

Minutes of the April 23, 2020 Board of Physical Therapy Teleconference Meeting

1. ROLL CALL

Betsy Becker, Chairperson, called the meeting of the Board of Physical Therapy to order at 1:03 p.m. on Thursday, April 23, 2020 in the Licensure Unit Conference Room at the Nebraska State Office Building in 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, Chairperson
Dr. Kirk Peck, Vice-Chairperson
Tom Victor, Secretary
Kimberly Oliphant, Member

Others Present:

Natalee Hart, Assistant Attorney General
Kathleen Krueger, Investigator
Claire Covert-ByBee, Program Manager
Antonio Carranza, Health Licensing Coordinator

2. WELCOME AND INTRODUCTION OF NEW BOARD MEMBER

New Board member Kimberly Oliphant was introduced to the Board and members and department staff introduced themselves and described their roles.

3. ADOPTION OF AGENDA

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

4. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot approving the minutes from the January 23, 2020 Board Meeting. All members voted to approve the minutes as written.

5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Peck moved, seconded by Victor to go into closed session at 1:18 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, Peck and Victor. Voting nay: None. Motion carried.

6. BOARD RECOMMENDATIONS ON APPLICATIONS– OPEN SESSION

The Board returned to open session at 1:52 p.m.

There were no recommendations.

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 the legislature is currently suspended. They have met briefly to pass legislation for budgets and emergency funding but have not resumed normal operations yet. All the bills the Department is tracking related to Physical Therapy are currently on hold.

9. ALTERNATE DELEGATE FOR FSBPT ANNUAL MEETING

MOTION: After discussion, Victor moved, seconded by Peck to nominate Kim Oliphant to replace Kirk Peck as the Alternate Delegate for the FSBPT Annual Meeting. Voting aye: Becker, Oliphant, Peck and Victor. Voting nay: None. Motion carried.

10. OUTREACH TO LICENSEES

The Board discussed possible options for communicating information to all licensees. Options discussed included posting information on the DHHS website, presenting information at state association meetings and sending out information to the interested parties list maintained by the Department for Board related announcements. Covert-ByBee stated the Department has been posting information regarding COVID-19 and subsequent executive orders affecting licensure on their main page as well as profession specific pages. Becker suggested members attending the FSBPT annual meeting could seek out presentations from other states on how they stay in contact with licensees as well. Victor suggested reaching out to business as a way to reach larger groups of licensees.

11. LICENSURE APPLICATION PROCESSING REPORT

Carranza provided an application processing report. This was for informational purposes only.

12. COVID-19 AND LICENSURE

Covert-ByBee stated that an executive order was signed by the Governor on March 27th which has affected different aspects of licensure, although most do not affect Physical Therapy. It does allow reinstatement without meeting continuing education requirements during the Public

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

Health Emergency Declaration. There have also been discussions with the Department and Governor on another executive order that would likely have more changes to physical therapy licensure, although nothing has been finalized or signed yet.

13. PUBLIC COMMENT

There were no public comments.

14. TOPICS FOR NEXT MEETING

Suggested topics for next meeting include a legislative update, outreach to licensees follow-up, regulations update, COVID-19 and licensure update and regulation update.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 2:28 p.m.

Respectfully submitted,

Tom Victor, Secretary