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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: 10:39 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

May 27, 2021

State Board of Physical Therapy
May 27, 2021

BOARD MEMBERS:

Cynthia L. Potter, PT, DPT, Chairperson
K. Kalonji Johnson, Commissioner, Bureau of
Professional and Occupational Affairs
Peter Blank, Policy Director, Secretary of Health
Designee
Sandra L. Campbell, PT, Ph.D., MBA, Vice Chair
Geraldine M. Grzybek, PT, GCS
Brandie J. McClinton, DPT
Jeremy Robb, Attorney General's Office designee
Krista Wolfe, DPT, ATC

BUREAU PERSONNEL:

Thomas M. Davis, Esquire, Board Counsel
Heather J. McCarthy, Esquire, Board Prosecution
Liaison
Paul J. Jarabeck, Esquire, Board Prosecutor
Michelle Roberts, Board Administrator
Theodore Stauffer, Executive Secretary, Bureau of
Professional and Occupational Affairs

ALSO PRESENT:

Mikayla Griner
Andrea DeSera
Katelyn Greene
Sierra Iavarone

1 ***

2 State Board of Physical Therapy

3 May 27, 2021

4 ***

5 [Theodore Stauffer, Executive Secretary, Bureau of
6 Professional and Occupational Affairs, noted the
7 meeting was being recorded, and those who remained on
8 the line were giving their consent to being recorded.]

9 ***

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

17 ***

18 The regularly scheduled meeting of the State
19 Board of Physical Therapy was held on Thursday, May
20 27, 2021.

21 ***

22 Official Call to Order

23 [Cynthia L. Potter, PT, DPT, Chairperson, officially
24 called the meeting to order at 10:39 a.m.]

25 ***

1 Roll Call

2 [A roll call of Board members was taken by Chair
3 Potter.]

4 ***

5 Approval of minutes of the March 25, 2021 meeting

6 CHAIR POTTER:

7 The first item on the agenda is approval
8 of the minutes from the March meeting.

9 Are there any additions or
10 corrections to minutes? Hearing none.

11 Is there a motion to approve?

12 MS. GRZYBEK:

13 So moved.

14 DR. CAMPBELL:

15 Second.

16 CHAIR POTTER:

17 It has been moved and seconded to
18 approve the minutes as presented for the
19 March 25 meeting. Roll call.

20
21 Commissioner Johnson, abstain; Peter
22 Blank, aye; Sandy Campbell, aye; Gerri
23 Grzybek, aye; Brandie McClinton, aye;
24 Jeremy Robb, aye; Krista Wolfe, aye; and
25 Potter, aye.

1 [The motion carried. Commissioner Johnson abstained
2 from voting on the motion.]

3 ***

4 Report of Prosecution

5 [Heather J. McCarthy, Esquire, Board Prosecution
6 Liaison, offered no specific report from the
7 prosecution division.]

8 ***

9 [Paul J. Jarabeck, Esquire, Board Prosecutor,
10 presented the Consent Agreement for Case No. 19-65-
11 013517, noting Dr. Sandra Campbell recused from the
12 matter.]

13 ***

14 [Heather J. McCarthy, Esquire, Board Prosecution
15 Liaison presented the Consent Agreement for Case No.
16 21-65-006328.]

17 ***

18 [Thomas M. Davis, Esquire, Board Counsel, questioned
19 whether any Board members wished to reenter Executive
20 Session after hearing the presentations.]

21 MR. DAVIS:

22 Number 2 on the Board's agenda. Based
23 on the Board's discussions in Executive
24 Session, I believe the Chair will
25 entertain a motion to adopt the VRP

1 Agreement at Case No. 21-65-006328.

2 CHAIR POTTER:

3 Is there a motion?

4 MS. GRZYBEK:

5 So moved.

6 COMMISSIONER JOHNSON:

7 Second.

8 CHAIR POTTER:

9 Moved and seconded to accept the VRP
10 Agreement as read by counsel. Roll
11 call.

12
13 Commissioner Johnson, aye; Blank, aye;
14 Campbell, aye; Grzybek, aye; McClinton,
15 aye; Robb, aye; Wolfe, aye; and Potter,
16 aye.

17 [The motion carried unanimously. The licensee's name
18 was withheld since the individual is entering the
19 voluntary recovery program. This individual's
20 participation in that program would remain
21 confidential as long as he or she abides by the terms
22 and conditions of the program.]

23 ***

24 MR. DAVIS:

25 Number 3 on the Board's agenda. Based

1 on the Board's discussions in Executive
2 Session, I believe the Chair would
3 entertain a motion to approve the
4 Consent Agreement in the following
5 matter: Case No. 19-65-013517.

6 CHAIR POTTER:

7 Is there a motion?

8 MS. GRZYBEK:

9 So moved.

10 COMMISSIONER JOHNSON:

11 Second.

12 CHAIR POTTER:

13 Moved and seconded to adopt the Consent
14 Agreement as read by counsel. Roll call
15 vote.

16
17 Commissioner Johnson, aye; Blank, aye;
18 Campbell, recuse; Grzybek, aye;
19 McClinton, aye; Robb, aye; Wolfe, aye;
20 and Potter, aye.

21 [The motion carried. Dr. Campbell recused herself
22 from deliberations and voting on the motion. Case No.
23 19-65-013517 is Commonwealth BPOA v. Bradley Keith
24 MacMaster, PTA.]

25

1 Report of Board Chair

2 [Cynthia L. Potter, PT, DPT, Chairperson, addressed
3 her and Ms. Grzybek's virtual attendance at the
4 Federation of State Boards of Physical Therapy (FSBPT)
5 Board liaison vote dinner and their discussions with
6 Stacy Price, the Board liaison from Georgia.
7 Additionally, she mentioned that Ms. Wolfe and Ms.
8 Grzybek attended FSBPT Board member training.

9 Ms. Wolfe reported that she received much
10 information, and it opened her eyes to different
11 barriers and challenges other states were facing due
12 to the pandemic.

13 Ms. Grzybek stated it opened her eyes, making her
14 realize there was work be done as a Board to stay in
15 line with colleagues and members of the Federation.

16 Chair Potter provided an update on FSBPT's Exam,
17 Licensure, and Disciplinary Database (ELDD). She
18 mentioned the star rating process, where the
19 federation provides feedback to jurisdictions
20 regarding their participation and input of data into
21 the ELDD. She noted the Federation did away with the
22 star rating system as of February 2021 because of
23 diminishing return.

24 Chair Potter stated the federation started to see
25 a leveling off and decided it was time to look at ELDD

1 from a different perspective with the goal to still
2 have a robust input from jurisdictions and increased
3 participation by the jurisdictions in getting data
4 into that system. She noted it became a burden on the
5 FSBPT staff to routinely mine that data and input it
6 themselves.

7 Chair Potter stated the Compact legislation has
8 passed and many of the goals related to the ELDD are
9 requirements of each state participating in the
10 Compact. She mentioned that Pennsylvania is far off
11 with a number of the areas related to the ELDD
12 participation. She noted Board Counsel did a great
13 job last meeting of reviewing the language of the PT
14 Compact and spent a lot of time figuring out what is
15 needed to comply with the Compact.

16 Chair Potter addressed the data systems and input
17 of information, noting it to be a major barrier for
18 Pennsylvania to provide information on a timely basis.

19 She noted the importance of entering licensure and
20 disciplinary data from the states and being able to
21 use that FSBPT identification number (ID) routinely in
22 our system.

23 Chair Potter mentioned that a lot of states have
24 automated processes that input the data and would
25 require changes to their system. She stated grants

1 are available from the Federation to assist
2 jurisdictions with improving their systems. She noted
3 the importance of ensuring compliance and tying in the
4 information to be able to issue Compact privileges.

5 Ms. Grzybek addressed discussions with the FSBPT
6 liaison regarding grant money to assist with system
7 changes and questioned whether it would be permitted
8 to further investigate and access such funding to try
9 to bring the system up to speed.

10 Ms. Grzybek encouraged the administrative
11 processes to get everything in order to have
12 everything in place for licensees, noting it to be a
13 huge problem for public protection as this moves
14 forward if it is not in place. She offered to provide
15 assistance in her role to help facilitate such
16 matters, also noting the need for dedicated staff
17 support.

18 Commissioner Johnson noted the need for
19 discussion with legal counsel regarding the
20 availability of the grant money and whether or not
21 there were legal considerations. He mentioned the
22 need for discussion with individuals at the commission
23 regarding information technology (IT) requirements and
24 would provide an update by the next meeting for
25 further discussion on proceeding.

1 [Mikayla Griner presented to the Board to request a
2 third attempt at the National Physical Therapy
3 Examination. She mentioned taking the 12-week program
4 instead of the 6-week program to obtain more help.
5 She noted looking over Practice Exam and Assessment
6 Tools (PEATs) and at the Scorebuilders book.

7 Ms. Griner noted her greatest area of weakness is
8 cardiovascular.

9 Ms. Wolfe noted musculoskeletal also gave Ms.
10 Griner difficulty as well as intervention and
11 questioned how she tackled studying intervention and
12 choosing the appropriate interventions based on the
13 diagnosis.

14 Ms. Griner mentioned being in contact with one of
15 her college professors who has been helping.]

16 ***

17 Appointment - Applicant, Andrea DeSera - Request for
18 3rd Attempt

19 [Andrea DeSera presented to the Board to request a
20 third attempt at the National Physical Therapy
21 Examination. She noted she will be purchasing four
22 PEATs and purchased the TherapyEd PTA examination
23 study guide and has the Scorebuilders PTA study guide.
24 She addressed anxiety during testing and believed she
25 will be confident on the third attempt.

1 Dr. Campbell encouraged Ms. DeSera to rethink her
2 thought philosophy, address the large content areas,
3 and remember everything on the NPTE links back to a
4 textbook.]

5

6 Appointment - Applicant, Katelyn Greene - Request for
7 3rd Attempt

8 [Katelyn Greene presented to the Board to request a
9 third attempt at the National Physical Therapy
10 Examination. She noted difficulty taking tests and
11 hired a tutor through Varsity Tutors for the third
12 attempt who has helped with reading questions and
13 answering correctly. She addressed her study plan.
14 She also bought the TherapyEd book to learn study
15 techniques.

16 Dr. Campbell encouraged Ms. Greene to ask her
17 tutor to make sure time was being spent in
18 musculoskeletal and neuromuscular areas.]

19

20 Appointment - Applicant, Sierra Iavarone - Request for
21 3rd Attempt

22 [Sierra Iavarone presented to the Board to request a
23 third attempt at the National Physical Therapy
24 Examination. She noted originally studying with
25 TherapyEd books and then supplementing with the

1 Scorebuilders book. She mentioned the score report
2 showed gaps in knowledge and where to spend more time
3 and took the NPTE Final Frontier with Dr. Singh. She
4 noted test anxiety.

5 Ms. Iavarone addressed utilizing Scorebuilders,
6 the TherapyEd book, and PEAT along with studying with
7 a classmate on the cardiopulmonary section.

8 Dr. Campbell encouraged Ms. Iavarone to dive into
9 not just the right answer but what the right answer is
10 and why the other three answers are wrong when she
11 takes the practice tests. She stated most of the
12 questions were musculoskeletal and neuromuscular and
13 give the most opportunity for growth. She mentioned a
14 six-time lifetime limit to take the exam and to not
15 take the exam if she were not ready.]

16 ***

17 Report of Board Chair (Continued)

18 [Cynthia L. Potter, PT, DPT, Chairperson addressed
19 questions regarding waivers and how that may affect
20 students taking the exam early. She noted the need to
21 monitor those waivers because everything would return
22 to the regulations that existed before the waivers
23 were put in place unless the legislature acts to
24 continue some of those.

25 Ms. Grzybek questioned what would happen if a

1 student has already applied to take the exam under the
2 waiver and the waiver expires before they have the
3 opportunity to take the exam because she did not think
4 it would be permitted. She also questioned how the
5 individual would know it was inappropriate if the
6 waiver expired.

7 Commissioner Johnson recommended taking those
8 questions to the General Assembly because they have
9 the obligation to terminate or extend the waivers. He
10 commented that the current 21-day extension carries
11 over to the middle of next month.

12 Commissioner Johnson was unaware of any catchall
13 provision in the regulations or the practice act that
14 would allow the Board to be able exercise that level
15 of discretion and assumed they do not, which is why
16 the waiver was important.

17 Commissioner Johnson noted questions were
18 provided to the General Assembly and encouraged Board
19 members in their personal capacities to reach out to
20 the statewide associations to encourage them to
21 advocate and lobby the legislature.

22 Chair Potter addressed multiple vacancies on the
23 Board and suggested members reach out to anyone
24 interested and urge them to approach their senators.]

25

1 Report of Board Counsel

2 [Thomas M. Davis, Esquire, Board Counsel, provided a
3 Regulatory Status Report for the Board's review. He
4 addressed 16A-6518 regarding child abuse reporting.
5 He noted IRRC received the final-form regulation
6 package on April 26, 2021, and is scheduled for
7 consideration and action at the IRRC public meeting on
8 June 17, 2021.

9 Mr. Davis addressed 16A-6522 regarding early exam
10 and continuing education (CE) for clinical
11 instruction, noting he sent the regulatory package to
12 regulatory counsel in early February. He mentioned
13 the review should be pretty quick once regulatory
14 counsel attends to it and then after review by the
15 Office of General Counsel (OGC) and the Attorney
16 General's Office (AG), it would be published in the
17 *Pennsylvania Bulletin*.

18 Mr. Davis addressed a scam alert, where persons
19 pretending to be from one of the health-related boards
20 are contacting licensees by phone and mail concerning
21 the status of their license. He reported scammers
22 were threatening license suspension for failure to act
23 and falsely claiming involvement with the Federal
24 Bureau of Investigation (FBI) and the Drug Enforcement
25 Administration (DEA).

1 I make that motion to nominate Gerri.

2 DR. CAMPBELL:

3 Second.

4 CHAIR POTTER:

5 It has been moved and seconded to
6 nominate Gerri Grzybek as the Board
7 secretary. Are there any further
8 nominations? Hearing none. Nominations
9 are closed. All in favor of Gerri
10 Grzybek as Board secretary?

11

12 Commissioner Johnson, aye; Blank, aye;
13 Campbell, aye; Grzybek, aye; McClinton,
14 aye; Robb, aye; Wolfe, aye; and Potter,
15 aye.

16 [The motion carried unanimously.]

17

18 [K. Kalonji Johnson, Commissioner, Bureau of
19 Professional and Occupational Affairs, exited the
20 meeting at 11:46 a.m.]

21

22 Miscellaneous

23 [Cynthia L. Potter, PT, DPT, Chairperson, noted
24 remaining Board meeting dates for 2021.

25 Ms. Roberts informed everyone Shannon Fonzi

1 canceled her appointment.]

2 MR. DAVIS:

3 After hearing from these individuals,
4 does anyone want to reenter into
5 Executive Session to further discuss any
6 of those? Hearing nothing, based on the
7 Board's discussions in Executive
8 Session, I believe the Chair would
9 accept a motion approving the requests
10 for permission to take the National
11 Physical Therapy Exam a third time made
12 by the following individuals: Mikayla
13 Griner, Andrea DeSera, Katelyn Greene,
14 and Sierra Iavarone.

15 CHAIR POTTER:

16 Is there a motion?

17 MS. GRZYBEK:

18 So moved.

19 DR. CAMPBELL:

20 Second.

21 CHAIR POTTER:

22 It has been moved and seconded to
23 approve the motion as read by counsel.
24 Roll call.

25

1 CHAIR POTTER:

2 Is there a motion to adjourn?

3 MS. GRZYBEK:

4 So moved.

5 CHAIR POTTER:

6 Is there a second?

7 DR. CAMPBELL:

8 Second.

9 CHAIR POTTER:

10 Moved and seconded to adjourn the
11 meeting.

12

13 Stauffer, aye; Blank, aye; Campbell,
14 aye; Grzybek, aye; McClinton, aye; Robb,
15 aye; Wolfe, aye; and Potter, aye.

16 [The motion carried unanimously.]

17

18 [There being no further business, the State Board of
19 Physical Therapy Meeting adjourned at 11:53 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.



Amber Garbinski,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF PHYSICAL THERAPY
REFERENCE INDEX

May 27, 2021

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8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:39	Official Call to Order
13		
14	10:40	Roll Call
15		
16	10:40	Approval of Minutes
17		
18	10:42	Report of Prosecution
19		
20	10:50	Report of Board Chair
21		
22	11:03	Appointment - Mikayla Griner
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24	11:11	Appointment - Andrea DeSera
25		
26	11:18	Appointment - Katelyn Greene
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28	11:23	Appointment - Sierra Iavarone
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30	11:33	Report of Board Chair (Continued)
31		
32	11:39	Report of Board Counsel
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34	11:44	Report of Board Administrator
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36	11:45	Miscellaneous
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38	11:53	Adjournment
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