

# BOARD OF PHYSICAL THERAPY

## OPEN SESSION MEETING MINUTES

**April 14, 2021**

**3:30pm to 5:00 pm**

### Virtual Meeting Notice

*Due to the COVID-19 pandemic, all board meetings will be held virtually during the declared public health emergency.*

*Information on how to access the public portion of the meeting is listed below:*

#### **Join by Web**

<https://dcnet.webex.com/dcnet/j.php?MTID=mf4b68e687004defcb607071c9897896c>

#### **Join by Phone**

Call in Number: 1-650-479-3208

Access Code: 475 199 633

**OPEN SESSION APRIL 14, 2021**

OS-0421-01	<p><b><u>CALL TO ORDER AND ROLL CALL- 4:10pm</u></b></p> <p>The April 14, 2021 Open Session meeting was called to order at 4:10pm and a quorum was established.</p> <p><b>Board Members Present:</b></p> <ul style="list-style-type: none"> <li>• Dr. Bernardine Evans – Interim Chairperson</li> <li>• Dr. Nicholas Caylor</li> <li>• Dr. Timothy Vidale</li> </ul> <p><b>Board Member Absent:</b></p> <ul style="list-style-type: none"> <li>• Ana Quinones</li> </ul> <p><b>Board Staff:</b></p> <ul style="list-style-type: none"> <li>• Aisha Nixon – Executive Director</li> <li>• Fatima Abby – Health Licensing Specialist substituting for David Walker</li> <li>• Panravee Vongjaroenrat – Board Attorney substituting for Christopher Boone</li> <li>• Mark Donatelli – Board Investigator</li> </ul> <p><b>Open Session Guest(s):</b></p> <ul style="list-style-type: none"> <li>• Itunu Afolabi, Intern</li> </ul>	
OS-0421-02	<p><b><u>APPROVAL OF THE OPEN SESSION AGENDA</u></b></p> <p><b><u>Motion:</u></b> Motion made by Dr. Caylor to approve the April 14, 2021 Open Session Agenda with adding an addendum matter in regard to individuals who failed the national exam three (3) times. Seconded by Dr. Vidale.</p> <p><b><u>Vote:</u></b> Dr. Caylor, Dr. Vidale, and Dr. Evans voted in favor of the motion. The motion passed unanimously.</p>	
OS-0421-03	<p><b><u>EXECUTIVE DIRECTOR'S REPORT</u></b></p> <ul style="list-style-type: none"> <li>• DC Health/HRLA Operational status remains in teleworks posture due to COVID-19.</li> <li>• The Mayor has extended D.C.'s public health emergency to May 20, 2021. The Mayor's Administrative Order waiving</li> </ul>	

	<p>licensure requirements for those in good standing in another jurisdiction to practice in the District now includes a clause that grants 60 days grace period to complete a contract or obtain a license.</p> <ul style="list-style-type: none"> <li>• District of Columbia will begin registering anyone who is over 16 years old for the vaccine starting on April 19, 2021.</li> <li>• Online licensure portal will be available to the public in April 2021. The staff are continuing to test the online system.</li> <li>• FSBPT Virtual Board Member and Administrator Training will be held in May 2021.</li> <li>• An update on PT Compact was provided.</li> <li>• <u>Licensure Census</u>: There are 1141 licensed physical therapists and 85 licensed physical therapist assistants.</li> </ul>	
OS-0421-04	<p><b><u>BOARD ATTORNEY’S REPORT</u></b></p> <ul style="list-style-type: none"> <li>• Updated was provided on “Removing Barriers to Occupational Licensing for Returning Citizens Amendment Act of 2019”. <ul style="list-style-type: none"> <li>○ The Legislative 2017 was reintroduce on 2019 was initially aimed for Non-Removing Barriers of Licensing, which prohibits the licensing boards from denying the licensing applications due to criminal conviction unless it is directly related to their profession.</li> </ul> </li> </ul>	
OS-0421-05	<p><b><u>CHAIRPERSON’S REPORT</u></b></p> <ul style="list-style-type: none"> <li>• There was no report from Board Chair.</li> </ul>	
OS-0421-06	<p><b><u>MINUTES</u></b></p> <p><b><u>Board Action:</u></b> Consideration of the Open Session Minutes from the March 10, 2020 meeting.</p> <p><b><u>Motion:</u></b> Motion made by Dr. Caylor to approve the March 10, 2021 Open Session meeting minutes. Seconded by Dr. Vidale.</p> <p><b><u>Vote:</u></b> Dr. Caylor, Dr. Vidale, and Dr. Evans voted in favor of the motion. The motion passed unanimously.</p>	
OS-0421-07	<p><b><u>PRESENTATION- 2018 WORKFORCE SURVEY</u></b></p>	

	<p><b><u>Background:</u></b> Itunu Afolabi, Intern from Towson University will provide the Board with an update regarding the 2018 Workforce Survey.</p> <p><b><u>Motion:</u></b> No motion was made. The Board thanked Ms. Afolabi for her presentation.</p>	
OS-0421-08	<p><b><u>DELEGATED AUTHORITIES</u></b></p> <p><b><u>Board Action:</u></b> The Board is to review the clarification in the approved delegated authorities and determine whether to accept.</p> <p><b><u>Background:</u></b> During March 2021 meeting, the Board voted to adopt the delegated authorities. A small amendment has been proposed that clarify that ED may request the issuance of a subpoena and Board Attorney may sign it.</p> <p><b><u>Motion:</u></b> Motion made by Dr. Caylor to approve the updated delegated authorities. Seconded by Dr. Vidale.</p> <p><b><u>Vote:</u></b> Dr. Caylor, Dr. Vidale, and Dr. Evans voted in favor of the motion. The motion passed unanimously.</p>	
	<p><b><u>SCOPE OF PRACTICE REVISION</u></b></p> <p><b><u>Board Action:</u></b> Review and discuss whether to update current scope of practice.</p> <p><b><u>Background:</u></b> The Health Regulation and Licensing Administration is currently in the process of updating the Health Occupational and Revisions Act (HORA). All Boards have been encouraged to review and potential update its scope of practice.</p> <p>(12)(A) “Practice of physical therapy” means the independent evaluation of human disability, injury, or disease by means of noninvasive tests of neuromuscular functions and other standard procedures of physical therapy, and the treatment of human disability, injury, or disease by therapeutic procedures, embracing the specific scientific application of physical measures to secure the functional rehabilitation of the human body. These measures include</p>	

the use of therapeutic exercise, therapeutic massage, heat or cold, air, light, water, electricity, or sound for the purpose of correcting or alleviating any physical or mental disability, or preventing the development of any physical or mental disability, or the performance of noninvasive tests of neuromuscular functions as an aid to the detection or treatment of any human condition.

**(B)** “Practice by physical therapy assistants” means the performance of selected physical therapy procedures and related tasks under the direct supervision of a physical therapist by a person who has graduated from a physical therapy assistant program accredited by an agency recognized for that purpose by the Secretary of the Department of Education or the Council of Postsecondary Accreditation.

**(C)** Nothing in this paragraph shall be construed as preventing or restricting the practices, services, or activities of a physical therapy aide who works only under the direct supervision of a physical therapist, and whose activities do not require advanced training in, or complex application of, therapeutic procedures or other standard procedures involved in the practice of physical therapy.

<https://code.dccouncil.us/dc/council/code/sections/3-1201.02.html>

<https://www.fsbpt.org/Free-Resources/Licensing-Authorities-Contact-Information>

<http://www.visalaw.com/wpcontent/uploads/2014/10/ptchart.pdf>

**Motion:**

Motion made by Dr. Caylor to table to the May meeting. Seconded by Dr. Vidale.

**Vote:**

Dr. Caylor, Dr. Vidale, and Dr. Evans voted in favor of the motion. The motion passed unanimously.

The Board requested clarification on support personnel. In addition, the Board requested to change the title of physical therapy assistant to physical therapist assistant. The Board also pointed out that an individual who teaches physical therapy should be required to have a license. However, if someone teaches science, anatomy, kinesiology, physiology then they do not need a license. The Board had questions whether or not the regulation/law will need to specify the courses.

OS-0421-09	<p><b><u>ASSESSMENT FEE SCHEDULE</u></b></p> <p><b><u>Board Action:</u></b> Review and determine whether to approve the draft assessment fee schedule.</p> <p><b><u>Background:</u></b> To assist the Board with its work, Board Staff drafted an assessment fee schedule for the Board to review. The schedule features the Board’s most frequently assessed matters.</p> <p><b><u>Motion:</u></b> No motion was made. The Board reviewed the drafted assessment fee form and provided their suggestion on proposed fine costs.</p>	
ADDENDUM	<p><b><u>EXAM REMEDIATION FOR FAILED APPLICANTS:</u></b></p> <p><b><u>Board Action:</u></b> The Board is to decide on what type of remediation plan will be required from those who failed the exam three (3) times. Applicants who failed the national exam three (3) times</p> <p><b><u>Motion:</u></b> Motion made by Dr. Caylor to request that the remediation will need to include a board-approved prep course and a statement of self-reflection. Seconded by Dr. Vidale.</p> <p><b><u>Vote:</u></b> Dr. Caylor, Dr. Vidale, and Dr. Evans voted in favor of the motion. The motion passed unanimously.</p>	
OS-0421-11	<p><b><u>OPEN SESSION CONSENT AGENDA</u></b></p> <p><b><u>Board Action:</u></b> Consideration of the applications approved for purposes of review and/or ratification of Board actions taken since the last Board meeting.</p> <p><b><u>Background:</u></b> The Consent Agenda is a record of the decisions and/or actions taken by the Board or its staff since the last meeting.</p> <p><b><u>Motion:</u></b></p>	

	<p>Motion made by Dr. Vidale to accept the Open Session Consent Agenda. Seconded by Dr. Caylor.</p> <p><b><u>Vote:</u></b> Dr. Caylor, Dr. Vidale, and Dr. Evans voted in favor of the motion. The motion passed unanimously.</p>	
OS-0421-12	<p><b><u>MOTION TO CLOSE</u></b></p> <p><b><u>Board Action:</u></b> To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).</p> <p><b><u>Background:</u></b> Upon conclusion of the open session meeting pursuant to the DC Official Code 2-575(b) and for the purposes set forth therein, the Board will move into the closed executive session portion of the meeting to consult with the Board attorney, discuss disciplinary matters and hear reports concerning violations of the law or regulations.</p> <p><b><u>Motion:</u></b> Motion made by Dr. Vidale to close the open session portion of the meeting. Seconded by Dr. Caylor.</p> <p><b><u>Vote:</u></b> Dr. Caylor, Dr. Vidale, and Dr. Evans voted in favor of the motion. The motion passed unanimously.</p>	

**The next open session meeting scheduled for May 12, 2021 at 3:30pm.**

**The Open Meetings Act governs this meeting. Please address any questions or complaints arising under this meeting to the Office of Open Government at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov).**