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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: 9:00 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room C
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

September 12, 2019

1 ***

2 State Board of Physical Therapy

3 September 12, 2019

4 ***

5 The regularly scheduled meeting of the State
6 Board of Physical Therapy was held on Thursday,
7 September 12, 2019. Brandie J. McClinton, DPT, and
8 Jeffrey R. Elliott, Esquire, were not present at the
9 commencement of the meeting.

10 ***

11 Official Call to Order

12 [Cynthia Potter, PT, DPT, Chairperson, officially
13 called the meeting to order at 9:00 a.m.]

14 ***

15 Approval of minutes of the July 18, 2019 meeting

16 CHAIRPERSON POTTER:

17 The first item is approval of the
18 minutes. Are there any additions or
19 corrections to the minutes from July?

20 [The Board discussed corrections to the minutes.]

21 CHAIRPERSON POTTER:

22 Any other additions or corrections? If
23 not, is there a motion to approve?

24 DR. STAUB:

25 Motion.

1 DR. CAMPBELL:

2 Is there a second?

3 CHAIRPERSON POTTER:

4 Moved and seconded to approve the
5 minutes as amended. All in favor, say
6 aye. Opposed, no? Abstentions?

7 [The motion carried unanimously.]

8 ***

9 [Brandie J. McClinton, DPT, entered the meeting at
10 9:02 a.m.]

11 ***

12 Report of Prosecutorial Division

13 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
14 presented the VRP Consent Agreements for File No. 19-
15 65-009285 and File No. 19-65-006002.]

16 ***

17 Appointment - Physical Therapy Compact Commission
18 Presentation

19 [Cynthia Potter, PT, DPT, Chairperson, noted prior
20 discussion at the last meeting to contact Mr. Cantwell
21 from the Federation of State Boards of Physical
22 Therapy (FSBPT) to speak about the compact.

23 ***

24 [Jeffrey R. Elliott, Esquire, entered the meeting at
25 9:06 a.m.]

1 ***

2 [T. J. Cantwell, Compact Administrator, Physical
3 Therapy Compact Commission, Federation of State Boards
4 of Physical Therapy, introduced himself. He explained
5 a compact as an alternative pathway for qualified PTs
6 and PTAs to receive privileges to practice in other
7 states if the state is part of the compact. He
8 commented that states have to pass legislation and
9 have model language that is the same in every state in
10 order to actually join for everybody to be following
11 the same laws and rules.

12 Mr. Cantwell defined the commission as an
13 independent entity made up of existing member states.
14 He noted that 26 states have joined the compact, and
15 15 of them are actively issuing and accepting compact
16 privileges with 11 states not currently issuing and/or
17 accepting compact privileges even though they are part
18 of the compact because they are in the implementation
19 stage, and it usually takes 8 to 12 months to become
20 fully implemented.

21 Mr. Cantwell stated Pennsylvania has legislation
22 introduced and will potentially be joining the compact
23 in the next few months. He mentioned his position is
24 to help administer the compact and help states that
25 have just joined understand what it means to implement

1 the compact.

2 Mr. Cantwell stated the purpose of the compact is
3 to facilitate interstate practice of physical therapy
4 to provide greater access for consumers. He commented
5 that a compact streamlines the process for individuals
6 holding multiple state licenses. He mentioned the
7 compact to be the preferred option for many
8 occupational licensing Boards and professions.

9 Mr. Cantwell stated the compact option was chosen
10 by the Federation of State Boards of Physical Therapy,
11 the American Physical Therapy Association, and
12 stakeholders after many years of discussion concerning
13 national licensure, interstate agreements between
14 regions, and reducing regulation barriers.

15 Mr. Cantwell addressed the fact that licensees
16 must follow the scope of practice that exists in the
17 state where the patient is located. He noted the
18 compact does not alter the scope of practice in terms
19 of what a PT or PTA can or cannot do, preserves the
20 state regulatory authority, and does not preempt any
21 of the current licensing structure.

22 Mr. Cantwell mentioned that the compact provides
23 a new alternative for the PTs and PTAs who are
24 eligible, so individuals can practice in other states
25 and the state boards maintain the ability to

1 discipline licensees. He also mentioned the added
2 flexibility for military or active duty military
3 spouses to be able to obtain compact privileges.

4 Mr. Cantwell discussed information exchanged
5 between states that include licensure, investigatory,
6 and disciplinary data with the requirement of states
7 to send such data on a weekly basis to the Federation
8 of State Boards of Physical Therapy and Licensure and
9 Disciplinary Database (ELDD). He noted a partnership
10 and contract agreement with ELDD that established, and
11 allows access to, a central repository of information
12 to determine an applicant's eligibility.

13 Mr. Cantwell addressed the investigative process,
14 stating that the compact enhances the state's ability
15 to share information if an applicant is under
16 investigation before they have disciplinary action
17 taken, where the law legally allows for an applicant
18 to be flagged as being under investigation if a
19 probable cause exists so other states are aware.

20 Mr. Cantwell addressed data sharing regarding
21 disciplinary information that requires all state
22 Boards to provide disciplinary information after
23 action is taken to the National Practitioner Data Bank
24 (NPDB) and ELDD.

25 Mr. Cantwell noted reliance on FSBPT in terms of

1 financial support. He suggested that, once a state
2 becomes a member state, one delegate from each compact
3 state is asked to become a member of the Compact
4 Commission and will help develop rules, bylaws, and
5 policies. He noted the requirement of Federal Bureau
6 of Investigation (FBI) criminal background checks for
7 initial compact privileges.

8 Mr. Cantwell mentioned telehealth laws, noting
9 that they are still being developed, and the compact
10 does not affect telehealth laws in other states.

11 Mr. Cantwell stated a compact privilege is not a
12 multistate license, and a compact privilege is needed
13 in every state an individual wants to work. He
14 explained that home states are the ones that enacted
15 the compact and is where an applicant has their
16 primary residence, and a remote state would be any
17 state that is not the home state.

18 Mr. Cantwell addressed key aspects of a compact,
19 noting it to be an alternative pathway that cannot be
20 used to practice or work in an individual's home state
21 and cannot be used if an individual does not have a
22 regular license in their home state. He explained
23 that the expiration date of compact privilege is tied
24 to the home state license, and when a license needs to
25 be renewed in the individual's home state, the compact

1 privilege also needs to be renewed to match the new
2 expiration date of their home state license.

3 Mr. Cantwell stated there are no special
4 continuing education (CE) requirements.

5 Ms. Frey questioned whether an individual can
6 practice in a state that requires 30 CEs if their home
7 state only requires 15 CEs.

8 Mr. Cantwell explained that every state has
9 different CE requirements, and there is no set
10 standard other than meeting their home state license
11 requirements, noting that it is based on the
12 individual's competency level, not just education.

13 Mr. Cantwell addressed compact privilege fees,
14 which are determined by the state, suggesting it
15 should not be more than the current license. He
16 explained that the commission is doing 99 percent of
17 the administrative work on all compact privileges,
18 noting a \$45 fee for every compact privilege purchased
19 with the ultimate goal being to become self-sustaining
20 and have all of the administration and operational
21 costs be covered by these fees collected by
22 individuals.

23 Mr. Cantwell addressed the jurisprudence exam,
24 where every state can decide if they want to require
25 the exam. He mentioned that each state requiring a

1 jurisprudence exam will administer the jurisprudence
2 exam and once an individual passes that exam, the
3 Compact Commission is to be notified. He also
4 mentioned that, to obtain compact privileges, a
5 licensee must first possess a license in a compact-
6 member state, have a primary residence in a compact
7 member state, and the licensee cannot have any
8 encumbrances on the license, and cannot have any
9 disciplinary actions within the last two years.

10 Dr. Campbell questioned whether individuals in
11 voluntary recovery units with substance abuse issues
12 would need to report those.

13 Mr. Cantwell explained that those would likely be
14 considered an encumbrance, where the commission would
15 work with the state during that implementation phase
16 to determine whether to flag those people as an
17 encumbered license status or a provisional license and
18 would most likely not be eligible.

19 Mr. Cantwell provided information regarding the
20 compact privilege process with the help of FSBPT and
21 an automated system with ELDD that determines
22 everybody's eligibility based on criteria. He
23 commented that individuals wanting a compact privilege
24 can go to the commission and not the state Board. He
25 provided a website at ptcompact.org, where individuals

1 use their user FSBPT ID and password and if deemed
2 eligible can pick the states they want privileges in
3 and are issued a compact privilege number for that
4 state in about 10 minutes.

5 Mr. Cantwell mentioned the importance of states
6 sending licensee data, as well as disciplinary
7 actions, to the ELDD weekly. He provided an overview
8 of the process from when the PT or PTA logs in to when
9 the individual purchases the privileges. He stated
10 ELDD is automatically updated showing a new compact
11 privilege and the expiration date. He commented that
12 the state is sent a daily digest email and an email
13 from everybody who has compact privileges in their
14 state the following morning, which can be accessed at
15 any time through the system. He noted that the
16 PT or PTA gets a receipt with that compact privilege
17 number along with payment information that can be used
18 to practice in another state.

19 Ms. Frey questioned what the responsibilities
20 would be of the state Board member who is appointed as
21 representative to the Compact Commission.

22 Mr. Cantwell noted the requirement of attending
23 one annual commission meeting that always follows the
24 annual meeting of the Federation of State Boards of
25 Physical Therapy. He noted that members have to be a

1 member of the Board but could be a public member or
2 administrator to be the delegate and have the
3 authority to vote on behalf of the state Board.

4 Ms. Early questioned what would be considered the
5 home state if someone has a license in two states.

6 Mr. Cantwell explained that their home state is
7 determined by physical address, and the Commission
8 looks to that person's driver's license.

9 Mr. Davis posed a question regarding a
10 hypothetical Pennsylvania licensee who commits a
11 violation of New York law while practicing in New York
12 under a compact privilege.

13 Mr. Cantwell explained that New York would
14 discipline that person because they hold a compact
15 privilege in New York just like a license. He further
16 explained the individual's compact privileges would be
17 terminated if New York takes action against them, but
18 their license in Pennsylvania would not be terminated.
19 He noted that Pennsylvania would be aware that there
20 is an investigation going on and would determine what
21 to do with that individual.

22 Mr. Elliott questioned whether costs are
23 extracted from the state Boards.

24 Mr. Cantwell explained that there is a state
25 assessment fee that can be taken in the case of not

1 meeting the goal of becoming self-sustainable from
2 fees collected by individual compact privileges.

3 Mr. Elliott questioned what the fee range should
4 be for members utilizing the privileges of the
5 compact.

6 Mr. Cantwell noted the Commission collects all
7 compact-related fees, and the Commission's fee is \$45,
8 whereas states have set a range of fees from \$0 to
9 \$150. All compact-related fees are paid to the
10 Commission, at which point the Commission collects its
11 \$45 fee, and the remainder is remitted to the states
12 on a monthly basis. He also noted the Commission also
13 collects a 3.5 percent banking fee.

14 Dr. Campbell noted the compact to be an
15 alternative for an applicant seeking licensure by
16 endorsement or reciprocity.

17 Mr. Cantwell noted that those options would still
18 be available, but the commission is projecting those
19 people will eventually get compact privileges, which
20 will reduce staff time when dealing with out-of-state
21 issues and increase revenue coming into the state from
22 people who are getting individual compact privileges.

23 Mr. Jarabeck questioned whether there are any
24 states not able to share investigative information or
25 is that an absolute as part of joining the compact.

1 Mr. Cantwell explained that it is a requirement
2 of states to flag someone under investigation, and
3 those states then have the ability to determine what
4 they are legally able to share, and willing to share,
5 because every state is different.

6 Mr. Jarabeck questioned whether any states cannot
7 flag licensees under investigation.

8 Mr. Cantwell stated the compact preempts the
9 existing law that says you cannot flag that
10 information.

11 Mr. Jarabeck mentioned the voluntary recovery
12 program, noting an absolute prohibition about
13 reporting that information publically on the
14 individual and questioned whether that is something
15 that has been encountered in the process.

16 Mr. Cantwell explained that the commission would
17 have to work with the state to figure that out
18 legally. He noted not seeing any normal typical
19 complaints because this was built for the 99 percent
20 of good actors.

21 Ms. Frey questioned whether the voluntary
22 recovery program make it difficult for the
23 Commonwealth to become a member state.

24 Mr. Cantwell explained that the commission and
25 Board would have to work through that once compact

1 legislation passes. He noted working with legal
2 counsel of other Boards regarding their impediments.

3 Mr. Cantwell stated the commission is responsible
4 for issuing compact privileges, collecting fees and
5 getting them back to the states, and doing all of the
6 verification of eligibility.

7 Mr. Cantwell noted links on the FSBPT website
8 regarding scope of practice guidance for states. He
9 stated individuals with a special license would have
10 to follow whatever requirements are in their state.

11 Mr. Cantwell referred to the FSBPT jurisdiction
12 interface for National Physical Therapy Examination
13 (NPTE) scores, revenue reports, and investigation
14 reports. He noted that over half of the states are
15 onboard as part of the compact because of a little
16 more understanding of the practicality of the compact,
17 what the commission is trying to do, and the benefits
18 for everybody.

19 Mr. Cantwell provided information on the start of
20 the compact legislation in 2016 with 11 or 12 states
21 being part of the compact in 2017 and gaining another
22 13 states. He noted the compact to be reintroduced in
23 Pennsylvania after a Board or panel finished their
24 report and feels confident that legislature is in
25 favor of it.

1 Mr. Cantwell mentioned the rise of the compact at
2 15 states in the past few months and the rise in
3 privilege purchases from 45 at the beginning of the
4 year up to 127 last month. He commented that all
5 compact member states need to have some competence
6 requirements for PTs and PTAs, background checks for
7 initial licensure needs to be in place, and full
8 participation in the compact database. He discussed
9 obtaining 5-star status by submitting timely
10 information to the Commission and requiring the NPTE.

11 Mr. Cantwell commented that the Pennsylvania
12 Physical Therapy Association is driving the compact
13 because they have legislative connection and the
14 ability to do the required lobbying. He discussed
15 what other states have done concerning the compact.

16 Mr. Cantwell noted that some states adopted all
17 of the rules of the commission into their own rules,
18 which he does not advise because anytime the
19 commission updates their rules and revises them, the
20 state has to go through the whole rules process again
21 and update and revise their own. He offered
22 assistance from the commission working closely with
23 state Board staff after the state enacts legislation.

24 Mr. Cantwell noted the 2019 FSBPT Annual Meeting
25 October 24-26 in Oklahoma City, OK and encouraged

1 people who want to know more about the compact to
2 attend. He mentioned that rules, bylaws, polices,
3 FAQs, and PT and PTA requirements are available on the
4 website.

5 Mr. Davis asked whether the state Board would be
6 made aware of who was granted compact privileges by
7 the Commission to work in Pennsylvania, other than
8 possibly being provided with the fee as discussed
9 earlier.

10 Mr. Cantwell explained that states receive a
11 daily digest email and reports are also available 24/7
12 on their system to see who has a compact privilege in
13 their state.

14 Mr. Davis asked if the state Board could somehow
15 object to the issuance of compact privileges, should
16 they deem it necessary.

17 Mr. Cantwell noted that the Board could not
18 object to a compact privilege because the commission
19 has already done the verification and vetting that the
20 person is eligible based on those criteria. He
21 mentioned the need for trust in other states that
22 their Board is doing their job and people are licensed
23 correctly and meet the requirements of that state
24 Board.

25 Ms. Frey questioned whether an individual could

1 practice anywhere else if they come to Pennsylvania
2 and their license is revoked in Pennsylvania.

3 Mr. Cantwell explained that their compact
4 privilege would be revoked and would lose their
5 ability to have compact privileges anywhere else for a
6 period of two years or however long discipline
7 generally takes. He also noted that the Board has the
8 ability to stop an incompetent person from practicing
9 just like a regular license. He stated a revoked
10 license would be in the system even if it was 10 years
11 ago and would be considered an encumbrance, so they
12 would not be eligible. He explained that all of the
13 states that join the compact will have more
14 information on disciplinary actions in other states.

15 Mr. Davis stated the purpose of the Board is to
16 vet individuals to make sure they are safe to practice
17 in Pennsylvania and noted his concern of entering into
18 the compact and trusting other states to properly vet
19 their licensees.

20 Mr. Elliott questioned whether Pennsylvania is
21 notified when the commission gives privileges to other
22 states.

23 Mr. Cantwell explained that staff will be
24 notified via email and the list of who is practicing
25 in your state by the commission anytime an applicant

1 obtains a privilege to come into your state. He noted
2 that the Board could also request the individual
3 notify the Board of where they are working and their
4 address.

5 Dr. Campbell questioned whether the Board would
6 be able to know which Pennsylvania home state
7 licensees have privileges elsewhere.

8 Mr. Cantwell stated the ability to see which
9 Pennsylvania home state licensees have privileges in
10 other states is not available at the moment, but there
11 is discussion regarding making that a possibility.

12 John E. Baughman, Select Medical, requested
13 speakers and presenters be provided with microphones,
14 noting that he, along with other people, missed almost
15 the entire presentation. He asked when the Board's
16 minutes would be available.]

17 ***
18 [Kimberly Early, LSW, Secretary of Health designee,
19 exited the meeting at 10:37 a.m.]

20 ***
21 [Mr. Davis stated Board minutes will be published
22 after the Board's review at its next meeting on
23 November 14, 2019.]

24 ***
25 [The Board recessed from 10:37 a.m. until 10:49 a.m.]

1 ***
2 Report of Board Chairperson
3 [Cynthia Potter, PT, DPT, Chairperson, announced that
4 Ms. Frey will be presenting at the 2019 Annual
5 Pennsylvania Physical Therapy Association (PPTA)
6 Conference in October.]

7 ***
8 [Kimberly Early, LSW, Secretary of Health designee,
9 reentered the meeting at 10:51 a.m.]

10 ***
11 [Chairperson Potter noted the 50th anniversary of the
12 creation of the physical therapist assistant (PTA)
13 designation and acknowledged the work they do as part
14 of the physical therapy profession.

15 Chairperson Potter announced that she will be
16 attending the Federation of State Boards of Physical
17 Therapy Meeting.]

18 ***
19 Report of Vice Chairperson
20 [Sandra L. Campbell, PT, Ph.D., MBA, Vice Chair,
21 addressed her attendance at the federation's
22 regulatory training in August. She recommended the
23 training for newer Board members to give them the
24 opportunity to speak with different people to see how
25 they do things as compared to the Board.

1 Dr. Campbell mentioned compact requirements and
2 noted her concern with not making a report regarding
3 disciplinary action since the spring of 2018. She
4 noted Code 23 concerning failure to cooperate with
5 Board investigation from the National Practitioner
6 Data Bank under federal or state licensure actions.

7 Dr. Campbell suggested looking at this set of
8 guidelines when going through disciplinary action and
9 further suggested the Board take steps toward
10 developing a report, which could be as simple as an
11 email to ELDD.

12 Ms. Roberts commented that an email would not
13 suffice, and the only way to report discipline was
14 through the ELDD database.

15 Dr. Campbell addressed some ongoing communication
16 issues between FSBPT and the Board.

17 Ms. Roberts stated she was told by one of the
18 previous commissioners that money would not be spent
19 to address those communication issues and that she
20 believes the current system does not have the ability
21 to provide the amount and type of data FSBPT would
22 like to receive from the Board, but she promised to
23 research the issue.

24 Chairperson Potter discussed the need for
25 additional administrative support for the Board to be

1 able to improve the FSBPT reporting status and
2 creating a lasting solution to the communication
3 issues, should compact legislation is passed.

4 Dr. Campbell addressed disciplinary consent
5 agreements and reporting the same to ELDD. She noted
6 the information is reported to the National
7 Practitioner Data Bank.

8 Mr. Smith noted standard language in most consent
9 agreements related to the reporting of the information
10 to a National Practitioner Data Bank or national
11 group. He was unaware whether there would be anything
12 specific published on the website or a press release
13 in any consent agreements.

14 Mr. Davis stated discipline is uploaded to the
15 publicly-available Pennsylvania Licensing System
16 (PALS) website and is searchable by the licensee's
17 name. Also, in accordance with PA law, if there are
18 sanctions imposed, a press release is put out by his
19 office.]

20 ***

21 Report of Board Counsel

22 [Thomas Davis, Esquire, Board Counsel, informed the
23 Board of an email to the Director of the Office of
24 Intergovernmental Affairs of the Pennsylvania
25 Department of State on July 19, 2019, expressing the

1 Board's concern regarding the Board's four vacancies
2 and the fact that the current appointment terms are
3 not sufficiently staggered, which may lead to a sudden
4 and potentially disruptive turnover in membership of
5 the Board. He had not yet received a response.

6 Mr. Davis also sent a memo to the Deputy Director
7 of Policy at the Department of State on August 20,
8 2019, expressing the Board's support of the underlying
9 purpose of the physical therapy compact, which is to
10 improve access to physical therapy services to the
11 public by increasing the mobility of eligible physical
12 therapy providers to work in multiple states. He
13 noted there has been no response.

14 Mr. Davis referred to proposed regulation 16A-
15 6522 regarding early examination and CE for clinical
16 instruction. He stated the exposure draft was
17 released August 27, 2019 and his office received one
18 comment in support of the regulation itself. He will
19 present other comments at the upcoming Board meeting
20 in November and at that time he will ask the Board to
21 determine if any changes should be made to the
22 regulation.

23 Mr. Davis noted the next major milestone would be
24 to publish the proposed rulemaking in the Pennsylvania
25 Bulletin after the regulation package is approved by

1 the PA Department of State Regulatory Counsel, Office
2 of General Counsel, Office of Budget, Office of
3 Policy, and the Attorney General's Office.

4 Mr. Davis noted prior discussion regarding
5 ProCert and suggested pulling the ProCert reference
6 out of the regulations, noting it should be a simple
7 deletion. He said he will discuss the issue with
8 other Department of State attorneys, and if the
9 general consensus is that adding such a deletion will
10 not slow the process down, he will amend the proposed
11 regulation. Mr. Davis asked if there was any objection
12 to that plan of action. There was no objection.]

13

14 [Cynthia Potter, PT, DPT, Chairperson, noted the
15 Adjudication and Order for discussion during executive
16 session. Mr. Davis noted the Act 41 press release,
17 asking that the Act 41 press release be added as a
18 placeholder. He stated Act 41 was moving forward. He
19 noted the need for an applications committee.

20 He stated people can apply for licensure under
21 Act 41, but there are no controlling regulations, as
22 they are still being drafted. He noted the need to
23 appoint an applications committee empowered to make
24 decisions on behalf of the Board. He mentioned that
25 Chairperson Potter offered her services as the primary

1 on the applications committee with the alternate being
2 Dr. Campbell.]

3 ***

4 MS. FREY:

5 I make a motion that we have Cindy as
6 the primary and Sandy as the secondary
7 to move forward with Act 41.

8 CHAIRPERSON POTTER:

9 It has been moved. Is there a second?

10 DR. STAUB:

11 I'll second.

12 CHAIRPERSON POTTER:

13 It's been moved and seconded to approve
14 an applications committee of Cindy
15 Potter and alternate Sandy Campbell
16 until Act 41 regs are in place. All in
17 favor, say aye. Opposed, no?
18 Abstentions?

19 [The motion carried unanimously.]

20 ***

21 [Thomas M. Davis, Esquire, Board Counsel, stated no
22 one will be denied licensure under Act 41 by the
23 applications committee. If the committee decides to
24 deny licensure, that will be put to a full Board vote.
25 He then stated the Board will have to define what it

1 means to be "substantially similar" to the
2 Commonwealth's licensure requirements under act 41.]

3 ***

4 Report of Acting Commissioner - No Report

5 ***

6 Report of Board Administrator - No Report

7 ***

8 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
9 11:06 a.m. the Board entered into Executive Session
10 with Thomas M. Davis, Esquire, Board Counsel, for the
11 purpose of conducting quasi-judicial deliberations and
12 to receive advice of Counsel. The Board returned to
13 open session at 11:22 a.m.]

14 ***

15 MOTIONS

16 MR. DAVIS:

17 Pursuant to Section 708(a)(5) of the
18 Sunshine Act, the Board met in Executive
19 Session for the purpose of conducting
20 quasi-judicial deliberations and to
21 receive advice of Counsel on the matters
22 upon which the Board is about to vote.

23 Number 2 on the agenda. Based on
24 the Board's discussions in executive
25 session, I believe the Board will

1 entertain a motion to adopt the Consent
2 Agreement at File No. 19-65-009285.

3 DR. STAUB:

4 So moved.

5 DR. CAMPBELL:

6 Second.

7 CHAIRPERSON POTTER:

8 Moved and seconded to adopt the consent
9 agreement. All in favor, say aye.

10 Opposed, no? Abstentions?

11 [The motion carried unanimously.]

12 ***

13 MR. DAVIS:

14 For the record, the licensee's name has
15 been withheld because he is entering
16 into the Voluntary Recovery Program and
17 his participation in the program will
18 remain confidential as long as he abides
19 by the terms and conditions of the
20 program.

21 ***

22 MR. DAVIS:

23 Number 3 on the agenda. Based on the
24 Board's discussions in executive
25 session, I believe the Board will

1 entertain a motion to adopt the Consent
2 Agreement at File No. 19-65-006002.

3 MS. FREY:

4 So moved.

5 DR. STAUB:

6 Second.

7 CHAIRPERSON POTTER:

8 Moved and seconded to adopt the consent
9 agreement as noted by counsel. All in
10 favor, say aye. Opposed, no?
11 Abstentions?

12 [The motion carried unanimously.]

13 ***

14 MR. DAVIS:

15 For the record, this individual is also
16 entering into the Voluntary Recovery
17 Program.

18 ***

19 MR. DAVIS:

20 Number 7 on the agenda. Based on the
21 Board's discussions in executive
22 session, I believe the Chair would
23 accept a motion to deny the petitioner's
24 August 5, 2019 motion, which I will call
25 a motion to allow petitioner to respond

1 to the Commonwealth's response to the
2 petitioner's brief on exceptions in Case
3 No. 19-65-003500.

4 MR. ROBB:

5 I make that motion.

6 MR. ELLIOTT:

7 I'll second.

8 CHAIRPERSON POTTER:

9 Moved and seconded to deny the request
10 as read by counsel. All in favor, say
11 aye. Opposed, no? Abstentions?

12 [The motion carried unanimously.]

13 ***

14 MR. DAVIS:

15 Also No. 7 on the agenda. Based on the
16 Board's discussions in executive
17 session, I believe the Chair would
18 accept a motion to adopt the proposed
19 Adjudication and Order of the hearing
20 examiner in the following matter: In
21 the matter of the Petition for
22 Reinstatement of the License to Practice
23 Physical Therapy of Wageed Abdel Girgis,
24 PT, Case No. 19-65-003500.

25 MR. ROBB:

1 I make that motion.

2 DR. CAMPBELL:

3 I'll second.

4 CHAIRPERSON POTTER:

5 Moved and seconded to adopt the
6 adjudication and order as read by
7 counsel. All in favor, say aye.
8 Opposed, no? Abstentions?

9 [The motion carried unanimously.]

10 ***

11 MR. DAVIS:

12 For the record, counsel will be drafting
13 something to respond to the petitioner's
14 brief on exceptions.

15 ***

16 Miscellaneous - Board Meeting Dates

17 [Cynthia Potter, PT, DPT, Chairperson, noted the next
18 scheduled meeting date is November 14.]

19 Ms. Roberts will send the 2020 Board meeting
20 dates due to the dates not currently on the agenda.]

21 ***

22 Adjournment

23 CHAIRPERSON POTTER:

24 Is there a motion to adjourn the
25 meeting?

1 DR. STAUB:

2 So moved.

3 MR. ROBB:

4 Second.

5 CHAIRPERSON POTTER:

6 Moved and seconded to adjourn. All in
7 favor, say aye. Opposed, no?

8 Abstentions?

9 [The motion carried unanimously.]

10 ***

11 [There being no further business, the State Board of
12 Physical Therapy Meeting adjourned at 11:25 a.m.]

13 ***

14 [A Regulatory Committee Meeting is scheduled
15 immediately following the regular Board meeting.]

16 ***

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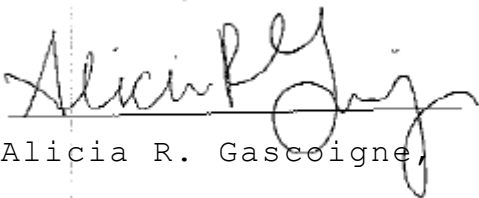
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CERTIFICATE

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.



Alicia R. Gascoigne,
Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF PHYSICAL THERAPY
REFERENCE INDEX

September 12, 2019

TIME	AGENDA
9:00	Official Call to Order
9:00	Approval of Minutes
9:01	Report of Prosecutorial Division
9:03	Appointment - T. J. Cantwell, Physical
10:37	Therapy Compact Administrator, PT Compact Commission Presentation
10:37	Recess
10:49	Return to Open Session
10:49	Report of Board Chairperson
10:58	Report of Board Counsel
11:06	Report of Board Administrator
11:06	Executive Session
11:22	Return to Open Session
11:22	Motions
11:24	Miscellaneous
11:25	Adjournment