



MARYLAND
Department of Health
Board Of Physical Therapy Examiners

BOARD MEETING OPEN MINUTES

April 17, 2018

The meeting was called to order at 1:00 pm by Board Chair, Krystal Lighty.

There was a motion and a second to close the open session at 2:06 p.m. to engage in medical review committee deliberations regarding confidential information in applications for licensure and discuss other privileged matters in accordance with General Provisions Article, Section 3-305 (b) (7) and (13). Unless recused, all Board members and staff who were present for the open session were also in attendance for both the closed and administrative sessions.

Board Members Present:

Stephen Baur, PT
Michelle Finnegan, PT
Karen Gordes, PT
Meredith Levert, Consumer Member
Krystal Lighty, PT
Donna Richmond, Consumer Member
Kimberly Rotondo, PTA
Sumesh Thomas, PT

Also Present:

Carlton Curry, Executive Director
Joy Aaron, Deputy Director
Brett Felter, AAG, Board Counsel
John Bull, Compliance Manager/ Investigator
Deborah Jackson, Licensing Coordinator
Patricia Miller, Board Secretary

Also Absent:

Michelle Cutkelvin, Board Secretary

Guests:

Sharon Bloom
 Alreen Day Alfonso, PT, DPT
 Lillian Reese, Legislative and Regulations Coordinator
 Kim Bernardi, Department of Health
 Linda Teodosio, PT - APTA
 David Thomas, Program Director & 21 Students from the Chesapeake Area Consortium

Board Chair, Krystal Lighty welcomed Board Members and guests. Board Members and staff introduced themselves. Welcome

The minutes of the meeting held on March 20, 2018 were approved. Minutes

Carlton Curry Executive Director presented updates on the legislative and the Interstate Compact for healthcare professionals. Legislature Updates

Deborah Jackson, Licensing Coordinator gave the licensure report. Licenses

On Wednesday, March 28th, there was an open call to discuss the implementation of the dry needling regulations. From the call and subsequent conversations the followings issues arose: Dry Needling
 1) Can a dry needling course provider certify the required supervisory hours? Answer: Any course provider can certify the 40 hours. The supervising Physical Therapist must have at least 5 years dry needling experience. 2) What does a licensee do if the course provider has merged with another provider, or has gone out of business? Answer: The licensee must complete courses per the regulations. 3) How will the Board quantify the supervised portions of each course? Answer: The Board will utilize information provided by the course provider.

Since the Physical Therapist Assistant may NOT supervise a PTA student – should we operate under the policy that a PTA may NOT function as a Clinical Instructor? Answer: The Practice Act does not preclude a PTA to be a clinical instructor. The direct supervision requirement of a PT and a student does not negate a PTA's ability to be a clinical instructor. It may be best practices for all persons involved in the clinical instruction to sign off on documentation. Susan Walter, OTR/L, MS, RN, CLT-LANA

PTs should address the functional deficits caused by the musculoskeletal issue such as pain, poor muscle strength and endurance, etc. Weight loss may occur as a by-product of PT, but therapy cannot be provided with the goal of weight loss in mind. Is that correct? Answer: The goals of physical therapy must be targeted towards functionality. If the ancillary result of a physical therapy treatment plan is weight loss, that may be an added benefit to the patient. Jane O. Franczak, PT

Mr. Curry announced that Board Chair and Vice Chair elections will be held next month. Interested parties should check out the position description and send in a letter. Board Chair Elections

There was a motion and a second to close the open session at 2:06 p.m. to engage in **medical review committee deliberations regarding confidential information** in applications for licensure, in accordance with General Provisions Article, Section 3-305

(b) (7) and (13). Unless recused, all Board members and staff who were present for the open session were also in attendance for both the closed and administrative sessions.

The board meeting was adjourned at 4:30 pm.

Respectfully submitted,



Carlton Curry, Executive Director



Krystal Lighty, PT, Chairperson

5/15/2018

Date Approved

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. Complete items 1 – 4:

1. **Recorded vote to close the meeting:** Date: 4/17/18; Time: 201; Location: 4201 PATTERSON 2015
Motion to close meeting made by: K. Lighty Seconded by M. LEVERT;
Members in favor: All; Opposed: 0;
Abstaining: 0; Absent: 0.

2. **Statutory authority to close session (check all provisions that apply):**

This meeting will be closed under General Provisions Art. § 3-305(b) only:

(1)___ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2)___ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3)___ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4)___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5)___ "To consider the investment of public funds"; (6)___ "To consider the marketing of public securities"; (7)___ "To consult with counsel to obtain legal advice"; (8)___ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9)___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10)___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11)___ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12)___ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14)___ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (13)	LICENSING APPLICATION	TO DISCUSS PRIVILEGED APPLICATIONS AND REVIEW MEDICAL INFORMATION
§3-305(b) ()		
§3-305(b) ()		
§3-305(b) ()		
§3-305(b) ()		

4. This statement is made by KRYSTAL LIGHTY, Presiding Officer.

Kristal Lighty

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING

Time of closed session: 2:10 Place: 4201 PATTERSON AVE 21215
 Purpose(s): _____
 Members who voted to meet in closed session: ALL ~~PRESENT~~
 Persons attending closed session: ALL BOARD & STAFF PRESENT @ OPEN
 Authority under § 3-305 for the closed session: (b)(13)
 Topics actually discussed: LICENSING APPLICATION
 Actions taken: APPROVED APPLICATION Each recorded vote: ALL AS APPROPRIATE

For a meeting recessed to perform an administrative function (§ 3-104): Time: 2:25
 Place: 4201 PATTERSON Persons present: ALL @ OPEN Subject matter discussed: DISCIPLINARY MATTERS AND INVESTIGATION