

These minutes were approved by the Board of Physical Therapy on April 2, 2019.

Minutes of the January 31, 2019 Board of Physical Therapy Meeting

Rachel Reiman, Chairperson, called the meeting of the Board of Physical Therapy to order on Thursday, January 31, 2019 at 9:00 a.m. in the Lower Level B Conference Room, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice and 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.

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

The following Board members and Department staff were present at the meeting: Dr. Betsy Becker; Dr. Kirk Peck; Rachel Reiman, Tom Victor; Claire Covert-ByBee, Program Manager; Antonio Carranza, Health Licensing Coordinator, Larry Wiehn, Investigator, Mark Meyerson, Investigator and Ami Huff, Assistant Attorney General.

Becker moved, seconded by Peck to adopt the agenda as presented. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Peck moved, seconded by Becker to approve the minutes from January 25, 2018. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Peck moved, seconded by Reiman to approve the minutes from November 1, 2018 with one adjustment to change "investigation" to "investigated." Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Becker moved, seconded by Peck to go into closed session at 9:05 a.m. to hear discussion regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Peck moved, seconded by Victor to return to open session at 9:33 a.m. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

(Board took a 5 minute break)

Becker moved, seconded by Victor to recommend issuing a Physical Therapist Assistant Certification to Michael Curtis. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Becker moved, seconded by Victor to adopt updated application review guidelines. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

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Reiman inquired about Continuing Education requirements and how the department interprets different forms of online education, specifically live webinars. Covert-ByBee advised that right now licensees are required to complete 20 total hours of continuing education, 10 hours can be home study while 10 are required to be formal study in the regulations. She advised that with the way the regulations are currently worded webinars are not considered “formal study” and would be categorized as home study. The Board decided to table the discussion until a later meeting.

Covert-ByBee provided an update on the regulation review process. She stated in 2017 the department reviewed all regulations and created a report illustrating how they could be less restrictive. This included removing duplicative language and creating a generic chapter of regulation that applies to all professions under the Uniform Credentialing Act. The department has now been tasked with implementing those changes. Covert-ByBee advises the Board they can discuss and decide if they'd like to make changes to the Practice Act. The Board would like to check with the NSBPT as well as other states regarding new language for telehealth and CE requirements.

Covert-ByBee provided information regarding the timing and order of procedures for applicants who are taking the National Examination. Due to the fingerprint background check process, there have been applicants who need to go for Board Review that have had significant delays due to waiting for the background check results and then be submitted to the Board for review. Peck moved, seconded by Victor to approve applicants to take the National Examination prior to Board Review. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Covert-ByBee provided an update on the PT Compact. She stated Nebraska is very close to the open of the PT Compact. She informed the board the Department had done an analysis and recommended a compact fee of \$80. She advised the fee could be adjusted in the future if there were unintended costs due to increased investigations or other unforeseen circumstances. The board inquired about how the Department would educate licensees, Covert-ByBee stated the department plans on providing information on the website regarding the compact once it is active.

Covert-ByBee updated the Board on the 2018 Nebraska pass rates by school. This was for informational purposes only.

Covert-ByBee provided a legislative update. LB 29 relates to telehealth for professions covered by the UCA. The bill as written currently includes Physical Therapists. Peck moved, seconded by Reiman for the Board to provide support for LB 29 as introduced. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried. Becker moved, seconded by Victor to approve Kirk Peck to represent the Board's

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position either in person or in a written letter regarding LB 29 subject to Board approval. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

The Board also discussed LB 735 regarding pelvic exams. Becker moved, seconded by Victor to oppose LB 735 as introduced and to approve Kirk Peck to represent the Board's position either in person or in a written letter subject to board approval. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Reiman shared information on the Selection of 2019 FSBPT Delegates. There needs to be a delegate and an alternate. Peck moved, seconded by Reiman to select Becker as the delegate and Peck as the alternate for the 2019 FSBPT Meeting. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

The Board scheduled the next meeting for April 2nd at 9:00 a.m to discuss legislation.

Topics for next meeting include Election of Board Officers and a legislative update. The Board also rescheduled the November meeting to Wednesday, November 13th at 1:00 p.m.

There being no further business, the meeting adjourned at 10:57 a.m.

Respectfully submitted,

Tom Victor, Secretary