

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY
AND ECONOMIC DEVELOPMENT
BOARD OF PHYSICAL THERAPY AND OCCUPATIONAL THERAPY
333 WILLOUGHBY AVE, 9TH FLOOR, CONFERENCE ROOM A, JUNEAU, AK

APRIL 16-17, 2009

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the State Physical Therapy and Occupational Therapy Board was held on April 16-17, 2009 at the State Office Building, Conference Room A, Juneau, Alaska.

THURSDAY, APRIL 16, 2008

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Mary Ann Paul, PT, Chair at 9:03 a.m.

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

Mary Ann Paul, PT, Chair
Jay McDiarmid, PT, Secretary
Gary Burleson, Public Member
Jo Boehme, OT/L
Kathleen Lind, OT
Marc Slonimski, MD
Joyce Barnett, PT

Staff present: Connie Petz, Licensing Examiner

Public: Sundi Hondl, PT, OCS – President of Alaska Physical Therapy Association

Agenda Item 2 Review/Approve Agenda

Add in to agenda:

- # 6 Michelle Wall-Rood will discuss open and closed cases
- # 7 Permanent regulations which are effective April 24, 2009
- # 11 additional letter related to foreign trained application
- # 17 correspondence on Nerve conduction
- First thing Friday 4/17/09 Add power point presentation for Ethics training
- # 8 model practice act discussion as to who is handling AKOTA or board
- #15 recommendation to APTA & AOTA Ethics in billing

On a motion by Gary Burleson seconded by Marc Slonimski and carried unanimously it was RESOLVED to approve the agenda as amended. All board members – yes. No – nays.

Agenda Item 3 Ethics Reporting

There were no ethics violations to report from any board member. All board members agreed nothing to report.

Marc asked regarding agenda item 11 – as he works for the company associated with the correspondence and if any voting occurs then he would recluse himself.

Agenda Item 4 Minutes

April 10-11, 2008 meeting minutes: The board said these minutes did not identify what the regulations were that were addressed at the meeting and the board requested that future minutes provide brief recap of the regulation. Typo on page 5. For the record, MaryAnn stated she does not believe page 6, 4th paragraph regarding PTA and the word manipulation is something she said as she is very careful using that word. Also, Page 7, 2nd paragraph end of last sentence ends with April 2007 letter valid and this appears to be incomplete. Board agreed to allow Connie to correct only the typo on page 5 and other minutes can stand as is.

On a motion by Gary Burleson seconded by Jay McDiarmid and carried unanimously it was RESOLVED to approve the April 10-11, 2008 minutes as written. All in favor.

October 2-3, 2008 meeting minutes: Board agreed with minutes as written.

On a motion by Gary Burleson seconded by Jay McDiramid and carried unanimously it was RESOLVED to approve the October 2-3, 2008 minutes as written. All in favor.

Agenda Item 5 Public Comment

Sundi Hondl: President of Alaska Physical Therapy Association shared with the board issues of concern with the AKPTA.

Sundi wanted to follow up regarding the model practice act; AKPTA felt they should have their own lobbyist apart from AKOTA because the short 90 day legislative sessions delay progress. AKPTA is concerned things might be taken away that they do not want to see happen. Model Practice Act changes should be shared with group in advance so there are no surprises. AKPTA recognizes occupational therapists have changes they want also, one priority being aides in school and the temporary permit issue. Having outdated language cleaned up, AKPTA wants to be prepared to inform other groups.

Sundi asked staff why the requests for audit were sent so long after the licensing renewal period. She has had licensees calling her upset that they are having a hard time getting

their documentation so long after they took courses. Sundi recognized staff shortages. Connie reminded Sundi that by regulation it is the responsibility of the licensees to keep accurate records for 3 years.

Lobbyist working with AKPTA is Carin Robinson and Sundi was meeting with Carin today. Mary Ann said the board would appreciate meeting with Carin to discuss concerns related with legislative process. AKPTA pays Carin a fee and Sundi was concerned if the board interaction will increase AKPTA costs.

Jay asked if there would be enough association members who would be interested in working on the model practice act and the issues which concern all licensees. He thinks we need an Anchorage group and a Fairbanks group to work on this project. They could break the work into specific issues. Mary Ann said we have 6 years to prepare for this but we do need to begin working now on the areas with legislative issues. Mary Ann thinks we need our language cleaned up to protect the public and to clean up the regulations for clarity. Jay is willing to spearhead a group in Fairbanks.

Per Jo Boehme occupational therapists would like to have their own lobbyist. Gary Burleson said it would be helpful to have both groups on the same page. Gretchen Chamberlain is the new president of OT Assn. There already is an established core group of occupational therapists around the state who are committed to working on the issues. Jo believes the AKOTA does not want to wait for sunset.

Jo Boehme felt the heads of both associations should communicate and the issues in the schools is the driving force. Joyce said she knew Alice Hollinger would be willing to work on the model practice act as a volunteer.

Jay McDiarmid believes the key is getting people to work together on it. He knows the FSBPT has good records of where the battles were fought with other organizations so we will know the issues or concerns from other providers and then we can be prepared.

Per Jo also Jean Keckhut, former president of the AKOTA would also be willing to work on this. Sundi left the meeting.

Break at 9:39 a.m. - Back on record 9:58 a.m.

Agenda Item 6 Investigative Report

Michelle Wall Rood called in:

Jan 1, 2009 to April 14, 2009 – no new cases have been opened. Currently there is 1 active case for physical therapy occupational therapy board and this is from December 2007. This case is currently pending litigation related to violating professional ethics.

Michelle said generally a case is finalized within 6 to 18 months and is the preferred timeline for a case to be completed. Cases are prioritized by urgency of public safety issues. When a case enters litigation the time frame stretches out longer because you involve attorneys and hearings which involve much more time consuming processes.

Michelle signed off from the meeting.

Discussion again as to what to do with the licensing actions for public notification and to advise what happened in a case. FSBPT - put on our states website and in association newsletters etc... A case could be exposed for the informational benefit of other licensees; educate others in the importance of the application process. Publish the situation or issue at hand (not the name of the person) unless they have their license revoked or another serious issue.

Board came to agreement to publish the recent denial of license case, the decision that was made and the reason without disclosing the name of the licensee. Once an issue is public record and a case is closed then it will be disclosed to public. Jay to bring the information to the AKPTA; Connie will put on boards web site and Jo will bring it to AKOTA attn too.

Agenda Item 7 Regulation Projects

- **Supervision of non-licensed personnel
12 AAC 54.520; 12 AAC 54.815**

After much discussion the board determined the below revisions.

The board does not want the wording "provide for" as they believe it could be interpreted that it would be the duty of the physical therapist or occupational therapist to be held financially responsible for the training.

Strike words: 12 AAC 54.520 (c) A licensed physical therapist shall ~~provide for and~~ assure the training of...

Strike words: 12 AAC 54.815 (c) A licensed occupational therapist shall ~~provide for and~~ assure the training of...

The board believes there is redundancy of meaning and would like to strike the end of the paragraph and put a period after the word duties.

12 AAC 54.520 (d) ...performing patient-related duties. ~~on behalf of the supervising physical therapist.~~

12 AAC 54.815 (d) ...performing patient-related duties. ~~on behalf of the supervising occupational therapist.~~

The board believes the word that refers to a thing where the word who refers to a person. They would like to change the word that to the word who in:

12 AAC 54.520 (e) (2) (A) means personnel that are
Change the word that to the word who

12 AAC 54.520 (e) (2) (B) includes personnel that are referred to...
Change the word that to the word who

12 AAC 54.815 (2) (A) means personnel that are
Change the word that to who

12 AAC 54.815 (2) (B) includes personnel that are referred to...
Change the word that to who

The board believes the definition of “non-licensed personnel” was now being defined in a more restrictive way and they would like to strike a portion of the wording under (i) which says “not licensed” as they believe (A) is already identifying personnel who are “non-licensed”.

12 AAC 54.520 (2) "non-licensed personnel"
(A) means personnel who are
(i) ~~not licensed physical therapist that are~~ used by a licensed physical therapist...

12 AAC 54.815 (2) "non-licensed personnel"
(A) means personnel who are
(i) ~~not licensed occupational therapist that are~~ used by a licensed occupational therapist...

The board has a long term goal to eventually have a “definitions” section for both physical therapy and occupational therapy. In order to avoid having a future regulation project they would like to move 12 AAC 54.520 (e) and 12 AAC 54.815(e) to “definitions” in this regulation project.

Move all of 12 AAC 54.520 (e) to 12 AAC 54.590 under “Definitions related to physical therapy”.

As occupational therapy does not have a definitions section the board would like to add a definitions section at the end of Article 7 after 12 AAC 54.825 Standards of practice for telerehabilitation by occupational therapist. The board knows our regulations specialist will know how to number this requested new section.

Move all of 12 AAC 54.815(e) under a newly created section “Definitions related to occupational therapy”.

The Board reviewed the regulation draft and tabled 12 AAC 54.520; 12 AAC 54.815 with a request for staff to provide amendments to regulations specialist in hopes of having the revised draft ready for the board to hold a July 9, 2009 teleconference. This should allow time for public comment to be received by the September 14-15, 2009 board meeting.

Gary Burlison moved to accept the proposed regulation revisions as amended for both 12 AAC 54 520 and 12 AAC54 815. Marc Slonimski 2nd all in favor, no nays.

Regulation Projects

- **Physical therapy internship standards 12 AAC 54.535**
- **Occupational therapy internship standards 12 AAC 54.830**

The board reviewed the proposed regulation for both physical therapy and occupational therapy internship standards 12 AAC 54.535 and 12 AAC 54.830. Discussion was the desire to continue to work towards creating a cleaner reading format within regulations. Therefore they want to use the area of definitions to direct the reader to an understanding of the meaning of the word "internship".

Move to Definitions: From the proposed wording

12 AAC 54.535 Items (1), (2) and (3) to be moved to definitions which will now standardize the word "internship" under 12 AAC 54.590

12 AAC 54.830 Items (1), (2) and (3) to be moved to a newly created "definition" area which will now standardize the word "internship" under 12 AAC 54.???

As occupational therapy does not have a definitions section the board would like to add a definitions section at the end of Article 7 after 12 AAC 54.825 Standards of practice for telerehabilitation by occupational therapist. Again the board is relying on the regulations specialist to number the new occupational therapy definitions section.

The board does not have authority over federal government employees and their jurisdictions. The board does not want an intern doing an internship at a government service hospital under the direction of a non licensed physical therapist or a non licensed occupational therapist. Therefore, they want to remove wording in (3) by striking the government service portion in both physical therapy and occupational therapy.

~~12 AAC 54.535 (3) ... a varied case load a government service hospital may be an approved setting if it meets the requirements of this section.~~

~~12 AAC 54.830 (3) ... a varied case load a government service hospital may be an approved setting if it meets the requirements of this section.~~

The board also discussed the need to lead out the beginning of the regulation to identify who is actually responsible for the intern. The new wording should read as below.

12 AAC 54.535. Physical Therapy internship standards. (a) A licensed physical therapist who serves as supervisor shall assume responsibility for the intern's experience and the safety and welfare of the patient. To be approved by the board, the internship hours shall satisfy the requirements as defined in 12 AAC 54.590.

- 1) The board will not accept internship hours claimed before the date the internship was approved.

(b) Upon completion of the internship, the supervisor shall submit on a form provided by the board a statement attesting to the applicant's satisfactory or unsatisfactory completion of the internship and level of skill in completion evaluation, program planning, therapeutic practice,

potential ability to practice safely while unsupervised with sound professional judgment and ethics related to the practice of physical therapy.

Also, as a housekeeping issue in two areas of 12 AAC 54.620 which has the word “internship” under numbers 1 and 2. This is an area of wording which the board will work towards changing from the word “internship” to the word “fieldwork”. We will ask regulation specialist Jun if this could be considered under a “housekeeping” change and not a regulation change.

12 AAC 54.535. Occupational Therapy internship standards. (a) A licensed occupational therapist who serves as supervisor shall assume responsibility for the intern’s experience and the safety and welfare of the patient. To be approved by the board, the internship hours shall satisfy the requirements as defined in 12 AAC 54.??? (newly created “definition” area - number to be assigned by regulation specialist).

- 2) The board will not accept internship hours claimed before the date the internship was approved.

(b) Upon completion of the internship, the supervisor shall submit on a form provided by the board a statement attesting to the applicant’s satisfactory or unsatisfactory completion of the internship and level of skill in completion evaluation, program planning, therapeutic practice, potential ability to practice safely while unsupervised with sound professional judgment and ethics related to the practice of occupational therapy.

On a motion by Jo Boehme and seconded by Gary Burlison and carried unanimously, IT WAS RESOLVED TO adopt draft language for regulation 12 AAC 54.535 and 12 AAC 54.830 as amended. All in Favor, no nays.

Lunch Recess – Reconvene Recess for lunch 12:30 and Back on record 1:30 pm

AGENDA change during lunch – Carin Robinson is the consultant for the AKPTA and she was available to talk with the board. Carin is monitoring for AKPTA to keep everyone informed of legislative issues and available to AKPTA as a lobbyist.

Mary Ann Paul asked Carin to explain the process for **legislation**. Carin advised, sunset for physical therapy and occupational therapy board is 2014. Carin advised the board to make changes prior to sunset and not the same year. Work with the director of occupational licensing to see if they will bring any concerns before legislature. Or find one or two legislators to introduce the changes. The shorter session has eliminated the ability to pass legislation in one session and limits the opportunity for special interest groups to get their issues introduced.

Carin said it’s important to be prepared for opposition with any change a board brings forward. Consider any and all parties who could be impacted. Work towards getting them to sign off on the desired changes. This will reduce delays in getting legislation moved through the system.

Good contacts for the legislative process, one is Senator Paskvan of Fairbanks, chair of senate labor and commerce. Senator Joe Thomas also of Fairbanks and his staff Catherine Reardon, former head of occupational licensing and very knowledgeable as she knows the statutes and regulations very well. Senator Betty Davis chair of HESS committee is likely the first person to see what we introduce.

Get both sides; house and senate side working on our issues. Be prepared and ready to go by having everything in order. Carin said to make contacts NOW about 1 month after the current session ends, get someone to work on the drafts. Get it in writing so you can really see what the changes will look like. Be prepared to have any changes you want backed with documentation as to why they are being changed.

Find out who your opposition is up front to avoid having anything aired at the committee meeting. Meet with opposition in advance to discuss the issues of concern.

Have your legislation introduced at the upcoming session and understand it may not move through in one session and it may not be passed in same year. If using model practices act's wording review it to make sure there isn't anything in the writing that might be controversial. Think through each area as to what might stir up conflict.

The board needs to know when someone should be physically present during session and should monitor the process constantly, know when to write a letter etc... Keep in touch with the process in order to keep it moving. Carin suggests the board would be able to save money if someone is keeping the process moving.

Physical therapists and occupational therapists both should work together. Work out all areas before going legislature and collaborate the efforts of all the groups to make sure you have everything you want in the process.

Carin suggested our state board meets with the board of education in order to reach out and understand what all their concerns are and to understand what they are thinking about the issues. Having open discussion essentially assists the physical therapy/occupational therapy board in knowing what the battle is and will allow us to go to the legislature better prepared.

Carin said she would be willing to help the PTOT board find legislators who would be willing to work with our issues. She is also willing to work with us as a monitor. She said it's imperative that the any group she works with plans to meet every week in order to have success. Carin left the meeting and the board resumed conversation from prior to lunch break.

Carin had suggested the board meet with the Board of Education. The next Board of Education meeting is scheduled to meet in Fairbanks. The board approved for both Jay McDiarmid and Marc Slonowski to attend the BOE meeting to discuss the proposed changes which may concern the school districts.

Discussion resumed from prior to Lunch regarding regulation 12 AAC 54.535 and the board revised the wording they would like to have 12 AAC 54.830 to be written in same format.

On a motion by Jo Boehme, IT WAS RESOLVED TO adopt new regulation 12 AAC 54.535 Physical Therapy internship standards and 12 AAC 54.830 Occupational Therapy internship standards as discussed and provided on the golden rod draft. Seconded by Gary Burlison and carried unanimously.

- *Professional reference requirements*
Set a standard of what the board would like provided by the reference.

Connie to change the professional reference form for review at the July teleconference.

Agenda Item 8 Liaison Reports

Jay McDiarmid – AKPTA. The AKPTA thought the board was taking the lead on the model practice act. Joyce asked Jay to put a statement in The Big Dipper explaining the board of Physical Therapy and Occupational Therapy is supportive of the model practice act but the board is unable to introduce legislation for and it needs to be done by the association. The board recognizes that association has been saving money to address legislative issues and this is the time to utilize the resources. Task forces of AKPTA should have a board member in contact with them. The board will continue our work on regulation changes within our authority. Jeff LePage is the new AKPTA president.

Jo Boehme – AKOTA, Jo has submitted articles to the AKOTA news letter, fielded questions about state regulations and attended state association meeting in Anchorage. Gretchen Chamberlain is the new AKOTA president.

Agenda Item 9 NBCOT October 2008 Conference

Kathleen Lind attended the conference and learned we only have jurisdiction over those who have a license. There it was advised that we need to encourage occupational therapy educators to keep their license current. Unfortunately we don't give them avenues to do that.

Introduction for another type of regulation which allows for an "emergency" license and the applicant may practice in a natural disaster area based on holding a license elsewhere.

Continuing education versus continuing competencies was addressed. Colorado and Michigan have both made changes. Canada has been the leader in the competency exams and everyone is watching Canada because based on the scores on the competency exam you would then follow up with continuing education in that areas needing improvement.

Jo Boehme will attend the 2009 annual NBCOT conference in Baltimore.

Agenda Item 10 Review FY 08 Annual Report

- *Re-evaluate Temporary Permits and Time limits Temporary permit AS 08.84.065*

Temporary permits were initially established in the day when it took months to get a license issued. We should shorten up the time, currently eight months, consider a maximum of 120 consecutive days. Temporary permit should be used only in the event that someone is waiting to take their exam as a license can now be issued in 4 to 6 weeks if the applicant follows the instructions. FSBPT has advised states to have courtesy license or an emergency license.

Board agrees 4 months (120 days) provides enough time for an applicant to test and secure a permanent license. This will become a legislative recommendation currently #14 but Jay will adjust accordingly on the FY09 annual report.

Changing temporary permit from 8 months to 4 months (120 days consecutive) from date issued for duration of a temporary permit.

- *FY 09 Report Due August 1, 2009*

Board cannot determine cost of teleconferences from the budget. Jo asked if the budget allows the state to consider using SKYPE or some other form of less expensive teleconference. Board cannot determine cost of teleconferences from the budget.

Regarding travel costs, Jay advised that FSBPT now only pays for one board member and one staff for the annual conference where in the past they paid for two board members.

Board prioritized legislative recommendations. Jay will update the legislative recommendations for the annual report.

- *Budget Report*

On a motion made by Burleson and seconded by Boehme and carried unanimously, IT WAS RESOLVED TO accept the budget as proposed.

Table agenda item 11 to Friday a.m. after the board reviews the ethics power point.

The board recessed at 3:59 p.m. and will meet at 8:00 a.m. April 17, 2009.

FRIDAY, APRIL 17, 2008

Meeting called to order by Mary Ann Paul, PT, Chair at 8:07 a.m.

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

Mary Ann Paul, PT, Chair
Jay McDiarmid, PT, Secretary
Jo Boehme, OT/L
Joyce Barnett, Physical Therapy
Kathleen Lind, OT
Marc Slonomski, MD
Gary Burlison, Public Member

Staff present: Connie Petz, Licensing Examiner

Meeting opened with the board reading the State of Alaska Ethics power point. The only discussion was related to a key point which identified how the Board would be implemented in an ethics situation.

Agenda Item 11 Foreign-Trained applications

- *RE: credential review*

Discussion on how a Foreign trained applicant can complete the educational requirements. They must be substantially equivalent to the first professional degree in Physical therapy in the United States." 08.84.032 Foreign-trained explains what can be accepted.

Jo asked about the function of FCCPT and how they evaluate their education. FCCPT evaluates the education based on the year in which they were educated. Mary Ann said that we have many foreign educated who have satisfied the educational requirements. The purpose of FCCPT it to evaluate their credentials and that is why we rely on them.

- *Valerie Phelps – Advanced Physical Therapy, Inc.*

Board discussed the correspondence between Ms. Phelps and the division and her request to make exceptions for foreign educated. Board all agreed that every applicant must meet the educational requirements. We want to make sure they have met both FCCPT and TOEFL and in the required time frames. The board's position is to maintain the same criteria for everyone as stated in 08.84.032. Discussion as to how a foreign trained can gain the educational requirements, they can be directed by FCCPT to the institutions available for continuing their education or they can research it on their own. Applicants must be substantially equivalent to the first professional degree in Physical therapy in the

United States and they must submit a revised evaluation in order for their application to be complete and be reviewed by the board.

Agenda Item 12

Review/Revise Alaska Applications

Manual Mauri – Physical therapy application is incomplete as his education is not substantially equivalent.

Maria Silva – Physical therapy application is incomplete as her education is not substantially equivalent.

****** Ask board to state on the record at September 14-15, 2009 board meeting: Motion to revise application review for both Mauri and Silva with a “Motion to approve internship pending educational requirements being met”. Jo Boehme motioned, seconded by Gary Burleson, all in favor, no nays. ******

Gina Sita - Physical Therapy by credentials – approved pending approval of supervisor on professional reference.

Rebecca Biere – Occupational Therapy by credentials –approved

Melissa Lund – Physical Therapy by credentials –approved

Pabustan approved for internship foreign educated – Physical Therapy license approved pending passing FSBPT and TOEFL

On a motion by Gary Burleson it was RESOLVED TO approve above applicant as stated, seconded by Jo Boehme and carried unanimously.

Board recessed for lunch 12:00pm

Back on record 1:07pm

Maryann shared that FSBPT has developed a jurisprudence exam for five states and they administer the exam for two states. Alaska could consider taking advantage of this too. FSBPT designs the exam for each state at no cost to the board. FSBPT then offers it to new licensees and for continuing competency. An applicant could choose to take the exam for continuing education credit. This is a proctored exam and there would be a fee for the applicant when they register with FSBPT. The applicant would need to be approved for the by on line, similar to how the NPTE is approved. This exam option is available to us and we may want to decide if we want it to become a requirement in our state. Susan Layton is who we would work with for additional understanding of this option.

Staff provided one additional application file for review for internship. Board reviewed physical therapy application for foreign educated Marichelle Rodriguez Pagtakhan.

On a motion made by Jo Boehme to approve Marichelle Rodriguez Pagtakhan upon passing FSBPT exam and TOEFL exam and seconded by Joyce Barnett and carried unanimously, IT WAS RESOLVED TO accept the applicant for internship.

Agenda Item 13

Review/Revise Alaska Applications

The Board agreed that revising applications to give more clarity in the application instructions to applicants may assist staff in processing time. Incomplete or incorrectly submitted documentation causes extensive follow up of staff time. Staff will work on revisions based on discussion and either submit to board for review or update on web; depending on supervisors direction.

Agenda Item 14

Review CE audits

Board reviewed audits:

The board discussed continuing education certificates related to animal therapy for physical therapy or occupational therapy treatment of animals - equine, canine etc... non-human beings. Brenda Donohue, licensing examiner for the Veterinary board was asked to join the meeting and explain the professional licensing requirement for treatment of animals. The board was advised that in the state of Alaska in order for anyone to provide treatment "for compensation" to an animal they must hold a veterinary license.

The board agreed that any continuing education certificates submitted which are related to treatment of animals would not meet the requirement "directly related to patient care" in either Article 3 for Physical Therapy or Article 6 for Occupational Therapy. Therefore, treatment of animal CE's would not qualify.

The board determined that a licensee cannot sign for their own attestation of 60 hours of employment. The licensee would need to have an alternate party sign off on the statement form such as a co-worker or their tax accountant and submit a copy of their federal income tax form schedule C or other documentation which validates earned income.

Staff will send letters to all licensees who attested for themselves for 60 hours of work experience on the audit form. They will need to provide a new document with attestation from a qualifying source, tax accountant and/or federal tax form schedule C accordingly.

Five licensees did not have enough qualifying CE's. Staff explained that these files will be turned over to the paralegal who will write to each licensee advising the process

ahead. In some cases a memorandum of agreement or fines and/or both. Board will be advised of the status from the paralegal.

On a motion made by Gary Burleson applicants who submitted CE's that the board audited and found acceptable be approved for licensure, seconded by Joyce. All in favor, no nays

Agenda Item 15 Review summary report of types of CE's taken

Board agreed the survey was useful and were reassured to see that there were very few submissions for online/home study courses.

Mary Ann Paul recommends the board consider adding a future requirement for an ethics in billing seminar/course for all licensees. She had attended the FSBPT conference in September 2008 in which an ethics in billing presentation showed the seriousness of improper billing practices. She believes it would be good to bring a para-educator to Alaska to present an ethics in billing course. It is recognized that you do not learn billing practices and proper documentation for treatment of patients in school. In order to run a business you need to know how to bill appropriately. This is for Medicare and other aspects of billing.

Jo thought that AKOTA would also want to have this educational opportunity and she will present the idea to AKOTA.

Break at 3:12 p.m. off the record back on at 3:18 p.m.

Agenda Item 16 Review Ohio regulations regarding CE

Table to next board meeting. Mary Ann Paul will review the prior board CE audit issues to compare to the Ohio continuing education changes. Regulations were public noticed October 2007.

Agenda Item 17 Other discussion

• *Correspondence*

Jay discussed the correspondence re: nerve conduction studies and the fact they are within the scope of practice for the physical therapist. Alaska regulations do not specifically state that the test is under our scope of practice but the American Physical Therapy Association does recognize the study as part of the physical therapy practice.

ACE, American Congress of Electroneuromyography supports the practice of nerve conduction studies and needle electromyography NCS/EMG by physical therapists.

Performing NCS/EMG is part of physical therapy scope of practice; defining scope of practice in four points:

- Established history of the practice within the profession
- Education and training of the practitioners
- Supporting evidence of benefits to the public
- An appropriate regulatory environment

Marc Slonimski addressed there is lengthy education required for the EMG within the physicians' scope.

Mary Ann Paul suggests Jay write a follow up letter to Elaine Armantrout President of ACE asking about the education available for specialization in this practice.

- *Web site updates*

Board news to be placed on the web. The board agreed to add a disciplinary link and staff to adjust notes accordingly to the board direction and ask Judy about these and work on getting them on the web.

- *Recap of assigned tasks*

Mary Ann Paul:

- Review legislative recommendation list to include the 12 housekeeping issues
- Go back and compare the continuing education project from Oct 08' past meetings with the Ohio continuing education changes

Jay McDiarmid:

- Write a letter to Elaine Armantrout on nerve studies continuing education
- Talk to Heather Agustines about the equine therapy studies
- Update the annual report for FY 09
- Organize model practice act for small group discussion for physical therapist and occupations therapists in Fairbanks
- Contact Senator Joe Paskvan and Senator Joe Thomas to begin discussion with the 12 non-controversial statutes changes

Staff: - contact Board of Education for information related to next Board of education meeting (June 11-12 in Fairbanks)
- put on web, board news as discussed, CE's for animal rehabilitation is not accepted for continuing education credit because it is outside the scope of practice in the state of Alaska
- work on applications for physical therapy/occupational therapy/limited permit and revision for professional reference
- Joyce and Connie will both go to San Diego for annual FSBPT conference

Jo: - submit the newsletter to the AKOTA as she is the liaison and will work with AKOTA explaining they will need to look at working towards change with model practice act.

- Jo will go to Baltimore for NBCOT annual meeting

Kathleen :

- Look at one or two states which have educators... who are licensed and the process to keep their continuing education current

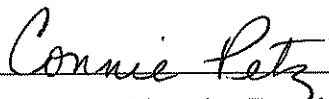
July teleconference: legislative housekeeping changes from Jun
Review wording on non licensed personnel
Review annual report

Agenda Item 17 Adjourn Meeting

The next in person meeting date was set for September 13-14, 2009 in Fairbanks. A teleconference was scheduled for July 9, 2009 at 1:30 p.m. to take action on proposed regulations. January 28-29, 2010 for an in person board meeting in Juneau.

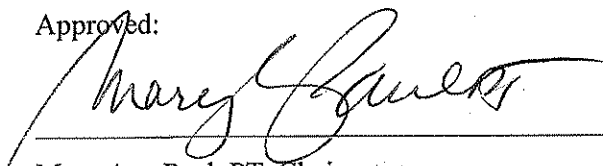
The Board having no further business to discuss adjourned the meeting at 4:50 p.m.

Respectfully Submitted:



Connie Petz, Licensing Examiner

Approved:



Mary Ann Paul, PT, Chair

Date: 9-26-09