



PHYSICAL THERAPY BOARD OF CALIFORNIA

**Approved
MEETING MINUTES
May 1 & 2, 2008**

California State University, Fresno
Kremen Education Building, Room 140
5241 North Maple Avenue, Fresno, CA 93740
(559) 278-2625

Thursday, May 1, 2008 9:30 AM

Call to Order and Roll Call

President Krueger called the meeting of the Physical Therapy Board of California to order at 9:38 a.m. The meeting was held at the California State University, Fresno, Kremen Education Building, Room 140, 5241 North Maple Avenue, Fresno, CA 93740

Roll call was taken. Debra Alviso, P.T, Martha Jewell, P.T., Nancy Krueger, P.T. Sara Takii, P.T., James Turner were present; no members were absent. A quorum was established.

1. Proposed Disciplinary Decisions

The Board convened in CLOSED SESSION to deliberate on proposed disciplinary decisions and stipulated settlements pursuant to Government Code section 11126(c) (3). At the conclusion of the closed session the Board resumed open session.

2. Approval of Minutes

(A) January 24 & 25, 2008 – Board Meeting

MOTION

It was moved by Ms. Jewell, seconded by Ms. Alviso to adopt the minutes as presented. Motion carried unanimously.

3. President's Report – Nancy Krueger, PT

(A) 2008 Meeting Dates

The Board discussed participation in the Professionals Achieving Consumer Trust Summit being held by the Department of Consumer Affairs November 18 through 21, 2008. The Board's meeting will be on Tuesday November 18, 2008.

The addition to the Board's calendar of the Federation of State Boards of Physical Therapy Annual Meeting in Minneapolis, MN, being held on September 12 through 15, 2008, was requested.

The Board returned to this agenda item to discuss the location and dates of the August 2008 meeting. Staff was directed to plan the meeting for one day, Thursday August 7, 2008.

MOTION

It was moved by Ms. Jewell, and seconded by Mr. Turner, to move August 2008, meeting to Sacramento.

Motion passed unanimously

(B) 2009 Meeting Dates

The Board members were asked to review their 2009 calendars so that dates could be approved at the next Board meeting. Preferences of members were noted by staff who will develop a proposed 2009 meeting calendar.

(C) Update

President Krueger referred the members to the Assistive Personnel Task Force report which is Agenda Item 20.

President Krueger expressed appreciation for the service of Board member Adele Levine who passed away recently.

4. Executive Officer's Report – Steven K. Hartzell

(A) Update

The purchase of a new sound system and minute software was discussed. With the new software format of the minutes will be revised with a focus on recording action items.

(B) FY 2007 – 2008, & FY 2008 - 2009 Budget

The cost of the move, which is still being totaled, was discussed. The current projection is that the expenditures for the year will be less than the budgeted amount, but slightly more than revenue. The current year expenditures and revenues, as of March 30, 2008, were discussed.

The lack of an approved budget for 2008-09, and the impact on the Board's operations was discussed.

(C) Office Relocation

Mr. Hartzell reported on the move of the office and expressed appreciation for both the Board's and DCA staff to make the move as easy as possible.

5. Consumer and Professional Associations and Intergovernmental Relations Report –

Steven K. Hartzell

(A) California Physical Therapy Association (CPTA)

Mr. Hartzell expressed his appreciation for the CPTA's sponsorship of AB2111. Stacy DeFoe representing CPTA discussed the Associations' Annual Conference which is being held in Oakland in September. Ms. Defoe also advised the members that the date for the American Physical Therapy Association Combined Section Meeting is February 9 through 12, 2009, in Las Vegas, Nevada.

Ms. Defoe requested to be able to make comments today on Agenda Item 18, Review Draft of Continuing Competency Regulation, as she will not be able to attend the

meeting tomorrow. Ms. Defoe was advised that the Board will allow her to do so after the Public Hearings, Agenda Items 8 & 9,

(B) Federation of State Boards of Physical Therapy (FSBPT)

Mr. Hartzell directed the members to a Briefing Paper on a proposed motion regarding payment of disability accommodations for National Physical Therapy Examinations.

Mr. Hartzell requested consideration of the following motion:

MOTION

The Federation shall factor in the cost of providing ADA accommodations into the examination fee paid by all examination candidates.

Ms. Jewell moved the motion and Ms. Alviso seconded the motion.

The motion passed unanimously

Mr. Hartzell reminded the members that he had been nominated for the Administrative Staff Director position on the Federation's Board of Director. The Federation requests that all nominees attend the Committee Chair meeting that will be held in June. Mr. Hartzell advised the Federation provides the funding for the trip.

Mr. Hartzell also advised the members that he would be attending the Federation's Examination Administration Committee, which he is a member of, in July. This trip is also funded by the Federation.

The Board at this time moved to Agenda Item 8 & 9, out of sequence since regulatory hearings were noticed for 10:30, and the time is now 11:10 a.m.

10:30 a.m. Regulatory Hearings (Out of Sequence)

8. Regulatory Hearing on the Proposed Amendments to Section 1399.15, of the California Code of Regulations, Title 16, Division 13.2, Article 2, Disciplinary Guidelines

Laura Freedman, Legal Counsel for the Board, and Elsa Ybarra of the Boards Consumer Protection Unit summarized the changes that had been made in the proposed language from the draft version. The changes included incorporating a recommendation the DCA Division of Legislation and Policy Review regarding terms J and O. Term J was revised to specify that the recommendation to the Board referenced in the third paragraph must be in writing. Term O was revised to specify that the type of information to be required be specified in the condition.

Hearing

On May 1, 2008, at 11:13 a.m. Ms. Freedman opened the Hearing on the proposed amendments to Section 1399.15, of the California Code of Regulations, Title 16, Division 13.2, Article 2 regarding the Board's Disciplinary Guidelines.

Written Comments

The Department of Consumer Affairs, Division of Legislation and Policy Review submitted written comments regarding terms “J” and “O”.

No other written comments were received.

Public comments

There were no public comments.

As no other testimony was offered, Ms. Freedman closed the hearing at 11:14 a.m.

The Board then discussed the proposed regulation and comments.

MOTIONS

Moved by Ms. Jewell, seconded by Mr. Turner to delete “Employment or” from the title of terms “K”, “L”, and “M”.

Rationale – The text of the terms do not include “employment” therefore the change is needed for the title and text be consistent. The issue of employment is covered in term “F”. Employment and supervision are separate issues.

The motion passed unanimously.

President Krueger declared a recess at 11:45 a.m.

President Krueger called the meeting back to order at 11:55 a.m.

The Board discussed the issue of notification of probationary status of an owner to the employees of a practice. After discussion it was determined that it would be appropriate to add a new condition specific to violation modeled after standard condition 10.

Ms. Freedman suggested language for a new specific condition. She further suggested that the Board authorize staff to determine the best location for this term.

MOTION

Moved by Ms. Jewell, seconded by Ms. Takii

To adopt the following language as a specific condition of probation:

Notification of Probationers Status to Employees

If respondent is an employer of other physical therapists or physical therapist assistants, respondent shall notify all present or future employees of the reason for and terms and conditions of the probation. Respondent shall do so by providing a copy of the Initial Probationary License, Statement of Issues, Accusation, and the Decision and Order, to each employee and submit confirmation of employee receipt to the Board within ten (10) days. The confirmation(s) provided to the Board shall include the name, address and phone number of the employee.

The motion passed unanimously

Ms. Freedman brought to the Board's attention the capitalization of the “Board” along with “member” in condition F. The use of the word “board” with a capital “B” could be interpreted to mean a reference to a member of the Physical Therapy Board of

California, which is not the intent of the section. Ms. Freedman recommended that an editorial change be made to use the word “board” without being capitalized so that it would be clear that the reference is to a board member of a corporation. Ms. Freedman further advised that a specific motion would not be needed if this recommendation was included in the minutes.

MOTION

Moved by Ms. Jewell, seconded by Ms. Alviso to adopt the guidelines as amended with the understanding that staff will make any non-substantive editorial changes

The motion passed unanimously

MOTION

Moved by Ms. Alviso, seconded by Ms. Jewell to adopt the specific language proposed to amend Section 1399.15, of the California Code of Regulations, Title 16, Division 13.2, Article 2, regarding the Board’s Disciplinary Guidelines, as amended May 1, 2008, and to authorize the Executive Officer to adopt this language, finalize the rulemaking process assuming no negative comments, and to make any non-substantive changes that DCA or OAL may require.

The motion passed unanimously

9. Regulatory Hearing on the Proposed Language for Section 1398.12 of the California Code of Regulations, Title 16, Division 13.2, Article 2, Health Related Science

PUBLIC HEARING

On May 1, 2008, at 12:23 p.m. Ms. Freedman opened the Hearing on the proposed amendments to Section 1398.12, of the California Code of Regulations, Title 16, Division 13.2, Article 2 regarding the Definition of Health Related Science for the purposes of using the term doctor.

PUBLIC Comment

Stacy DeFoe, CPTA stated the Association thinks the regulation looks great. It is inclusive, concise and useful and the work of the Board is appreciated.

Written Comment

No written comment was received.

As no other testimony was offered, Ms. Freedman closed the hearing at 12:26 p.m.

The Board then discussed the proposed regulation and comments.

Ms. Marco directed the Board’s attention to the recommendations in the Briefing Paper for this agenda item. The recommendations are to amend the title of the regulation to “Health Related Science”, add “Section Number 1398.12” to the proposed text, add Business and Professions Code 2633 to the authority, and Business and Professions Code Section 2650 to the reference.

MOTION

Moved by Ms. Jewell, seconded by Ms. Alviso to adopt the regulation as amended per the briefing paper.

The motion passed unanimously

MOTION

Moved by Ms. Jewell, seconded by Mr. Turner to adopt the specific language proposed to amend Section 1398.12, of the California Code of Regulations, Title 16, Division 13.2, Article 2, regarding the Health Related Science, as amended May 1, 2008, and to authorize the executive officer to adopt this language, finalize the rulemaking process assuming no negative comments, and to make any non-substantive changes that DCA or OAL may require.

Vote

Motion passed unanimously

President Kruger declared a recess for lunch 12:31p.m. and announced the Board would reconvene at 1:45 p.m.

President Krueger reconvened the meeting at 1:50 p.m.

6. Consumer Protection Services Report – Nancy Krueger, PT

Ms. Ybarra directed the members to the reports that were distributed, and responded to questions regarding the timeliness of processing complaints.

7. Consideration of Modified Languages to Section 1399.25 of the California Code of Regulations, Title 16, Division 13.2, Article 2, Administrative Citations and Amount of Fines

Ms. Ybarra directed the members to the Briefing Paper regarding recommended changes to the Administrative Citation regulation regarding service of the citation, and adding the authorization of a citation of up to \$5000 to a person who has received multiple citations for the same or similar violation.

MOTION

Moved by Ms. Jewell, seconded by Mr. Turner to approve the modified text included in the Briefing Paper, to adopt the specific language proposed to amend Section 1399.25, of the California Code of Regulations, Title 16, Division 13.2, Article 2, regarding the Administrative Citations, as amended May 1, 2008, and to authorize the executive officer to publish a 15 day notice of the modified text, to adopt this language, finalize the rulemaking process assuming no negative comments, and to make any non-substantive changes that DCA or OAL may require.

Vote

Motion passed unanimously

10. Rulemaking – Rebecca Marco

(A) Rulemakings in Progress

(B) Possible revisions regarding legibility of signatures in documentation

Ms. Marco reported on the issues included in the calendar. Abandonment of application will be the next package addressed. Other changes are pending completion or research on the issues.

Ms. Marco directed the members to the Briefing Paper regarding legibility of signatures. Ms. Jewell discussed the connection of this item with agenda item 17, identification of Students and Interns, and recommended that Joint Commission regulations should be reviewed prior to making a decision. Ms. Alviso suggested that the number of settings where care is provided should also be considered.

President Krueger appointed Ms. Alviso to work with staff to develop recommendations to amend the regulation dealing with signature.

11. Probation Monitoring Overview – Monny Martin

Mr. Martin presented and discussed the briefing paper on the probation monitoring program.

12. Diversion Program – Debi Mitchell

(A) Request for Proposal For Diversion Program Contractor

Mr. Hartzell directed the members to the Briefing Paper prepared by Ms. Mitchell.

(B) Legislative Hearings on Diversion Programs

Mr. Hartzell summarized the information in the Briefing Paper that was distributed. The ensuing discussion included the philosophy of diversion, the approach taken by different boards and professions and the range of proposals that are being discussed by the Legislature.

13. Legislation Update – Steven K. Hartzell

(A) Definitions of PTBC Positions on Legislation

Ms. Jewell asked about the definition of Disapprove – Unless Amended. The concern was regarding whether it would be appropriate to approve or support a bill if the amendments were accepted, rather than watching the bill. The other options, such as Support or Approve if amended, were discussed. The ability to adopt a different position than the standard definitions was also discussed.

(B) Introduced Legislative Bills

- ABX1 1 Health Care Reform; Nunez

The Board discussed the roles of various health care workers performing physical therapy.

Watch position recommended.

- AB 865 State Agencies; live customer service agents ; Davis

Watch position recommended

- AB 1869 State Boards and Commissions Reorganization; Anderson

Watch position recommended

- AB 1925 Franchise Tax Board; business and professions licenses; Eng

Watch position recommended

- AB 2111 Physical Therapy: regulation; Smyth

The Board's bill. Support position is recommended.

President Krueger recessed the Meeting at 3:13 p.m.

President Krueger reconvened the meeting at 3:32 p.m.

- AB 2543 Geriatric and Gerontology Workforce Expansion Act; Berg
Watch position recommended
- AB 2649 Medical Assistants; authorized services; Ma
Watch position recommended
- AB 2734 Health Care Practitioners; advertisements; Krekorian
A position of Support if amended to include physical therapists in the list of health care professionals to which the proposed section 605 would apply.
- SB 761 Diversion and Vertical Prosecution; Ridley-Thomas
Watch position recommended
- SB 797 Professions and Violations; Ridley-Thomas
Watch position recommended
- SB 843 Medical Information; Calderon
Watch position recommended
- SB 963 Regulatory Boards: operations; Ridley-Thomas
Watch position recommended
- SB 1156 Medical Practice Act; Aanestad
Watch position recommended
- SB 1288 CSUS Doctor of Nursing; Scott
Watch position recommended
- SB 1402 Reporting Requirements; - Corbett
Watch position recommended
- SB 1415 Patient Records: Maintenance and Storage; – Kuehl

MOTION

Moved by Ms. Takii, seconded by Ms. Alviso to take an approve position on SB1415. The motion passed unanimously.

- SB 1441 Healing Arts Practitioners: Alcohol and Drug Abuse; Ridley-Thomas

MOTION

Moved by Sara Takii, seconded by James Turner to adopt a position of support on SB1441.

The motion passed unanimously

Subsequent to the vote, Ms. Alviso requested reconsideration of the vote due to amendments that may have been made. President Krueger advised the reconsideration would be done on May 2, 2008, after staff had an opportunity to research changes that have been made to the bill.

(On May 2, 2008 the Board reconsidered the position on the bill due to amendments of the bill that would require audits of all programs. Due to the amendments staff recommended a Watch position on the bill.)

President Krueger moved the remainder of Agenda Item 13 (B), and 13(C) to later in the meeting in order to accommodate individuals who wished to speak to Agenda 18.

18. Review Draft Continuing Competency Regulation— *Marty Jewell, PT, PhD (Out of Sequence)*

President Krueger moved to Agenda Item 18, Review of Draft Continuing Competency Regulation, out of order, to allow individuals in attendance at today's meeting, who will not be able to attend tomorrow to provide comment. The Agenda item will be fully discussed, and any action considered tomorrow as originally noticed.

Stacy DeFoe, Executive Director for the California Physical Therapy Association commended the Board for creating regulations that recognize both traditional and non-traditional pathways. The CPTA has received comments from their membership which indicate that there is a disproportionate amount of credit given to Board related activities. She also suggested that the hours for each article course under Category B & C be eight and asked for clarification for Category H & I. Her understanding is that hours would be granted for just attending the conference and additional hours could be earned for additional individual CE courses that are attended. The Board members indicated that that her understanding is consistent with the intent. Ms. DeFoe recommended that four hours be granted for each conference.

Clarification was also requested regarding Category L. Questions are being received as to why the number of hours is only six. Her understanding is that the low number of hours is since that time preparing for the exam would count in addition to the passing of the exam. The Members indicated that her understanding is consistent with the intent.

Ms. DeFoe also requested that under Category C, credit be granted to revising and updating courses.

Marilyn Miller asked if under Category H and I, is it implied that if no certificate of attendance is offered, no credit would be granted. The Board responded that the intent was to require that a certificate of attendance would be required, but the possibility of accepting some type of proof of attendance would be discussed tomorrow.

Ms. Miller also asked if invited speakers at conferences, and Poster Presentations, would receive credit. The Board advised that the proposed draft does not provide for credit for these activities. Ms. Miller requested that the Board reconsider giving credit for Poster Presentations. The Board responded that the task force did discuss the topics, but determined that being a speaker was too broad of concept, and that the lack of peer review was among the concerns regarding credit for Poster Presentations.

Ben Nichols, Fresno State Physical Therapy Student, asked if national conferences out of state would count, and if stamps showing attendance at particular booths or sessions would count. The Board responded that national conferences out of state would count. In addition the Board advised that if the stamps were exchanged for a certificate of attendance from an approved provider credit would be given. Mr. Nichols also asked if the Board had considered giving credit for continuing education that is part of association district meetings. The Board responded that if the course had been approved, credit would be granted.

Ms. DeFoe inquired about Category A, serving as a clinical instructor. The concern is that the cap has been reduced. M. DeFoe asked that the Board consider the number of hours in comparison to Categories B and C.

Ms. Takii brought up the issue of college credits equating to hours. The Board directed staff to include a definition of the number of hours granted for quarter and semester credits based on the national standard.

The Board was asked if credit for clinical residency was identified for credit. The board responded that it was not included separately, but that if college credit was granted it might qualify.

President Krueger recessed the meeting at 5:12 p.m.

Friday May 2, 2008 9:00 AM

15. Call to Order and Roll Call

President Krueger reconvened the meeting of the Physical Therapy Board of California to order at 9:04 a.m. President Krueger expressed the Board's appreciation to Gary Lintell and the California State University, Fresno for hosting the meeting. President Krueger also welcomed the students from the Physical Therapy Educational Program.

Roll call was taken. Debra Alviso, PT, Martha Jewell, P.T., Nancy Krueger, P.T. Sara Takii, P.T., and James E. Turner were present; no members were absent. A quorum was established.

President Krueger returned to Agenda Item 13 which was not completed yesterday.

13. Legislation Update – Steven K. Hartzell

B. Introduced Legislative Bills

- SB 1441

The Board during the meeting on May 1, 2008, passed a motion to reconsider the action taken on the Bill.

Mr. Hartzell and Ms. Freedman advised the Board that the amendments of the bill would require audits of all programs. Additional amendments are also likely to change the nature of the Bill. Staff now recommends a Watch position on the bill.

MOTION

Moved by Ms. Takii, seconded by Ms. Jewell to change the position on the bill to watch.

The motion passed unanimously

- SB 1454 Healing Arts; Advertising Requirements; Ridley-Thomas
The Board directed staff to Watch the Bill.

- SB 1494 State Agency Websites; McClintock
Watch position recommended

- SB 1535 MBC: Medical Directors; Kuehl
Watch position recommended

- SB 1640 Hospital Employed Physicians; Ashburn
Watch position recommended
- SB 1769 Department of Consumer Affairs; Perata
Watch position recommended
- SB 1779 Healing Arts, Omnibus; Ridley-Thomas

MOTION

Moved by Ms. Jewell, seconded by Ms. Takii to support if amended to include PTBC.

The motion passed unanimously

- SB 1780 Professions and Vocations; Ridley-Thomas
Watch position recommended
- SB 2049 Sexual Battery Healing Professionals; – Saldana

MOTION

Moved by Ms. Jewell, seconded by Ms. Takii to support.

The motion passed unanimously

- SB 2807 Department of Consumer Affairs; Adams;
Watch position recommended

(C) Proposed Legislation -

- (1) Amend Business and Professions Code §149 to authorize the PTBC to Disconnect Telephones of those Engaging in the Unlicensed Practice of Physical Therapy
 - (2) Amendment of entire Physical Therapy Practice Act
- Mr. Hartzell reported that staff continues to seek a bill to make these amendments.

14. Strategic Plan

(A) DCA Strategic Plan

(B) Development of Operational vs. Strategic Plan

Mr. Hartzell reported on the development of DCA’s strategic plan, and a changing philosophy of the type of plan that is needed by the boards. Mr. Hartzell suggested inviting DCA to make a presentation at the August meeting regarding strategic planning.

The President directed staff to invite DCA to make a presentation to the Board, and charged Ms Jewell and Mr. Turner with comparing the DCA and PTBC plan and reporting back in August regarding merging the concepts.

16. Newsletter Update – Debi Mitchell

Copies of latest newsletter were made available to those in attendance. Mr. Hartzell directed the members to the Memorandum included in the agenda book.

Members suggested that the next newsletter include an expression of appreciation for the service of Adele Levine, and to thank schools for hosting meetings.

17. Identification of Students and Interns – Marty Jewell, PT, PhD

Ms. Jewell summarized the information included in the agenda book. Recommendation is to look at the statutes that exist to determine if there is a need to write a regulation addressing signature requirements.

Paul Smith discussed identification of students and the use of the terms student and intern. The discussion with the Board indicates that there is not consistency in the use of the terms physical therapist interns and physical therapist student. The schools are seeking consistency with name badge identification as well as entries into the patient's chart.

Marilyn Miller advised that in some instances that the person has graduated, but has not yet applied for licensure. Mr. Hartzell advised that if the person has graduated, and not yet applied for licensure and received license applicant status, the law does not permit them to perform physical therapy as a physical therapist intern.

Toni Tiner, PT, advised that the person has graduated from the university, but has not completed all requirements for graduation from the physical therapy education program. There may be a need for statutory or regulatory revisions to properly authorize the structure of the educational programs.

President Krueger charged the staff to write all of the Clinical Coordinators, with a cc to the director, for physical therapy educational programs in California asking how they use the titles of student and intern, and what their preference is for the use of the titles.

President Krueger recessed the meeting at 10:23.

President Krueger reconvened the meeting at 10:35

President Krueger reordered the agenda. The next item will be 20, then 18 and 22.

20. Assistive Personnel Task Force Update – Nancy Krueger, PT (Out of Sequence)

The minutes of the April 18, 2008 Task Force Meeting, which are included in the agenda book, were discussed.

18. Review Draft Continuing Competency Regulation– Marty Jewell, PT, PhD

Ms. Jewell summarized the comments that were made to the Board during the meeting yesterday.

Paul Smith referred to the written request regarding wording for the life support requirement. The request is that the Board not specify a particular course, but a reference to training comparable to the American Heart Association's course(s) designed for healthcare professionals.

Mary Jo Jacobsen made a recommendation to not allow on line only courses that do not have a practicum component.

Marilyn Miller commented that the matrix does not include research that does not result in publication, course, book, etc., and recommended that this be included.

The letter from Kathy Sun Marino Martin was reviewed. Concerns were expressed regarding credit for conferences, revision of courses and certification by other specialty organizations.

Ms. Takii asked what other types of certifications were considered. Ms. Jewell advised that many were discussed, however the task force recommendation was to initially include the known certifications that were particular to physical therapy. Expansion of list could be considered in the future.

Ms. Krueger stated she does not support credit for taking exams since credit is given for the accumulation of knowledge needed to pass the exam. Ms. Krueger recommends striking Category L.

Ms. Alviso commented that the exams that are recognized have known standards and does not favor striking Category L.

The inclusion of Category L was discussed, including background on the discussions that occurred during the task force meetings.

Receiving credit for performing as clinical instructor (CI), including the future requirement of being a certified CI in order to receive the credit was discussed. The need for encouragement to obtain the certification was discussed.

Ms. Takii asked whether the task force discussed research. Ms. Jewell responded that research was discussed and resulted in the inclusion of credit for publication in a peer-reviewed journal.

Ms. Alviso asked that Section 1399.CC5 (b) be simplified to enhance clarity.

President Kruger asked about the blank in Section 1399.52 (f). Mr. Hartzell advised that \$10 should be inserted. The fee is based on a study of the cost of operating the program. The fee begins prior to the requirement for continuing competency for renewals, since work related to recognizing approval agencies will need to begin earlier.

President Krueger inquired as to how the determination was made to audit 10% of the renewals. Mr. Hartzell advised that it was based on a survey of boards that currently require continuing education.

The issue of whether the continuing competency requirement should be effective twelve months after the effective date, with a prorated hour requirement, or implementing 24 months after the effective date without a pro-ration was discussed.

MOTION

Moved by Ms. Takii, seconded by Ms. Jewell to phase in the continuing competency requirement after 12 months.

The motion passed unanimously

22. Public Comment on Items not on the Agenda (Out of Sequence)

Mary Jo Jacobsen, P.T., Director at San Joaquin Valley Rehabilitation, commented regarding the basic level of competency of physical therapists, the move to the DPT, as well as serving the greater good of the public. She believes that there is a reduction in the number of PTs in the work force which she believes is related to the increased costs associated with the move to the DPT education requirement. She is concerned what this is doing to the greater need of the public. She believes that Board needs to look at this issue.

Gary Lentell PT, Professor, CSUF

Commented that the number of students in the pipelines is decreasing as the need is increasing. Historically about half of the PTs serving the communities in the Fresno area come from CSUF. With the move to the DPT the expense is much greater. There are only 20 students currently enrolled compared to 40 ten years ago.

Ms. Alviso asked about the association with University of California San Francisco. Mr. Lentell responded that as the costs are increased, the UCSF does not have the resources to accommodate all the students.

Ms. Jewell commented that the Board should look at the function of PTBC, and how it could address the demographic and manpower need through promoting entry into the profession.

President Krueger stated that the Board should address the manpower issues in the future.

A PT student commented that schools with masters program do not all have the ability to join with UC for DPT. These could limit students to only private universities.

Riki Shaw, an applicant for licensure started to make comments regarding her attempts to seek licensure. Ms. Freedman advised Ms. Shaw that she should discuss the issue with the executive officer to prevent any possibility of ex-parte communication.

18. Review Draft Continuing Competency Regulation– Marty Jewell, PT, PhD
President Krueger returned to Agenda Item 18.

Ms. Alviso requested that the draft regulations be reviewed by page.

At 12:12 p.m. President Krueger turned the chairing of the meeting to Vice President Jewell.

Vice- President Jewell recessed the meeting at 12:13 p.m.

Vice-President Jewell reconvened the meeting as 12:29 p.m.

The Board proceeded with reviewing the draft regulations. The following sections resulted in discussion:

CC4 - Ms. Takii inquired what type of courses could satisfy Section CC4 (a). The Board discussed the types of courses.

CC5 – Subsection (a) Clarify definition of traditional pathway

Ms. Alviso asked about section (a) (1), and asked that the language be clarified so it is clear as to who is approving or recognizing the course.

Table – The Board discussed the comments regarding the credits given in the table, and the sequence of the items in the table. The Board agreed to not change the credits. Mr. Turner suggested that the table be reordered. Ms. Freedman will work with staff to reorder the table. Category H will be changed from certificate of attendance to proof of attendance.

CC9 (d) - After discussion it was determined that section CC9(d) is duplicative of the inactive fee, and not needed.

1399.50(g) – This section should be revised to specify that it is effective 90 days after the effective date.

1399.52 (f) - \$10 should be inserted as the fee.

MOTION

Moved by Ms. Alviso, seconded by Ms. Takii to adopt the continuing competency regulations as amended.

The motion passed unanimously

MOTION

Moved by Ms. Takii, seconded by Mr. Turner that staff, proceed with the rulemaking process.

The motion passed unanimously

19. Application & Licensing Services Program Report – *Debi Mitchell*

(A) Update on Wall Certificates

Mr. Hartzell directed the members to the written report included in the agenda book. The members discussed, and asked for clarification regarding the frequency of the pass rate report by school.

21. Agenda Items for Next Meeting

- Regulation hearing on continuing competency regulations
- Update from Assistive Personnel Task force
- Report on ELEER
- DCA presentation on strategic planning
- Legibility signature issue
- FSBPT Annual meeting issues

22. Public Comment on Items not on the Agenda

Mr. Shaw commented that he would appreciate the meeting location being more obvious on the web site. Mr. Shaw also expressed concern over ICD changing their policies regarding evidence of education. Mr. Hartzell advised that staff would research the issue.

23. Adjournment

Vice President Jewell adjourned the meeting at 1:28 p.m.

Moved by Martha Jewell, Seconded by Debra Alviso, to approve the May 1 & 2, 2008 meeting minutes with amendments to page 9, line 400, adding “not” after “will” and deleting lines 702, 707 and 708 on page 15, based on the review by the members that were serving on the Board at the time of the meeting. Vote: 5-0. Motion carried.

Nancy Krueger, PT – President

Date