

## Minutes of the January 23, 2020 Board of Physical Therapy Meeting

### **1. ROLL CALL**

Dr. Betsy Becker, Vice-Chairperson, called the meeting of the Board of Physical Therapy to order at 1:00 p.m. on Thursday, January 23, 2020 in Conference Room C at Cornhusker State Industries, 800 Pioneers Boulevard, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting and Agenda at least ten (10) days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services Division of Public Health at least twenty-four (24) hours prior to the meeting.

Becker announced that this is a public meeting and the Open Meetings Law is posted.

**Members Present:** The following members answered roll call:

Dr. Betsy Becker, Vice-Chairperson  
Tom Victor, Secretary  
Dr. Kirk Peck, Member

**Members Absent:**

Kimberly Oliphant, Member

**Others Present:**

Natalee Hart, Assistant Attorney General  
Ami Huff, Assistant Attorney General  
Claire Covert-ByBee, Program Manager  
Antonio Carranza, Health Licensing Coordinator

### **2. WELCOME AND INTRODUCTION OF NEW BOARD MEMBER**

Unfortunately new board member Kimberly Oliphant was unable to get to the meeting due to inclement weather. However, Assistant Attorney General Natalee Hart was able to introduce herself to the board and vice versa. Effective February 1<sup>st</sup> she will be the Assistant Attorney General assigned to the Physical Therapy Board.

### **3. ADOPTION OF AGENDA**

**MOTION:** Peck moved, seconded by Victor to adopt the agenda. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

### **4. APPROVAL OF NOVEMBER 13, 2019 MINUTES**

**MOTION:** Victor moved, seconded by Peck to approve the November 13, 2019 minutes as presented. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

*These minutes were approved by the Board of Physical Therapy via mail ballot.*

## **5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION**

**MOTION:** Peck moved, seconded by Victor to go into closed session at 1:11 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

## **6. BOARD RECOMMENDATIONS ON APPLICATIONS– OPEN SESSION**

The Board returned to open session at 1:38 p.m.

**MOTION:** Peck moved, seconded by Victor to recommend issuing a Physical Therapy Assistant certification to Makayla Blank with no restrictions upon satisfaction of all licensure requirements. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

**MOTION:** Peck moved, seconded by Victor to recommend issuing a Physical Therapy Assistant certification to Mattea Roslansky with no restrictions upon satisfaction of all licensure requirements. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

## **7. 172 NAC 137 PROMULGATION UPDATE**

Covert-ByBee advised the revised regulations have been submitted to the Attorney General's Office for review and approval. If they are approved, they would then go to the Governor's Office for approval and then filed with the Secretary of State.

## **8. LEGISLATIVE UPDATE**

Covert-ByBee stated this legislative session is a short session, it opened January 8<sup>th</sup> and will likely end sometime in April. Because it is a short session, things have been introduced very quickly. She stated there were no bills that she saw that affected Physical Therapy directly. There was a bill introduced about occupational board reform requiring recognition of licenses held in other states with comparable requirements.

Covert-ByBee advised LB 112 from last session was enacted and effective January 1, 2020. It provides a fee waiver for initial applicants for occupational licenses that are young workers, low income as defined by the bill and military or military family. The department has updated all applications to include fee waiver information and the required documentation to qualify for those waivers.

She also mentioned a related bill, LB 753, which would establish an Interstate Compact for Audiologists & Speech-Language Pathologists.

## **9. OUTREACH TO LICENSEES REGARDING REVISIONS TO 172 NAC 137**

The Board decided to table the discussion for the next meeting as the regulations have not been implemented yet.

## **10. LICENSURE APPLICATION PROCESSING REPORT**

Carranza provided an application processing report. This was for informational purposes only. He also provided a school pass rates report for Nebraska Physical Therapist and Physical Therapy Assistant programs.

## **11. CONTINUING EDUCATION AUDIT REPORT**

Carranza provided an update on the Physical Therapy Continuing Education Audit stating all Physical Therapists and Physical Therapy Assistants that were audited passed the audit.

## **12. ELECTION OF FSBPT DELEGATES AND CONFERENCE DATES FOR 2020**

The Board discussed availability and interest in attending the Federation of State Boards of Physical Therapy meetings for 2020.

**MOTION:** Victor moved, seconded by Becker to elect Becker as Delegate, Peck as Alternate Delegate and Oliphant to attend the regulatory training, assuming availability. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

## **13. PER DIEM DISCUSSION**

Covert-ByBee advised the department is reviewing Per Diem procedures for all occupational boards. Currently the Physical Therapy Board receives Per Diem for the day of the meeting and travel costs are reimbursed. Covert-ByBee stated the Board has the option of receiving a Per Diem for time spent preparing for a Board meeting, additional days spent traveling for a Board meeting and when representing the Board in an official capacity.

The Board discussed many factors including consistency with other boards, incentivizing potential board members to apply in the future, provide compensation for the time needed to prepare and serving the profession.

**MOTION:** Peck moved, seconded by Victor to approve per diem for Board meeting days, travel days if not the same day as Board meetings, when representing the Board in an official capacity and half per diem for a preparation day before each Board meeting. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

## **14. ELECTION OF OFFICERS**

**MOTION:** After discussion, Peck moved, seconded by Victor to elect Dr. Betsy Becker as Chairperson, Dr. Kirk Peck as Vice-Chairperson, Tom Victor as Secretary and Kimberly

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Oliphant as Investigative Consultant. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

#### **15. NOTICE OF MEETING PUBLICATION**

The Board is required to inform the public each year of the method by which it will provide notice of meetings. In the past, the Board has elected to post meeting agendas at the Nebraska State Office Building, to email the agenda to the interested parties list, and to post agendas on the Department's website. The Board also discussed the possibility of social media as a way to reach more possible interested parties.

**MOTION:** Peck moved, seconded by Victor to continue with the current notification process. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

#### **16. MAIL BALLOT APPROVAL OF MEETING MINUTES**

Carranza stated that in an effort to continue to improve communication with stakeholders and provide information to the public as quickly as possible the Department would like to change the approval of meeting minutes to a mail ballot approval process. Once the minutes are prepared by the Department, they will be emailed to the Board members to approve via mail ballot and posted to the website as soon as they are approved. If there are corrections to be made, the Board can defer to discuss at the next meeting and approve an amended version at that time.

**MOTION:** Peck moved, seconded by Victor to approve the proposed mail ballot minutes approval process. Voting aye: Becker, Peck and Victor. Voting nay: None. Absent: Oliphant. Motion carried.

#### **17. TOPICS FOR NEXT MEETING**

Suggested topics for next meeting include a legislative update, methods for communicating Board information to Nebraska licensees, update from the NPTA Meeting, regulation update and welcome and introduction of new board member.

#### **16. ADJOURNMENT**

There being no further business, the meeting adjourned at 2:50 p.m.

Respectfully submitted,

Tom Victor, Secretary