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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: 10:37 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

November 3, 2022

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State Board of Physical Therapy
November 3, 2022

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
Geraldine M. Grzybek, PT, GCS, Secretary
Jeremy Robb, Attorney General's Office
Designee - Absent
William Werner PT - Absent
Krista Wolfe, DPT, ATC

BUREAU PERSONNEL:

Thomas M. Davis, Esquire, Board Counsel
Dean F. Picarella, Esquire, Senior Counsel in Charge
Carolyn DeLaurentis, Deputy Chief Counsel,
Prosecution Division
Heather J. McCarthy, Esquire, Senior Board
Prosecution Liaison
Andrea L. Costello, Esquire, Board Prosecutor
Michelle Roberts, Board Administrator
Marc Farrell, Deputy Policy Director, Department of
State

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director,
Senate Consumer Protection & Professional
Licensure Committee
Scott Voshell, President, American Physical Therapy
Association Pennsylvania Chapter
Courtney Cadwallader
Erin Donnelly
Samantha Bruer

1 ***

2 State Board of Physical Therapy

3 November 3, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 a.m. the Board entered into Executive Session
7 with Thomas M. Davis, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations
9 and to receive advice of counsel on matters upon
10 which the Board would later vote. The Board
11 commenced 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,
15 November 3, 2022.

16 ***

17 Official Call to Order

18 [Cynthia L. Potter, PT, DPT, Chairperson, officially
19 called the meeting to order at 10:37 a.m.]

20 ***

21 [Cynthia L. Potter, PT, DPT, Chairperson, experienced
22 technical difficulties - was able to participate, but
23 not Chair the meeting.]

24 ***

25 Introduction of Board Members

1

2

Introduction of Attendees

3

[Michelle Roberts, Board Administrator, provided an
introduction of those in attendance.]

5

6

VICE CHAIR CAMPBELL ASSUMED THE CHAIR

7

8

Official Call to Order

9

[Sandra L. Campbell, PT, Ph.D., MBA, Vice Chair,

10

again called the meeting to order at 10:40 a.m.,

11

noting the members who have been identified as being

12

present.]

13

14

[Thomas M. Davis, Esquire, Board Counsel, noted the

15

meeting was being recorded, and those who continued

16

to participate were giving their consent to be

17

recorded.

18

Mr. Davis also informed everyone that the Board

19

met in Executive Session prior to today's meeting for

20

the purpose of conducting quasi-judicial

21

deliberations and to receive advice of counsel on the

22

matters upon which the Board would later vote.]

23

24

Approval of minutes of the September 16, 2022 meeting

25

VICE CHAIR CAMPBELL:

1 The first order of business is approval
2 of the minutes.

3 Any comments or edits? Hearing
4 none.

5 Could I have a motion for approval?

6 MS. GRZYBEK:

7 So moved.

8 ACTING COMMISSIONER CLAGGETT:

9 Second.

10 VICE CHAIR CAMPBELL:

11 Roll call vote.

12
13 Cindy Potter, aye; Commissioner
14 Claggett, aye; Sandra Campbell, aye;
15 Geraldine Grzybek, abstain; Krista
16 Wolfe, aye.

17 [The motion carried.]

18 ***

19 Report of Board Prosecution

20 [Andrea L. Costello, Esquire, Board Prosecutor,
21 presented the Consent Agreement for Case No. 22-65-
22 014774.]

23 MR. DAVIS:

24 Based on the Board's discussions in
25 Executive Session, I believe the Chair

1 would entertain a motion to adopt the
2 Consent Agreement at Case No. 22-65-
3 014774.

4 VICE CHAIR CAMPBELL:

5 Could somebody propose that motion,
6 please?

7 MS. GRZYBEK:

8 So moved.

9 VICE CHAIR CAMPBELL:

10 Could I have a second, please?

11 MS. WOLFE:

12 Second.

13 VICE CHAIR CAMPBELL:

14 Roll call vote.

15

16 Potter, aye; Claggett, aye; Campbell,
17 aye; Grzybek, aye; Wolfe, aye.

18 [The motion carried unanimously. For the record, the
19 licensee's name is being withheld because he or she
20 is entering into the Voluntary Recovery Program.
21 Participation in that program will remain
22 confidential provided that he or she abides by the
23 terms and conditions of the program.]

24

25 Appointment - Applicant, Erin Donnelly - Request for

1 3rd Attempt at the National Physical Therapy
2 Examination

3 [Erin Donnelly presented to the Board to request a
4 third attempt at the National Physical Therapy
5 Examination. She informed Board members that her
6 goal is to sit for the January 2023 exam. She noted
7 going back to the physical therapist assistant (PTA)
8 program at the Pennsylvania Institute of Technology
9 and retaking a two-day course provided by
10 Scorebuilders to make sure her testing strategies
11 were there and that she has a full understanding of
12 the best way to take the test.

13 Ms. Donnelly also started a 10-week program with
14 Board Preppers to review topics that may be seen on
15 the exam, along with taking practice exams to better
16 understand whether she is having testing issues or
17 knowledge-based issues. She mentioned receiving
18 performance feedback reports from exams to have a
19 better understanding of sections that need more
20 attention.

21 Ms. Donnelly stated her goal is to have a better
22 understanding of some of the basics to keep the
23 scores even in all of the sections.

24 Vice Chair Campbell advised Ms. Donnelly to pay
25 attention to the number of questions in each section

1 and to use her time effectively. She also
2 recommended making sure she understands not only the
3 correct answer to the question but why it is the
4 correct answer and why the wrong answers are wrong.

5 Chair Potter asked Ms. Donnelly what textbooks
6 she was utilizing.

7 Ms. Donnelly has been utilizing a textbook from
8 the Scorebuilders program that includes practice
9 questions and exams online, along with TherapyEd.

10 Chair Potter recommended Ms. Donnelly also go
11 back to some of the textbooks utilized in the
12 curriculum as well.

13 Vice Chair Campbell informed Ms. Donnelly that
14 Ms. Roberts would be in touch with her after today's
15 meeting to coordinate the next steps and wished her
16 the best of luck retaking the exam.]

17 ***

18 Appointment - Applicant, Courtney Cadwallader -

19 Request for 3rd Attempt at the National Physical
20 Therapy Examination

21 [Courtney Cadwallader presented to the Board to
22 request a third attempt at the National Physical
23 Therapy Examination. She informed Board members that
24 she would like to retake the exam in January 2023.
25 She mentioned having a 10-week study plan and

1 starting PTA Elevation through the University of
2 Pittsburgh that provides a testing environment and
3 also reviews questions and why answers were wrong.
4 She noted utilizing Scorebuilders as well.

5 Vice Chair Campbell asked Ms. Cadwallader why
6 there was such a large gap from her first attempt in
7 January 2021 until now, looking at January 2023. She
8 also asked whether she is having any exposure to
9 clinical practice as an aide or volunteer.

10 Ms. Cadwallader explained that she was extremely
11 upset that she failed but realized she needed to
12 study and schedule the exam again. She noted she has
13 been looking into jobs as a physical therapy aide and
14 a rehabilitation technician but has not yet found
15 anything.

16 Vice Chair Campbell echoed what Chair Potter
17 recommended to Ms. Donnelly and encouraged her to
18 make sure she understands why she is getting
19 questions wrong. She told her to modify study
20 strategies as she takes the practice exams based on
21 question distribution.

22 Vice Chair Campbell also informed Ms. Cadwallader
23 that Ms. Roberts would be in touch with her regarding
24 the next steps.]

25 MR. DAVIS:

1 As far as the individuals that we've
2 just heard from, being that this was
3 discussed in Executive Session, now
4 that we've heard from them, is there
5 anyone on the Board who would like to
6 reenter into Executive Session to
7 further discuss these matters? Hearing
8 none.

9 In relation to items 3 and 4, I do
10 have a proposed motion. Based on the
11 Board's discussions in Executive
12 Session, I believe the Board Chair
13 would accept a motion approving the
14 requests of the following individuals
15 for permission to take the National
16 Physical Exam a third time: Erin
17 Donnelly, Courtney Cadwallader.

18 MS. GRZYBEK:

19 So moved.

20 CHAIR POTTER:

21 Second.

22 VICE CHAIR CAMPBELL:

23 Moved and seconded. We'll take a roll
24 call vote.

25

1 Cindy Potter, aye; Commissioner
2 Claggett, aye; Sandra Campbell, aye;
3 Geraldine Grzybek, aye; Krista Wolfe,
4 aye.

5 [The motion carried unanimously.]

6 ***

7 Report of Board Counsel - Proposed Adjudication and
8 Order

9 MR. DAVIS:

10 We're going to move on to number 8 on
11 the agenda. That's the Proposed
12 Adjudication and Order of James Mars.
13 This is another matter that the Board
14 discussed in Executive Session, and I
15 do have a proposed motion.

16 Based on the Board's discussions in
17 Executive Session, I believe the Chair
18 would accept a motion authorizing
19 Counsel to draft an Adjudication and
20 Order consistent with the Board's
21 discussions of the following matter:
22 Commonwealth BPOA v. James F. Mars,
23 Case No. 19-65-015488.

24 VICE CHAIR CAMPBELL:

25 Could I get a motion?

1 MS. GRZYBEK:

2 So moved.

3 CHAIR POTTER:

4 Second.

5 VICE CHAIR CAMPBELL:

6 Moved and seconded. Any additional
7 discussion? Roll call vote.

8

9 Cindy Potter, aye; Commissioner
10 Claggett, aye; Sandra Campbell, aye;
11 Geraldine Grzybek, aye; Krista Wolfe,
12 aye.

13 [The motion carried unanimously.]

14

15 Report of Board Counsel - Regulations

16 [Thomas M. Davis, Esquire, Board Counsel, addressed
17 the status of regulations. He stated there are
18 currently three proposed regulations, noting two of
19 those were complete and are being reviewed by Senior
20 Regulatory Counsel. He informed Board members that
21 Senior Regulatory Counsel would pass them on to the
22 Office of General Counsel (OGC) and the Office of
23 Attorney General (OAG) when prepared to do so.

24 Mr. Davis referred to 16A-6522 regarding the
25 early exam and continuing education (CE) for clinical

1 education. He noted Senior Regulatory Counsel
2 provided tweaks to the preamble and Regulatory
3 Analysis Form (RAF) over the past few weeks and
4 believed it would be moving very soon.

5 Mr. Davis informed Board members that he is still
6 drafting the preamble and RAF for 16A-6519 regarding
7 the student in educational program proposed
8 regulation.]

9

10 Report of Board Chair

11 [Cynthia L. Potter, PT, DPT, Chairperson, informed
12 Board members that she was invited to provide some
13 comments to the American Physical Therapy Association
14 Pennsylvania (APTA PA) at their annual conference in
15 October. She mentioned not being able to travel but
16 having provided written comments regarding Board
17 activities over the past year. She offered to answer
18 any questions but has not received anything from APTA
19 PA.

20 Chair Potter addressed her attendance, along with
21 other Board members last week, at the Federation of
22 State Boards of Physical Therapy (FSBPT) Conference
23 in Anaheim, CA. She mentioned it was the first in-
24 person meeting since COVID and addressed sessions at
25 the conference.

1 Chair Potter encouraged everyone to visit the
2 FSBPT website to review the presentations when they
3 become available. She discussed sessions of interest
4 particularly to the Board in Pennsylvania concerning
5 the PT Compact and Act 53 of 2020 (Act 53) and what
6 makes licensing boards effective. She addressed a
7 presentation on fair-chance licensing and state
8 models for creating pathways to licensure for workers
9 with a criminal history. She noted the majority of
10 states have passed some sort of legislation similar
11 to Act 53 and encouraged Board members to read
12 through that and think about Act 53 and the
13 implications as they move forward.

14 Chair Potter noted a presentation regarding the
15 National Practitioner Data Bank and disciplinary
16 violations and coding, where there have been efforts
17 for many years to improve the definitions included in
18 the database as states are required to report to it
19 to improve consistency and accuracy of information.
20 She noted FSBPT is working with other organizations
21 on those definitions and are being incorporated into
22 that database.

23 Chair Potter noted discussion concerning burnout
24 and avoiding disciplinary actions as well as looking
25 at healthy practice as next steps in continuing

1 competence. She mentioned there is a self-assessment
2 of healthy practice that Board members may want to
3 review.

4 Chair Potter noted prior Board discussion
5 regarding FSBPT's star ratings in relation to the
6 Exam, Licensure, and Disciplinary Database (ELDD) and
7 informed Board members that they developed a consumer
8 protection rating and have done away with the star
9 rating program.

10 Chair Potter commented that it is relevant to the
11 Board as they move to complying with the compact down
12 the road and is an indicator of where the state is on
13 various aspects of the ELDD compliance that
14 ultimately would protect the public and encouraged
15 members to look at that as well.]

16 ***

17 Report of Acting Commissioner - No Report

18
19 [Geraldine M. Grzybek, PT, GCS, Secretary, thanked
20 Acting Commissioner Claggett for conducting the Board
21 orientation meeting on Monday, October 24. She
22 believed the individuals present really appreciated
23 the overview and direct presentations from various
24 members of the Department of State.

25 Vice Chair Campbell informed Acting Commissioner

1 Claggett that some licensees are reporting
2 experiencing difficulties with the computerized
3 licensure renewal system, including reports that the
4 system "sits and spins," and difficulty with direct-
5 access renewal, and Vice Chair Campbell requested an
6 update in the search for a new computer system.

7 Acting Commissioner Claggett offered to escalate
8 the issues to his team to fix any issues.

9 Vice Chair Campbell requested an update
10 concerning new Board members.

11 Acting Commissioner Claggett stated there was no
12 update at this time from the Governor's Office, but
13 he would be following up with regard to attracting
14 more individuals.]

15 ***

16 Report of Board Secretary

17 [Geraldine M. Grzybek, PT, GCS, Secretary, thanked
18 everyone for trusting her to represent them at the
19 Federation of State Boards of Physical Therapy
20 Delegate Assembly as well as the Physical Therapy
21 Compact Commission's business meetings last week.

22 Ms. Grzybek addressed FSBPT's Delegate Assembly
23 on October 24, where motions were passed unanimously
24 that included delineations for qualifications of an
25 FSBPT treasurer, member boards must be current in

1 dues and hold the NPTE contract with the FSBPT member
2 boards, and members of the Resolutions Committee may
3 not be current member board delegates.

4 Ms. Grzybek noted another motion passed allowing
5 the secretary to make editorial changes to the
6 standing rules for grammar titles, section titles,
7 alignment, and spelling. She mentioned that any
8 actions the secretary would take would not change the
9 intent of any motions but clean things up and make
10 everything consistent.

11 Ms. Grzybek noted an update to FSBPT bylaws to
12 include regulatory research as a key function of
13 FSBPT and a motion to only conduct the Delegate
14 Assembly if there is required business.

15 Ms. Grzybek addressed the educational meeting
16 conducted October 28-29, 2022. She mentioned Nancy
17 Kirsch addressed the group on her last presidential
18 address to speak to the state of the federation. She
19 noted a Candidates Forum, where successful candidates
20 included Dave Relling from North Dakota who is now
21 the new elected president, Michele Thorman from
22 Wisconsin was elected vice president, and Robert
23 Friberg was elected to the Nominating Committee.

24 Ms. Grzybek also noted an update on the PT
25 Compact, a telehealth discussion, and an interesting

1 presentation on virtual apps in digital physical
2 therapy, productivity and burnout in health care
3 workers, artificial intelligence in medicine and
4 physical therapy, and review of the Model Practice
5 Act.

6 Ms. Grzybek noted Krista Wolfe was recognized
7 with the Service Award for her contributions to FSBPT
8 and again congratulated her.

9 Ms. Grzybek addressed an update on the National
10 Physical Therapy Exam (NPTE) and enhancements in the
11 exam, including video on the exam and case scenarios
12 to capture the medical complexity of patients and
13 clients.

14 Ms. Grzybek addressed her role in representing
15 the Board at the PT Compact Commission Business
16 Meeting, noting Jeff Rosa of FSBPT is now the
17 administrator of the PT Compact. She reported Chair
18 Kathy Arney of North Carolina reviewed the growth of
19 the compact and potential opportunities for growth in
20 2023. She stated the PT Compact and FSBPT are
21 reviewing a memorandum of agreement, which indicates
22 a commitment to success of both parties. She noted
23 the rules and bylaws presented in the materials were
24 adopted as well as the policy and procedure
25 amendment.

1 Ms. Grzybek addressed elections, noting vice
2 chair of the PT Compact is now David Harris of
3 Tennessee and members-at-large included Harvey Aikman
4 and Corie Tillman Wolf.

5 Ms. Grzybek noted the 2023 PT Compact Commission
6 budget was reviewed, the executive board approved it,
7 and it was adopted by the delegates unanimously.

8 Chair Potter commented that another neighboring
9 state, New Jersey, would be issuing compact
10 privileges in 2023.

11 Vice Chair Campbell requested an update regarding
12 replacing the Pennsylvania Licensing System (PALS) to
13 meet the requirements of the compact.

14 Acting Commissioner Claggett explained that there
15 was not enough data on PALS at the moment to provide
16 anything but is still working on it.

17 Vice Chair Campbell thanked Ms. Grzybek for her
18 representation and echoed congratulations to Ms.
19 Wolfe for a job well done.]

20 ***

21 Upcoming Meeting Dates

22 [Sandra L. Campbell, PT, Ph.D., MBA, Vice Chair,
23 noted 2023 Board meeting dates.]

24 ***

25 Adjournment

1 VICE CHAIR CAMPBELL:

2 Could I have a motion to adjourn the
3 meeting?

4 MS. GRZYBEK:

5 So moved.

6 CHAIR POTTER:

7 Second.

8 VICE CHAIR CAMPBELL:

9 Considering all of the business that
10 has been called before the Board has
11 been addressed today, I call the
12 meeting closed at 11:12 a.m.

13 Thank you all very much for your
14 time, and we will see you in January.

15 ***

16 [There being no further business, the State Board of
17 Physical Therapy Meeting adjourned at 11:12 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.


Samantha Bruer,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF PHYSICAL THERAPY
REFERENCE INDEX

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TIME	AGENDA
9:00	Executive Session
10:30	Commence Open Session
10:37	Official Call to Order
10:37	Roll Call
10:38	Introduction of Attendees
10:40	Official Call to Order
10:41	Approval of Minutes
10:42	Report of Board Prosecution
10:45	Appointment - Erin Donnelly
10:49	Appointment - Courtney Cadwallader
10:53	Report of Board Counsel
10:57	Report of Board Chair
11:04	Report of Board Secretary
11:11	Upcoming Meeting Dates
11:12	Adjournment