



AK PT/OT Board - Regulations Committee Mtg October 11, 2024 Minutes

Alaska Division of Corporations, Business and Professional Licensing
10/11/2024 12:00 PMAKDT
@ Juneau - Zoom

1. Call to Order/Roll Call

Committee Members: Valerie Phelps and Rebecca Dean

The Physical Therapy and Occupational Therapy Regulations Committee Meeting was called to order on Friday, October 11, 2024 by committee member Valerie Phelps at 12:00 pm. Roll call taken by Valerie Phelps.

Committee members present: Valerie Phelps and Rebecca Dean.

Staff present: Shane Bannarbie, Program Coordinator 1; Sheri Ryan, Licensing Examiner, and Glenn Saviers, Deputy Director.

2. Review/Approve Agenda

Motion to accept agenda as submitted by Rebecca Dean. Seconded by Valerie Phelps. All in favor; none opposed. Motion passes unanimously.

3. Approve Minutes - 08/02/2024

Motion to approve minutes from August 2, 2024 Regulations committee meeting as written. Seconded by Valerie Phelps. All in favor; none opposed. Motion passes unanimously.

4. Public Comment

No public comment given as no members of the public present at the meeting.

5. Current Regulations Projects

A. SB74 – PT Compact Licensure

Discussed draft language proposed for 12 AAC 54.940 - Contract Review and pros/cons of including in regulation. Discussed either adding as a board strategic plan item or if putting in regulation not putting a timeline on it and using language such as "review as necessary" instead to give the board greater latitude in completing the task.

Need to add agenda item to next board meeting to elect Alaska representative to serve on PT Compact Commission.

Committee recommendation made to replace current draft language:

12 AAC 54.940 - REVIEW OF INTERSTATE LICENSURE COMPACT. *The board shall review all Interstate Licensure Compacts, including bylaws, rules, and policies and procedures, as often as necessary to ensure effectiveness in Alaska. If the board determines any Interstate Licensure Compact is no longer beneficial in Alaska, the board shall notify the Legislature.*

with new language reading:

12 AAC 54.940 - REVIEW OF INTERSTATE PHYSICAL THERAPY LICENSURE COMPACT. *The board shall review the Interstate Physical Therapy Licensure Compact, including its bylaws, rules, and policies and procedures, as often as necessary to ensure its effectiveness in Alaska. If the board determines the Interstate Physical Therapy Licensure Compact is no longer beneficial in Alaska, the board shall notify the Legislature.*

- B. Supervised Service Delivery - 12 AAC 54.600(6)(c) + 12 AAC 54.950(e) - 150-hour Internship requirement change

Committee went through Supervised Service Delivery section(s). In order to avoid confusion from previous concept of "150-hour internship" to new concept of "supervised service delivery", need to ensure that the word "intern" is not being utilized anywhere in the new regulation language. Committee made appropriate changes in draft language of Supervised Service Delivery regulations project.

- C. PTOT Dry Needling Regulations Project – Draft language previously completed and ready for board review.

Regulation Project Opening Questionnaires for physical therapy and occupational therapy need to be corrected to new form.

Action items:

Staff to work on formatting opening questionnaire for physical therapy and occupational therapy dry needling from previous versions to new format.

- D. Removal of PT 6-month Internship for Foreign-Educated applicants - 12 AAC 54.040(c) - (h) and 12 AAC 54.110 (4) – Draft language previously completed and ready for board review – incorporated into SB74 Draft.

Action Items:

Opening Questionnaire needs to be completed.

- E. 12 AAC 54.600(3) Regulations Project - OT application by Examination - Draft language previously completed and ready for board review - incorporated into SB74 Draft.

Action Items:

Opening Questionnaire is in old format. Needs to be updated.

- F. Regulations Project - Transcript requirement for applicants by credentials Modification of 12 AAC 54.100(1) >54.030(a)(2) - Draft language previously completed and ready for board review - draft language incorporated into SB74 draft.

Action Items:

Opening Questionnaire needs to be completed.

- G. Examiner Suggestions

All these changes can be added to regulations project when final version adopted by board. Draft language incorporated into SB74 changes.

- Add "Space Force" to 12 AAC 54.435 (e) and 12 AAC 54.725 (e) Exemption from CE Requirements for Active Duty Military Service
- 12 AAC 54.500(b) + 54.805 - Posting of a license or permit - update language
- 12 AAC 54.660 Temporary Military Courtesy License does not require Verification of License must be sent "directly to the Division from the source" like all other application types
- 12 AAC 54.710(h) - why do we require photocopy of the front and back of the applicant's current NBCOT certificate. Accept Electronic wallet card or NBCOT Primary source online OTR/COTA verification?
- 12 AAC 54.920 - Change of Name or address - Repeal and default to Centralized licensing regulation 12 AAC 02.900 instead. 54.920 requires

notarized copy of a legal document for name change which is more than 12 AAC 02.900.

Action Items:

Opening Questionnaire needs to be completed.

H. 12 AAC 54.410/710 Audit Records Retention

Changes can be added to existing regulations project when final version adopted by the board. Draft language incorporated into SB74 changes.

- Changed three years to four years to match centralized regulation 12 AAC 02.960(f)(1)

Action Items:

Opening Questionnaire needs to be completed.

I. Supervision of Students during clinical internship of PT/PTA and OT/OTA – aka “supervised fieldwork” prior to graduation – Recommendation to Board to DISCHARGE

- Project adopted at 2/16/2024 board meeting
 - Motion passed 04-15-2024 by committee to recommend to Board to dismiss this Regulations Project. Conflict if regulations written, board would be dictating standards for educational institutions since new definitions of "supervised field work" put it under CAPTE or ACOTE standards. See 12 AAC 54.070 and 12 AAC 54.620.

6. Potential Regulations Project Recommendations

A. 12 AAC 54.640. OCCUPATIONAL THERAPY TEMPORARY PERMITS

(4) a letter verifying

(A) the applicant's scheduled examination date sent directly to the department from NBCOT; or

(B) that the applicant has taken the examination and is waiting for the results to be sent directly to the department from NBCOT;

Appears to be a conflict in 12 AAC 54.640(4)(A) as NBCOT does not schedule exams for COTA/OTR certification. Pearson VUE does. AS 08.84.065(e) Temporary Permits for OT

Discussed conflict of current language in 12 AAC 54.640(4)(A) as NBCOT does not schedule exams for COTA/OTR certification. Scheduling done by Pearson VUE - a 3rd party on behalf of NBCOT.

12 AAC 54.640(4)(A) to be redrafted to say "by an entity designated by NBCOT" instead of "from NBCOT" to account for this situation.

(4) a letter verifying

(A) the applicant's scheduled examination date sent directly to the department **by an entity designated by NBCOT;**

Action Items:

- Add language as discussed for entity designated by NBCOT for 12 AAC 54.640(4)(A) to SB74 Regulations Project Draft
- Opening Questionnaire needed for 12 AAC 54.640(4)(A)

B. Regulations Project Recommendation - NPTE passed Before 1996

AS 08.84.030(a)(2) requires passing a national exam approved by the board to determine fitness as a PT or PTA.

- 12 AAC 54.030(a)(5) requires proof of passing exam scores sent directly from FSBPT.
- 12 AAC 54.080 outlines passing scores for NPTE
- 12 AAC 54.100(2) requires proof of passing NPTE scores sent directly from testing organization

Alaska regulation is silent on situation when NPTE was taken before 1996 and report is received with "Unknown" as to pass/fail.

Discussed 12 AAC 54.080 Passing Scores current language and need to amend to assist anyone who has taken the National Physical Therapy Examination (NPTE) prior to 1996. NPTE does not report "passing" examination scores - "For test dates prior to July 1996 a jurisdiction is responsible for determining a candidate's pass/fail status based on the jurisdiction's criteria at the time of the candidate's examination. The status provided on this score report may not represent a candidate's status with the receiving jurisdiction." Language crafted based on FSBPT recommendation - page 5, bottom right of presentation (orange box) - which would become 12 AAC 54.080(d).

Add 12 AAC 54.080(d) In cases where an applicant's Score Report does not states "pass" or "fail," the board will deem an applicant to have passed the examination if the applicant's raw scaled score is not less than one point five (1.5) standard deviations below the national average for that examination offering.

Action Items:

- Add language as discussed for NPTE exams prior to 1996 for 12 AAC 54.080(d) to SB74 Regulations Project Draft
- Opening Questionnaire needed for NPTE exams prior to 1996

7. Next Steps

1. Add agenda item to next board meeting to elect Alaska representative to serve on PT Compact Commission.
2. Staff to work on formatting opening questionnaires for physical therapy and occupational therapy dry needling from previous versions to new format.
3. Opening Questionnaire for 6-month FE internship elimination needed.

4. Opening Questionnaire for OT 12 AAC 54.600 old format. Needs to be updated.
5. Opening Questionnaire for 12 AAC 54.100(1) transcript modification needed.
6. Opening Questionnaire(s)? needed for Examiner Suggestions – see list
7. Opening Questionnaire for 12 AAC 54.410/54.710 Audit Records Retention needed.
8. Staff to add language as discussed for entity designated by NBCOT for 12 AAC 54.640(4)(A) to SB74 Regulations Project Draft
9. 12 AAC 54.640(4)(A) to be added to existing Opening Questionnaire for 12 AAC 54.600 changes.
10. Staff to add language as discussed for NPTE exams prior to 1996 for 12 AAC 54.080(d) to SB74 Regulations Project Draft.
11. Opening Questionnaire needed for NPTE exams prior to 1996
12. Opening Questionnaire needed for SB74 PT Compact regulations project.
13. Staff to consult with Regulations Specialist on how to best divide SB74 draft into needed Project Opening Questionnaires so committee members can distribute work assignments listed above.

8. Adjourn

The Physical Therapy and Occupational Therapy Regulations Committee meeting adjourned at 2:01 pm. Next meeting scheduled for November 22, 2024 at 10:00 am.

Approved by unanimous vote December 20, 2024.