

1 EXECUTIVE COUNCIL OF
2 PHYSICAL THERAPY AND OCCUPATIONAL THERAPY EXAMINERS
3 AGENDA
4 QUARTERLY MEETING
5 Board Room
6 333 Guadalupe, Ste. 2-500
7 Austin, TX 78701
8 August 9, 2019 8:30 a.m.

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10 Persons present:

11 Council Members:

Roger Matson, Presiding Officer
Stephanie Johnston, OTR
Barbara Sanders, PT
Philip Vickers, PT Board Public Member

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16 Staff:

Ralph Harper, Executive Director
Karen Gordon, PT Board Coordinator
Lea Weiss, OT Board Coordinator
Amy Carter, Chief Investigator
Karissa Rodriguez, Asst. Licensing Manager
Randall Glines, Staff Services Officer

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23 Public:

Phil Davis, PT

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25 Persons absent:

26 Council Members:

Amanda Ellis, OT Board Public Member

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28 **I. Call to order.**

29 At 8:32 a.m., Mr. Roger Matson, Presiding Officer, called the meeting to order. Mr.
30 Matson called the roll, and a quorum was determined to exist.

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32 **II. Public comment.**

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34 Phil Davis, PT expressed concerns regarding questions from professional peers,
35 specifically the proposed Treatment Without Referral Amendments to PT Rules
36 §322.1. He offered suggestions for how TBPTE might respond to questions on the
37 subject from PTs and the general public.

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39 **III. Discussion and possible action on excusing council member absences.**

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41 **Motion: To approve the excuse of Amanda Jean Ellis for the absence**
42 **at the August 9, 2019 Executive Council meeting**
43 **Made by: Stephanie Johnston**
44 **Second: Philip Vickers**
45 **4 ayes, motion passed.**
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IV. Approval of minutes of May 10 and June 18 Executive Council meetings.

Motion: To approve without changes minutes of May 10 & June 18, 2019 Executive Council meetings
Made by: Stephanie Johnston
Second: Barbara Sanders
4 ayes, motion passed.

V. Discussion and possible action on Executive Director's Report concerning fiscal and budgetary matters, performance measures, ongoing projects, agency personnel matters, past legislative session, and other agency business.

Mr. Harper briefed the Executive Council on upcoming interviews to fill the open agency positions of Receptionist and Senior Accountant.

VI. Discussion and possible action on rule amendments proposed by the Texas Board of Occupational Therapy Examiners as follows: §370.1, License Renewal, including concerning continuing education and pursuant to SB 37 of the 86th Regular Legislative Session, relating to a prohibition on the use of student loan default or breach of a student loan repayment as a ground for refusal to renew a license. Discussion and possible action on proposing new rule §364.5 concerning recognition of an out-of-state license of a military spouse pursuant to SB 1200 of the 86th Regular Legislative Session, relating to the authority of certain military spouses to engage in a business or occupation in this state.

Ms. Weiss briefed the Executive Council on the proposed rule amendments and proposed new rule.

Motion: To approve publishing proposed amendments to §370.1, License Renewal
Made by: Barbara Sanders
Second: Stephanie Johnston
4 ayes, motion passed.

Motion: To approve publishing proposed new rule §364.5, Recognition of Out-of-State License of Military Spouse
Made by: Stephanie Johnston
Second: Barbara Sanders
4 ayes, motion passed.

VII. Discussion and possible action on rule amendments proposed by the Texas Board of Physical Therapy Examiners as follows: §322.1. (a) pursuant to HB 29

92 amendments to Sec. 453.301, Occupations Code during the 86th Legislative
93 Session; §341.7. Restrictions on License Renewal and Restoration pursuant to SB
94 37 amendments to CHAPTER 56. ACTION AGAINST RECIPIENTS OF STUDENT
95 FINANCIAL ASSISTANCE, Occupations Code during the 86th Legislative Session;
96 §329.6. Licensure by Endorsement and §329.7. Exemptions from Licensure
97 pursuant to SB 1200 addition of Sec. 55.0041. RECOGNITION OF OUT-OF-STATE
98 LICENSE OF MILITARY SPOUSE to Chapter 55, Occupations Code during the 86th
99 Legislative Session.

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101 Ms. Sanders briefed the Executive Council on the proposed rule amendments.

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103 **Motion: To approve publishing proposed amendments to §322.1. (a)**
104 **pursuant to HB 29 amendments to Sec. 453.301, Occupations Code during**
105 **the 86th Legislative Session**

106 **Made by: Philip Vickers**

107 **Second: Stephanie Johnston**

108 **4 ayes, motion passed.**

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110 **Motion: To approve publishing proposed amendments to §341.7.**
111 **Restrictions on License Renewal and Restoration pursuant to SB 37**
112 **amendments to CHAPTER 56. ACTION AGAINST RECIPIENTS OF STUDENT**
113 **FINANCIAL ASSISTANCE, Occupations Code during the 86th Legislative**
114 **Session**

115 **Made by: Stephanie Johnston**

116 **Second: Barbara Sanders**

117 **4 ayes, motion passed.**

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119 **Motion: To approve publishing proposed amendments to §329.6. Licensure**
120 **by Endorsement**

121 **Made by: Philip Vickers**

122 **Second: Stephanie Johnston**

123 **4 ayes, motion passed.**

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125 **Motion: To approve publishing proposed amendments to §329.7. Exemptions**
126 **from Licensure pursuant to SB 1200 addition of Sec. 55.0041. RECOGNITION**
127 **OF OUT-OF-STATE LICENSE OF MILITARY SPOUSE to Chapter 55,**
128 **Occupations Code during the 86th Legislative Session**

129 **Made by: Philip Vickers**

130 **Second: Stephanie Johnston**

131 **4 ayes, motion passed.**

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134 **VIII. Discussion and possible action on adoption of rule amendments proposed by the**
135 **Executive Council as follows: §§651.1-3, Fees.**
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Motion: To adopt amendments to §§651.1-3, Fees, with an effective date of September 1, 2019, or as soon as possible thereafter
Made by: Stephanie Johnston
Second: Barbara Sanders
4 ayes, motion passed.

IX. Presiding Officer’s Report.

There was no Presiding Officer’s Report.

X. Discussion and possible action on scheduling future Executive Council meeting dates, and items for future consideration.

The next Executive Council meeting was scheduled for November 1, 2019 at 8:30 a.m.

XI. Adjournment.

The meeting was adjourned at 9:16 a.m.

DATE REVIEWED BY THE COUNCIL: November 1, 2019

ACTION TAKEN BY THE COUNCIL: Approved as written