

*These minutes were approved by the Board of Physical Therapy on October 29, 2019.*

## **Minutes of the July 18, 2019 Board of Physical Therapy Meeting**

Rachel Reiman, Chairperson, called the meeting of the Board of Physical Therapy to order on Thursday, July 18, 2019 at 9:00 a.m. in Conference Room C at Cornhusker State Industries, 800 Pioneers Boulevard, 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; Ami Huff, Assistant Attorney General; Claire Covert-ByBee, Program Manager; Antonio Carranza, Health Licensing Coordinator; Anna Harrison, Compliance Manager; Juan Ramirez, Research Analyst; Trevor Klaassen, Investigator; and Jeff Newman, Investigator.

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

Becker moved, seconded by Victor to amend the minutes from July 2, 2019 to clarify language regarding the discussion about the TOEFL exam. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Victor moved, seconded by Becker, to amend the minutes from July 2, 2019 to clarify language regarding the discussion about required continuing education for individuals who have not practiced within the 3 years preceding their initial application or have not practiced within the 3 years after passing the licensure examination and approve the minutes with the amendments. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

Harrison and Ramirez presented information to the Board about discipline within all health care professionals as well as physical therapists and physical therapy assistants specifically. The information used was from licensees in Nebraska between January 2012 and February 2017. Ramirez presented the geographic, gender and age breakdown of all professionals as well as for physical therapy professionals specifically. Harrison provided a breakdown and explanation of the different types of discipline for licensees. She also provided information regarding the time frame of lapses and relapses for individuals on probation due to substance use disorders or convictions related to substance abuse. Ramirez noted that physical therapy professionals have a very low percentage of licensees that were disciplined during this time, less than 1/3 of the average of all health care professional combined.

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*(Ramirez left the meeting at 9:50 a.m.)*

Becker moved, seconded by Victor, to go into closed session at 9:50 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.

Victor moved, seconded by Becker to return to open session at 10:31 a.m. Voting aye: Becker, Peck, Reiman and Victor. Voting nay: None. Motion carried.

*(Harrison, Klaassen and Newman left the meeting at 10:31 a.m.)*

*(The Board took a break at 10:31 a.m.)*

*(The Board returned from break at 10:38 a.m.)*

There were no recommendations.

Covert-ByBee provided a legislative update. She highlighted bills that may affect Physical Therapists. LB 112 was approved by the governor which waives initial licensure fees for individuals age 18-25, individuals in the military and family as well as individuals who are low income as defined by the bill. LB 112 will go into effect on January 1, 2020. LB 244 provides for mobile massage therapy. LB 29 provides and eliminates telehealth provisions for professions under the UCA.

Covert-ByBee provided an update on the regulation promulgation process. The chapter of regulations regarding the practice of physical therapy have been submitted to legal with the Board's recommendations and updates. They were then sent to the Governor's Policy Research Office (GPRO) on July 16<sup>th</sup>. Once the GPRO is finished reviewing the regulations, they'll set a public hearing for the public to attend and comment. Once the hearing is set we will schedule a meeting of the Board to occur after the hearing so that the Board can respond to all public comments. In addition, 172 NAC 10 was approved and put into effect on June 24, 2019. This chapter of regulations applies to all professions under the UCA and provides language previously duplicated in every profession's chapter of regulations.

Covert-ByBee provided a PT Compact update. There are two compact holders for Nebraska currently. In addition, she advised that a compact applicant's home state is determined by their driver's license.

Covert-ByBee provided information submitted to the department from CE Broker. The Board discussed the product as a way for licensees to track their continuing education hours.

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Covert-ByBee asked the Board about what criteria they felt was most important when selecting new board members. She advised the information would be used potentially as a tiebreaker in the selection process.

Covert-ByBee provided an Application Processing Report for informational purposes only.

Topics for next meeting include a Regulations Update, schedule meetings for next year, recognition of Rachel Reiman, model board guidelines and conviction review guidelines and FSBPT report.

There being no further business, the meeting adjourned at 11:27 a.m.

Respectfully submitted,

Tom Victor, Secretary