

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
STATE PHYSICAL THERAPY AND OCCUPATIONAL THERAPY BOARD**

**MINUTES OF TELECONFERENCE MEETING**

**JULY 6, 2007**

By the authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, a scheduled teleconference meeting of the State Physical Therapy and Occupational Therapy Board was held on July 6, 2007 in Conference Room A, State Office Building 333 Willoughby Ave, Juneau, Alaska.

**Friday, July 6, 2007**

**Agenda Item 1      Call to Order/Roll Call**

The meeting was called to order by Mary Ann Paul, PT, Chair, at 12:00 p.m.

Those present, constituting a quorum of the Board, were:

Mary Ann Paul, PT, Chair  
Jay McDiarmid, PT  
Jo Boehme, OT/L  
Cheryl Abitz, OT/L  
Alec Kay, PT  
Gary Burleson, Public Member

Staff Present:

Judy Weske, Licensing Supervisor  
Jun Maiquis, Regulations Specialist  
Steve Winker, Paralegal

Dr. Julius Brecht, MD was unable to attend due to prior commitments.

**Agenda Item 2      Review/Approve Agenda**

No changes to the agenda.

**On a motion by Burleson, seconded by Boehme and carried  
unanimously it was**

**RESOLVED to approve the agenda.**

**Agenda Item 3      Memorandum of Agreement**

The board reviewed the Memorandum of Agreement in Case No. 2702-07-002 regarding failure to complete to continuing education for license renewal. Jo Boehme noted there was a typographical error on page 7. Steve Winker will make correction on original MOA.

**On a motion by Abitz, seconded by Burleson and carried unanimously by roll call vote it was**

**RESOLVED to accept the MOA in the matter of Kay Levenson.**

**Agenda Item 4      Regulation Review**

**On a motion by Kay, seconded by Abitz and carried unanimously by roll call vote it was**

**RESOLVED to adopt 12 AAC 54.040 as drafted.**

**On a motion by Burleson, seconded by Boehme and carried unanimously by roll call vote it was**

**RESOLVED to adopt 12 AAC 54.100 as drafted.**

The board discussed changes to 12 AAC 54.410 regarding waiving continuing education for therapists engaged in active duty military service. A few comments had been received from the public on the proposed change and the board decided that additional research was needed before adoption. This regulation was initiated based on a new statute enacted in 2005 (AS 08.01.100(f)) which allows a board to provide for a waiver of CE for the period in which a licensee is engaged in active duty military service.

**On a motion by Burleson, seconded by Abitz and carried unanimously by roll call vote it was**

**RESOLVED to table proposed changes to 12 AAC 54.410 and 12 AAC 54.710 until the October 2007 meeting to allow for further research.**

The AOTA had submitted written comment on 12 AAC 54.600; specifically, making sure that changes reflect an individual only has to meet either (A); (B); or (C) and not all three (12 AAC 54.600(A) or (B) or (C)).

**On a motion by Kay, seconded by Abitz and carried unanimously by roll call vote it was**

**RESOLVED to adopt 12 AAC 54.600 as amended.**

**On a motion by Burleson, seconded by McDiarmid and carried unanimously by roll call vote it was**

**RESOLVED to adopt 12 AAC 54.610 as drafted.**

**On a motion by Burleson, seconded by Boehme and carried unanimously by roll call vote it was**

**RESOLVED to adopt 12 AAC 54.800 as drafted.**

The board requested that the website of the AOTA be added to the Editor's Note.

The board stated on the record that there would be no cost to the public as a result of adopting these regulations.

**On a motion by Boehme, seconded by Kay and carried unanimously by roll call vote it was**

**RESOLVED to adopt 12 AAC 54.080 as drafted.**

The board discussed the written comment received on 12 AAC 54.500, 510, 520, 800(b) and 815. The board believes there was misunderstanding on the part of the individuals commenting regarding the intent of the changes. Due to the amount of comment received, the board discussed tabling the project until the October 2007 meeting so that additional research can be done regarding how other state boards address this issue. Judy Weske agreed to conduct a "quick poll" with the FSBPT for input on how other states address the use of aides. Results of the quick poll will be forwarded to members prior to the board meeting.

The board discussed whether to allow oral comment or additional written comment at the October meeting and decided against it. The board felt it was not necessary to allow for additional comment; Jay McDiarmid stated that more than likely the findings of the research may result in a change to the proposed wording and the project will get noticed again, thereby allowing another time of comment.

**On a Motion made by Abitz and seconded by Burleson and carried unanimously by roll call vote it was RESOLVED to table action on 12 AAC 54.500, 510, 520, 800(b) and 815 to the October 4-5, 2007 meeting so that additional research may be conducted.**

The board confirmed there would be no cost to the public as a result of adopting 12 AAC 54.080.

The Board having no further business to discuss adjourned the meeting at 12:55 p.m.

Respectfully Submitted:

\_\_\_\_\_  
Judy Weske, Licensing Supervisor

Approved:

\_\_\_\_\_  
Mary Ann Paul, PT, Chair

Date: \_\_\_\_\_