APPROVED
BOARD OF PHYSICAL THERAPY
MEETING MINUTES

The Virginia Board of Physical Therapy convened for a board meeting on Friday, November 16, 2012 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #1, Henrico, Virginia.

The following members were present:

George Maihafer, PT, Ph.D., President
Peggy Belmont, PT, Vice-President
Melissa Wolff-Burke, PT, EdD
Robert Maroon, PT
Sarah Schmidt, P.T.A.
Michael Styron, PT, MBA

The following member was absent for the meeting:

J.R. Locke

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Elaine Yeatts, Senior Policy Analyst
Missy Currier, Board Operations Manager

Quorum:

With 6 members present, a quorum was established.

GUEST PRESENT

None

CALLED TO ORDER

Dr. Maihafer, President, called the board meeting to order at 9:10 a.m. Dr. Maihafer pointed out that scheduled meetings can be cancelled when agenda's do not warrant holding a meeting in an effort of being good fiscal stewards of the Commonwealth of Virginia.

ORDERING OF THE AGENDA

The agenda was accepted as ordered.

ACCEPTANCE OF MINUTES

- Upon a motion by Mr. Maroon and properly seconded by Mr. Styron, the Board voted to accept the minutes of the February 17, 2012 board meeting. The motion passed unanimously.

- Upon a motion by Mr. Maroon and properly seconded by Mr. Styron, the board voted to accept the Telephonic Conference minutes on August 1, 2012. The motion passed unanimously.

INFORMAL CONFERENCES HELD

Dr. Maihafer shared that an informal conference was held on the following day and that the minutes are located on the board's website and on regulatory Townhall.

- May 18, 2012

PUBLIC COMMENT

There was no public comment

EXECUTIVE DIRECTOR'S REPORT - Lisa R. Hahn

FY12 Budget

Ms. Hahn reported that the cash balance as of June 30, 2011 was $603,980; the revenue for FY12 was $141,600; plus an additional $81 credit from Healthcare Workforce Expenditures; the direct and allocated expenditures were $447,296; the ending cash balance as of June 30, 2012 was $298,364.

FY13 Budget

Ms. Hahn reported that the cash balance as of June 30, 2012 was $298,364; the revenue for FY13 was $36,265; the direct and allocated expenditures were $142,175; the ending cash balance as of September 30, 2012 was $192,455. Ms. Hahn reminded the members that the revenue will increase following the December renewal period.

Discipline Statistics

Ms. Hahn reported there were currently 31 open cases; 14 cases in Investigations; 14 cases at the probable cause level; and 3 cases at the Informal Conference level.

Ms. Hahn reported the number of cases received into the board were 28 in FY10; 28 in FY11; 37 in FY12 and 11 cases already have been received in FY13. Ms. Hahn attributes an increase in cases as more licensees re-enter into the profession and an increased sensitivity within the profession to report on questionable practice.

Virginia Performs

Ms. Hahn reported the clearance rate for the 3nd Quarter ending March 31, 2012 was 133%. The age of our pending case load over 250 days was at 10%; the time to disposition is at 100% of cases closed within 250 days. The licensing standard of less than 30 days for issuance has been met 100% of the time. The customer satisfaction rating achieved was 95.2% which consisted of 28 surveys.

Ms. Hahn also shared the following statistics in her report:

	Total Cases Closed	**Percent Closed within 120 days**
Qtr. 1 2012	2	100%
Qtr. 2 2012	4	100%
Qtr. 3 2012	8	100%
Qtr 4 2012	4	75%
Qtr 1 2013	5	100%

	Open Cases	**Licensees/PT/PTA's**
Nov. 2008	4	5399/2079
Nov. 2009	12	5524/2136
Nov. 2010	9	5704/2232
Nov. 2011	13	5351/2254
Nov. 2012	31	6621/2619

Licensee Statistics

Ms. Hahn reported that as of November 2012 there were 6,621 active physical therapists; 2,619 active physical therapist assistants, and 697 with Direct Access Certification.

NPTE Results

Ms. Hahn shared the following Virginia NPTE exam results for PT's:

March 2012 – 23% passage rate
July 2, 2012 – 83% passage rate
July 31, 2012 – 70% passage rate
October 2012 – 73% passage rate

Ms. Hahn concluded that the US Pass Rates report will not be available until April 2013.

2013 PT Examination Schedule

Ms. Hahn provided the members with the 2013 Examination Schedule:

PT's:	Test Date	Registration Deadline
	January 29, 2013	December 22, 2012
	April 30, 2013	March 23, 2013
	July 24, 2013	June 17, 2013
	October 30, 2013	September 23, 2013
PTA's:		
	January 8, 2013	December 1, 2012
	April 8, 2013	March 1, 2013
	July 10, 2013	June 3, 2013
	October 9, 2013	September 2, 2013

Guidance Document 112-19

Ms. Hahn mentioned that she included a final copy of Guidance Document 112-19 in their agenda package which they had approved in February regarding PT's performing INR tests in home health settings.

Renewals

Ms. Hahn reported that the online renewal letters had been emailed to licensees with a valid email address and that all other paper renewal notices will be mailed out the first week of December. She added that the renewal letters included survey questions which will aid the department in collecting workforce data.

FSBPT Annual Conference

Ms. Hahn shared that George Maihafer, Melissa Wolff-Burke, and Annie Artis represented Virginia during the FSBPT Annual Conference in Minneapolis September 20 -22nd and that they would share information later in the meeting.

Board Meeting Calendar

Ms. Hahn gave the following 2013 board meeting calendar dates; February 15th, May 24th, August 23rd, and November 22nd. She also reminded the board that a meeting may be cancelled due to light agenda.

NEW BUSINESS

Legislative/Regulatory Report – Elaine Yeatts

Ms. Yeatts reviewed the status of regulations pertaining to **18VAC112-20**:

- Traineeship changes, continuing education – Final – At Secretary's Office for 217 days.

Ms. Yeatts informed the board that she has recently been alerted that as part of the Governor's Regulatory Reform Project, they would be required to conduct a periodic review of 18VAC112-20, the Regulations Governing the Practice of Physical Therapy. She explained that the goal of the review would be to repeal unnecessary regulations that are no longer in use; reduce unnecessary regulatory burdens on individuals, businesses, and other regulated groups; and identify statutes that require unnecessary or overly burdensome regulations.

Ms. Yeatts further stated the board would seek public comment on any issues relating to the review from November 5, 2012 – December 5, 2012.

Ms. Hahn requested that the board members forward any suggestions or comments regarding the periodic review directly to her.

Petition for Rulemaking

Ms. Yeatts initiated discussion on the petition the board received requesting consideration for a change in 18VAC112-20-120 Responsibilities to Patients. After much discussion, Mr. Maroon made a motion to uphold the regulation as currently written and to not make any changes. Additionally, Ms Hahn would send the petitioner a letter of explanation of the board's decision. The motion was properly seconded by Ms. Schmidt.

The motion passed unanimously.

BREAK

The Board took a recess at 10:20 a.m. and reconvened at 10:35 a.m.

OLD BUSINESS

Electronic Medical Records Update – George Maihafer

Dr. Maihafer reported that he contacted the VPTA regarding Mr. Maroon's concern with electronic referrals and their response was that nothing currently mandates the contents of a physician's electronic referral. VPTA also indicated to Dr. Maihafer that there is interest in looking at possible future legislation.

NEW BUSINESS

Continuing Education Hours

Discussion was made about continuing education hours for research, preparation and clinical teaching. The members agreed to have Ms. Hahn and her staff amend Guidance Document 112-10 so that the information provided a better understanding of what is accepted by the board for providing clinical instruction. The board advised that it would grant one (1) continuing education hour as Type 2 activities for every 40 hours of clinical instruction.

Candidates Taking the NPTE prior to Graduation

Ms. Hahn shared that she, George Maihafer, and staff held discussions about allowing students to sit for the NPTE examination prior to officially graduating. Ms. Hahn indicated that her staff researched what other states were doing as a result of fixed date testing and that most states had already began allowing students to take the examination anywhere from 30 to 90 days prior to having their degree conferred. Ms. Hahn added that she and her staff created new forms and instructions to use in place of the Form L and asked the board for their support.

Upon a motion by Mr. Maroon and properly seconded by Mr. Styron, the board voted to support allowing students to sit for the NPTE exam up to 60 days prior to having their degree conferred and that a license will not be issued until such time the board receives an official transcript.

The motion passed unanimously.

Supervising Students in a Non-Approved Program

Ms. Hahn referred the members to a draft of Guidance Document 112-20 (below) regarding guidance on supervising students in non-approved programs. Following discussion on the matter, a motion was made by Ms. Belmont and properly seconded by Mr. Styron to adopt Guidance Document 112-20 with revisions as suggested during the meeting by Ms. Hahn. The motion passed by majority vote of 5 out of 6 members present. Ms. Wolff-Burke recused herself from the vote as being in the capacity of Director of Clinical Education at Shenandoah University.

Guidance Document 112-20 (draft)

- A physical therapist may provide direct supervision to a student who is satisfying clinical educational requirements in physical therapy in a non-approved program that has been granted the Candidate for Accreditation status from CAPTE. A physical therapist or a physical therapist assistant may provide direct supervision to a student in a non-approved program that has been granted the Candidate for Accreditation status from CAPTE.

Guidance Document 112-20 (final with revisions)

- A physical therapist may provide direct supervision to a student who is satisfying clinical educational requirements in a non-approved PT program that has been granted the Candidate for Accreditation status from the Commission on Accreditation in Physical Therapy Education (CAPTE). A physical therapist or a physical therapist assistant may provide direct supervision to a student who is satisfying clinical education requirements in a non-approved PTA program that has been granted the Candidate for Accreditation status from CAPTE.

FSBPT Supervised Clinical Practice Performance Tool

Dr. Maihafer and Ms. Hahn led discussion on the recent "draft" version of FSBPT's Performance Evaluation Tool. All board members agreed that Virginia should participate in the pilot program offered by FSBPT. Ms. Hahn requested that each member complete the survey sent by FSBPT individually and copy her with their feedback. Ms. Hahn stated that she would compile the individual suggestions and share them at a future subcommittee meeting.

PTA's in Acute Care Facilities

Ms. Wolff-Burke opened discussion on PTA's documenting discharge summaries in acute care facilities. The board agreed that the regulations do not allow a PTA to write discharge summaries but they also agreed that the issue needs to be re-addressed to bring current to today's acute care settings. Ms. Hahn suggested that the topic be brought up at a Legislative/Regulatory Committee meeting and bring suggestions back to the board at the next meeting.

Report on FSBPT Annual Meeting

Dr. Maihafer shared that Melissa Wolff-Burke, Annie Artis and he attended the meeting held in Indianapolis in September. He complimented Ms. Artis for doing a great job during her brief presentation. Dr. Maihafer mentioned that FSBPT has many committees and subcommittees and encouraged the members to look into possibly serving on one if interested. He stated that the next meeting will be held October 2013 in San Antonio, Texas.

Dr. Maihafer mentioned a couple of sessions he attended regarding ADA Special Accommodations and another on Impaired Practitioners. Ms. Hahn followed up by stating that Virginia has one of the best impaired programs and that she would like to invite Peggy Wood to give a presentation on our program at the next meeting. Ms. Hahn concluded that she would keep an eye on these topics through her affiliations on the National level and with other boards.

Elections

Upon a motion by Mr. Styron and properly seconded by seconded by Ms. Wolff-Burke, the board voted to keep the current slate of officers as George Maihafer as Board President and Peggy Belmont as Vice-President. The motion carried unanimously.

ADJOURNMENT

With all business concluded the meeting was adjourned at 12:15 p.m.

George Maihafer, PT, Ph.D., Chair	Lisa R. Hahn, MPA, Executive Director
Date	Date