

Minutes of the October 20, 2022 Board of Physical Therapy Video Conference Meeting

1. ROLL CALL

Betsy Becker, Chairperson, called the meeting of the Board of Physical Therapy to order at 1:00 p.m. on Thursday October 20, 2022, on the Fifth Floor, Conference Room G, 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 October 3, 2022.

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)

Members Absent:

Tom Victor, Member

Staff Present:

Mindy Lester, Assistant Attorney General
TJ O'Neill, Assistant Attorney General
Abby Hoy Nissen, Attorney General's Office
Claire Covert-ByBee, Program Manager
Amy Blinston, Health Licensing Coordinator
Jeff Newman, DHHS Investigations
Anna Harrison, Compliance Monitor

2. ADOPTION OF AGENDA

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

3. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot approving the minutes from the July 20, 2022, Board meeting. Becker, Oliphant, and Peck voted to approve the minutes as written. Victor did not vote. The minutes were approved on August 10, 2022.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Peck moved, seconded by Oliphant to move into closed session at 1:05 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, and Peck. Voting nay: None. Motion carried.

5. BOARD RECOMMENDATIONS ON APPLICATIONS – OPEN SESSION

The Board did not make any recommendations.

6. LICENSURE AND EXECUTIVE ORDER 22-05

Covert-ByBee provided information regarding Executive order 22-05, which extends order 22-02 through December 31, 2022. Boards may continue to meet virtually until the end of 2022. After that date, the requirement is that 51% of meetings are to be attended in person. The Department has put out guidance on EO 22-05 online. This order and all prior EO's may be found on the Governor's website as well.

7. UPDATE ON NEW LICENSURE DATABASE, LANCE

Covert-ByBee advised the Board that the Department decided to discontinue the LANCE project, however, is looking into other options to replace the current licensure database. The Department is interested in better functionality that is more user friendly with an expansion of online services.

8. 2022 FSBPT ANNUAL MEETING AND DELEGATE ASSEMBLY DISCUSSION

Peck is the Nebraska FSBPT delegate and Oliphant is the alternate delegate. Covert-ByBee and Peck will be attending the assembly. Covert-ByBee indicated there are several bylaws revisions to vote on, including qualifications for treasurers, FSBPT membership, qualifications for resolution committee members, editorial changes to standing rules, key functions of FSBPT, and holding the FSBPT Delegate Assembly. Covert-ByBee also advised that the PT Compact Commission Notice of Rulemaking will also be a part of the FSBPT Annual Meeting. The Board briefly discussed the PT Compact, new states are coming onboard to issue compact privileges. Currently, the main impediments are fingerprinting and FBI approval, which is being seen nationwide for a tremendous number of professions and compacts.

9. LIF MEETING REPORT

Becker stated that the LIF meeting covered many of the same topics in preparation for the FSBPT Annual Meeting. Peck indicated the Model Practice Act is in revision and will be presented at the FSBPT Annual Meeting. Revisions to the National PT Exam (NPTE) will also be presented at the meeting. Changes to the exam now include video-based questions.

10. COMMUNICATION WITH STAKEHOLDERS

Becker indicated the Board has the opportunity to consider how they can communicate with stakeholders to provide information, upcoming opportunities, etc. Historically, this Board has utilized the Nebraska APTA Newsletter and made remarks at the spring meeting. Covert-ByBee indicated she is available to present information about licensure to students and graduating classes. Peck remarked that he has received a number of questions about the PT Compact. Also, Peck identified that many states and state chapters need to be educated about the value of the Model Practice Act and how it can be utilized. The Model Practice Act is currently under revision with the goal being to finalize revisions in 2023.

11. SET MEETINGS DATES FOR 2023

Meetings were scheduled for 1:00 p.m. on January 19, April 20, July 13, and October 19, 2023.

12. LICENSURE APPLICATION PROCESSING REPORT

Becker stated the report was included in the meeting documents and was for informational purposes only.

13. TOPICS FOR NEXT MEETING

Topics identified for the next meeting include: Legislative Bills, Executive Orders (if any), Licensure Database, Communication with Stakeholders, FSBPT Annual Meeting Report, and the Application Processing Report (APR).

14. ADJOURNMENT

There being no further business, the meeting adjourned at 2:14 p.m.

Respectfully submitted,

Kirk Peck, Vice-Chairperson