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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF PHYSICAL THERAPY
VIA VIDEOCONFERENCE**

TIME: 10:36 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

November 30, 2020

1 ***

2 State Board of Physical Therapy

3 November 30, 2020

4 ***

5 The regularly scheduled meeting of the State
6 Board of Physical Therapy was held on Monday, November
7 30, 2020.

8 ***

9 Official Call to Order

10 [Cynthia Potter, PT, DPT, Chairperson, officially
11 called the meeting to order at 10:36 a.m.

12 K. Kalonji Johnson, Commissioner, Bureau of
13 Professional and Occupational Affairs, was not present
14 during commencement of the meeting.]

15 ***

16 Approval of minutes of the July 16, 2020 meeting

17 CHAIR POTTER:

18 The first item is approval of the
19 minutes. Are there any additions or
20 corrections to the minutes? Hearing
21 none.

22 Is there a motion to approve the
23 minutes?

24 DR. CAMPBELL:

25 So moved.

1 CHAIR POTTER:

2 Is there a second to approve the
3 minutes?

4 MS. FREY:

5 Second.

6 CHAIR POTTER:

7 We had a motion to approve the minutes,
8 and it was seconded. All in favor? We
9 will do a roll call.

10

11 Potter, aye; Campbell, aye; Elliott,
12 aye; Frey, aye; Blank, aye; Grzybek,
13 aye; McClinton, aye; Robb, aye; Wolfe,
14 aye; and Stauffer, abstain.

15 [The motion carried. Ted Stauffer, on behalf of
16 Commissioner Johnson, abstained from voting on the
17 motion.]

18

19 [Thomas M. Davis, Esquire, Board Counsel, noted the
20 meeting was being recorded, and those who remained on
21 the line were giving their consent to being recorded.

22 Mr. Davis also announced that the Board did not
23 meet in Executive Session prior to the meeting as
24 there were no matters on the agenda that called for
25 discussion during an Executive Session.]

1 ***

2 [Chair Corby requested a roll call be taken.]

3 ***

4 Report of Board Counsel

5 [Thomas M. Davis, Esquire, Board Counsel, reminded
6 Board members of an 11:00 appointment with the
7 Commissioner's Office to discuss Act 53.

8 Mr. Davis updated the Board on the status of the
9 regulations. He referred to 16A-6518 regarding child
10 abuse. He noted Deputy Chief Counsel Montgomery
11 presented those regulations to the Board on July 15,
12 2020, where the Board voted to promulgate the
13 regulation through the regulatory review process. He
14 noted it was approved by the Office of General Counsel
15 (OGC) and sent to the Office of Attorney General on
16 November 9, 2020, and was moving through the process.

17 Mr. Davis also provided an update on 16A-6522
18 regarding early exam and continuing education (CE) for
19 clinical education. He noted the Board voted to
20 promulgate the regulation through the regulatory
21 review process at the July meeting.

22 Mr. Davis mentioned the Board also expressed a
23 prior interest in participating in the Federation of
24 State Boards of Physical Therapy's (FSBPT) Alternate
25 Approval Pathway (AAP) and voted to enter into the

1 proposed agreement. He stated, before the Board could
2 enter into the agreement, several amendments needed to
3 be made to the regulations and provided an amended
4 annex and preamble for 16A-6522.

5 Mr. Davis also updated the Board on 16A-6523
6 regarding licensure by endorsement under Act 41. He
7 stated no comments were received after the exposure
8 draft was sent out on March 13, 2020. He noted the
9 annex and preamble were complete. He stated the
10 Regulatory Analysis Form (RAF) was being drafted and
11 then would go to the Independent Regulatory Review
12 Commission (IRRC) for review.

13 Mr. Davis addressed 16A-6522 regarding early exam
14 and CE for clinical education. He mentioned prior
15 discussion, where amendments would need to be made to
16 the Board's regulation before being able to enter AAP.
17 He commented that AAP would be allowing FSBPT to
18 actually approve applications for exam and many states
19 were moving toward that same end.

20 Mr. Davis addressed changes FSBPT wanted to see
21 in the Board's regulations. He commented that FSBPT
22 was under the impression the Board had already passed
23 the early exam amendment and noted they could not
24 implement AAP until that went through.

25 Mr. Davis decided to tack on a couple of other

1 amendments since the Board already needed an exam
2 amendment before the AAP agreement could be signed.
3 He referred to the annex for § 40.14, where (c) was
4 being removed with the addition of "an applicant may
5 not take the examination more than 6 times," and "the
6 applicant may not take the examination more than 3
7 times in a consecutive 12-month period" already in
8 (d). He noted the same changes were made to the
9 preamble.

10 Mr. Davis suggested removing some of the language
11 the Board was proposing under § 40.164. He
12 recommended keeping § 40.164(b), "applicants may take
13 the National Physical Therapy Examination (NPTE) up to
14 90 days prior to graduation from a Commission
15 Accreditation in Physical Therapy Education (CAPTE)-
16 accredited program." He also recommended removing the
17 second sentence.

18 Mr. Davis referred to § 40.164(e), where an
19 applicant scoring below the low score limit as defined
20 by FSBPT and only two examination attempts, will not
21 be allowed a third attempt, which are requirements
22 from FSBPT to enter the AAP agreement.

23 Dr. Campbell noted the edits to be consistent
24 with FSBPT practice and supported the changes.]

25

1 MR. DAVIS:

2 I believe the Board chair would accept a
3 motion to promulgate regulation 16A-
4 6522, also known as early exam and CE
5 for clinical education, through the
6 regulatory review process.

7 CHAIR POTTER:

8 So moved.

9 MS. GRZYBEK:

10 Second.

11 CHAIR POTTER:

12 It has been moved and seconded to
13 approve the proposed preamble and annex
14 as read by counsel. All in favor? We
15 will go through a roll call.

16
17 Potter, aye; Campbell, aye; Elliott,
18 aye; Frey, aye; Blank, aye; Grzybek,
19 aye; McClinton, aye; Robb, aye; Wolfe,
20 aye; and Stauffer, aye.

21 [The motion carried unanimously.]

22 ***

23 [Mr. Davis addressed 16A-6523 regarding licensure by
24 endorsement under Act 41. He noted a few
25 administrative changes. He also mentioned one of the

1 first steps in a regulatory review process is to send
2 the proposed regulation to the Office of General
3 Counsel, who will oftentimes request clarification or
4 have a better way to write the language.

5 Mr. Davis noted prior discussion regarding
6 provisional endorsement licensure. He explained
7 provisional endorsement license under Act 41, which
8 allows individuals to actively work while completing
9 CEs or whatever the Board feels is necessary to meet
10 the requirements.

11 Mr. Davis noted that everyone strongly suggested
12 that all boards adopt the provisional licensure
13 provision, because where the Board's discretion comes
14 into play is whether or not to actually allow someone
15 a provisional license, not whether or not to actually
16 include it in the regulations themselves. He noted
17 adding the language to the regulations.

18 Chair Potter noted being in support of the option
19 for a provisional license, so the Board could have
20 that discretion.

21 Mr. Davis noted current requirements, where
22 individuals must graduate from a CAPTE-accredited
23 program and pass the NPTE. He noted this allows for
24 the possibility of a gray area, where a jurisdiction
25 whose requirements are substantially similar but not

1 quite at a level to be considered substantially
2 similar by the Board, and allows the Board the
3 discretion and allows the individual to make that
4 change in that one-year period to be able to have a
5 provisional license.

6 Chair Potter addressed foreign-trained
7 therapists, noting recent interaction with a professor
8 from Widener University, Dr. Kripa Dholakia, who has
9 been working hard bringing attention to the dilemma of
10 foreign-trained therapists having difficulties
11 receiving endorsement.

12 Chair Potter also mentioned Dr. Dholakia was
13 working with the American Physical Therapy Association
14 (APTA) and contacted the Pennsylvania Physical Therapy
15 Association (PPTA) regarding the same issues. He had
16 done quite a bit of work investigating the different
17 states.

18 Chair Potter noted many of Dr. Dholakia's
19 concerns may be handled by Act 41, which could be a
20 tremendous help in eliminating some of those hurdles
21 and steps, such as getting credentials reviewed more
22 than one time as typically happens when somebody is
23 applying for endorsement.

24 Mr. Davis noted not wanting to conflate a
25 foreign-trained individual too much with Act 41

1 because Act 41 considers the jurisdiction of current
2 license and its requirements more than a person's
3 background. He mentioned that it should help many
4 foreign-trained licensees as long as they are
5 currently licensed in a jurisdiction that meets
6 Pennsylvania's requirements.]

7 ***

8 [K. Kalonji Johnson, Commissioner, Bureau of
9 Professional and Occupational Affairs, entered the
10 meeting at 11:00 a.m.]

11 ***

12 MR. DAVIS:

13 I believe the Board Chair would accept a
14 motion to promulgate proposed regulation
15 16A-6523, also known as licensure by
16 endorsement under Act 41, through the
17 regulatory review process.

18 CHAIR POTTER:

19 So moved.

20 DR. CAMPBELL:

21 Second.

22 CHAIR POTTER:

23 Moved and seconded to promulgate the
24 regulation. All in favor? We will do a
25 roll call.

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[The motion carried unanimously.]

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Appointment - Act 53 of 2020 Presentation

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[K. Kalonji Johnson, Commissioner, Bureau of Professional and Occupational Affairs, presented to the Board to address the Act 53 list of offenses. He stated legislation was passed in June, which modernized the way boards and commissions under the auspices of the Department of State review prior criminal history when making decisions regarding licensure. He noted the process to be more equitable and transparent for the individual applying for licensure and for the public.

Commissioner Johnson addressed his responsibilities regarding Act 53 to publish a list of crimes and offenses that directly relate to the profession, consult with all of the boards and commissions, and to provide the opportunity to welcome feedback and comments from business members of the community.

1 Commissioner Johnson stated the Act becomes
2 effective on December 27, 2020. He noted that the
3 list was not a terminal list and may change over time.
4 He thanked Mr. Davis, Deputy Chief Counsel Cynthia
5 Montgomery, Ms. Roberts, and the prosecutorial
6 division for their help in curating the list.

7 Cynthia K. Montgomery, Esquire, Deputy Chief
8 Counsel/Regulatory Counsel, Department of State,
9 referred to § 3117 of Act 53, where Commissioner
10 Johnson must promulgate the lists after consultation
11 with licensing boards and commissions and members of
12 the business community. She informed the Board that
13 she received no written comments after the release of
14 the draft copy to interested parties and stakeholders.

15 Ms. Montgomery addressed Commissioner Johnson's
16 duty to publish a schedule of criminal convictions
17 that may constitute grounds to refuse to issue;
18 suspend; or revoke a license, certificate,
19 registration, or permit for each occupation or
20 profession under the Bureau of Professional and
21 Occupational Affairs (BPOA).

22 Ms. Montgomery referred to § 3113(d), where a
23 licensing board or commission may not issue a license,
24 certificate, registration, or permit or otherwise
25 allow an individual to practice as a health care

1 practitioner if the individual has been convicted of a
2 sexual offense.

3 Ms. Montgomery addressed crimes of violence,
4 which are set forth in the statute, where there may be
5 an impediment to licensure. She stated the Board may
6 grant an individual a license who was convicted of a
7 crime on the list if at least 3 years had elapsed
8 since being released from incarceration or 3 years had
9 elapsed since imposition of sentence, the individual
10 remained free of conviction from that 3-year period,
11 as well as demonstrated significant rehabilitation.

12 Ms. Montgomery stated the Board will deliberate
13 on the factors provided in the Act to determine
14 whether licensure of the individual would not pose a
15 substantial risk to the individual's patients,
16 clients, or public or a substantial risk of further
17 criminal convictions.

18 Ms. Montgomery addressed drug offenses and drug
19 trafficking offenses. She referred to § 1306, where
20 the Board shall not issue a license to an applicant
21 who had been convicted of a felony under the
22 Controlled Substance, Drug, Device, and Cosmetic Act
23 or of an offense of the laws in another jurisdiction,
24 which, if committed in this Commonwealth, would be a
25 felony. She stated Act 53 does limit the provision to

1 only drug trafficking offenses and is why some of the
2 drug trafficking offenses were on the list.

3 Ms. Montgomery noted the remaining items on the
4 list were those that counsel working with the
5 prosecution division determined were directly related
6 to the profession. She provided a definition of
7 "directly relates." She requested the Board review
8 the list to see if the offenses would have a direct
9 bearing on their fitness or ability to perform one or
10 more of the duties or responsibilities necessarily
11 related to the profession.

12 Ms. Montgomery stated Commissioner Johnson has
13 the duty to publish a notice in the *Pennsylvania*
14 *Bulletin* that the list had been completed and was
15 available. Then the list would be promulgated as part
16 of a proposed rulemaking package within 120 days. She
17 noted another opportunity for comment when they go
18 through the proposed rulemaking process.

19 Ms. Montgomery offered to answer questions
20 concerning Act 53 but deferred questions regarding a
21 specific crime on the list to Mr. Davis.

22 Ms. Frey questioned where alcohol-related
23 offenses fall under the list.

24 Mr. Davis explained that the Act itself already
25 references not licensing an individual who cannot

1 safely perform physical therapy because of a chemical
2 dependence on drugs or alcohol, where an assessment
3 through the voluntary recovery program (VRP) would be
4 needed. He noted this to be a separate way of
5 handling matters related to alcohol issues and is why
6 it was not on the list.

7 Ms. Montgomery addressed rebuttable presumption
8 under § 3113, where individuals convicted of a crime
9 on the list of offenses directly related to the
10 profession would pose a substantial risk to the health
11 and safety of their clients, patients, or the public
12 or a substantial risk of further criminal convictions.

13 Ms. Montgomery mentioned that applicants and
14 licensees would have to demonstrate they do not pose
15 such a risk and would have the opportunity to request
16 a hearing. She stated § 3113(c) sets forth the
17 analysis of the convictions the Board is to undergo.
18 She explained that just because a crime was not on the
19 list did not mean it could not be considered and the
20 Board would perform an individualized assessment.

21 Ms. Montgomery stated the list will become part
22 of a best practices guide to provide notice to
23 individuals convicted of these crimes. She stated the
24 schedules shall be used by the licensing boards when
25 preparing preliminary determinations under § 3115 of

1 Act 53.

2 Ms. Montgomery noted individuals could apply to
3 the Board for a preliminary determination as to
4 whether their criminal history may be an impediment to
5 licensure. She commented that sexual offenses would
6 be a complete impediment to licensure. She noted that
7 information would be provided to the applicant
8 describing the criteria that would be required to
9 receive a license. She stated the list will also be
10 used in determining which criminal convictions may
11 result in disciplinary actions.

12 Dr. Campbell questioned whether preliminary
13 determinations would be a binding decision.

14 Ms. Montgomery explained that the determination
15 was not final or binding for individuals as to whether
16 they could qualify for a license and the individuals
17 would have the opportunity to present the evidence of
18 those factors in § 3113(c). She mentioned that
19 preliminary determination on sexual offenses would be
20 binding.

21 Ms. Montgomery informed the Board that the
22 preliminary determinations will be maintained in the
23 Pennsylvania Licensing System (PALS) and will be
24 uploaded when the individual ultimately applies and
25 will be made part of their application. She stated an

1 individual who applies for a preliminary determination
2 for a minor retail theft offense and had not had any
3 further criminal convictions in between could be
4 satisfied that it was fairly binding.

5 Ms. Montgomery referred to § 3115, noting it was
6 not binding in one place but binding in another. She
7 read where it states, the determination by the
8 licensing board shall be binding subject to a review
9 of the criminal history record information submitted
10 during the application process in § 3113 and have the
11 provisions to indicate what crimes were a complete
12 bar, which are the sexual offenses, a 3-year bar which
13 were the violent crimes, and then the criteria that
14 need to be considered.

15 Ms. Montgomery noted Act 53 was passed to assure
16 transparency and consistency. She provided a summary
17 of the preliminary determination process.

18 Dr. Campbell referred to § 4117 regarding fraud
19 and questioned whether that includes federal and state
20 issues regarding insurance fraud.

21 Ms. Montgomery questioned whether the Board
22 wanted insurance fraud specifically added to the list.

23 Dr. Campbell recommended insurance fraud be
24 added.

25 Chair Potter requested further explanation of

1 access device fraud under § 41.06 and § 3012(a)
2 relating to labor servitude.

3 Mr. Davis provided a definition of involuntary
4 servitude, where a person commits a felony of the
5 first-degree if the person knowingly, through any
6 means described in subsection (b), subjects an
7 individual to labor servitude or sexual servitude
8 except where the conduct is permissible under federal
9 or state law other than this chapter.

10 Mr. Davis discussed forcing an individual to work
11 under conditions in § 3012(b)(1)-(13) and those
12 directly related to the profession.

13 Mr. Davis addressed access device fraud
14 concerning insurance billing and credit cards, noting
15 an individual would not be permanently barred but
16 would need to explain any changes since the conviction
17 and prove they are no longer a danger based on factors
18 found in Act 53.

19 Mr. Davis noted Mr. Smith also worked on
20 constructing the list. He questioned whether drug
21 crimes could justifiably be considered to be directly
22 related to the practice of physical therapy since
23 physical therapists do not issue prescriptions or work
24 with medication.

25 Commissioner Johnson addressed Board concerns

1 regarding preliminary determinations. He stressed
2 that the preliminary determination has a nonbinding
3 effect in the sense that if conditions change, that
4 preliminary determination made in the past was void
5 upon future iteration of the Board. He stated the
6 individual essentially becomes armed with the
7 preliminary determination and would have the necessary
8 information to plot their course.

9 Ms. Montgomery referred to § 3113(f) regarding
10 drug trafficking offenses and more specifically a
11 violation of 13(a)14, 30, or 37 of the Controlled
12 Substance, Drug, Device, and Cosmetic Act. She noted
13 the section relates to the Board because licensure
14 requirement qualifications do say the Board shall not
15 issue a license to an applicant convicted of a felony
16 under the Controlled Substance, Drug, Device, and
17 Cosmetic Act.

18 Ms. Montgomery recommended keeping those three on
19 the list. She stated the Act does narrow that to the
20 drug trafficking offenses, so drug trafficking
21 offenses would pose an impediment to licensure.

22 Mr. Davis agreed with Ms. Montgomery to remove
23 everything from the list except for the drug
24 trafficking crimes. He noted having difficulty making
25 a direct link because many of the crimes have to do

1 with writing prescriptions.

2 Ms. Montgomery recommended § 4117 language
3 regarding fraud be changed to insurance fraud.

4 Chair Potter advocated for removal of crimes not
5 applicable to physical therapists.]

6 ***

7 MR. DAVIS:

8 My proposal from a legal standpoint is
9 to remove everything except for 13(a)14,
10 30, and 37 as listed in Act 53.

11 If anyone disagrees with that
12 avenue of approach, please speak at this
13 time. Hearing nothing.

14 It sounds like the list is
15 acceptable as long as we add § 4117,
16 which is insurance fraud, and we amend
17 the drug section as I just listed.

18 [Mr. Smith recommended the addition of Title 18
19 Pa.C.S. § 4904 regarding unsworn falsification to
20 authorities, where individuals are verifying the truth
21 of information provided as part of their application
22 to the Board. The Board discussed Mr. Smith's
23 recommendation.]

24 MR. DAVIS:

25 I believe the Board chair would accept a

1 motion to approve the Act 53 Schedule of
2 Criminal Convictions as presented with
3 three amendments by adding 18 Pa.C.S.
4 § 4117, which is insurance fraud; 18
5 Pa.C.S. § 4904, which is unsworn
6 falsification to authorities; and
7 deleting all drug crimes except for the
8 drug trafficking crimes listed in Act
9 53, which are 13(a)14, 30, and 37.

10 Do we have a motion?

11 MS. GRZYBEK:

12 So moved.

13 MR. ELLIOTT:

14 Second.

15 CHAIR POTTER:

16 The motion has been moved and seconded.
17 Any further discussion? We have to do a
18 roll call.

19
20 Potter, aye; Campbell, aye; Elliott,
21 aye; Frey, aye; Blank, aye; Grzybek,
22 aye; McClinton, aye; Robb, aye; Wolfe,
23 aye; and Johnson, aye.

24 [The motion carried unanimously.]

25 ***

1 [Commissioner Johnson thanked the Board and all
2 parties involved for their time and dedication to this
3 effort. He assured the Board publication before the
4 deadline.]

5 ***
6 Report of Board Counsel (Continued) - Miscellaneous
7 [Thomas M. Davis, Esquire, Board Counsel, addressed
8 House Bill 862 regarding the Physical Therapy (PT)
9 Compact signed by the House and Senate in November and
10 signed by Governor Wolf on November 25, 2020. He
11 noted the bill was now Act 119 of 2020. He stated the
12 language regarding the Federal Bureau of Investigation
13 criminal background checks is probably at the moment
14 substantial and will probably see an amendment in the
15 future to Act 119 of 2020.

16 Mr. Davis noted receiving an email from a
17 representative of FSBPT welcoming Pennsylvania to the
18 PT Compact Commission. He suggested the Board select
19 a PTCC delegate and will be contacting Board
20 administration concerning an administrative checklist
21 as to what the Board needs to do going forward.]

22 ***
23 CHAIR POTTER:
24 I would volunteer to do that. I was
25 appointed as chair for another year on

1 the Education Committee. I know I will
2 be at the conference next year. Due to
3 the virtual activities this year, they
4 extended my term an additional year.

5 MS. GRZYBEK:

6 I move to elect Cindy Potter to be the
7 FSBPT CC delegate for Pennsylvania.

8 DR. CAMPBELL:

9 I second that.

10 CHAIR POTTER:

11 It has been moved and seconded to elect
12 Cindy Potter as the CC delegate from
13 Pennsylvania.

14
15 Campbell, aye; Elliott, aye; Frey, aye;
16 Blank, aye; Grzybek, aye; McClinton,
17 aye; Robb, aye; Wolfe, aye; Johnson,
18 aye.

19 [The motion carried unanimously.]

20 ***

21 [Thomas M. Davis, Esquire, Board Counsel, addressed
22 House Bill 2956 regarding a fee freeze for the Board's
23 review. He noted the bill assisted frontline workers
24 during the COVID crisis, where qualifying licensees in
25 nursing or physical therapy shall not be subject to a

1 renewal fee increase for the duration of the COVID-19
2 disaster emergency and for 6 months following the
3 termination or expiration of the COVID-19 disaster
4 emergency.

5 Mr. Davis updated the Board, noting no movement
6 on Senate Bill 1228 regarding the dry needling
7 provision. He stated it would expand the authorities
8 of all PTs to practice without referral for 90 days.
9 He commented that by deleting all references to the
10 current certificate of authorization, it would also
11 place dry needling within a PT scope of practice. He
12 noted it was referred to the Consumer Protection and
13 Professional Licensure Committee on July 13, 2020, and
14 is where it is currently located.

15 Mr. Davis discussed House Bill 64, noting it was
16 signed by Governor Wolf and was now Act 116 of 2020,
17 which allows the carryover of continuing education
18 credits in excess of the number required for biennial
19 renewal. He noted an additional paragraph to Act 48
20 allowing the carryover of continuing education
21 credits.

22 Chair Potter suggested looking at the bill
23 because it may give people more flexibility with their
24 CE.

25 Ms. Roberts expressed her concern with carryover

1 of continuing education creating administrative
2 problems.

3 Mr. Davis suggested everyone think about the
4 matter between now and the next meeting to see what
5 other boards are doing and have further discussion at
6 that time.]

7 ***

8 Report of Prosecutorial Division

9 ***

10 Report of Board Chair

11 [Cynthia Potter, PT, DPT, Chairperson, revisited
12 discussion regarding foreign-educated physical
13 therapists, noting concern that current requirements
14 do not differentiate between licensure by endorsement
15 and licensure by examination. She noted the request
16 of putting a separate section into the regulations
17 that outlines the requirements for licensure by
18 endorsement that may better reflect the individual's
19 experience and clinical practice that occurred since
20 their initial licensure was obtained.

21 Mr. Davis clarified that licensure by endorsement
22 under Act 41, whether foreign-educated or not, did not
23 matter. He explained that the only thing that
24 mattered was where an individual held a license to see
25 if that jurisdiction was substantially similar to

1 Pennsylvania, which also applies to individuals in the
2 states. He noted to be concerned about a person's
3 foreign education if they come in through examination
4 or reciprocity. He stated individuals with a valid,
5 active license in good standing would be considered
6 under Act 41.

7 Chair Potter questioned whether there are other
8 changes needed in the regulations to make the
9 endorsement process streamlined or simpler for
10 individuals.

11 Mr. Davis explained that 16A-6523 regarding
12 licensure by endorsement, as the Board's
13 interpretation of Act 41, would need to be changed.
14 He commented that it would be difficult to streamline
15 the matter, unless the Board wanted to back off the
16 CAPTE requirements or something like that.

17 Dr. Campbell noted conversations with Dr.
18 Dholakia concerning challenges for foreign-trained
19 therapists, where they get trained and licensed in one
20 state and when they try to apply for licensure in
21 another state, the entire education process needed to
22 be reevaluated and sometimes did not meet standards.

23 Mr. Davis informed the Board that any changes to
24 Act 41 regulations must be done now. He stated
25 looking into making the process easier for licensure

1 by examination for foreign-trained individuals could
2 be done at a later time.

3 Chair Potter was not advocating for changing the
4 Act 41 regulations but recommended informing all that
5 Act 41 would go through the regulatory process and the
6 public will have an opportunity to comment.

7 Chair Potter informed the Board that FSBPT sent
8 out a release on dissolving the International Network
9 of Physical Therapy Regulatory Authorities (INPTRA) in
10 December 2020 due to COVID and limited resources.

11 Chair Potter addressed the incorrect renewal
12 notice received by licensees in October and requested
13 information regarding how that happened.

14 Commissioner Johnson commented that an issue with
15 the application caused the page in the applicant lists
16 to be conflated and was corrected. He takes full
17 responsibility for the mistake and will do his best so
18 this does not happen again.

19 Chair Potter suggested sending an email to all
20 licensees of an error should it happen in the future.
21 She noted a lot of angst in those intervening days
22 until people got the correct link about what they
23 should be doing and when the licenses would be
24 available.

25 Commissioner Johnson stated the department was

1 working on a development in the system that would
2 create a number of redundancies. He was hopeful over
3 the course of the next few months and into 2021, the
4 app development would be functional. He encouraged
5 applicants and licensees to review the navigator
6 guides and review the websites and avail themselves to
7 the information that is publically posted to minimize
8 the risk of confusion when there was a problem.]

9

10 Report of Committees

11 [Geraldine M. Grzybek, PT, GCS, thanked Board members
12 for electing her to serve in this capacity and
13 addressed her attendance at the FSBPT Delegate
14 Assembly on October 24. She noted attending a
15 legislative issues forum in July and had two candidate
16 interviews in a candidate forum on October 22, 2020.

17 Ms. Grzybek noted the substance of the meeting
18 was to elect members for the Board of Directors as
19 well as the Nominating Committee and to adopt one
20 motion. She mentioned that Adrienne (Stacy) Price,
21 Director 2; Joni Kalis, Director 3; Joseph Shanley,
22 Nominating Committee member, were elected by the
23 assembly. She informed the Board that the liaison to
24 the Pennsylvania Board is Stacy Price. She mentioned
25 one motion was presented to the assembly and voted on

1 unanimously.

2 Ms. Grzybek noted the areas of focus are in the
3 report and to help the FSBPT Board of Directors and
4 Committees focus their areas of funding and volunteer
5 and manpower resources in the areas of responsibility
6 for the organization.

7 Ms. Grzybek announced Chair Potter also attended
8 the meeting as the alternate delegate.]

9 ***

10 Miscellaneous

11 [Michelle Roberts, Board Administrator, noted the
12 proposed 2021 meeting dates. She also noted the next
13 scheduled meeting is January 21, 2021.]

14 ***

15 Adjournment

16 CHAIR POTTER:

17 Is there any other business to come
18 before the Board? Hearing none.

19 Is there a motion to adjourn?

20 MS. GRZYBEK:

21 So moved.

22 CHAIR POTTER:

23 Is there a second?

24 MS. FREY:

25 Second.

1 CHAIR POTTER:

2 Moved and seconded to adjourn the
3 meeting. All in favor, say aye.

4 [The motion carried unanimously.]

5 ***

6 [There being no further business, the State Board of
7 Physical Therapy Meeting adjourned at 12:47 p.m.]

8 ***

9

10 CERTIFICATE

11

12 I hereby certify that the foregoing summary
13 minutes of the State Board of Physical Therapy
14 meeting, was reduced to writing by me or under my
15 supervision, and that the minutes accurately summarize
16 the substance of the State Board of Physical Therapy
17 meeting.

18

19

20



21

Evan Bingaman,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

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STATE BOARD OF PHYSICAL THERAPY
REFERENCE INDEX

November 30, 2020

	TIME	AGENDA
1		
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7		
8		
9	10:36	Official Call to Order
10		
11	10:37	Approval of Minutes
12		
13	10:43	Roll Call
14		
15	10:45	Report of Board Counsel
16		
17	11:04	Appointment - Act 53 of 2020
18		Presentation
19		
20	12:11	Report of Board Counsel (Continued)
21		
22	12:24	Report of Board Chair
23		
24	12:43	Report of Committees
25		
26	12:46	Miscellaneous
27		
28	12:47	Adjournment
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