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**Texas Board of Physical Therapy Examiners  
Board Meeting**

**333 Guadalupe, Suite 2-510  
Austin, Texas 78701**

**October 19, 2018  
9:00 am**

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12 **Members Present:** Harvey Aikman, PT, DPT, Chair  
13 Gary Gray, PT  
14 Liesl Olson, PT  
15 Jeff Tout, PT  
16 Philip Vickers, Public Member  
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18 **Members Absent:** Barbara Sanders, PT, PhD  
19 Daniel Reyna, Public Member  
20 Glenda Clausell, Public Member  
21

22 **Legal Counsel:** Kara Holsinger, Assistant Attorney General  
23

24 **Staff:** John Maline, Executive Director  
25 Karen Gordon, PT Coordinator  
26 Mark Turek, Chief Investigator  
27 Michael Briscoe, Licensing Manager  
28

29 **Guests:** Craig Tounquet, Texas Physical Therapy Association (TPTA) ED  
30 Lindsey Green, TPTA Staff  
31 Kathleen Manella, TPTA Liaison  
32 Tony Domenech, DPT Program Director – University of St. Augustine - Austin  
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34  
35 Agenda items listed under several committee reports begin with the letter D intentionally. No items have been  
36 omitted from the board agenda.  
37

- 38 1. Call to order  
39 2. Discussion and possible action on excusing board member absences.  
40 3. Public comment  
41 4. Approval of minutes from the July 27, 2018 meeting.  
42 5. Discussion and possible action on Executive Director's Report concerning fiscal and budgetary matters,  
43 performance measures, ongoing projects, agency personnel matters, and other agency business.  
44 6. Investigation Committee Report and consideration by the Board of the following items:  
45 A. Review and possible action on Agreed Orders for case #s  
46 18301, 18235, 18356, 18357, 18364, 18407 and 18431.  
47 B. Discussion and possible action on the Investigation Committee Meeting of September 26, 2018.  
48 C. Discussion and possible action on investigative activities to date.  
49 7. Discussion and possible action on adopting amendment to the following:  
50 A. Chapter 322. PRACTICE, regarding adding §322.5. Telehealth;  
51 B. §329.1. General Licensure Requirements and Procedures;  
52 C. §341.1 Requirements for Renewal., §341.6. License Restoration., §341.8. Inactive Status., and  
53 §341.9. Retired Status; Performing Voluntary Charity Care;  
54 D. §341.2. Continuing Competence Requirements; and  
55 E. §344.1. Administrative Fines and Penalties.  
56 8. Education Committee Report:  
57 D. Discussion and possible action on the Texas Physical Therapy Association (TPTA) Continuing  
58 Competence Approval Program (CCAP) report.  
59 E. Discussion and possible action on reviewing bids as a result of the Request for Proposal (RFP) for

- 1 outsourcing continuing competence activities approval.  
2 F. Discussion and possible action on changes to the TX Jurisprudence Assessment Module (TX JAM).  
3 G. Discussion and possible action on a request for appeal to re-take the National Physical Therapy  
4 Examination (NPTE).  
5 H. Discussion and possible action on requests for review of educational equivalency from a foreign  
6 educated applicant.  
7 I. Discussion and possible action on issues related to physical therapy entry-level education and  
8 continuing competence.  
9 9. Discussion and possible action regarding the Federation of State Boards of Physical Therapy Annual  
10 Meeting in Reston, Virginia, October 25-27, 2018.  
11 10. Discussion and possible action regarding the Physical Therapy Licensure Compact.  
12 11. Discussion and possible action on the supervision of and the delegation of treatment to the physical  
13 therapist assistant.  
14 12. Discussion and possible action on the Board Coordinator's report concerning any item listed on the  
15 agenda and on events that have occurred between this meeting and the Board's last meeting.  
16 13. Discussion and possible action on the Board Chair's report concerning any item listed on the agenda and  
17 on events that have occurred between this meeting and the Board's last meeting.  
18 14. Discussion and possible action on long-term planning for future meetings, including future meeting dates  
19 and agenda items.  
20 15. Adjournment  
21
- 

## 22 23 24 **1. Call to order**

25  
26 Dr. Aikman called roll and determined that a quorum existed. He called the meeting to order at 9:13  
27 a.m.

## 28 29 **2. Discussion and possible action on excusing board member absences.**

30  
31 Motion: To excuse the absence of members Barbara Sanders, Daniel Reyna, and  
32 Glenda Clausell.  
33 Made by: Philip Vickers  
34 Second: Liesl Olson  
35 Motion passed unanimously.  
36

## 37 **3. Public comment**

38  
39 There was no public comment.  
40

## 41 **4. Approval of minutes from the July 27, 2018 meeting.**

42  
43 Motion: To approve the minutes as submitted.  
44 Made by: Gary Gray  
45 Second: Liesl Olson  
46 Motion passed unanimously.  
47

## 48 **5. Discussion and possible action on Executive Director's Report concerning fiscal and** 49 **budgetary matters, performance measures, ongoing projects, agency personnel matters,** 50 **and other agency business.**

51  
52 Mr. Maline gave the Executive Director's Report which included the following:

- 53 • Agency budget and fiscal status for the end of FY 2018;
  - 54 • Preparations for the upcoming legislative session;
  - 55 • Performance Measures;
  - 56 • Employee status;
  - 57 • Appointment status; and
  - 58 • IT activities and projects.
- 59

1 **6. Investigation Committee Report and consideration by the Board of the following items:**

2  
3 **A. Review and possible action on Agreed Orders for case #s:**

4 18301, 18235, 18356, 18357, 18364, 18407 and 18431.

5  
6 The Board reviewed and ratified the following Agreed Orders presented by Mr. Turek:  
7 18301, 18235, 18356, 18357, 18407 and 18431.

8  
9 **B. Discussion and possible action on the Investigation Committee Meeting of September**  
10 **26, 2018.**

11  
12 Mr. Turek reported that the Committee reviewed 114 cases and issued 7 agreed orders. There  
13 were 2 informal conferences.

14  
15 **C. Discussion and possible action on investigative activities to date.**

16  
17 Mr. Turek reported on performance measures, on-site investigation visits, and school presentations  
18 since the last meeting. He also provided an update of the fingerprinting process.

19  
20 **7. Discussion and possible action on adopting amendment to the following:**

- 21 A. Chapter 322. PRACTICE, regarding adding §322.5. Telehealth;  
22 B. §329.1. General Licensure Requirements and Procedures;  
23 C. §341.1 Requirements for Renewal., §341.6. License Restoration., §341.8. Inactive Status.,  
24 and §341.9. Retired Status; Performing Voluntary Charity Care;  
25 D. §341.2. Continuing Competence Requirements; and  
26 E. §344.1. Administrative Fines and Penalties.

27  
28 Motion: To adopt amendments A – E above.

29 Made by: Philip Vickers

30 Second: Jeff Tout

31 Motion passed unanimously.

32  
33 See Attachment A.

34  
35 Dr. Aikman recessed the Board at 10:18 a.m.

36 Dr. Aikman called the Board back into session at 10:33 a.m.

37  
38 **8. Education Committee Report:**

39  
40 **D. Discussion and possible action on the Texas Physical Therapy Association (TPTA)**  
41 **Continuing Competence Approval Program (CCAP) report.**

42  
43 Mr. Tout reported that the CCAP website had experienced a technical error causing paid  
44 applications to be marked “unpaid” but that the issue had been resolved quickly. He also reported  
45 on the distribution of processing time for the quarter, that the new CCAP website is expected to be  
46 up and running before the end of the year, that there were 3 new Accredited Provider applications  
47 under review, that the APS audit is in progress, and that the CCAP Policy Manual had been  
48 updated with the policy approved at the last meeting.

49  
50 Mr. Tout reported that there were several action items contained within the CCAP report that the  
51 Committee reviewed and discussed. The Committee took no action on a recommendation that  
52 CCUs taken within the 3-month period prior to the license expiration date that are in excess of the  
53 required number of CCUs for renewal be counted toward the next renewal period, but made the  
54 following recommendation for Board approval.

55  
56  
57 Motion: To recommend use of Bloom’s Taxonomy to determine level of objectives for

1 a continuing competence activity.

2 Made by: Committee

3 Second: None required

4 *Motion passed unanimously.*

5

6 **E. Discussion and possible action on reviewing bids as a result of the Request for**  
7 **Proposal (RFP) for outsourcing continuing competence activities approval**

8

9 Mr. Tout reported that only one completed bid was submitted, and that there were two inquiries  
10 regarding the RFP that did not result in a bid.

11

12 Motion: To recommend accepting the bid from the Texas Physical Therapy  
13 Association.

14 Made by: Committee

15 Second: None required

16 *Motion passed unanimously.*

17

18 **F. Discussion and possible action on changes to the TX Jurisprudence Assessment**  
19 **Module.**

20

21 Mr. Tout reported that the recent changes to the exam items had been reviewed and approved by  
22 Dr. Sanders, and that the changes went live on October 1, 2018.

23

24 **G. Discussion and possible action on a request for appeal to re-take the FSBPT**  
25 **National Physical Therapy Examination (NPTE).**

26

27 Mt. Tout reported that the Committee decided to take the decision of the appeals to the full Board.

28

29 Motion: To approve the request for an appeal to re-take the NPTE for Request  
30 G1.

31 Made by: Philip Vickers

32 Second: Liesl Olson

33 *Motion passed with 3 ayes and 2 nays.*

34

35 The Board decided that there was no enough information on the second appeal to make a  
36 determination.

37

38 **H. Discussion and possible action on a request for review of education equivalency**  
39 **from a foreign educated applicant.**

40

41 Motion: To recommend that the education for the applicant be deemed  
42 equivalent.

43 Made by: Committee

44 Second: None required

45 *Motion passed unanimously.*

46

47 **K. Discussion and possible action on issues related to physical therapy entry-level**  
48 **education and continuing competence.**

49

50 Mr. Tout reported that there was no discussion on this agenda item.

51

52 **9. Discussion and possible action regarding the Federation of State Boards of Physical**  
53 **Annual Meeting in Reston, Virginia, October 25-27, 2018.**

54

55 Ms. Olson reported on the slate of officers with candidate statements and the motion for the FSBPT  
56 Annual Meeting.

1  
2 **10. Discussion and possible action regarding the Physical Therapy Licensure Compact.**  
3

4 Dr. Aikman reported on the recent Executive Board meeting and that Louisiana was having issues  
5 with the disclosure of licensee's social security numbers. He also reported that he would be  
6 attending the Compact's annual meeting on October 28<sup>th</sup>.  
7

8 **11. Discussion and possible action on the supervision of and the delegation of treatment to**  
9 **the physical therapist assistant.**

10  
11 The Board reviewed an FAQ that pertained to a PTA performing sharp debridement and decided  
12 that it could be expanded to include other techniques and procedures.  
13

14 **12. Discussion and possible action on the Board Coordinator's report concerning any item**  
15 **listed on the agenda and on events that have occurred between this meeting and the**  
16 **Board's last meeting.**  
17

18 Ms. Gordon reported on the following:

- 19 • Meetings that she had attended since the last Board meeting;
- 20 • Completion of the PT Coordinator Succession Plan;
- 21 • CC Audit results;
- 22 • Total number of PTs, PTAs, and PT facilities as of 10/01/2018;
- 23 • NPTE Pass/Fail statistics for 2018; and
- 24 • TX JAM statistics.

25  
26 **13. Discussion and possible action on the Board Chair's report concerning any item listed**  
27 **on the agenda and on events that have occurred between this meeting and the Board's**  
28 **last meeting.**  
29

30 Dr. Aikman reported that he will be running for a position on the Compact Commission Executive  
31 Board again and will be part of a panel presentation on the Compact at the FSBPT Annual Meeting.  
32

33 **14. Discussion and possible action on long-term planning for future meetings, including**  
34 **future meeting dates and agenda items**  
35

36 The Board scheduled meetings as follows: January 17 – 18, 2019, April 11 – 12, 2019, and July 18  
37 – 19, 2019.  
38

39 **15. Adjournment**  
40

41 Motion: To adjourn the meeting.

42 Made by: Gary Gray

43 Second: Philip Vickers

44 Motion passed unanimously.  
45

46 Mr. Aikman adjourned the meeting at 11:54 a.m.  
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48  
49 **Date reviewed by the Board:** 1/18/2019

50 **Action taken by the Board:** Approved as corrected