

Minutes of the September 28, 2023, Board of Physical Therapy Meeting

1. ROLL CALL

Betsy Becker, Chairperson, called the meeting of the Board of Physical Therapy to order at 1:04 p.m. on September 28, 2023, in the Lower Level, Goldenrod Conference Room, of the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS website at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on September 12, 2023.

Becker announced that this is an open meeting, and the Open Meetings Act is posted.

Members Present: The following members answered roll call:

Dr. Betsy Becker, Chairperson
Kimberly Oliphant, Member
Dr. Kirk Peck, Vice-Chairperson

Members Absent:

Tom Victor, Secretary

Staff Present:

TJ O'Neill, Assistant Attorney General
Claire Covert-ByBee, Program Manager
Amy Blinston, Health Licensing Coordinator
Suzanna Glover-Ettrich, DHHS Legal (via Webex)

2. ADOPTION OF AGENDA

MOTION: Peck moved, seconded by Oliphant, to amend and adopt the agenda with the addition of one agenda item, Public Comment. Voting aye: Becker, Peck, and Oliphant. Voting nay: None. Motion carried.

3. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot approving the minutes from the July 13, 2023, Board meeting. Becker, Oliphant, Victor, and Peck voted to approve the minutes as written. The minutes were approved on July 19, 2023.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Peck moved, seconded by Oliphant, to move into closed session at 1:06 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Becker, Oliphant, and Peck. Voting nay: None. Motion carried.

5. BOARD RECOMMENDATIONS ON APPLICATIONS – OPEN SESSION

The Board returned from closed session at 1:52 p.m.

MOTION: Peck moved, seconded by Oliphant, that it is the Board’s recommendation that the historical passing scores of the national physical therapy licensure examination are equivalent to the current passing score of the licensure examination as outlined in the current chapter of regulations. Voting aye: Becker, Peck, and Oliphant. Voting nay: None. Motion carried.

6. COMMUNICATION WITH STAKEHOLDERS

Covert-ByBee stated that the APTA-NE chapter was contacted to include information in their newsletter clarifying CE during the 2023 renewal. The snippet read, “The Department will continue to be flexible regarding continuing education hours earned during time periods when an executive order with provisions that impacted continuing education was in place. Because a majority of the biennial renewal period for physical therapy was impacted by such an executive order, the Department will not enforce the limits of CE earned via online/home study/webinar methods for the 2021-2023 renewal period. Additionally, the Department will continue to provide an option to choose a waiver of CE for circumstances beyond the control of the licensee. If a licensee chooses this waiver, additional documentation is required.”

The Board took a break from 1:55 until 2:10

7. LEADERSHIP ISSUES FORUM (LIF) DISCUSSION

Becker and Covert-ByBee represented Nebraska at the Leadership Issues Forum. Becker stated that she found the session on artificial intelligence and how it can be utilized for efficiency and patient care, of particular interest. Becker also attended the Model Practice Act workshop that was held in conjunction with the Leadership Issues Forum. Becker advised FSBPT has several grant opportunities available for jurisdictions to improve and enhance a variety of activities and functions. Covert-ByBee stated Nebraska’s current database is too antiquated to accommodate an API, however, may be able to utilize that funding once the database is upgraded.

8. FSBPT ANNUAL MEETING

Covert-ByBee provided the Board with the schedule for the upcoming 2023 FSBPT Annual Education Meeting. Peck offered that a current topic of interest is whether faculty need to be licensed when crossing state borders to teach. Becker, Peck, and Covert-ByBee briefly discussed sessions of interest.

9. PT COMPACT

Covert-ByBee indicated that compact meetings are open to the public, and the PT Compact Annual Meeting is slated for the end of December. There have been some recent

administrative rules and bylaws changes made. The Compact meeting schedule as well as a list of agendas and minutes may be found here: <https://ptcompact.org/meeting-information>

10. DISCUSS REGULATION AMENDMENT

The Board will review regulations and identify sections for potential revision then discuss at the next Board meeting.

11. SCHEDULE MEETINGS FOR 2024

The Board scheduled meetings for January 11th, April 11th, July 25th, and October 10th, 2024.

12. LICENSURE DATABASE UPDATE

Covert-ByBee stated that the Department is undergoing several discovery meetings with the vendor to prepare to migrate data to a new database. This is the most detailed portion of the project and is the foundation for a successful migration.

13. LICENSURE APPLICATION PROCESSING REPORT (APR)

Blinston advised the APR was prepared for informational purposes only.

14. TOPICS FOR NEXT MEETING

The following topics were identified for the next meeting: Communication with Stakeholders, PT Compact, FSBPT Annual Meeting Report, Licensure Database Update, Regulation Amendment Discussion, Officer Elections, Conviction Review guidelines, Per Diem, Notice of Meeting Publication, Public Comment, and APR.

15. PUBLIC COMMENT

No public comments were made.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 2:52 p.m.

Respectfully submitted,

Kirk Peck, Vice-Chairperson