



Board of Physical Therapy Examiners

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

BOARD OPEN SESSION MEETING MINUTES

April 20, 2021

Call to Order

The Maryland Department of Health Board of Physical Therapy Examiners Open Session meeting was called to order at 1:02 pm by Board Chair Gordes, who established that a quorum was present and reviewed the agenda which was adopted.

Board Members Present

Karen Gordes, PT, PhD, DScPT, Chair
Samuel Esterson, PT, DPT, MBA, OCS
Michelle Finnegan, PT, DPT, OCS, MTC, CCTT, CMTPT, FAAOMPT
Rebecca Holsinger, PT, DPT, NCS, CVTP, Vice Chair
Sumesh Thomas, PT, DPT, OCS, CHT, FAAOMPT
Enjeen Woolford, PTA

Board Member Absent

James Connors, Consumer Member
Meredith Levert, Consumer Member

Staff Present

Laurie Kendall- Ellis, PT, CAE, Executive Director
Ogu Isaac Okehie, Deputy Director of Administration
John Bull, Deputy Director of Operations
Brett Felter, JD, Assistant Attorney General, Board Counsel
Lillian Reese, Legislative and Regulations Coordinator
Andrew Rosenfeld, Investigative Supervisor
Lisa Scott, Licensing Manger
Khadija Ali, Project Manager
Sharon Harris-Friend, Records & Database Management Supervisor
Kimberly Link, Executive Liaison, MDH Secretary Office

Approve March 16, 2021 Open Session Meeting Minutes

Motion: That the Board of Physical Therapy Examiners approves the March 16, 2021 Open Session Meeting Minutes. (motion introduced by Board Chair Gordes; motion seconded by Board Member Esterson). The motion passed.

Board Chair Welcome and Update

Board Chair Gordes welcomed Board Members, staff, and the public as well as shared the ground rules for the meeting. Board members and staff introduced themselves. Board Chair Gordes acknowledged that the Board, after strategic discussions, finalized three key guiding questions which will facilitate specific actions the Board and staff will undertake over the next 12 to 48 months. The Board is working on advancing 21st century resources for the public and licensees and increasing public awareness of the Maryland Physical Therapy Act's laws and regulations. Legislative strides were made during the 2021 General Assembly most notably, the passing of the temporary licensure bill by both Chambers.

Board Member Finnegan, Board liaison to the APTA of Maryland, attended the Spring Chapter meeting where an update on legislation activity was provided. Board Member Finnegan made herself available to answer any questions during the chapter business meeting and encouraged chapter members to attend the Board's monthly Open Session meeting.

Executive Director Update

Executive Director Kendall-Ellis apprised the Board of the following:

Posted on the Board website and through the sending of email blasts, licensees have been informed about the Governor's Executive Order of March 09, 2021 which states that licensees who have not already renewed their licenses must currently do so by June 30, 2021.

The Maryland Department of Health (MDH) is going through a customer centered website transformation. We anticipate the Board's website modernization transition to take place the last week of April 2021.

Elections for Board Officers (Chair and Vice Chair) will be held on Tuesday, May 18, 2021 during the Open Session meeting. Board members will be receiving a communication from Deputy Director Bull about how to submit a brief candidate statement if they are interested in either officer position. The Board will receive each candidate's statement in advance of the voting and disseminate them to all Board members (Ref: § 13-203. Officers.).

Legislative and Regulations Update

Legislative and Regulations Coordinator Reese provided the Legislative & Regulations Board Committee report and highlighted the following.

The General Assembly adjourned on Monday, April 12, 2021 @ midnight. Over 2,300 bills were passed.

HB 210-SB 517 *Temporary Licenses to Practice Physical Therapy and Limited Physical Therapy*. Passed and will take effect July 1, 2021.

Action: Legislative & Regulations Board Committee will meet to discuss the drafting of the regulation.

HB 344-SB 72 *Open Meetings Act – Requirements for State Agencies and Local Boards of Elections*. Both bills never moved out of either Chambers committee.

HB732-SB568 *Telehealth – Out-of-State Health Care Practitioners*.
Both bills never moved out of either Chambers committee.

HB 28-SB 5 *Implicit Bias Training*.

Passed and will take effect October 1, 2021.

Action: Legislative & Regulations Board Committee will meet to review and discuss actions.

HB123-SB 3 *Preserve Telehealth Access Act of 2021*

Passed and will take effect July 1, 2021.

Action: Legislative & Regulations Board Committee will meet to review the amended Telehealth definition and discuss actions.

HB 224-SB 262 *Department of Information Technology – Study of a Common Information Technology Platform for Health Occupations Boards*

Passed and will take effect July 1, 2021. The study results are expected December 2021.

HB 309-SB 565 *Public Health – Data – Race and Ethnicity Information*

Passed and will take effect October 1, 2021.

SB167 *State Board of Social Work Examiners – Temporary License to Practice Social Work*

Passed with amendments and will take effect October 1, 2021.

HB 183-SB 449 *Public Information Act – Revisions (Equitable Access to Records Act)*

Passed with amendments by the House and will take effect July 1, 2021.

Action: Legislative & Regulations Board Committee will meet to review and discuss actions.

Four Interstate Compact bills were passed. They were Audiology and Speech-Language Pathologists, Occupational Therapy, Professional Counselors and Therapists, and Psychology.

Action: Legislative & Regulations Board Committee will meet to review statutes for possible concept paper development for the 2022 General Assembly.

Legislative and Regulations Coordinator Reese explained the provisions of the Maryland Program Evaluation Act (sunset law) Extension bill. The Board of Physical Therapy Examiners' bill will be for a 10-year extension, from July 1, 2022 to July 1, 2032. The bill will be presented at the 2022 General Assembly.

Motion: That the Board of Physical Therapy Examiners accepts the State Board of Physical Therapy Examiners – Sunset Extension bill draft as written (motion introduced by Board Member Woolford; motion seconded by Board Vice Chair Holsinger). The motion passed.

Monthly Licensure Report

Licensing Manager Scott reported the following as of April 1, 2021:

- There was a total of 48 new licenses (40 new licenses issued to Physical Therapists and 8 new licenses issued to Physical Therapist Assistants)
- There was a total of 40 new applicants (37 new Physical Therapist applicants and 3 Physical Therapist Assistants)
- The total number of active licensees is 9,922 (7,404 Physical Therapists and 2,518 Physical Therapist Assistants)

License Renewal Update

As per Governor Hogan's March 9, 2021 Executive Order, any licensee with a 2020 or 2021 expiration date who has not already renewed must currently do so by June 30, 2021. After this date, the renewal portal will be closed and a licensee's license will expire. Reinstatements of expired licenses will begin July 01, 2021.

Deputy Director of Administration Okehie reported that as of this report, 2,765 licensees have renewed. Licensees renewing their 2020 or 2021 licenses are reminded that their password is the last four digits of their social security number. Those licensees who have not renewed their 2020 license are asked to contact Deputy Director Okehie. The Board staff is responding to all requests for support.

Continuing Education

Board Vice Chair and Continuing Education Board Committee Lead Holsinger presented the committee's report. Continuing Education applicants will be notified of the Board's decisions and provided with the relevant regulatory reference (COMAR 10.38.08). Continuing Education applications which received the committee's unanimous approval have been notified.

The following continuing education applications were presented to the Board for discussion with the resulting motions:

Motion: That the Board of Physical Therapy Examiners approves the Continuing Education Committee's recommended unanimous denial decisions on *Supporting your immune system through nutrition: Food first advice for your patients, Nutrition management for cancer patients, Application of research on successful aging, and Enabling healthy behavior changes*. (motion introduced by Board Vice Chair Holsinger; motion seconded by Board Member Thomas) The motion passed.

Discussion: Submitted courses were not relevant to the clinical practice of physical therapy. (COMAR 10.38.08.03.B.(1))

Motion: That the Board of Physical Therapy Examiners approves *Inclusive care in physical therapy: Hormonal therapy and preoperative consideration for transgender persons* continuing education course (motion introduced by Board Vice Chair Holsinger; motion seconded by Board Member Finnegan) The motion did not pass.

Over the past several months the Board has been contacted by licensees about earning continuing education hours for Advanced Cardiovascular Life Support (ACLS), Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator (AED), and First Aid classes. At this time the Board has not approved ACLS, CPR, AED and First Aid classes for continuing education hours nor do we have sponsors submitting these courses for approval. The Board discussed these courses as they relate to COMAR 10.38.08.

Action: Licensees may submit ACLS, CPR, AED and First Aid classes for Board review. The Board shall have final approval or non-approval of the submitted education.

Open Session Meeting Adjournment:

Motion: That the Board of Physical Therapy Examiners moves to adjourn the Open Session Meeting at 1:51 p.m. to engage in deliberations regarding confidential information in applications for licensure, in accordance with General Provisions Article, Section 3-305 (b) (13) - To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.). (motion introduced by Board Chair Gordes; motion seconded by Board Member Esterson) The motion passed.

The Board will convene the Administrative and Closed Session meetings and unless recused, all Board members and Board staff who were present for the Open Session will also be in attendance.

Karen Gordes, PT, PhD, DScPT, Chair
Minutes approved by the Board on May 18, 2021