



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Maryland Board of Physical Therapy Examiners
4201 Patterson Ave.
Baltimore, Maryland 21215-2299

BOARD OPEN MEETING MINUTES

January 21, 2020

Call to Order:

The meeting was called to order at 10:16 am by Board Chair, Dr. Sumesh Thomas.

Board Members Present:

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

Board Members Absent: Donna Richmond, Consumer Member, RN, MPH

Also Present:

Ogu Isaac Okehie, Acting Executive Director
Grant D. Gerber, 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

Guests: Lillian Reese, Legislative and Regulations Coordinator

Dr. A'lise Williams, Health Career Transition Specialist Baltimore City Community College

Minute Taker: Michelle Cutkelvin, Project Manager Call

Call to Order:

The meeting was called to order at 10:16 am. Board Members, Staff and visiting guests introduced themselves. Dr. Sumesh Thomas, Board Chair reviewed the agenda. The following additions were made to the agenda: FSBPT Training (Federation of State Boards of Physical Therapy), UMES Presentation, APTA of Maryland Questions, IMPTRA and CEU 12: 2020 MIPS.

Approve Open Minutes:

The minutes of the December 5, 2020 and December 17, 2020 meeting were presented for approval. Dr. Thomas noted there are typographical errors. The minutes will be presented at the next meeting.

Legislative Update:

Isaac Okehie, Acting Executive Director, reported there were no updates on the fee schedule or continuing education proposals since the last Board meeting. Mr. Okehie stated that the Dry Needling proposal will be published in the Maryland Register on January 17, 2020 with the comment period ending February 17, 2020.

Lillian Reese, Legislative and Regulations Coordinator apprised the Board on the proposed bill regarding Foreign Trained Physical Therapist Assistants. Ms. Reese stated that Senator Katherine Klausmeier has agreed to sponsor the bill. Dr. Thomas asked Ms. Reese for an update on the Containing Competency proposal. Ms. Reese stated that because of the hold put in place by the Joint Committee on Administrative, Executive, and Legislative Review (AELR), a review of any regulations is at a standstill. She stated proposed regulations would probably move forward after the legislative session.

Revenue Report:

Mr. Okehie reported on the revenues for December 2019. The revenue collected totaled \$12,175.

Licensure Update:

Deborah Jackson, Licensing Coordinator, gave the licensure report for December 2019. Ms. Jackson reported there were 28 new licenses issued, 29 new applications submitted, and a new total of 9,124 active licensees.

Scope of Practice:

The Board received the following inquiry: a physical therapist asks about the possibility of having some type of burnout support group with guest lecturers. The PT stated she is willing to work on this initiative but is wondering about the interest. The PT also asked can this information be added to the website or newsletter?

The Board's response:

The Board referred the physical therapist to the APTA of Maryland.

Scope of Practice:

The Board received the following inquiry:

1. What is the role of the PTA in medication regimen review? The inquiry to the Board also included the following: CMS definition from October 2015: *Drug Regimen Review* - a review of all medications the patient is currently using in order to identify any potential adverse effects

and drug reactions, including ineffective drug therapy, significant side effects, significant drug interactions, duplicate drug therapy, and noncompliance with drug therapy.

2. Is the PTA allowed to document a new medication found in the home that is in a prescription bottle, and add it to the medication profile, and check for interactions and side effects through an online system?

3. Is the PTA allowed to discuss the new medication with the patient, to make sure they are following the medical provider's order of dose and frequency?

4. Please give more clarification to the Board's stance on a question that was posted in the June, 2019, Minutes related to Home Health PTs supervising Home Health Aides. The Board referenced the COMAR 10.07.10.02(B)(8)(b). However, I am asking that the Board also review 10.09.04.01 which states the Home Health Aide must be supervised by an RN. Please provide a clarification or correction to the June minutes, if needed.

The Board's response:

1. No, a PTA cannot complete a *Drug Regimen Review* as defined above because it does not fall within the practice of limited physical therapy. The Board cited the Health Occupations Article – Title §13 -310.
2. Yes, based upon limited physical therapy a PTA is allowed to document a new medication found in the home, that is in a prescription bottle, and add it to the medication profile, and check for interactions and side effects through an online system. The Board cited the Health Occupations Article – Title §13 -101 (h)(2)(i).
3. Yes, a PTA can identify to the patient medication, dosage and frequency that a provider has ordered.
4. The Board determined that the supervision by a physical therapist of a home health aide is dependent upon the setting in which the home health aide is working.

Dry Needling:

The Board received the following inquiry: I am looking for clarification regarding use of dry needling in practice while going through training. I understand the requirement for Maryland is 40 hours of classroom instruction, and 40 hours of hands on instruction under supervision of a licensed practitioner who has completed the necessary coursework and has 5 years of experience. In order to obtain those 40 practical hours, are clinicians permitted to use techniques on patients under the appropriate supervision, or are non-patient "friends and family" under supervision preferred? This is assuming, of course, the client has provided written consent and received the appropriate education prior to the treatment.

We currently have two clinicians who have met the coursework and practical requirements, have over 5 years of dry needling experience, and are certified by the Board of Physical Therapy in dry needling. We also have two additional clinicians who are currently going through training, and need to obtain their 40 "hands-on" hours. If you would please advise the best way for them to achieve these hours.

Board's Response: The Board cited COMAR 10.38.08.12.03.A.(2). Yes, in order to obtain practical hours a physical therapist is permitted to use techniques on patients and non-patients "friends and family" under the appropriate qualified supervision.

Board Training:

Dr. Thomas apprises the Board on the Council on Licensure, Enforcement & Regulation (CLEAR) 2020 Introduction to Regulatory Governance Webinar Series training series. The Board discussed the logistics of participating in the webinar. The Board asked John Bull to contact CLEAR to inquire about alternative dates and times for the webinar.

Dr. Thomas apprised the Board on the Federation of State Boards of Physical will host a training entitled Trauma's Impact on Boundary Violation Investigation Sexual Assault on March 26 -27, 2020. The FSBPT will fund one board or staff member from each jurisdiction to attend this training. John Bull is scheduled to attend the training.

UMES:

The University of Maryland Eastern Shore requested that the Board present to the PT students on Monday April 13th 2020. Board Members will confirm their availability and notify Dr. Thomas.

APTA Maryland:

Dr. Michelle Finnegan apprised the Board of concerns of the APTA of Maryland. Dr. Finnegan stated the concerns are about the length of time for the approval process for CEU applications. Mr. Okehie provided clarification on CEU submission course approval process. Mr. Okehie stated that a course must be received a minimum of 6 weeks before the course date. Courses that are reviewed by the CEU Committee increases the approval timeframe. Enjeen Woolford proposed updating the application process and time frame to mitigate delays. Dr. Karen Gordes noted there was a backlog last spring.

In addition, the APTA of Maryland inquired about the position of the Maryland Board of Physicians on the Athletic Trainer Bill. The Board's response is that it is not aware of their position.

IMPTRA:

The Board discussed their membership with IMPTRA. The Board voted to discontinue membership with IMPTRA.

Continuing Education:

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

"Advancing Nutrition and Food Science", "Intermediate Massage", "Dietary Interventions for the Prevention and Treatment of Prostate Cancer", "Advance Training in Mind Body" and "Professional Training in Mind Body Medicine".

The Board voted to **deny** the following CEU course application because there was insufficient time for the material covered:

"An Interprofessional Approach to Pain Management: Promoting Patient Success through Motivational Interview-Informed Practice"

The Board voted to **approve** the following courses:

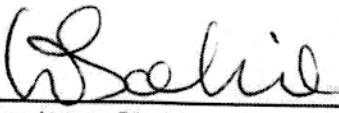
"The ISM Series with Diane Lee", "Oppositional, Explosive, and Disruptive Behaviors in the Classroom: Effective Strategies for Intervening Before, During and After a Meltdown", and "2020 MIPS for Physical, Occupation and Speech Therapies".

There was a motion to close the open session 12:07 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)(1) and (7). 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.

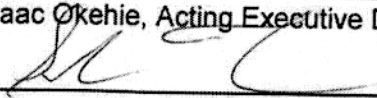
The board meeting was adjourned at 1:46 pm.

Respectfully submitted,

4-14-20
Date Approved



Ogu Isaac Okehie, Acting Executive Director



Sumesh Thomas, DPT, Board Chair