



Alaska Board of Physical and Occupational Therapy Board Meeting – March 9-10, 2023

Minutes

Alaska Division of Corporations, Business and Professional Licensing
March 9, 2023 at 9:00 AM AKST
@ Teleconference

1. Call to Order/Roll Call

The virtual meeting via Zoom of the Alaska Physical and Occupational Therapy Board was called to order by Chair Tina McLean at 9:02 AM AKST on Thursday, March 9, 2023. Roll call conducted by Reid Bowman. The following Board members were present:

- Tina McLean, Board
- Rebecca Dean
- Valerie Phelps
- Enlow Walker
- Bryan Murphy
- Lindsey Hill
- Lisa Radley

All seven of the appointed board members were present; quorum established.

The following staff were present:

- Reid Bowman, Program Coordinator 2
- Melissa Dumas, Administrative Operations Manager 1
- Sheri Ryan, Occupational License Examiner

The following guests were present:

- Celeste Tydingo, NBCOT Alaska Ambassador
- Cary Moore, President, AKOTA
- Kristen Neville, State Affairs Manager, AOTA
- Alec Kay, President, APTA-AK

2. Review/Approve Agenda

Motion:

Motion to move agenda item #11 Administrative Business up to agenda item #6 on today's agenda and approve the remainder of the 2023 Alaska State Physical Therapy and Occupational Therapy Board meeting agenda for March 9-10, 2023 as written.

Motion moved by Rebecca Dean and seconded by Lisa Radley. All in favor, none opposed. Motion to move agenda item #11 Administrative Business to agenda item #6 on today's agenda and approve the remainder of the 2023 Alaska State Physical Therapy and Occupational Therapy Board meeting agenda for March 9-10, 2023 as written passes unanimously.

3. Approve Meeting Minutes – Oct. 24 + Dec. 12 + Jan. 17

Motion:

Motion to approve the Alaska State Physical Therapy and Occupational Therapy Board meeting minutes for October 24, 2022 + December 12, 2022 + January 17, 2023 as submitted.

Motion moved by Enlow Walker and seconded by Valerie Phelps. All in favor, none opposed. Motion to approve the Alaska State Physical Therapy and Occupational Therapy Board meeting minutes for October 24, 2022 + December 12, 2022 + January 17, 2023 as submitted passes unanimously.

4. Ethics Reporting

Board chair, Tina McLean asked all Board members if there were any ethics/conflicts of interest to report. None reported.

5. Public Comment

Celeste Tydingo, NBCOT Alaska Ambassador introduced herself to the board as the conduit for the organization. She gave a brief overview of PT compact discussion from NBCOT's viewpoint. Board engaged in questions of Ms. Tydingo regarding. Request made for License Examiner to gain Board member access to NBCOT website resources. No other members of the public connected to the meeting for additional public comment.

6. Administrative Business

- A. [SB83/HB85](#) – Temporary Permits; First hearing was held Monday, March 6, 2023. Bills introduced by the Governor's office as a way to get people to practice much quicker temporarily – licensure by credentials – while they await the rest of their permanent application verifications to come in. Temp permit could not be renewed – 180 days only. Task = assign a board delegate empowered to speak on behalf of the

board, if called, before one of the legislative committees regarding SB83/HB85.
Duties = track the bill and be on deck to testify, if necessary.

Motion:

Motion to create a Legislative subcommittee to track and develop an approved board narrative regarding each bill, as necessary, regarding SB83/HB85 and SB74 with authorization for Rebecca Dean and Tina McLean to speak on behalf of SB83/HB85 and Bryan Murphy to speak on behalf of SB74 and House version when introduced for the board at legislative committee hearings.

Motion moved by Bryan Murphy and seconded by Enlow Walker. All in favor, none opposed. Motion to create a Legislative subcommittee to track and develop an approved board narrative regarding each bill, as necessary, regarding SB83/HB85 and SB74 with authorization for Rebecca Dean and Tina McLean to speak on behalf of SB83/HB85 and Bryan Murphy to speak on behalf of SB74 and House version when introduced for the board at legislative committee hearings passes unanimously.

- B. [PT/OT Statutes + Regulations Feb 2023](#) and [Centralized Licensing Regulations March 2023](#) editions now available. PT/OT regulations updated to include 12 AAC 54.130 Temporary Military Courtesy License (PT) and 12 AAC 54.660 Temporary Military Courtesy License (OT) changes.
- C. Limited Permits Issuance – Discussion regarding delegation of 120-day Limited Permit issuance to License Examiner similar to Temporary Permit issuance. Issues to be reviewed by board would be any applications with YES answers, encumbered licenses, or any additional situations outside the norm.

Motion:

Motion to authorize Sheri Ryan, License Examiner, ability to approve and issue Limited Permits and Temporary Permits as long as there are no issues that need to reviewed by the board.

Motion moved by Enlow Walker and seconded by Rebecca Dean. All in favor, none opposed. Motion to authorize Sheri Ryan, License Examiner, ability to approve and issue Limited Permits and Temporary Permits as long as there are no issues that need to reviewed by the board passes unanimously.

D. Reinstatement vs. Renewal – 12 AAC 54.950 Reinstatement of a Lapsed License – Discussion of lapsed license < two years – proof of continuing education and professional practice requirement. Consensus - once license has lapsed, all licensees must submit proof of continuing education and professional practice requirement upon renewal application per regulation.

E. FSBPT Delegate Selection

Motion:

Motion to continue with Rebecca Dean as the FSBPT Voting Delegate for the coming year.

Motion moved by Valerie Phelps and seconded by Lindsey Hill. All in favor, none opposed. Motion to continue with Rebecca Dean as the FSBPT Voting Delegate for the coming year passes unanimously.

F. Next Board Meeting Date

Motion:

Motion to hold the Fall Physical Therapy and Occupational Therapy Board meeting Thursday, November 16, 2023 and Friday, November 17, 2023 in-person at the Atwood Building in Anchorage, Alaska.

Motion moved by Enlow Walker and seconded by Lisa Radley. All in favor, none opposed. Motion to hold the Fall Physical Therapy and Occupational Therapy Board meeting Thursday, November 16, 2023 and Friday, November 17, 2023 in-person at the Atwood Building in Anchorage, Alaska passes unanimously.

Break – off record 10:25 am; 10:36 am return from break. Roll call conducted upon return by Program Coordinator Reid Bowman:

Rebecca Dean - present

Enlow Walker – present

Tina McLean – present

Lindsey Hill – present

Valerie Phelps – present

Lisa Radley – present

Bryan Murphy – present

Quorum re-established after break.

7. Division Update - FY23 2nd QTR (Presenter: Melissa Dumas, Administrative Operations Manager)

Melissa Dumas, AOM went over the [FY23 2nd Quarter reporting](#) for the State Physical Therapy and Occupational Therapy Board in detail. FY2023 is a non-renewal year for the program which accounts for the decrease in revenue. PHY program is running with more than enough revenue + surplus brought forward from FY22 without going into deficit through this biennium. 2179 licensees calculated for the program. [Professional Licensing Statistics Fiscal Year 2022 Report](#). PHY program experienced a 5% growth in licensees from FY2019-FY2022 and represents 2.09% of the total division. Fee analysis conducted six month prior to renewal. Last time licensing fees were reduced for the program was in FY2020 – effective 03/13/2020. Discussion of affect of compact licensure on revenue. Ms. Dumas answered board member questions.

8. Board Correspondence

Discussed notifications and correspondence uploaded into OnBoard.

APTA Alaska – UAA PTA CEU Authorization 02-26-2023 – Discussion CEU vs. contact hours per 12 AAC 54.410 (c).

Dry Needling – Nathan 11-14-2022 – PT practice guidelines for Dry Needling. Correspondence moved to Scope of Practice discussion agenda item for Friday.

Dry Needling – Phillips 02-21-2023 – Acupuncturist question regarding PT scope of practice for needles. Correspondence moved to Scope of Practice discussion agenda item for Friday.

9. Tabled Applications/Audits for Discussion

Miranda Bunge – Random Audit for Approval – Discussion for meeting 12 AAC 54.410(b) requirement - one-half of required hours contact hours offered by an accredited academic institution or a professional organization approved by the board under 12 AAC 54.420(a). Board determined 23 credits from Jones Institute Counterstrain for the Skeletal System, Part 3 meet standards under 12 AAC 54.420(c). Application pending for additional information from licensee. Request additional continuing education courses attended during concluding licensing period that meet 12 AAC 54.420(a) approval and/or request Jones Institute Counterstrain course to petition for approval by an entity listed

in 12 AAC 54.420(a). Audit to be resubmitted for board approval when received. 90 day timefram to clear audit.

10. Professional Fitness Questions Update – moved to agenda item for Friday.

11. **Lunch break – off record 12:15 pm; 1:00 pm return from lunch break.** Roll call conducted upon return by Program Coodinator Bowman:

Enlow Walker – present

Rebecca Dean – present

Tina McLean – present

Valerie Phelps – present

Lindsey Hill – present

Lisa Radley – present

Bryan Murphy – present

Quorum re-established after break.

Guests to join:

Cary Moore, President, AKOTA

Kristen Neville, State Affairs Manager, AOTA

Alec Kay, President, APTA-AK

12. AKOTA Update (Presenter: Cary Moore, President, Alaska Occupational Therapy Association AKOTA)

Cary Moore indicated that the association polled their membership. Limited responses received, but all in favor of compact licensure. AKOTA has been in communication with APTA-AK re: working together on compact licensure. There is a scheduled AOTA webinar March 27 for their membership. AKOTA association board supportive of the compact. The association does collaborate with Speech and Physical Therapy associations and utilize Dave Parrish on lobbying services for legislative efforts. New board members elected in January, 2023.

13. APTA – AK Update (Presenter:

Alec Kay, President, American Physical Therapy Association, Alaska Chapter -APTA-AK)

Alec Kay updated the board regarding [SB74](#) testimony from the Senate Labor and Commerce hearing on Wednesday, March 8 with Senator Bjorkman (Soldotna), Chair. Sponsor of the bill Senator David Wilson [introduced the bill](#). Bill has been referred to

Sentate Finance committee. The association does not have a State House majority sponsor yet. Dr. Kay asked if there was any reason to expect if there would be any resistance with regards to the PT compact bill as the association has considerable time and resources invested in advancement of the bill. The board is on record for supporting compact. It is an ongoing process and it is not anticipated to have any resistance to the bill. PHY board to develop official statement.

Alec provided key points that could be utilized in a statement. He also suggested contacting FSBPT Compact for possible verbiage.

- Ease administrative burden for licensing process of staff and state board
- Increase number of physical therapists so more Alaskans can receive physical therapy and get the benefit of services
- Additional layer of safety due to background checks
- Provide pathway for faster licensing for military personnel
- Provide faster licensing for tele-medicine for continuous care of transient patients

14. PT/OT Compact Licensure – [SB74 Overview](#) (Presenters: Sylvan Robb, Division Director and Glenn Saviers, Deputy Director)

Deputy Director Glenn Saviers clarified [Fiscal Note](#) for SB74 for transition period from Department side. Fiscal Note includes one full-time admin assistant and 2-part-time non-perm administrative assistants and 1-non-perm Investigator in Section 8 to assist for transition period. Upon first renewal after bill goes into effect every single licensee would have to submit a fingerprint card in order to continue to practice. FSBPT Q+A done and FSBPT let the Department know that current licenses don't have to get the background check unless Alaska chooses to have them do so. Background check is required for anyone to get a license going forward once we are in the compact but no "look back" required for licensed individuals. Deputy Director Saviers to share Q+A between DCCED + FSBPT on how to implement compact to send to board. To reduce the cost and workload and potential the delay, one option is to remove that the transition section which would allow reduction in staffing needs. It would be up to the legislature as to how that would be determined. Feedback from the board and department could be submitted on removal of transition section of bill. Changes to 08.84.030+ 08.84.032 for applicants for background check + fingerprint cards. Discussion of advance notification method of transition once bill is passed on effective date of requirement of background check and fingerprint cards recognizing there can be processing timeframes for the

Department of Safety to accomplish. Current turnaround is 1-2 weeks for background checks.

15. HB99 Regulations Draft (Presenter: Alison Osborne, Regulations Specialist II)

Alison Osborne discussed the regulations project Draft 01/25/2023 for HB99 statute changes and clarified the three options available to move forward on 54.040 on Foreign Educated Physical Therapy Applicants: Option A, Option B, Option C.

Option A = wording as provided by the board in their proposed regulation changes – CAPTE is approved accrediting entity and PT/PTA exempt from TOEFL if program taught in English.

Option B = suggested wording to include a list of board approved credentialing services and examples of evidence to be accepted by the Board as proof that the course was in English.

Option C = mirror the language in OT which allows exemption from 08.84.032 to prove English language proficiency, if the applicant has taken the nationally recognized exam which is taken in English only. Changes to (a) and (b) and repeal (j) and (l).

Motion:

Motion to accept Option C as put forth in the State Physical Therapy and Occupational Therapy HB99 regulations draft 01/25/2023 project for 12 AAC 54.040 Foreign Educated Physical Therapy Applicants to support HB 99 statute changes.

Motion moved by Enlow Walker and seconded by Rebecca Dean. All in favor, none opposed. Motion to accept Option C as put forth in the State Physical Therapy and Occupational Therapy HB99 regulations draft 01/25/2023 project for 12 AAC 54.040 Foreign Educated Physical Therapy Applicants to support HB 99 statute changes by the board passes unanimously.

Motion:

Motion to accept the draft language changes for 'Foreign-Trained' to 'Foreign-Educated' in all regulations from 12 AAC 54.040 to 12 AAC 54.915 and for 'physical therapy assistant' to 'physical therapist assistant' in all regulations from 12 AAC 54.030 through 12 AAC 54.930 for the State Physical Therapy and Occupational Therapy HB99 regulations draft 01/25/2023 project to support HB 99 statute changes.

Motion moved by Bryan Murphy and seconded by Lisa Radley. All in favor, none opposed. Motion to accept the draft language changes for 'Foreign-Trained' to 'Foreign-Educated' in all regulations from 12 AAC 54.040 to 12 AAC 54.915 and for 'physical therapy assistant' to 'physical therapist assistant' in all regulations from 12 AAC 54.030 through 12 AAC 54.930 for the State Physical Therapy and Occupational Therapy HB99 regulations draft 01/25/023 project to support HB 99 statute changes by the board passes unanimously.

Motion:

Motion to accept all draft language changes as put forth in the the State Physical Therapy and Occupational Therapy HB99 regulations draft 01/25/2023 project changing 'Foreign-Trained' to 'Foreign-Educated' and other suggested changes in 12 AAC 54.610 Foreign-Trained Occupational Therapy Applicants to support HB 99 statute changes.

Motion moved by Rebecca Dean and seconded by Enlow Walker. All in favor, none opposed. Motion to accept all draft language changes as put forth in the the State Physical Therapy and Occupational Therapy HB99 regulations draft 01/25/2023 project changing 'Foreign-Trained' to 'Foreign-Educated' and other suggested changes in 12 AAC 54.610 Foreign-Trained Occupational Therapy Applicants to support HB 99 statute changes by the board passes unanimously.

Effective date for public comment – June 1.

Brief break – off record at 2:42; 2:49 pm return from break. Roll call conducted upon return by Program Coodinator Bowman:

Enlow Walker – present
Lisa Radley – present
Lindsey Hill – present
Tina McLean – present
Rebecca Dean – present
Bryan Murphy - present
Valerie Phelps – present

Quorum re-established after break.

16. Item #9 - Tabled Applications and Audits for Discussion resumed – See #9 above for Miranda Bunge discussion.

Motion:

Motion to table the Miranda Bunge – Random Audit for Approval pending additional information.

Motion moved by Lisa Radley and seconded by Lindsey Hill. All in favor, none opposed. Motion to table the Miranda Bunge – Random Audit for Approval pending additional information passes unanimously.

Erin Nugent – Random Audit for Approval – tabled for 12 AAC 54.420(c) – Does Dave Berger Base training continuing education meet criteria?

Motion:

Motion to accept the Erin Nugent – Random Audit for Approval and that the Dave Berger Base courses are patient and care related under 12 AAC 54.420(c).

Motion moved by Valerie Phelps and seconded by Lisa Radley. All in favor, none opposed. Motion to accept the Erin Nugent – Random Audit for Approval and that the Dave Berger Base courses are patient and care related under 12 AAC 54.420(c) passes unanimously.

Matthew Campbell – OT – Application by Credentials – YES answer – Discussion.

Motion:

Motion to approve/accept Matthew Campbell – OT – Application by Credentials for licensure.

Motion moved by Rebecca Dean and seconded by Lindsey Hill. All in favor, none opposed. Motion to approve/accept Matthew Campbell – OT – Application by Credentials for licensure passes unanimously.

17. FY2023 Annual Report Prep

- FY2023 Annual Report - deadline - drafted and approved by June 30 – cooperative effort between division and board. Work allocations discussed.
 - Enlow Walker to craft narrative portion of report

- Tina McLean and Valerie Phelps to work as a subcommittee on ‘how 2023 goals were met’ and FY2024 goals/objectives
- Lisa Radley will work on travel recommendations (budgetary) – forecast for conference and board meeting travel desired. Staff to fill in estimated costs.
- Staff to send needed templates to all to assist

Motion:

Motion to create a subcommittee to review FY2023 goals, how they were met, and establish goals and objectives and proposed methods to achieve them for FY2024. Subcommittee members to consist of Valerie Phelps and Tina McLean.

Motion moved by Valerie Phelps and seconded by Enlow Walker. All in favor, none opposed. Motion to create a subcommittee to review FY2023 goals, how they were met, and establish goals and objectives and proposed methods to achieve them for FY2024 passes unanimously. Subcommittee members to consist of Valerie Phelps and Tina McLean.

FY2023 goals reviewed/discussed by board.

- 1. FAQs – continue
- 2. Monitor legislation for practice act – continue + add bill #'s and wo
- 3. Track compact legislation – continue
- 4. Review/update of PHY Transition Template in PHY Board Resources folder. Board member to coordinate updates. Board to monitor, participate and collaborate with Board liaison advisor with development of board member and staff member transition resources and training.
- 5. Monitor and revise CE requirements – move forward
- 6. National conferences – move forward
- 7. Monitor COVID – move forward
- 8. Work on regulations as needed – move forward.
- 9. Fill open board seats – Accomplished

18. Standardize OT vs. PT Regulations

Potential regulations project - discussion of how to streamline physical therapy licensing requirements more align with occupational therapy licensing requirements. Gather information from outside sources such as FSBPT and NBCOT for examination processes and review Alaska statutes and regulations for any needed changes/updates to remove requirement of transcript for PTs/PTAs. Valerie Phelps to provide research for NPTE testing

vs. NBCOT requirements to assist in standardization of PT/OT regulations for presentation at Nov. 2023 meeting.

19. Miscellaneous Items:

Discussed necessity of having ongoing regulation projects to meet any statutory needs and streamlining licensing requirements.

Discussed attendance of FSBPT Model Practice Act workshop July 17, 2023 in Arlington, VA if counterpart from state physical therapy association attends. Addition to #6- Administrative Business (E) – FSBPT Delegate Selection.

Motion:

Motion to designate Tina McLean as the alternate delegate for FSBPT national leadership forum meetings.

Motion moved by Valerie Phelps and seconded by Rebecca Dean. All in favor, none opposed. Motion to designate Tina McLean as the alternate delegate for FSBPT national leadership forum meetings passes unanimously.

20. Adjourn

Tina McLean, Chair, adjourned the Alaska Physical Therapy and Occupational Therapy Board meeting at 4:06 pm AKST on Thursday, March 9, 2023.

21. Day 2 – Call to Order

The virtual meeting via Zoom of the Alaska Physical and Occupational Therapy Board was called to order by Chair Tina McLean at 9:05 AM AKST on Friday, March 10, 2023. Roll call conducted by Reid Bowman, Program Coordinator. The following Board members were present:

- Valerie Phelps
- Tina McLean
- Rebecca Dean
- Enlow Walker
- Lisa Radley
- Lindsey Hill

Six of the seven appointed board members were present; quorum established. Bryan Murphy, board member excused, will be connecting later this morning. Bryan Murphy connected at 9:10 am.

The following staff were present:

- Reid Bowman, Program Coordinator 2
- Sheri Ryan, Occupational License Examiner
- Jasmin Bautista, Investigator III
- Sara Chambers, Boards and Regulations Advisor

22. Investigative Report - (Presenter: Jasmin Bautista, Investigator III)

October 12, 2022 through February 24, 2023 report shared. 2 open cases and 1 closed case.

23. Training – YES Answers + Disciplinary Matrix Development

Executive Session Motion:

I, Valerie Phelps, move that the Alaska State Board of Physical Therapy and Occupational Therapy enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussion matters involving consideration of government records that by law are not subject to public disclosure. Motion seconded by Lisa Radley. All in favor. None opposed. Motion to move into Executive Session passes unanimously.

Board Chair, Tina McLean, identified board and staff members to enter Executive session: Enlow Walker, Lisa Radley, Lindsey Hill, Rebecca Dean, Valerie Phelps, Bryan Murphy, Tina McLean and staff – Sher Ryan, Licensing Examiner, Reid Bowman, Program Coordinator 2, and Jasmin Bautista, Investigator III.

Board entered Executive Session. **Recording stopped at 9:10 am AKST.**
Executive Session ended. **Recording resumed at 10:44 am AKST.**

Roll call completed after returning from Executive Session by Reid Bowman, Program Coordinator. The following Board members were present:

Rebecca Dean
Valerie Phelps
Lindsey Hill
Tina McLean

Lisa Radley
Enlow Walker
Bryan Murphy

All seven appointed board members were present; quorum established.

24. Scope of Practice Discussion

Sara Chambers, Boards and Regulations Advisor joined the meeting. Discussed role of the board regarding interpretation of statute and regulations - due diligence, use of the Department of Law, and need for defensible arguments in answering questions regarding providing physical therapy and occupational therapy from licensees in the state.

Motion:

Motion to create a workgroup for Scope of Practice with Valerie Phelps as the Physical Therapy board representative and Lindsey Hill as the Occupational Therapy board representative. Designated workgroup members can seek out any additional counsel from legal avenues or the public as needed to formulate a cohesive and comprehensive scope of practice for physical and occupational therapists in Alaska.

Motion moved by Bryan Murphy and amended as above. Amended motion seconded by Enlow Walker. All in favor, none opposed. Motion to create a workgroup for Scope of Practice with Valerie Phelps as the Physical Therapy board representative and Lindsey Hill as the Occupational Therapy board representative. Designated workgroup members can seek out any additional counsel from legal avenues or the public as needed to formulate a cohesive and comprehensive scope of practice for physical and occupational therapists in Alaska passes unanimously.

25. Professional Fitness Questions Update

Project request to update the PT/OT application/renewal questions to remove verbiage stigmatizing mental health. Discussion. Decision to make FY2024 goal.

26. Meeting Summary - Action Items

- Staff to obtain access for PHY Board to NBCOT members only website resources
- Legislative subcommittee created - purpose to track SB74, SB83/HB85 with authorization for Rebecca Dean and Tina McLean to testify at hearings on behalf of the board for SB83/HB85 and Bryan Murphy for SB74 and its subsequent house bill. Public noticing requirements.

- Staff to notify FSBPT of Voting and Alternate Delegate selection. FSBPT attendance - Rebecca Dean = voting delegate; Tina McLean = alternate delegate - coordinate attendance for upcoming July and October meetings, as necessary
- Next meeting scheduled in-person for November 16 + 17, 2023 in Anchorage at the Atwood Bldg. Coordinate travel as necessary
- How many licenses have AK addresses vs. out of state addresses – Home state Compact licensure data question.
- Follow-up on HB99 Regulations Project with Regulations Specialist. Completion of FAQ for public noticing.
- Completion of Audit/Applications board determinations, as necessary.
 - A. Bunge – tabled; request additional information
 - B. Nugent – approval
 - C. Campbell - approval
- Requested follow-up information regarding liability status- are board members protected from personal liability while serving on the board? - See requested Liability Advice in Onboard #9
- FY2023 Annual Report - deadline - drafted and approved by June 30 - work allocations as follows:
 - Enlow Walker to craft narrative portion
 - Tina McLean and Valerie Phelps to work as a subcommittee on ‘how 2023 goals were met’ and draft FY2024 goals. Public noticing requirements.
 - Lisa Radley will work on travel/budgetary recommendations
 - Staff to send needed templates to all to assist
- Create resources folder for Disciplinary Matrix Development in OnBoard and populate.
- Disciplinary Matrix and PFQ update to be added as FY2024 goals
- Valerie Phelps to provide research for NPTE testing vs. NBCOT requirements to assist in standardization of PT/OT regulations for presentation at Nov. 2023 meeting.
- Scope of Practice Workgroup created: PT/OT workgroup to further assess/explore scope of practice with Valerie Phelps - PT and Lindsey Hill - OT - and to include public members APTA-AK and AKOTA and additional advice as necessary. Public Noticing requirements, issue invitation as needed; Agenda formulation and distribution.

27. Adjourn

Tina McLean, Chair, adjourned the Alaska Physical Therapy and Occupational Therapy Board meeting at 12:48 pm AKST on Friday, March 10, 2023.

DocuSigned by:

Sheri Ryan

4D404753C525492...

Sheri Ryan, Licensing Examiner

DocuSigned by:

Tina McLean

4CB4520D826E408...

Tina McLean, Chair

7/6/2023

Date

Chapter 54. State Physical Therapy and Occupational Therapy Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

The introductory language of 12 AAC 54.030(a) is amended to read:

(a) An applicant for a physical therapist or a physical **therapist** [THERAPY] assistant license by examination, other than an applicant who is a graduate of a school of physical therapy that

...

(Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 9/26/91, Register 119; am 5/21/97, Register 142; am 10/20/99, Register 152; am 2/17/2002, Register 161; am 8/18/2013, Register 207; am 9/29/2019, Register 231; am 8/7/2021, Register 239; am ____/____/____, Register _____)

Authority: AS 08.84.010 AS 08.84.030 AS 08.84.040

The introductory language of 12 AAC 54.040(a) is amended to read:

12 AAC 54.040. Foreign-educated [FOREIGN-TRAINED] **physical therapy applicants.** (a) An applicant for a physical therapist or physical **therapist** [THERAPY] assistant license by examination who received an education and degree outside the United States shall meet all requirements for licensure under AS 08.84, 12 AAC 54.030(a)(1), (3), (4), and (5), and this section.

...

12 AAC 54.040(b) is amended to read:

Option A –Wording as provided by the Board in their proposed regulation changes

(b) **foreign-educated** [FOREIGN-TRAINED] physical therapist or physical **therapist** [THERAPY] assistant applicant who has graduated from a **resident course of study and professional instruction substantially equivalent to a professional physical therapy education program that is accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE)**, [SCHOOL OF PHYSICAL THERAPY APPROVED BY THE COUNCIL ON MEDICAL EDUCATION AND HOSPITALS OF THE AMERICAN MEDICAL ASSOCIATION, OR THE AMERICAN PHYSICAL THERAPY ASSOCIATION] shall submit the applicant's certified transcript sent directly to the department from that school. **The applicant's course of study and professional instruction must be evaluated by a credentials evaluation service approved by the board. If the applicant's physical therapist or physical therapist assistant program was taught in English verified by evidence approved by the board, they are exempted from 12 AAC 54.040(j).**

Option B – Suggestions to include a list of Board approved credentialing services and examples of evidence to be accepted by the Board as proof that the course was in English

(b) A **foreign-educated** [FOREIGN-TRAINED] physical therapist or physical **therapist** [THERAPY] assistant applicant who has graduated from a **resident course of study and professional instruction substantially equivalent to a professional physical therapy education program that is accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE)**, [SCHOOL OF PHYSICAL THERAPY APPROVED BY THE COUNCIL ON MEDICAL EDUCATION AND HOSPITALS OF THE AMERICAN MEDICAL ASSOCIATION, OR THE AMERICAN PHYSICAL THERAPY ASSOCIATION] shall submit the applicant's certified transcript sent directly to the department from that school.

The applicant's course of study and professional instruction must be evaluated by one of the credentials evaluation services approved by the board:

- (1) International Consultants of Delaware (ICD);**
- (2) Foreign Credentialing Commission on Physical Therapy (FCCPT);**
- (3) International Education Research Foundation (IERF); or**
- (4) an equivalent nationally recognized company as approved by the board.**

A foreign-educated physical therapist or physical therapist assistant who graduated from a physical therapy education program taught primarily in English is exempt from the examination requirements of 12 AAC 54.040(j). To obtain an exemption under this subsection, the applicant must submit official documentation satisfactory to the board as evidence that the applicant's education was in taught in the English language. The board will accept as verification of education

- (1) a certified transcript confirming that the program taken by the applicant was taught in English. The transcript must be submitted directly from the school to the department;**
- (2) a notarized letter from the Registrar's Office of that school certifying that the applicant attended and graduated from a program which was taught in English;**
- (3) a certified education verification document provided by a credentials evaluation service as approved by the board under this subsection; or**
- (4) Other evidence considered satisfactory by the board to verify the applicant's education for the purposes of exemption under this subsection.**

Option C – mirror the language in OT which allows exemption from 08.84.032 to prove English language proficiency, if the applicant has taken the nationally recognized exam which is taken in English only. Changes to (a) and (b) and repeal (j) and (l)

(a) A foreign-educated physical therapist or physical therapist assistant applicant for license by examination who received an education and degree outside the United States having graduated from a resident course of study and professional instruction substantially equivalent to a professional physical therapy education program that is accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE), shall submit

(1) payment of the fees established in 12 AAC 02.320;

(2) a signed letter of professional reference sent directly to the department on a form provided by the department from

(A) the head of the physical therapy school; or

(B) an instructor, physician, supervising physical therapist, or supervisor;

(3) the jurisprudence questionnaire prepared by the board covering the provisions of AS 08.84 and this chapter; and

(4) proof of passing examination scores, sent directly to the department from the Federation of State Boards of Physical Therapy (FSBPT).

(5) the applicant's certified transcripts sent directly to the department from the applicant's physical therapy school; the applicant's course of study and professional instruction must be evaluated by one of the credentials evaluation services approved by the board:

(A) International Consultants of Delaware (ICD);

(B) Foreign Credentialing Commission on Physical Therapy

(FCCPT);

(C) International Education Research Foundation (IERF); or

(D) an equivalent nationally recognized company as approved by the board.

[AN APPLICANT FOR A PHYSICAL THERAPIST OR PHYSICAL THERAPY ASSISTANT LICENSE BY EXAMINATION WHO RECEIVED AN EDUCATION AND DEGREE OUTSIDE THE UNITED STATES SHALL MEET ALL REQUIREMENTS FOR LICENSURE UNDER AS 08.84, 12 AAC 54.030(A)(1), (3), (4), AND (5), AND THIS SECTION.]

(b) An applicant who has passed the national physical therapy examination and who has been certified by the Federation of State Boards of Physical Therapy (FSBPT) meets the requirements of AS 08.84.032(a)(1) – (a)(5).

[A FOREIGN-TRAINED PHYSICAL THERAPIST OR PHYSICAL THERAPY ASSISTANT APPLICANT WHO HAS NOT GRADUATED FROM A SCHOOL OF PHYSICAL THERAPY APPROVED BY THE COUNCIL ON MEDICAL EDUCATION AND HOSPITALS OF THE AMERICAN MEDICAL ASSOCIATION, OR THE AMERICAN PHYSICAL THERAPY ASSOCIATION, SHALL HAVE THE APPLICANT'S COURSE OF STUDY AND PROFESSIONAL INSTRUCTION EVALUATED BY A CREDENTIALS EVALUATION SERVICE APPROVED BY THE BOARD. IF AN APPLICANT CANNOT SUBMIT A TRANSCRIPT FOR EVALUATION AS REQUIRED BY THIS SUBSECTION, THE BOARD WILL ACCEPT AS EVIDENCE OF EDUCATION VERIFICATION, TO THE BOARD'S SATISFACTION, FROM

(1) THE LICENSING AUTHORITY IN ANOTHER STATE THAT HAS EVALUATED THE APPLICANT'S EDUCATION; OR

(2) A UNITED STATES EDUCATIONAL INSTITUTION OR PROFESSIONAL ASSOCIATION THAT

(A) PREVIOUSLY REQUIRED DOCUMENTARY EVIDENCE OF THE APPLICANT'S EDUCATION; OR

(B) DIRECTLY VERIFIED THE APPLICANT'S EDUCATION THAT HAS BEEN EVALUATED.]

12 AAC 54.040(c) is amended to read:

(c) A **foreign-educated** [FOREIGN-TRAINED] physical therapist or physical **therapist** [THERAPY] assistant applicant shall serve an internship under the on-site supervision of a currently licensed physical therapist in an institution meeting the requirements of (d) of this section and AS 08.84.032(a)(2). The board will not consider internship hours claimed before the date that the internship was pre-approved by the board. A **foreign-educated** [FOREIGN-TRAINED] physical therapist or physical **therapist** [THERAPY] assistant applicant shall serve an internship based on

• • •

12 AAC 54.040(e) is amended to read:

(e) A licensed physical therapist serving as a preceptor to a **foreign-educated** [FOREIGN-TRAINED] intern applicant shall assume responsibility for the intern's experience and the safety and welfare of the patient.

12 AAC 54.040(j) is repealed:

[(j) TO MEET THE REQUIREMENTS OF AS 08.84.032(A)(3), A FOREIGN-TRAINED PHYSICAL THERAPIST OR PHYSICAL THERAPY ASSISTANT APPLICANT MUST PASS THE EXAMINATIONS LISTED IN THIS SUBSECTION IN ONE TESTING SESSION. AN APPLICANT MUST REQUEST THAT THE SCORES BE SENT DIRECTLY TO THE DEPARTMENT FROM THE TESTING ORGANIZATION AND OBTAIN AT LEAST THE FOLLOWING MINIMUM SCORES:]

• • •

12 AAC 54.040(l) is repealed

[(l) IF AN APPLICANT HAS NOT TAKEN AND PASSED THE NATIONAL PHYSICAL THERAPY EXAMINATION BEFORE THE COMPLETION OF THE INTERNSHIP, THE APPLICANT MUST TAKE AND PASS THE NATIONAL PHYSICAL THERAPY EXAMINATION WITHIN ONE YEAR AFTER COMPLETION OF THE INTERNSHIP TO RECEIVE CREDIT FOR THE INTERNSHIP.]

(Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 9/26/91, Register 119; am 5/21/97, Register 142; am 10/20/99, Register 152; am 2/17/2002, Register 161; am 8/23/2003, Register 167; am 8/19/2004, Register 171; am 10/18/2007, Register 184; am 8/18/2013, Register 207; am 9/29/2019, Register 231; am 8/7/2021, Register 239; am ____/____/_____, Register _____)

Authority: AS 08.84.010 AS 08.84.032 AS 08.84.065

The introductory language of 12 AAC 54.050(a) is amended to read:

(a) The board or department will issue a temporary permit to an applicant for a physical therapist or physical **therapist** [THERAPY] assistant license by examination, other than an

applicant who is a graduate of a school of physical therapy that is located outside the United States, if the following are on file with the department:

• • •

The introductory language of 12 AAC 54.050(b) is amended to read:

(b) The board or department will issue a temporary permit to an applicant applying for a physical therapist or physical **therapist** [THERAPY] assistant license by credentials, other than an applicant who is a graduate of a school of physical therapy that is located outside the United States, if the following are on file with the department:

• • •

The introductory language of 12 AAC 54.050(c) is amended to read:

(c) The board or department will issue a temporary permit to an applicant for a physical therapist or physical **therapist** [THERAPY] assistant license by examination who is a graduate of a school of physical therapy that is located outside the United States and demonstrates to the satisfaction of the board compliance with AS 08.84.032(a)(1) and AS 08.84.065(a).

• • •

The introductory language of 12 AAC 54.050(d) is amended to read:

(d) The board or department will issue a temporary permit to an applicant for a physical therapist or physical **therapist** [THERAPY] assistant license by credentials who is a graduate of

a school of physical therapy that is located outside the United States if the following are on file with the department:

• • •

12 AAC 54.050(e) is amended to read:

(e) An applicant applying for a physical therapist or physical **therapist** [THERAPY] assistant temporary permit will be reviewed in accordance with 12 AAC 54.915.

12 AAC 54.050(f) is amended to read:

(f) An applicant applying for a physical therapist or physical **therapist** [THERAPY] assistant license who is waiting to take the next scheduled examination and who has been issued a temporary permit under AS 08.84.065 may practice only under the supervision of a licensed physical therapist and may not act as a supervisor until a permanent license is issued.

12 AAC 54.050(h) is amended to read:

(h) The holder of a temporary permit as a physical **therapist** [THERAPY] assistant, issued according to the provisions of AS 08.84.065(b), who is awaiting licensure by acceptance of credentials, shall practice in accordance with 12 AAC 54.510.

(Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 6/1/95, Register 134; am 5/21/97, Register 142; am 2/17/2002, Register 161; am 8/23/2003, Register 167; am 8/19/2004, Register 171; am 7/21/2006, Register 179; am 8/18/2013, Register 207; am ____/____/_____, Register _____)

Authority: AS 08.84.010 AS 08.84.065

12 AAC 54.100 introductory language is amended to read:

12 AAC 54.100. Application for licensure by credentials. An application for licensure by credentials as a physical therapist or a physical **therapist** [THERAPY] assistant must be submitted to the department on a form prescribed by the board with:

• • •

(Eff. 10/30/82, Register 84; am 7/4/84, Register 90; am 10/8/88, Register 107; am 9/26/91, Register 119; am 10/3/2002, Register 163; am 8/18/2013, Register 207; am ____/____/____, Register _____)

Authority: AS 08.84.010 AS 08.84.040 AS 08.84.060
AS 08.84.030

The introductory language of 12 AAC 54.110 is amended to read:

12 AAC 54.110. Foreign-educated [FOREIGN-TRAINED] **applicants.** An applicant for a physical therapist or physical **therapist** [THERAPY] assistant license by credentials who received an education and degree outside the United States shall meet all requirements for licensure under AS 08.84, 12 AAC 54.030(a)(1) and (4), and this section, and shall submit to the department on a form provided by the department

• • •

12 AAC 54.110(4) is amended to read:

(4) satisfactory evidence of a minimum six months' supervised work experience while licensed as a physical therapist or physical **therapist** [THERAPY] assistant in another

state, another territory, or the District of Columbia, or satisfactory completion of an internship meeting the requirements of 12 AAC 54.040(c), (e), and (f); the evidence must be sent directly to the department from the supervising therapist on a form provided by the department;

(Eff. 10/30/82, Register 84; am 9/26/91, Register 119; am 10/20/99, Register 152; am 2/17/2002, Register 161; am 8/19/2004, Register 171; am 8/18/2013, Register 207; am ____/____/____, Register _____)

Authority: AS 08.84.010 AS 08.84.032 AS 08.84.060

12 AAC 54.120 is amended to read:

12 AAC 54.120. Military-trained therapy assistant. A military-trained physical **therapist** [THERAPY] assistant may apply to the board for license by credentials only and must submit verification of a current and valid certificate, license or other evidence of qualification issued under the laws of another state. (Eff. 10/30/82, Register 84; am ____/____/____, Register _____)

Authority: AS 08.84.010(b) AS 08.84.060

The introductory language of 12 AAC 54.400 is amended to read:

12 AAC 54.400. Physical therapy license renewal requirements. An applicant for renewal of a physical therapist or physical **therapist** [THERAPY] assistant license shall:

. . . (Eff. 6/3/99, Register 110; am 9/26/91, Register 119; am 5/21/97, Register 142; am ____/____/____, Register _____)

Authority: AS 08.84.010 AS 08.84.100

The introductory language of 12 AAC 54.405(a) is amended to read:

(a) An applicant for renewal of a physical therapist or physical **therapist** [THERAPY] assistant license shall document completion of the jurisprudence questionnaire prepared by the board, covering the provisions of AS 08.84 and this chapter, and shall also document:

• • •

12 AAC 54.405(c) is amended to read:

(c) In this section, “physical therapy services” includes work and volunteer service under a position title other than physical therapist or physical **therapist** [THERAPY] assistant if the applicant documents that the position required the use of physical therapy skills recognized by the board.

(Eff. 6/3/89, Register 110; am 5/21/97, Register 142; am 2/17/2002, Register 161; am 8/19/2004, Register 171; am 9/29/2019, Register 231; am ____/____/____, Register _____)

Authority: AS 08.84.010 AS 08.84.100

The introductory language of 12 AAC 54.410(a) is amended to read:

(a) Except as provided in 12 AAC 54.435, an applicant for renewal of a physical therapist or physical **therapist** [THERAPY] assistant license who has been licensed for 12 months or more of the concluding licensing period shall have completed during that period 24 contact hours of continuing education. An applicant for renewal of a physical therapist or physical **therapist** [THERAPY] assistant license who has been licensed for less than 12 months of the concluding licensing period shall have:

• • •