

BOARD OF PHYSICAL THERAPY

OPEN SESSION MINUTES

NOVEMBER 08, 2023

2:30 pm

HYBRID MEETING NOTICE

Due to the COVID-19 pandemic, the Board will have a hybrid schedule of in-person and virtual meetings. In-person meetings will resume in FY 2024, meeting dates can be found on the Board's webpage.

In-person meetings will be at 899 North Capitol Street, NE, 2nd Floor, Washington, DC 20002.

Information on how to access the public portion of the meeting virtually 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

BOPT Mission Statement:

"To provide oversight to licensed professionals and ensure the health and safety of citizens and visitors in the District of Columbia through the provision of health care services."

OPEN SESSION MINUTES NOVEMBER 08, 2023

OS-1123-01	<p>CALL TO ORDER AND ROLL CALL</p> <p>November 8, 2023, Open Session meeting was called to order at 2:37 pm and a quorum was established.</p> <p>Board Members:</p> <ul style="list-style-type: none"> • Dr. Bernardine Evans Board Chairperson –Present • Dr. Tim Vidale -Present • Ana Quinones – Present • Dr. Nicholas Caylor – Present <p>Board Staff:</p> <ul style="list-style-type: none"> • LaTrice Herndon –Executive Director • Tamika Wells – Health Licensing Specialist • Joanne Drozdoski – Board Attorney • Mark Donatelli – Board Investigator <p>Visitor:</p> <ul style="list-style-type: none"> • Corie Tillman Wolf- Executive Director Virginia Board of Physical Therapy • Titilayo Akinmusuru– Physical Therapist • Jaisie Stevens – DC APTA President • Lola Oybefun – Physical Therapist 	
OS-1123-02	<p>APPROVAL OF THE OPEN SESSION AGENDA</p> <p>Board Action: Consideration of the Open Session Agenda from the November 8, 2023, meeting.</p> <p>Motion: Motion made by Dr. Caylor to approve November 8, 2023, and amend the date and to table item OS-1123-09 for the next board meeting. Seconded by Dr. Vidale.</p> <p>Vote: Dr. Evans, Dr. Caylor, Dr. Vidale and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-03	<p>EXECUTIVE DIRECTOR’S REPORT</p> <p>Operational Status</p> <ul style="list-style-type: none"> ○ The Committee on Health unanimously voted in favor of Acting Director Bennett's nomination, which was later approved by Council on November 7th. <p>New License Type/Pathway</p> <p>Board Vacancies/MOTA Update</p> <ul style="list-style-type: none"> ○ The Physical Therapy Board is currently in need of a licensed Physical Therapist, Physical Therapy Assistant and Consumer Member. For more information, please contact Executive Director LaTrice Herndon at LaTrice.Herndon@dc.gov or click here to apply <p>Advisory Committees</p> <ul style="list-style-type: none"> ○ Health professionals and Board members will be receiving an email requesting their participation in the advisory committees. Their role would be to update the regulations of the various Boards in light of the introduction of compacts. 	

- The HORA Revision hearing will be held in December.

Compact Updates

- The Board is currently issuing compact privileges as of November 6, 2023.

Licensure Census

- **Physical Therapist 1368**
- **Physical Therapy Assistant 82**

Legislative Updates

Health Occupations Revision Act (HORA) Update:

- DC Health worked on a significant revision of the HORA. This would be the first significant revision in seventeen years.
- The revised HORA received Mayoral approval and has been introduced in the Council as the *Health Occupations Revision General Amendment Act of 2023* ([B25-0545](#)).
- A hearing is scheduled for December 7th.

Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:

- Councilmembers Henderson and Parker introduced the *Health Professional Licensing Boards Residency Requirement Amendment Act of 2023* ([B25-0312](#)) on June 2, 2023.
 - This legislation would permit non-District residents to serve on health professional licensing boards.
 - There would be restrictions, including that the Board Chair and Consumer Members would continue to need to be District residents and no more than 50% of the Board could be made up of non-District residents.
- This bill received a hearing on [July 13, 2023](#). DC Health testified during this hearing and expressed support for the need for innovative solutions to fill board vacancies and offered some changes to the bill. It was voted out of the Committee on Health during a markup on [September 26th](#) and was passed on first reading by the Committee of the Whole on October 3rd.
- The bill passed on final reading on November 7th and is awaiting Mayoral approval.

DC Health Director Appointment:

- On June 8th, Mayor Bowser [announced](#) the appointment of Dr. Ayanna Bennett as DC Health Acting Director.
 - Dr. Bennett is a healthcare and public health executive with more than 20 years of experience in clinical practice, clinical service design, system integration, and quality improvement. Dr. Bennett most recently served as Chief Health Equity Officer and Director of the San Francisco Department of Public Health's Office of Health Equity.
- The Committee on Health held a confirmation hearing on [October 5th](#). During the roundtable, Acting Director Bennett expressed her eagerness and excitement to take on the role, highlighting her qualifications for the position. The hearing also included testimonies from members of the public who voiced

	<p>their support for the new director and discussed the key issues they hope the Director will prioritize.</p> <ul style="list-style-type: none"> ○ Acting Director Bennett’s nomination was unanimously voted out of the Committee on Health and was then unanimously approved by the entire Council on November 7th. <p>DC Health Social Media Handles:</p> <ul style="list-style-type: none"> ○ Facebook: @dchealth ○ Twitter: @_DcHealth ○ TikTok: @dchealth ○ Instagram: @dchealth 	
OS-1123-04	<p>BOARD ATTORNEY’S REPORT</p> <ul style="list-style-type: none"> ○ The HORA Revision hearing is scheduled for December 7, 2023. 	
OS-1123-05	<p>CHAIRPERSON’S REPORT</p> <ul style="list-style-type: none"> ○ In October, Dr. Evans participated in the Education Leadership Conference (ELC) held in Philadelphia, PA. She also acted as a delegate for The Federation of State Boards of Physical Therapy (FSBPT) at their Annual Education Meeting in Jacksonville, Florida. The conference revolved around the DEIB (diversity, equity, inclusion, and belonging) framework, which emphasizes the importance of these four concepts in fostering a productive and innovative team environment in any organization. <p>Combine Board proposal:</p> <ul style="list-style-type: none"> ○ Dr. Evans, the Board members, and visitors expressed their worries about the merger proposal that combines the Board of Physical Therapy with the Boards of Occupational Therapy and Audiology & Speech Language Pathology. As per the proposal, the new name of the merged Board will be The Board of Rehabilitative Therapy. <p>DC Physical Therapy Compact:</p> <ul style="list-style-type: none"> ○ Dr. Evans extended a warm invitation to Ms. Corie Tillman Wolf, the Executive Director of the Virginia Board of Physical Therapy, to share her experience with the Physical Therapy compact. Having joined the PT compact in 2018, the Virginia Board shared their wealth of knowledge to offer on this topic. 	
OS-1123-06	<p>MINUTES</p> <p><u>Board Action:</u> Consideration of the Open Session Minutes from October 11, 2023.</p> <p>Motion: Motion made by Dr. Caylor to amend the October 11, 2023, Open Session minutes. Seconded by Ms. Ana Quinones.</p> <p>Vote: Dr. Evans, Dr. Caylor, Dr. Vidale and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-07	<p>Open Session Consent Agenda</p> <p><u>Board Action:</u> Consideration of the applications approved for purposes of review and/or ratification of Board actions taken since the last Board meeting.</p>	

	<p>Motion: Motion made by Dr. Caylor to amend November 8, 2023, consent agenda. Seconded by Ms. Ana Quinones.</p> <p>Vote: Dr. Evans, Dr. Caylor, Dr. Vidale and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-08	<p>Administrative Fee Schedule and Standard Fines</p> <p><u>Board Action:</u> The Board will review the assessment and fee schedule to determine the associated fees and ascertain whether any further adjustments to the fee schedule are necessary.</p> <p><u>Background:</u> On May 12th, 2021, the Board conducted a review of the Administrative Fee Schedule and Standard Fines. The Board staff are requesting the Board review and make any necessary revisions to the schedule.</p> <p>Motion: Motion made by Dr. Caylor to approve the following assessments schedule as proposed:</p> <ul style="list-style-type: none"> ○ Practicing with an Expired License Physical Therapist \$500 Physical Therapy Assistant \$250 ○ Practicing without a license or certification Physical Therapist \$1000 Physical Therapy Assistant \$500 ○ Aiding and Assisting Unlicensed Practice Physical Therapist \$1500 per month Physical Therapy Assistant \$1500 per month ○ Continuing Education Unit Deficiency Physical Therapist \$ 200 per CEU Physical Therapy Assistant \$ 100 per CEU ○ Misrepresentation/Failure to Disclose Physical Therapist \$ 1000 Physical Therapy Assistant \$ 500 <p>Seconded by Ms. Ana Quinones.</p> <p>Vote: Dr. Evans, Dr. Vidale, Dr. Caylor and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-09	<p><u>Flex Therapist CEU</u></p> <p><u>Board Action:</u></p>	

	<p>Review and determine whether to approve Flex Therapist three (3) out the eleven (7) pending CEU applications.</p> <ul style="list-style-type: none"> ○ Erlers-Danlos Syndromes Compiled 1 CEU. ○ Gluteus Muscle Function and Strengthening - A Practical Assessment and Application 1 CEU. ○ Human Trafficking-Training for Healthcare Practitioners 2.0CEU <p>Background: Flex Therapist organization has submitted fifteen (15) applications for CEU approval. The applications have been sent to the Board Chair for initial review.</p> <p>Motion: Motion made by Dr. Caylor Flex Therapist submit complete agendas for the following courses. Seconded by Ms. Ana Quinones.</p> <p>Vote: Dr. Evans, Dr. Vidale, Dr. Caylor and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-10	<p><u>Flex Therapist CEU</u> <u>Board Action:</u> Review and determine whether to reconsider Flex Therapist three (3) CEUs.</p> <ul style="list-style-type: none"> ○ AFO - Ankle Foot Orthoses: Analysis & Application of Various Types <p>Background: Flex Therapist has requested the Board reconsider the AFO - Ankle Foot Orthoses: Analysis & Application of Various Types course for three (3) CEUs. They have pointed out that the course duration is calculated based on word count, based on the IACET (International Accreditors for Continuing Education and Training) approval standard of 6,000 words per hour. The total word count for the AFO course is 18147.</p> <p>Motion: Motion made by Dr. Caylor to deny Flex Therapist request to approve AFO Ankle Foot Orthoses: Analysis & Application of Various Types for three (3). Seconded by Ms. Ana Quinones</p> <p>Vote: Dr. Evans, Dr. Vidale, Dr. Caylor and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-11	<p><u>Barber’s Driving School CEU</u> <u>Board Action:</u> Review and determine whether to approve Barber’s Driving School course Clinical Driver Evaluations for ten (10) CEUs.</p> <p>Background:</p>	

	<p>This introductory/ Intermediate level course for physical therapist uses models as a unique collaborative approach to the delivery of driver services that fall within the spectrum of driver services.</p> <p>Motion: Motion made by Ms. Ana Quinones to deny Barber’s Driving School course Clinical Driver Evaluations for ten (10) CEUs due to course being out of scope of practice. Seconded by Dr. Vidale.</p> <p>Vote: Dr. Evans, Dr. Vidale, and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-12	<p><u>ASPIRE OMT CEU</u></p> <p><u>Board Action:</u> Review and determine whether to approve the following courses:</p> <ul style="list-style-type: none"> ○ ASPIRE OMT course COMT 4 – Cervico-thoracic Evaluation and Management for twenty-one (21) CEUs. ○ COMT 5 Lumbo-pelvic Evaluation and Management for twenty-one (21) CEUs. <p><u>Background:</u></p> <ul style="list-style-type: none"> ○ The course on Cervico-thoracic Evaluation and Management is a lab intensive course applies clinical reasoning and a comprehensive biomechanical musculoskeletal assessment and examination skills of the lower thoracic and cervical spines utilized by the physical therapist in the clinical setting. ○ The course on Lumbo-pelvic Evaluation and Management is lab-intensive course applies clinical reasoning and a comprehensive biomechanical musculoskeletal assessment and examination skills of the lower thoracic and lumbar spines utilized by the physical therapist in the clinical setting. <p>Motion: Motion made by Dr. Caylor to approve ASPIRE OMT course COMT 4 Cervico-thoracic Evaluation and Management for twenty-one (21) CEUs and o further provide clarification on the certificate if the course is either a live interactive webinar or in online synchronous course. Seconded by Ms. Ana Quinones.</p> <p>Motion: Motion made by Dr. Caylor to approve ASPIRE COMT 5 Lumbo-pelvic Evaluation and Management for twenty-one (21) CEU and o further provide clarification on the certificate if the course is either a live interactive webinar or in online synchronous course. Seconded by Ms. Ana Quinones.</p> <p>Vote: Dr. Evans, Dr. Vidale, Dr. Caylor and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	
OS-1123-13	<p><u>Public Inquiry (Scope of Practice of Pessary fitting and Management)</u></p> <p><u>Board action:</u></p>	

	<p>The Board is to determine whether the position statement of Pessary Fitting and Management falls under the scope of practice in the District of Columbia.</p> <p>Background: The Board received an inquiry from a licensed Physical therapist inquiring about pessary fitting and management.</p> <p>Table until next schedule meeting</p>	
OS-1123-14	<p>MOTION TO CLOSE</p> <p>Board Action: To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).</p> <p>Background: 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>The Open Session Agenda continues the next page with 'Motion to Adjourn'. The next meeting is scheduled for December 13, 2023 (Virtual)</p> <p>Motion: Motion made by Dr. Caylor to close the November 8, 2023, Open Session agenda at 4:30pm. Seconded by Dr. Vidale.</p> <p>Vote: Dr. Evans, Dr. Vidale and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p> <p>Vote: Dr. Evans, Dr. Vidale, Dr. Caylor and Ms. Ana Quinones voted in favor of the motion. The motion passed unanimously.</p>	

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

FYI

FYI-1123-01	<p>DELEGATED AUTHORITIES</p> <p>Update: Continuing Education Course Approval application is currently posted on the website.</p> <p>Background:</p>	
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	<p>The latest version of the Board Delegated Authorities was approved on April 14, 2021. The approved Delegated Authorities were put in place with the goal of facilitating administrative and standardized Board processes.</p>	
<p>FYI-1123-03</p>	<p>Brenau University Department of Physical Therapy</p> <p>Update: Dr. Evans made an announcement stating that the Board does not approve of the SARA laws. It is the office of the Attorney General or OIG that approves this law. The university will need to reach out to the relevant office for further guidance.</p> <p>Background: On September 13, 2023, the Board Motion to table item OS-0923-10 until the next schedule meeting on October 11, 2023, for further update and clarification from Dr. Evans. The Board was to determine whether Brenau University Doctor of Physical Therapy (DPT) program meets the District of Columbia licensure requirements. Brenau University submitted a letter to the Board about changes in the federal regulations and the SARA compact. The university requests that the Board review its program curriculum material and determine whether it meets licensure requirements in the District of Columbia. Dr. Evans was in contact with Ms. Heather Ross from the DPT program at this institution. This program is CAPTE accredited but their accreditation expires 12/31/23.</p>	