

## Minutes of the July 13, 2023 Board of Physical Therapy Meeting

### **1. ROLL CALL**

Betsy Becker, Chairperson, called the meeting of the Board of Physical Therapy to order at 12:57 p.m. on July 13, 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 April 7, 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 (via Webex)  
Kimberly Oliphant, Member (via Webex)  
Dr. Kirk Peck, Vice-Chairperson (via Webex)  
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 Victor, to adopt the agenda as posted. Voting aye: Becker, Peck, Victor, and Oliphant. Voting nay: None. Motion carried.

### **3. REAFFIRMATION OF MAIL BALLOT**

The Board reaffirmed the mail ballot approving the minutes from the April 20, 2023, Board meeting. Becker, Oliphant, Victor, and Peck voted to approve the minutes as written. The minutes were approved on May 2, 2023.

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

**MOTION:** Oliphant moved, seconded by Victor, to move into closed session at 12:59 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, Victor, and Peck. Voting nay: None. Motion carried.

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

The Board returned from closed session at 1:17 p.m.

**MOTION:** Victor moved, seconded by Peck, to recommend that the Department issue a nonrestricted physical therapist license to Mary Janovich. Voting aye: Becker, Peck, Victor, and Oliphant. Voting nay: None. Motion carried.

## **6. COMMUNICATION WITH STAKEHOLDERS**

Covert-ByBee shared that the Department is receiving numerous questions regarding continuing education for renewal periods impacted by Executive Orders issued during the healthcare workforce shortage. The Department is being as flexible as possible with online CE restrictions as the Executive Orders waiving or altering CE requirements expired December 31, 2022. There is also a CE waiver available for circumstances beyond the individual's control.

## **7. LIF DISCUSSION**

Becker and Covert-ByBee indicated they will be attending the Leadership Issues Forum (LIF) hosted by FSBPT on July 15<sup>th</sup> and 16<sup>th</sup>, in Arlington, Virginia. Becker will also attend the Model Practice Act Workshop on July 17<sup>th</sup>. The Board will discuss notable items at the next meeting.

## **8. PT COMPACT**

Covert-ByBee provided information about the most recent compact actions and rules changes.

## **9. DISCUSS OPENING CHAPTER 137 OF REGULATIONS TO AMEND EXAMINATION REQUIREMENTS FOR INITIAL LICENSE**

Covert-ByBee shared information about the regulation promulgation process. Becker and Covert-ByBee will attend the upcoming FSBPT Leadership Issues Forum (LIF) and the Model Practice Act Workshop, to assist with further discussion at the next meeting. Information on the Model Practice Act may be found here: <https://www.fsbpt.org/Free-Resources/Regulatory-Resources/Model-Practice-Act>.

## **10. LICENSURE DATABASE UPDATE**

Covert-ByBee shared that the Department entered an emergency contract to stabilize the licensure database, LIS. The kickoff for this project was June 15<sup>th</sup>, 2023. This phase is slated to be completed by January 1, 2025. The Department is simultaneously working on an RFP (Request For Proposal) to be put out later to solicit proposals for a contract to expand services.

### **11. LEGISLATIVE UPDATE**

Covert-ByBee provided information regarding LB227 and LB574. Covert-ByBee further advised that approximately 33 bills were amended into the DHHS omnibus bill, LB227. Questions regarding LB574, the Let Them Grow Act, may be directed to the CMO, Dr. Timothy Tesmer. These bills and may be viewed on the Nebraska Legislature website: <https://nebraskalegislature.gov>.

### **12. LICENSURE APPLICATOIN PROCESSING REPORT (APR)**

The APR was prepared for informational purposes only.

### **13. TOPICS FOR NEXT MEETING**

The following topics were identified for the next meeting: Communication with Stakeholders, PT Compact, LIF Discussion, Licensure Database Update, Regulation Amendment Discussion, Schedule Meetings for 2024, and APR.

### **14. ADJOURNMENT**

There being no further business, the meeting adjourned at 1:55 p.m.

Respectfully submitted,

Tom Victor, Secretary