



MARYLAND
Department of Health
Board Of Physical Therapy Examiners

BOARD OPEN MEETING MINUTES

December 17, 2019

Call to Order

The meeting was called to order at 1:01 pm by Board Chair, Dr. Sumesh Thomas.

Board Members Present:

Karen Gordes, PT, DScPT, PhD
Rebecca Holsinger, DPT
Meredith Levert, Consumer Member
Sumesh Thomas, DPT
Eleanor Wang, DPT
Enjeen Woolford, PTA

Board Members Absent:

Donna Richmond, Consumer Member, RN, MPH
Michelle Finnegan, DPT

Also Present:

Ogu Isaac Okehie, Acting Executive Director
Brett Felter, Assistant Attorney General, Board Counsel
John Bull, Chief of Compliance and Data Analysis
Andrew Rosenfeld, Investigator
Deborah Jackson, Licensing Coordinator
Michelle Cutkelvin, Project Manager
Patricia Miller, Administrative Assistant
Jacqueline Moore, Data Entry Clerk

Guests: Kimberly Lang, Director of Boards and Commissions

Lillian Reese, Legislative and Regulations Coordinator

Minute Taker: Michelle Cutkelvin, Project Manager

Approve Open Minutes:

The minutes of the November 19, 2019 meeting were presented for approval. The Board voted to approve the minutes.

Legislative Update:

Isaac Okehie, Acting Executive Director, reported there are a few regulations the Board is awaiting signature approval. One of which includes the fee schedule for the Physical Therapy Compact Fee, which was signed by the Secretary of the Maryland Department of Health however, the proposal has not made it to the Governor's office as yet. Mr. Okehie reported that the Board held an emergency Board Meeting on December 5, 2019, to discuss the proposed fee schedule, which included the Physical Therapy Compact fee (\$125), Continuing Competency CEU Application fee increase (\$50 to \$100) and course review fee (\$25). Mr. Okehie reported that the Board voted to suspend the CEU Application fee increase and course review fee. Mr. Okehie reported the Dry Needling amendment regarding Military Training has been signed by the Secretary, approved by the Governor's office, and submitted to the AELR Committee.

Mr. Okehie apprised the Board of the December 10 2019 meeting with Jake Whitaker and Andrew Boyer, representatives from the Office of the Secretary. The purpose of the meeting was to discuss the issues related to the Continuing Competency Regulation proposal. The Secretary's Office has asked the Board to provide justifications for the proposal, specifically related to continuing education research, staff accommodations, and national best practice.

Lilian Reese, Legislative Liaison, stated there are three proposals with the Secretary's Office. Ms. Reese, reiterates the Physical Therapy Compact fee proposal, still needs approval by the Governor's Office. Although the Board voted to suspend the two other fees that were being questioned on the Fee Schedule proposal, the Board must rework the justifications for the Physical Therapy Compact.

Ms. Reese reported that the Dry Needling Military proposal will be published in the Maryland Register on December 21, 2019, thru January 21, 2020.

Ms. Reese apprised the Board that a delegate has agreed to sponsor the bill proposal for Foreign Trained PTAs. She is looking for a senator, also to sponsor the bill.

Dr. Sumesh Thomas thanked Ms. Reese and Dr. Lang for their work. Dr. Thomas apprised the Board that he contacted Webster Ye to discuss the Continuing Competency Regulation proposal. Dr. Thomas apprised the Board on the concerns of the Secretary's Office. The concerns included the appearance of additional "red tape", the need for additional staff members, and the idea that the bill may encourage PTs and PTAs to join professional groups and associations for continuing education credit. The question raised was, is there any evidence to support the benefits of evidence-based practice? Dr. Thomas also reported on the outcome of the December 10, 2019 meeting. Similar concerns were raised. The Board plans to respond as soon as additional research is completed.

Revenue & Expense Report:

Mr. Okehie reported on the revenue and expense reports for November 2019. The revenue collected totaled \$15,400 and expenses were \$45,996.72, Mr. Okehie noted that most of the Board's revenue is from license renewals.

Licensure Update:

Deborah Jackson, Licensing Coordinator, gave the licensure report for November 2019. Ms. Jackson reported there were 79 new licenses issued, 58 new applications submitted, and a new total of 9,093 licensees.

Staff Update:

Mr. Okehie appraised the Board that staff member, Eric Hebron resigned from the Board for a permanent position. Mr. Okehie states he is in the process of finding a replacement for the Administrative Specialist position and that the office is short of a staff member.

Scope of Practice:

The Board received a question regarding NPI requirements. Are all physical therapists required to have an NPI and what would the circumstances be if they were not required?

The Board's response:

The Board does not require a physical therapist practicing in Maryland to have an NPI number however check with private and public payors.

Scope of Practice:

The Board received the following inquiry: I am a physical therapist in a skilled nursing facility where the issue of restrain came up. I would like to get some guidance on the use of restrains vs. other methods used to stabilize limbs during physical therapy evaluation and treatment. In what situations are restrains used for therapeutic purposes. I have not been trained.

The Board's response is a physical therapist should exercise sound professional judgment, work within their competency and check with the facility in regards to policies and procedures. The Board cited COMAR 10.38.03.02.A(2)(a) and 10.38.03.02.A(2)(f).

Complaint Reports:

John Bull reported on the yearly number of complaints for the 2019 calendar and fiscal year.

Added to the Agenda:

Conferences:

The Board voted for Dr. Thomas and a staff member to attend the FARB conference on January 23-26, 2020 in Colorado Springs. Dr. Rebecca Holsinger proposed having onsite training for Board members to be more cost-effective.

Dr. Thomas reported that at the 2019 FSBPT Annual Meeting, two experts gave an overview about investigating, and prosecuting sexual assault, child abuse and domestic violence cases. The feedback FSBPT received indicated that Boards may benefit from the two-day training. Dr. Thomas noted this should be added to the Board's calendar if approved by FSBPT. Mr. Okehie reported that he submitted the names of Mr. Bull and Andrew Rosenfeld for the training.

Continuing Education:

The Board voted to deny the following CEU course applications because it is not specific to the clinical practice of Physical Therapy:

"Just Culture".

The Board voted to **approve** the following course for **partial credit**:

"Functional Nutrition for Chronic Pain".

There was a motion to close the open session 2:13 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.

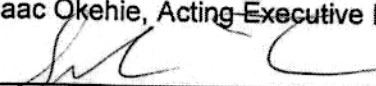
The board meeting was adjourned at 3:05 pm.

Respectfully submitted,



Ogu Isaac Okechie, Acting Executive Director

4-14-20
Date Approved



Sumesh Thomas, DPT, Board Chair