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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**

TIME: 10:30 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

May 4, 2023

State Board of Physical Therapy  
May 4, 2023

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BOARD MEMBERS:

Cynthia L. Potter, PT, DPT, Chairperson  
Arion Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs  
Sandra L. Campbell, PT, Ph.D., MBA, Vice Chair  
Jeremy Robb, Attorney General's Office designee

BUREAU PERSONNEL:

Thomas M. Davis, Esquire, Board Counsel  
J. Karl Geschwindt, Esquire, Acting Senior Prosecutor  
Kenneth J. Suter, Esquire, Board Prosecution Liaison  
Michelle Roberts, Board Administrator

ALSO PRESENT:

Charles (Chachi) Angelo, Director of External  
Affairs, Pennie, Pennsylvania's official health  
coverage marketplace  
Scott Yeager, Outreach Manager, Pennie,  
Pennsylvania's official health coverage marketplace

1 \*\*\*

2 State Board of Physical Therapy

3 May 4, 2023

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
6 at 10:00 a.m. the Board entered into Executive  
7 Session with Thomas M. Davis, Esquire, Board Counsel,  
8 for the purpose of conducting quasi-judicial  
9 deliberations and to receive advice of counsel on  
10 matters upon which the Board would later vote. The  
11 Board returned to open session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Physical Therapy was held on Thursday, May  
15 4, 2023.

16 \*\*\*

17 Official Call to Order

18 [Cynthia L. Potter, PT, DPT, Chairperson, officially  
19 called the meeting to order at 10:30 a.m.]

20 \*\*\*

21 [Thomas M. Davis, Esquire, Board Counsel, noted the  
22 meeting was being recorded, and those who continued  
23 to participate were giving their consent to be  
24 recorded.

25 Mr. Davis also informed everyone that the Board

1 entered into Executive Session for the purpose of  
2 conducting quasi-judicial deliberations and to  
3 receive advice of counsel on the matters upon which  
4 the Board would later vote.]

5 \*\*\*

6 Roll Call of Board Members

7 [Cynthia L. Potter, PT, DPT, Chairperson, provided a  
8 roll call of Board members.]

9 \*\*\*

10 Approval of minutes of the March 23, 2023 meeting

11 CHAIR POTTER:

12 Are there any additions or corrections  
13 to the minutes from March 23, 2023?

14 Hearing none.

15 Is there a motion to approve the  
16 minutes?

17 ACTING COMMISSIONER CLAGGETT:

18 So moved.

19 DR. CAMPBELL:

20 Second.

21 CHAIR POTTER:

22 It has been moved and seconded to  
23 approve the minutes of March 23, 2023,  
24 as presented. We will do a roll call  
25 vote to approve.

1

2

Potter, aye; Commissioner Claggett,

3

aye; Sandy Campbell, aye; Jeremy Robb,

4

aye.

5

[The motion carried unanimously.]

6

\*\*\*

7

Report of Board Prosecution

8

[J. Karl Geschwindt, Esquire, Acting Senior

9

Prosecutor, on behalf of Andrea L. Costello, Esquire,

10

Board Prosecutor, presented the Consent Agreement for

11

Case No. 23-65-000081.]

12

\*\*\*

13

[J. Karl Geschwindt, Esquire, Acting Senior

14

Prosecutor, requested the Consent Agreement for Case

15

No. 22-65-007384 be tabled.]

16

MR. DAVIS:

17

Based on the Board's discussions in

18

Executive Session, I believe the Chair

19

would accept a motion to approve the

20

Consent Agreement in the following

21

matter: Case No. 23-65-000081.

22

CHAIR POTTER:

23

Is there a motion to approve the motion

24

as read by counsel?

25

ACTING COMMISSIONER CLAGGETT:

1 So moved.

2 DR. CAMPBELL:

3 Second.

4 CHAIR POTTER:

5 The motion has been moved and seconded.

6 We will do a roll call vote.

7

8 Potter, aye; Commissioner Claggett,  
9 aye; Sandy Campbell, aye; Jeremy Robb,  
10 aye.

11 [The motion carried unanimously.]

12 \*\*\*

13 MR. DAVIS:

14 That, as presented by prosecution,  
15 number 3, which is Case No. 22-65-  
16 007384 has been tabled.

17 \*\*\*

18 Report of Board Counsel - Application

19 MR. DAVIS:

20 Number 7. Based on the Board's  
21 discussions in Executive Session, I  
22 believe the Chair would accept a motion  
23 to adopt as final the Proposed  
24 Adjudication and Order of the hearing  
25 examiner in the following matter: The

1 Matter of the Petition for  
2 Reinstatement of a License to Practice  
3 Physical Therapy of Stephanie E.  
4 Buchinski aka Stephanie E. Grzymiski,  
5 Case No. 22-65-012396.

6 CHAIR POTTER:

7 Is there a motion?

8 ACTING COMMISSIONER CLAGGETT:

9 So moved.

10 DR. CAMPBELL:

11 Second.

12 CHAIR POTTER:

13 The motion has been moved and seconded.  
14 We will do a roll call vote.

15  
16 Potter, aye; Commissioner Claggett,  
17 aye; Sandy Campbell, aye; Jeremy Robb,  
18 aye.

19 [The motion carried unanimously.]

20 \*\*\*

21 Report of Committees - Education Committee

22 MR. DAVIS:

23 Number 8. This is an Application for  
24 approval for a third attempt of the  
25 NPTE. I do believe the Education

1                   Committee reviewed this prior to the  
2                   meeting and is for ratification  
3                   purposes.

4                   Education Committee, Dr. Sandy  
5                   Campbell, do you have anything you'd  
6                   like to add about this?

7 DR. CAMPBELL:

8                   No. This is a standard request for a  
9                   third attempt.

10 MR. DAVIS:

11                   With that, I'll read a prepared motion.  
12                   Based on the Board's discussions in  
13                   Executive Session, I believe the Chair  
14                   would accept a motion to ratify the  
15                   Education Committee's decision to grant  
16                   the request of the following individual  
17                   for permission to take the National  
18                   Physical Therapy Exam a third time:  
19                   That individual being Taylor Kaseler.

20 CHAIR POTTER:

21                   Is there a motion?

22 ACTING COMMISSIONER CLAGGETT:

23                   So moved.

24 DR. CAMPBELL:

25                   Second.



1 CHAIR POTTER:

2 The motion has been moved and seconded.

3 Roll call vote.

4 Potter, aye; Commissioner Claggett,  
5 aye; Sandy Campbell, aye; Jeremy Robb,  
6 aye.

7 [The motion carried unanimously.]

8 \*\*\*

9 Appointment - Pennsylvania Insurance Department -  
10 Pennie Health Insurance Presentation

11 [Charles (Chachi) Angelo, Director of External  
12 Affairs, Pennie, informed everyone that Pennie is the  
13 official health insurance marketplace in  
14 Pennsylvania. He mentioned that awareness of Pennie  
15 is very low across the state and the Pennsylvania  
16 Insurance Department (PID) is presenting to various  
17 boards to get the word out about the state-based  
18 marketplace in Pennsylvania.

19 Mr. Angelo explained that their mission is to  
20 maximize the number of Pennsylvanians with  
21 affordable, quality health coverage and to help them  
22 find the best coverage whether through Medicaid,  
23 Children's Health Insurance Program (CHIP), Pennie,  
24 or Medicare. He noted Pennie plans are commercial  
25 plans sold through the marketplace that offers a tax

1 credit to reduce monthly premium, copays, and out-of-  
2 pocket costs.

3 Mr. Angelo stated Pennie helps individuals and  
4 families without insurance from an employer. He  
5 reported that 1 in 20 Pennsylvanians do not have  
6 health insurance and may not be aware that Pennie is  
7 a solution. He also mentioned Pennie helps with the  
8 Medicaid population and offers a no wrong door policy  
9 for everyone to receive the correct coverage. He  
10 referred to the third open enrollment, noting over  
11 371,000 Pennsylvanians are enrolled with about 90  
12 percent eligible for tax credits.

13 Mr. Angelo addressed financial assistance, where  
14 the advanced premium tax credit is an immediate tax  
15 credit and cost-sharing reductions help with copays,  
16 deductibles, and coinsurance. He mentioned that the  
17 American Rescue Plan was passed in 2021, which  
18 increased the amount of financial savings someone  
19 could receive and continued with the Inflation  
20 Reduction Act.

21 Mr. Angelo addressed the unwinding of Medicaid  
22 and Medical Assistance. He noted many people who  
23 have had experience with HealthCare.gov in the past  
24 do not know anything about Pennie, along with a lack  
25 of awareness with those currently on Medicaid. He

1 mentioned that prices have decreased with the  
2 American Rescue Plan and Inflation Reduction Act to  
3 where some individuals are paying zero premiums. He  
4 also mentioned that early retirees 55 to 64 not ready  
5 for Medicare could apply for insurance coverage.

6 Mr. Angelo noted it is quality coverage and  
7 abides by the 10 essential health benefits of the  
8 Affordable Care Act (ACA).

9 Mr. Angelo addressed open enrollment, noting  
10 folks have from November 1 to January 15 to enroll,  
11 along with a special enrollment period that runs  
12 throughout the year for a qualifying life event. He  
13 noted a special enrollment period opens automatically  
14 for someone whose income falls below or at 150  
15 percent of the federal poverty level.

16 Mr. Angelo discussed a new program in  
17 collaboration with the Department of Revenue called  
18 the Path to Pennie that helps connect uninsured  
19 Pennsylvania tax filers with information about Pennie  
20 and then Pennie provides an estimate of how much  
21 financial assistance could be applied to a health  
22 plan.

23 Mr. Angelo addressed the unwinding of Medicaid.  
24 He noted that folks on Medicaid during the pandemic  
25 could not be taken off even if their income increased

1 and became ineligible, which was combined with the  
2 public health emergency.

3 Mr. Angelo reported the continuous coverage  
4 requirement was uncoupled from the public health  
5 emergency, where those receiving Medicaid must reply  
6 with their renewal packet when their renewal date is  
7 up to determine whether they are still Medicaid  
8 eligible. He noted the Department of Human Services  
9 (DHS) and Pennie have been working with managed care  
10 organizations (MCOs) and qualified health plan (QHP)  
11 insurers to get the word out to those on Medicaid to  
12 reply to the renewal packet. He mentioned that no  
13 one would lose coverage without the opportunity to  
14 enroll.

15 Mr. Angelo stated anyone found ineligible for  
16 Medicaid would be automatically transferred to Pennie  
17 and Pennie would reach out to those who do not reply  
18 and provided an overview of the process. He  
19 mentioned that Pennie and DHS have an advertising  
20 campaign to encourage folks to reply to the renewal  
21 package and Pennie is the official marketplace for  
22 those who lose coverage.

23 \*\*\*

24 [Arion R. Claggett, Acting Commissioner, Bureau of  
25 Professional and Occupational Affairs, exited the

1 meeting at 10:50 a.m.]

2

\*\*\*

3 Mr. Angelo informed everyone that Pennie has a  
4 customer service line with Pennie-certified assistors  
5 and Pennie-certified brokers all over the state  
6 available by phone, virtual, in person, and chat in  
7 their preferred language. He also noted countless  
8 tools are available at pennie.com. He encouraged  
9 everyone in the physical therapy profession to  
10 provide information about pennie.com for those  
11 without insurance and agency.pennie.com for everybody  
12 else.

13 Mr. Angelo mentioned that Mr. Yeager and his team  
14 are able to provide virtual or in-person Pennie  
15 education sessions. He also informed everyone of a  
16 Pennie community workgroup that meets on the second  
17 Friday of every month.

18 Dr. Campbell asked whether they have reached out  
19 to professional associations regarding the unwinding  
20 occurring with continuous Medicaid coverage because  
21 they have great methods of communicating with their  
22 members. She referred him to the president of the  
23 American Physical Therapy Association Pennsylvania  
24 Chapter.

25 Scott Yeager, Outreach Manager, Pennie, provided

1 contact information in chat and welcomed the Board to  
2 share any of the information with colleagues.

3 Mr. Davis noted that a copy of the presentation  
4 could be sent directly to the Board's email address  
5 which is available on the Board's website.

6 Chair Potter thanked Mr. Angelo and Mr. Yeager  
7 for their presentation.]

8 \*\*\*

9 Report of Board Counsel - Regulations

10 [Thomas M. Davis, Esquire, Board Counsel, informed  
11 Board members that he is still working on 16A-6522  
12 regarding early exam continuing education (CE) for  
13 clinical education and the Alternate Approval Pathway  
14 (AAP), which is undergoing internal review. He noted  
15 the Board's version of the document is complete but  
16 is awaiting approval and then would be sent through  
17 the process.]

18 \*\*\*

19 Report of Board Counsel - PT Compact Rules

20 [Thomas M. Davis, Esquire, Board Counsel, addressed  
21 the Physical Therapy (PT) Compact, noting there has  
22 not been a lot of movement because of the Federal  
23 Bureau of Investigation (FBI) background check issue  
24 but that it is being worked on by the legislature.

25 Mr. Davis informed everyone that all of the

1 attorneys representing the boards that have compacts  
2 met several times during the past few weeks to make  
3 sure everything that can be done on their end is  
4 done, so when the FBI background check issue is  
5 straightened out on the legislative side, the  
6 compacts could be fully implemented as soon as  
7 possible.

8 Mr. Davis noted researching what the other states  
9 have done with respect to regulations. He reported  
10 that, when a physical therapist applies for a compact  
11 privilege, the Compact Commission charges a \$45 fee,  
12 and if the state decides to add a fee, the state fee  
13 would be paid to the Compact Commission in addition  
14 to the \$45 Compact Commission fee.

15 Mr. Davis explained that the state fee would then  
16 be remitted to the states minus a small bank fee,  
17 which would cover costs associated with credit cards  
18 and other banking transactions. He believed the  
19 current fee is 3.5 percent of the state fee rounded  
20 to the nearest dollar.

21 Mr. Davis noted that 2 of the 28 states actively  
22 issuing and accepting compact privileges as per the  
23 PT Compact website charge nothing and the rest  
24 typically charge between \$50 and \$60 on top of the  
25 \$45 Compact Commission fee. He mentioned the lowest

1 fee is Missouri at \$20 and the highest is Mississippi  
2 at \$150. He explained that the Bureau of  
3 Professional and Occupational Affairs (BPOA) handles  
4 and justifies the fee by determining how much it  
5 costs the bureau to process an application.

6 Mr. Davis stated the PT Compact Commission  
7 processes everything and did not think the Bureau of  
8 Finance and Operations (BFO) would recommend a fee be  
9 implemented, but there may be some incidental cost to  
10 the bureau or the Board that has not yet been  
11 identified.

12 Mr. Davis explained that the Compact Commission  
13 provided all the states with model PT Compact  
14 legislation, which was passed by the Pennsylvania  
15 legislature and signed into law under Act 119 of  
16 2020. He noted the Compact Commission has also  
17 provided the states with the PT Compact rules.

18 Mr. Davis addressed Act 119 of 2020, which is the  
19 Physical Therapy Licensure Compact Act, and whether  
20 the Board has to specifically adopt the PT Compact  
21 rules. He noted there is a good chance the Board  
22 would have to adopt the PT Compact rules via Board  
23 regulation based on case law in the Commonwealth of  
24 Pennsylvania. He believed the Board would be able to  
25 have an expedited regulatory process because the



1 compact issue has become such a priority to everyone  
2 involved.

3       Mr. Davis reported that 12 of the 28 states  
4 issuing compact privileges have adopted the PT  
5 Compact Commission rules via board regulation with  
6 the rest providing a link to the PT Compact  
7 Commission rules on their board's website. He  
8 mentioned that there is a good chance the Board would  
9 have to adopt the PT Compact Commission rules via  
10 board regulation and would have a more definitive  
11 answer in the near future.

12       Mr. Davis also mentioned that there is a good  
13 chance the Board would have to update the regulations  
14 every time the Compact Commission updates their  
15 rules.

16       Dr. Campbell commented that part of the issue  
17 with the FBI is being addressed, along with the state  
18 association from an advocacy perspective. She stated  
19 an issue with the Pennsylvania Licensing System  
20 (PALS) has been identified regarding data sharing and  
21 requested an update on the new database.

22       Mr. Davis noted that the database must be  
23 complete before they are able share or participate in  
24 the compact. He mentioned that to participate in the  
25 Compact, the Bureau will have to provide the PT

1 Compact Commission with as much information as they  
2 require, as perthe requirements of the Physical  
3 Therapy Licensure Compact Act, so that the PT Compact  
4 Commission may review an applicant's licensure  
5 history prior to issuing a compact privilege.

6 Mr. Davis stated it would take some kind of a  
7 pairing with PALS or the new system and did not  
8 believe there has been a lot of movement with the new  
9 system but heard they may have to work with PALS up  
10 front at least for the data upload.

11 Dr. Campbell asked Mr. Davis to continue to  
12 reinforce with other colleagues and counsel for other  
13 boards the secondary issue and continue to push BPOA,  
14 the commissioner, and the governor on a solution.

15 Mr. Davis mentioned that other boards also have  
16 the data sharing issue as well and is something they  
17 are actively looking into.]

18 \*\*\*

19 [Cynthia L. Potter, PT, DPT, Chairperson, experienced  
20 technical difficulties and was unable to be on  
21 camera.]

22 \*\*\*

23 Report of Board Chairperson - No Report

24 \*\*\*

25 Report of Acting Commissioner - No Report

1 \*\*\*

2 Report of Board Administrator - No Report

3 \*\*\*

4 VICE CHAIR CAMPBELL ASSUMED THE CHAIR

5 \*\*\*

6 Adjournment

7 VICE CHAIR CAMPBELL:

8 I move that the meeting be adjourned.

9 MR. DAVIS:

10 Is there a second to that?

11 MR. ROBB:

12 I will second that.

13 VICE CHAIR CAMPBELL:

14 Thank you everyone.

15 \*\*\*

16 [There being no further business, the State Board of  
17 Physical Therapy Meeting adjourned at 11:08 a.m.]

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## CERTIFICATE

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



Ian Weeber,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF PHYSICAL THERAPY  
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May 4, 2023

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TIME	AGENDA
10:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:31	Roll Call
10:31	Introduction of Attendees
10:31	Approval of Minutes
10:32	Report of Board Prosecution
10:34	Report of Board Counsel
10:36	Report of Committees
10:37	Appointment - Pennsylvania Insurance Department - Pennie Health Insurance Presentation
10:58	Report of Board Counsel (cont.)
11:08	Adjournment