



Board of Physical Therapy Examiners

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

BOARD OPEN MEETING MINUTES

June 16, 2020

Call to Order

The Maryland Department of Health Board of Physical Therapy Examiners meeting was called to order at 1:04 pm by Board Chair, Dr. Karen Gordes, who reviewed the agenda and established that a quorum was present.

Board Members Present:

Karen Gordes, PT, PhD, DScPT, Chair
James Connors, Consumer Member
Samuel Esterson, PT
Michelle Finnegan, PT, DPT, OCS, MTC, CCTT, CMTPT, FAAOMPT
Rebecca Holsinger, PT, DPT, Vice Chair
Sumesh Thomas, PT, DPT, OCS, CHT, FAAOMPT,
Enjeen Woolford, PTA

Board Member Absent:

Meredith Levert, Consumer Member

Staff Present:

Laurie Kendall- Ellis, PT, CAE, Executive Director
Ogu Isaac Okehie, Deputy Director
Brett Felter, JD, Assistant Attorney General, Board Counsel
John Bull, Chief of Compliance and Data Analysis
Michelle Cutkelvin, Project Manager
Patricia Miller, Administrative Assistant
Lillian Reese, Legislative and Regulations Coordinator
Lisa Y. Scott, Administrative Specialist

Public Guests:

Kimberly Link, Maryland Department of Health Administrative Liaison to Health Occupational Boards and Commissions

Absent:

Deborah Jackson, Licensing Manger
Andrew Rosenfeld, Investigator

Open Session June 16, 2020

Board Chair Welcome:

Board Chair Gordes welcomed new Board Members Dr. Samuel Esterson and James Connors to the Board. Board Chair Gordes thanked Board Member Thomas for his leadership as Board Chair. Board Chair Gordes thanked Consumer Member Richmond and Board Member Wang for their service and dedication to the Board.

Board Staff and guests introduced themselves.

Approve April 21, 2020 Open Minutes:

Motion: That the Board of Physical Therapy Examiners approve the May 19, 2020 Open Session Minutes (motion introduced by Board Member Holsinger; motion seconded by Board Member Finnegan). The motion passed unanimously.

Discussion: There was no discussion.

Executive Director Update:

Executive Director Kendall-Ellis thanked Board Member Thomas and outgoing Board Members Richmond and Wang. Executive Director Kendall-Ellis apprised the Board that on June 5th a Board orientation was held in collaboration with Board Chair Gordes for new Board Members Connors and Esterson. Executive Director Kendall-Ellis thanked the Board Staff for stepping up during COVID-19. In our continuing effort to be accessible and informative one topic fact sheets are forwarded to licensees via eblast. The eblast analytics show an above average open rate. Executive Director Kendall-Ellis stated that the Fiscal Year 2020 ends on June 30th. Chief of Compliance Bull will be volunteering on the PT Compact System User Task Force. Led by Deputy Director Okehie and Chief of Compliance Bull, staff is in the process of updating job descriptions and scope of work. Executive Director Kendall-Ellis proposed planning for a strategic meeting in January 2021.

Legislative and Regulation Update:

Legislative and Regulations Coordinator Reese reported that the office of the Maryland Secretary of Health Robert Neall, has received the Board's temporary license statute concept paper for the 2021 legislative session. Board Counsel Felter asked when will the draft language be required for the proposed legislation. Legislative and Regulations Coordinator Reese requested the draft language at the July 21st Board meeting for Board review. Draft language for proposed telehealth regulation is also requested for the July 21st Board meeting.

Maryland Department of Health Administrative Liaison to Health Occupational Boards and Commissions Ms. Link stated that there was no additional information on the status of The Interstate Physical Therapy Licensure Compact with fee schedule which is waiting for the Secretary's signature.

May Licensure Report:

Deputy Director Okehie gave the licensure report for May 2020. There were 14 new licenses issued, 64 new applicants, and a total of 9,293 total of active licensees.

Licensure Renewal Update:

Deputy Director Okehie gave the licensure renewal update to the Board. Thus far there have been 4,076 renewed licenses of the 4,700 that will expire this renewal cycle.

Continuing Education Requirements Rubric Draft:

Board Counsel Felter will take a closer look at the draft rubric template. Board Chair Gordes stated that the committee discussed using the rubric as a guide for conversations. Board Member Thomas proposed adding the relevant regulations. The CEU Committee members are Board Vice Chair Holsinger and Board Members Thomas and Woolford. Follow up discussions will take place.

Continuing Education:

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

"Telehealth Ergonomics for Healthcare Professionals (Jeffs)", "ACSM's Nutrition for Exercise Science Module 1"; "Treatment of COVID 19 in Acute Care and After Discharge"; "NASM Certified Nutrition Coach"; "Learning Adobe" and "Behavior Change Specialization".

The Board voted to **table** the following CEU course application for more information:

"ACSM's Nutrition for Exercise Science Module 2".

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

"Telehealth (Digital Practice) Implementation: Considerations and Road Map".

Open Session Adjournment:

Motion: That the Board of Physical Therapy Examiners moves to adjourn the Open Session at 2:22 p.m. in order 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). (motion introduced by Board Member Woolford; motion seconded by Board Member Finnegan). The motion pass unanimously.

Unless recused, all Board members and Board staff who were present for the Open Session will also be in attendance for the Closed and Administrative Sessions.

The Board Closed and Administrative Sessions were adjourned at 4:21 pm.

Karen Gordes, Chair
Minutes approved by the Board on July 21, 2020

**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 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: 6/16/2020; Time: 2:22 pm; Location: Virtual;
Motion to close meeting made by: Woolford Seconded by Finnegan;
Members in favor: All; Opposed: None;
Abstaining: None; Absent: Levert.

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." (15) "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

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) <input type="checkbox"/>	Renewal Applications 3-305(b)1	To engage in medical review & deliberations on privileged applications.
§3-305(b) <input type="checkbox"/>		

4. This statement is made by K. Gordes, PT, PhD , Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

➤ For a meeting closed under the statutory authority cited above:

Time of closed session: 2:30 pm
 Place: Virtual
 Purpose(s): Review confidential applicatons for licensure renewal.
 Members who voted to meet in closed session: All present.
 Persons attending closed session: All Board members and staff present at Open Session unless recused.
 Authority under § 3-305 for the closed session: (b)(1)
 Topics actually discussed: Applications for license renewal.
 Actions taken: Applications approved.
 Each recorded vote: Voted as appropriate.

➤ For a meeting recessed to perform an administrative function (§ 3-104): Time: 2:38 pm

Place: Virtual
 Persons present: All Board members & staff present at Open Session unless recused. Gordes & Holsinger recused at 2:50 pm.
 Subjects discussed: Board investigations and other disciplinary matters.