

Minutes of the November 13, 2019 Board of Physical Therapy Meeting

1. ROLL CALL

Rachel Reiman, Chairperson, called the meeting of the Board of Physical Therapy to order at 1:02 p.m. on Wednesday, November 13, 2019 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.

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

Members Present: The following members answered roll call:

Rachel Reiman, Chairperson
Dr. Betsy Becker, Vice-Chairperson
Tom Victor, Secretary

Members Absent:

Dr. Kirk Peck, Member

Others Present:

Ami Huff, Assistant Attorney General
Jeff Newman, Investigator
Claire Covert-ByBee, Program Manager
Antonio Carranza, Health Licensing Coordinator

2. ADOPTION OF AGENDA

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

3. APPROVAL OF SEPTEMBER 11, 2019 MINUTES

MOTION: Victor moved, seconded by Becker to approve the October 29, 2019 minutes as presented. Voting aye: Becker, Reiman and Victor. Voting nay: None. Absent: Peck. Motion carried.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Becker moved, seconded by Victor to go into closed session at 1:04 p.m. to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Becker, Reiman and Victor. Voting nay: None. Absent: Peck. Motion carried.

5. BOARD RECOMMENDATIONS ON APPLICATIONS– OPEN SESSION

MOTION: Becker moved, seconded by Victor to return to open session at 1:31 p.m. Voting aye: Becker, Reiman and Victor. Voting nay: None. Absent: Peck. Motion carried.

MOTION: Becker moved, seconded by Victor to recommend issuing a 3 year probationary Physical Therapy Assistant certification to Carissa Hulsizer including abstaining from alcohol and controlled substances, body fluid screens, quarterly employer reports and follow all recommendations of the evaluator in addition to standard terms of probation based on conviction history and substance use diagnoses. Voting aye: Becker, Reiman and Victor. Voting nay: None. Absent: Peck. Motion carried.

6. 172 NAC 137 REVISION STATUS UPDATE

Covert-ByBee advised the revised regulations have been submitted to the Board of Health and will be reviewed at their November 18th meeting. After the Board of Health, they will be sent to the Chief Medical Officer for approval, then the Attorney General's Office, the Governor's Office and lastly to the Secretary of State for final approval. At any point they can be denied approval and sent back to an earlier step in the process, including scheduling another public hearing.

7. FSBPT 2019 ANNUAL MEETING REPORT

Covert-ByBee gave a report on the presentations she attended at the Federation of State Boards of Physical Therapy 2019 Annual Meeting. She attended a presentation given by Dr. Kirk Peck on animal physical therapy as well as a presentation on burnout given by Dr. Betsy Becker. She also attended presentations about marijuana and cbd utilized in physical therapy as well as criminal background check information and how to use it in evaluating licensees and how it actually applies to the practice of physical therapy.

Becker also went to the annual meeting and gave a report on presentations she attended. She attended a presentation regarding sexual assault and issues that have recently arisen in the profession. She also attended a presentation about foreign educated physical therapists and the credentialing review process. She also noted a strong emphasis on "healthy practice" in terms of what the practitioner should do for themselves to promote their own health as well as what the clinics/organizations/institutions/etc. can do to provide and promote an environment conducive to healthy practice.

8. PT COMPACT UPDATE

Covert-ByBee presented an update on the PT Compact both within Nebraska and as whole. Nebraska has granted 17 compact privileges, although one was accidental. There have been 44 Nebraskans who have purchased compact privileges to practice in other states, the majority of which are Iowa.

As a whole, there are 16 states actively issuing compact privileges. Four additional states have passed legislation but are not issuing privileges yet, all four are on track to be issuing privileges by January 31, 2020. In addition, there are six more states that have passed legislation but do

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not have a target date yet. There are two more states that are likely to introduce legislation in 2020 and eight more that have shown interest in introducing legislation.

9. OUTREACH TO LICENSEES REGARDING REVISIONS TO 172 NAC 137

The Board discussed methods to inform licensees of the changes in the regulations and how it will affect the profession. They proposed a number of different options and the department and board will revisit at the next meeting once the regulations are further along in the process.

10. 2019 NEBRASKA PASS RATES REPORT BY SCHOOL

Covert-ByBee presented a report highlighting the pass rates of Physical Therapy and Physical Therapy Assistant students in Nebraska schools in 2019. This was for informational purposes only.

11. LICENSURE APPLICATION PROCESSING REPORT

Covert-ByBee provided an application processing report. This was for informational purposes only.

12. CONTINUING EDUCATION AUDIT PROCEDURE

The Board reviewed the audit procedure as the renewal period ended on November 1, 2019.

13. SCHEDULE BOARD MEETINGS FOR 2020

The Board scheduled four meetings for 2020: January 23, April 23, July 23 and November 10. All meetings were set for 1:00 p.m.

14. TOPICS FOR NEXT MEETING

Suggested topics for the next meeting included a regulations update, legislation update, revisit communication strategy, audit report, welcome and introduction of new board member, per diem information and election of officers.

15. RECOGNITION OF RACHEL REIMAN

Reiman thanked the department and fellow board members for making her time on the Board enjoyable and productive. She noted it was a great learning experience and a chance to understand the licensure process at a higher level.

Covert-ByBee stated the Department would like to thank Reiman for her time and energy as a board member. Her expertise and unique perspective will be missed.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 2:33 p.m.

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Respectfully submitted,

Tom Victor, Secretary