

**HEALTH REGULATION AND LICENSING ADMINISTRATION
&
HEALTH OCCUPATIONS BOARDS**

BOARD OF PHYSICAL THERAPY
AUTHORITY FOR GUIDANCE

JUNE 2014
DATE OF POLICY

14-001
POLICY NO.

POLICY STATEMENT

**POLICY FOR BOARD MEMBERS TO PARTICPATE IN BOARD MEETINGS VIA
VIDEO OR TELEPHONE CONFERENCE**

This policy statement is issued to set forth the procedures for a Board member to participate in a Board meeting by video or telephone conference.

The District of Columbia Open Meetings Act (the “Act”) permits the Board to convene for a meeting by video or telephone conference.¹ In order for the Board to convene by video or telephone conference, the Act requires that three (3) general conditions be met:

- 1) Reasonable arrangements are made to accommodate the public’s right to attend the meeting;
- 2) The meeting is recorded; **and**
- 3) All votes are taken by roll call.

As an alternative to being physically present, the Act also permits a member or members to participate in a meeting via video or telephone conference while the remainder of the Board convenes, in-person, at its meeting place.

In addition to the general conditions set forth above, it shall be the policy of the Board that a Board member may participate in a Board meeting by video or telephone conference where the following conditions are met:

- A member who is not physically present at the location of the meeting may participate by video or telephone conference technology, only;
- No member may participate by proxy;
- A majority of members necessary to constitute a quorum must be physically present at the physical meeting space, i.e. (2) of the (3) members required to constitute a quorum must be physically present at the location of the meeting.

¹ See D.C. Official Code § 2-577(a) (2012)

- The participation of an absent member by video or telephone conference is permissible only when such an absence is due to the physical or geographical inability of the member to be physically present at the location of the meeting, i.e. illness or injury of the member; illness or injury of the member's family member for whom the member's care is required; or the member is temporarily located at such a distance, due to travel, that the member cannot appear in person for the meeting.
- A member shall participate in no more than two (2) board meetings via telephone or video conference per calendar year.
- The absent member who intends to participate by video or telephone must be situated such that he or she is able to review, in real time, the same materials provided to the Board members who are physically present in the physical meeting space. The absent member may accomplish this by reviewing such materials that have been delivered by postal mail, e-mail, or other document-sharing mechanism.
- The absent member intending to participate by video or telephone conference shall be in a location that is private such that confidential and sensitive information communicated during the meeting shall not be overheard or otherwise intercepted by unauthorized persons.
- The absent member intending to participate by video or telephone conference shall be situated in a location without distraction such that their full and undivided attention may remain on the matters presented to them during the meeting. For example, the absent member shall not participate in the meeting while exercising or performing the duties of an occupation other than that of their service as a Board member.