



Alaska Board of Physical Therapy and Occupational Therapy Meeting Sept 6, 2024 Minutes

Alaska Division of Corporations, Business and Professional Licensing
Friday, September 6, 2024 at 9:00 AM AKDT
@ Juneau - Zoom

1. Call to Order

The Physical Therapy and Occupational Therapy Board Meeting was called to order on Friday, September 6, 2024 by board chair, Tina McLean at 9:01 am. Meeting held virtually on Zoom.

A. Roll Call

- i. Roll call taken by Tina McLean.
- ii. Board members present: Tina McLean, Chair; Jonathan Gates, Victoria "Tori" Daugherty, Rebecca Dean, Valerie Phelps, Enlow Walker, Secretary. Quorum established - 6 of 6 appointed board members present. One vacant position - OT/OTA - available on the PHY board.
- iii. Staff: Shane Bannarbie, Program Coordinator 1 – present; Sheri Ryan, Licensing Examiner – present.
- iv. Public: Hannah Bargabos - joined at 9:06 am

B. Declarations of Conflicts of Interest/Ethics Reporting

Each board member declared no conflict of interest.

2. Review/Approval Agenda

Chair Tina McLean requested that board consider adding discussion on adding attestation to renewal/reinstatement applications that applicants have not worked in the State of Alaska since their license lapsed.

Valerie Phelps moved to amend agenda to include discussion on attestation statement on renewal/reinstatement applications for applicants that they have not worked in State of Alaska since their license lapsed. Motion seconded by Rebecca Dean. All in favor; none opposed. Motion to amend application to included discussion on attestation statement on renewal/reinstatement application that applicants have not worked in State of Alaska since their license lapsed passes unanimously.

Action Item:

Staff to amend draft agenda posted online.

3. Public Comment

Heidi Bargabos joined the meeting at 9:06 am. Ms. Bargabos has a reinstatement application being considered at today's meeting and gave public testimony regarding her situation and why she did not meet her continuing education requirements in the concluding licensing period of 07/01/2022 through 06/30/2024.

Enlow Walker moved to amend the agenda to move Ms. Bargabos' application forward for discussion since she was in attendance. Motion seconded by Tori Daugherty. All in favor; none opposed. Motion to amend the agenda to move Ms. Bargabos' application forward for discussion approved unanimously.

4. Tabled Applications for Discussion

A. Heidi Bargabos - PTA by Reinstatement

Discussed 12 AAC 54.950 Reinstatement of a Lapsed License and 12 AAC 02.965 Failure to Meeting Continuing Education Requirements for Renewal and Reinstatement of License and ability of Board to grant ability for applicants to earn required CE after their license has lapsed per 12 AAC 02.965 " With the appropriate board or department approval, an applicant for renewal or reinstatement of a lapsed license may earn the required number of credits after the expiration date of the license." Ms. Bargabos has completed the required total amount of continuing education - 24 contact hours - but not all the hours have been completed within the "concluding licensing period" of 07/01/2022 through 06/30/2024. Only 6 contact hours were completed in the correct time frame - one contact hour was not allowed per 12 AAC 54.410(e)(3) as OSHA course.

Enlow Walker moved for staff to send letter to Heidi Bargabos - PTA license #157060 - notifying her that her application for reinstatement is conditionally approved per 12 AAC 02.965 for the following:

- 1. Application brought into compliance with verification of any needed CE deficit and**

2. **Statement of compliance amended from "Yes" to "None of these situations described above fits my situation" and**
3. **Letter of explanation to be sent by applicant.**

Applicant to be given 30 days to comply once letter is sent by staff. Staff to issue letter to applicant and administratively issue license once all items have been accomplished. Motion seconded by Valerie Phelps. All in favor; none opposed. Motion to send letter to Heidi Bargabos - PTA license #157060 - notifying her that her application for reinstatement is conditionally approved per 12 AAC 02.965 passes unanimously.

License to be issued once she has submitted verification of any needed CE deficit, application amendment of her statement of compliance as requested, and letter of explanation. 30 days to submit requested information once letter is sent by staff.

Action Item:

Staff to issue letter to Ms. Bargabos, PTA License #157060 regarding conditional reinstatement approval as requested.

B. Hannah Swiger - PT by Reinstatement

Ms. Swiger provided additional CE for consideration 08-28-2024.

Discussion regarding 12 AAC 54.420(c); evolution of continuing education requirements for therapists and how interwoven topics are and contribute to patient care.

Rebecca Dean moved that the Physical Therapy and Occupational Therapy board determines the "Optimize Your Career to Beat Burnout" courses Part 1, 2, and 3 for a total of 4 contact hours meets the criteria of 12 AAC 54.420(c) and are approved for continuing education. Motion seconded by Tori Daugherty. All in favor; none opposed. Motion that the Physical Therapy and Occupational Therapy board determines the "Optimize Your Career to Beat Burnout" courses Part 1, 2, and 3 for a total of 4 contact hours meets the criteria of 12 AAC 54.420(c) and are approved for continuing education passes unanimously.

Tori Daugherty moved that the reinstatement application for Hannah Swiger, PT #163124 be approved. Motion seconded by Valerie Phelps. All in favor; none opposed. Motion that the reinstatement application for Hannah Swiger #163124 be approved passes unanimously.

Action Item:

Staff to reinstate license for Hannah Swiger, PT #163124 effective 9/6/2024 and notify licensee.

C. Kelsey Leak - PTA by Reinstatement

Ms. Leak provided CE completed in the correct time period 08/29/2024.

Board discussed original reinstatement application filed 8-1-2024 by Ms. Leak not meeting continuing education requirement but additional verification provided on 8/29/2024 that shows she meets continuing education requirement and all CE completed within correct time period.

Rebecca Dean moved to approve reinstatement application for Kelsey Leak - PTA #119830 with the recently submitted continuing education provided 08/29/2024. Motion seconded by Tori Daugherty. All in favor; none opposed. Motion to approve reinstatement application for Kelsey Leak -PTA #119830 with the recently submitted continuing education provided 08/29/2024 passes unanimously.

Action Item:

Staff to reinstate license for Kelsey Leak, PTA #119830 effective 9/6/2024 and notify licensee.

D. James Bianchi - PT by Reinstatement

Mr. Bianchi has completed all required 12 contact hours for renewal however, the CE was completed outside the required concluding licensing period of 07/01/2022 through 06/30/2024 required under 12 AAC 54.410(a)(1). Mr. Bianchi completed 20 hours of CE on 07/10/2024. All other professional competency requirements for renewal have been met. Discussion regarding 12 AAC 54.950 and 12 AAC 02.965 and how it applies to Mr. Bianchi's situation.

Valerie Phelps moved for staff to send letter to James Bianchi - PT license #221383 - notifying him that his application for reinstatement is conditionally approved per 12 AAC 02.965 for the following:

- 1. Application brought into compliance with verification of any needed CE deficit and**
- 2. Statement of compliance amended from "Yes" to "None of these situations described above fits my situation" and**
- 3. Letter of explanation to be sent by applicant.**

Applicant to be given 30 days to comply once letter is sent by staff. Staff to issue letter to applicant and administratively issue license once all items have been accomplished. Motion seconded by Jonathan Gates. All in favor; none opposed. Motion to send letter to James Bianchi - PT license #221383 - notifying him that his application for reinstatement is conditionally approved per 12 AAC 02.965 passes unanimously.

License to be issued once he has submitted verification of any needed CE deficit, application amendment of his statement of compliance as requested, and letter of explanation is approved. 30 days to submit requested information once letter sent by staff.

Action Item:

Staff to issue letter to Mr. Bianchi, PT License #221383 regarding conditional reinstatement approval as requested.

5. Attestation Statements for Late Renewal/Reinstatement Applications

Discuss need for statement on late renewal and reinstatement applications for therapists that they have not been working in Alaska with a lapsed license.

Board expressed concern there is no way to know if an applicant applying for late renewal/reinstatement under 12 AAC 54.950(b) or (c) is working or has worked beyond the lapse date of their license. 12 AAC 54.950(a) states "a licensee whose license is lapsed for any reason is prohibited from practicing physical therapy or occupational therapy until the license is reinstated by the board." Board discussed possible solutions. PHY board would like to make the following changes to how reinstatements are processed:

- Include attestation statement on the reinstatement application that reads as follows: "I have not worked in the state of Alaska since my license has lapsed." with Yes or No choice option. If no, explanation to be included.
- Renewal application for 2026 - Bold the text - "None of these situations" so it stands out as the 3rd option so that licensees see it better.
- Add FAQ to website for "what do I do if I didn't complete my continuing education in the "concluding licensing period"?"
- Discontinue the shortcut of allowing licensees who have been lapsed less than 2 years from filing a renewal application. All lapsed licenses must use a reinstatement application.

- Amend reinstatement application completely - last updated 2014. Include instructions sheet.
6. Meeting Summary - Action Items

Action Items:

1. Staff to amend draft agenda for September 6, 2024 meeting posted online.
 2. Staff to issue letter to Ms. Bargabos, PTA License #157060 regarding conditional reinstatement approval as requested.
 3. Staff to reinstate license for Hannah Swiger, PT #163124 effective 9/6/2024 and notify licensee.
 4. Staff to reinstate license for Kelsey Leak, PTA #119830 effective 9/6/2024 and notify licensee.
 5. Staff to issue letter to Mr. Bianchi, PT License #221383 regarding conditional reinstatement approval as requested.
 6. Staff to revise reinstatement application forms #08-4388 + #08-4570.
 7. Staff to add FAQ to website for "What do I do if I didn't complete my continuing education in the "concluding licensing period"?"
7. Adjourn

The Physical Therapy and Occupational Therapy Board meeting was adjourned at 10:50 am AKDT on Friday, September 6, 2024.

Next meeting scheduled for Thursday, October 24 + Friday, October 25, 2024 at the Robert B. Atwood Building, 550 W. 7th Ave, Suite 1535, Anchorage, AK.

Minutes approved 09-20-2024 by the board in accordance with PL-12/online voting.