 12 AAC 54.705(a)(2)(D) or 12 AAC 54.950(e) as these refer to areas in regulations in which these internship standards are related. This was to avoid the occupational therapy internship standards regulation conflicting with foreign trained 'internship'.

Revisions did not change the content or intent of the original draft. Wording was revised for clarity of purpose for the internship, to identify how an internship is fulfilled, quantifies duration and added (f) to define who the "preceptor" is in relation to supervisor.

(b) (1) added the word 'continual' in front of 'on-site supervision'

**12 AAC 54.890 Definitions related to Occupational Therapy**

Revisions did not make any substantive changes to this original draft. In areas where occupational therapy assistant was inserted out of context it was removed. Strike the word "supervised" from (3)(A)(ii) as it is not appropriate within this sentence

Strike ~~or occupational therapy assistant~~ from **(6)(A) and (6)(B)** as an occupational therapy assistant cannot perform any 'supervision' duties in these areas.

The board determined the definition to occupational therapy regulation should match the definition to physical therapy and in order to clarify physical therapy definitions and in review of public comment added (b):

(b) In AS 08.84.190(3), "occupational therapy" does not include exercise or activities performed by non-licensed personnel in a home or school setting for the benefit of a patient or student.

12 AAC 54-950(e) **Reinstatement of a Lapsed License – No Changes**

**The board has considered the cost to the public as a result of adopting these regulations and determined there were no costs to the public.**

**On a motion by Gary Burleson, 2<sup>nd</sup> by Kathleen Lind it was RESOLVED to ADOPT as AMENDED REGULATIONS; 12 AAC 54.520 and 12 AAC 54.815 Supervision of non-licensed personnel, 12 AAC 54.535 and 12 AAC 54.830 Physical Therapy and Occupational Therapy internship standards, 12 AAC 54.590 and 12 AAC 54.890 Definitions related to Physical Therapy and Occupational Therapy, 12 AAC 54.820 Standards for supervision, and 12 AAC 54-950(e) Reinstatement of a Lapsed License**

**Voice roll call vote in favor adopting amended regulations - all voted YES:**


Kathleen Lind  
Joyce Barnett  
Gary Burleson  
Jo Boehme  
Darin Bell  
Mary Ann Paul

The Board having no further business to discuss adjourned the meeting at 12:59 p.m.

Respectfully Submitted:

  
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Connie Petz, Licensing Examiner

Approved:

  
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Mary Ann Paul, PT, Chair

Date: 9-23-10