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Texas Board of Physical Therapy Examiners

**RULES AND PRACTICE
Committee Meeting**

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

**April 12, 2018
3:00 pm**

13 **Members Present:** Gary Gray, PT, Chair
14 Harvey Aikman, PT
15 Jeff Tout, PT
16 Philip Vickers, Public Member

18 **Staff:** John Maline, Executive Director
19 Karen Gordon, PT Coordinator
20 Mark Turek, Chief Investigator
21 Michael Briscoe, Licensing Manager

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

25 **Guests:** Lindsey Green, Texas Physical Therapy Association (TPTA) Staff
26 Kathleen Manella, TPTA Liaison

28 **Agenda**

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- 30 A. Call to order.
- 31 B. Public comment.
- 32 C. Approval of minutes from the January 25, 2018 meeting.
- 33 D. Discussion and possible action on proposing changes to §329.1. General Licensure Requirements and
34 Procedures. pursuant to SB 317 amendments to Sec. 453.215, Occupations Code during the 85th
35 Legislative Session.
- 36 E. Discussion and possible action on proposing changes to §341.1 Requirements for Renewal., §341.6.
37 License Restoration., §341.8., Inactive Status., and §341.9. Retired Status; Performing Voluntary
38 Charity Care. Pursuant to SB 317 amendments to Sec. 453.255, Occupations Code during the 85th
39 Legislative Session.
- 40 F. Discussion and possible action on proposing changes to §344.1. Administrative Fines and Penalties.
41 pursuant to SB 317 amendments to Sec. 453.3525 and Sec.453.402(b), Occupations Code during the
42 85th Legislative Session.
- 43 G. Discussion and possible action on proposing changes to §343.6. Other Grounds for Denial of a
44 License or Discipline of a Licensee. Pursuant to SB 317 amendments to Sec. 453.215 and
45 Sec.453.255, Occupations Code during the 85th Legislative Session.
- 46 H. Discussion and possible action on proposing the addition of §344.2. Record of Disciplinary Action;
47 Expungement. pursuant to SB 317 amendments to Sec. 453.357, Occupations Code during the 85th
48 Legislative Session.
- 49 I. Discussion and possible action on proposing changes to Chapter 322. PRACTICE, regarding adding
50 §322.5. Telehealth.
- 51 J. Discussion and possible action on adding CHAPTER 348. PHYSICAL THERAPY LICENSURE
52 COMPACT. pursuant to SB 317 addition of Subchapter K to Chapter 453, Occupations Code during
53 the 85th Legislative Session.
- 54 K. Discussion and possible action on future meeting dates and agenda items.

1 L. Adjournment.
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5 **A. Call to Order**
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7 Gary Gray called the roll and determined a quorum was present. He called the meeting to order at 3:00
8 p.m.
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10 **B. Public comment**
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12 There was no public comment.
13

14 **C. Approval of minutes from the January 25, 2018 meeting**
15

16 Motion: To approve the minutes as submitted.

17 Made by: Harvey Aikman

18 Second: Jeff Tout

19 Motion passed unanimously.
20

21 **D. Discussion and possible action on proposing changes to §329.1. General Licensure**
22 **Requirements and Procedures. pursuant to SB 317 amendments to Sec. 453.215, Occupations**
23 **Code during the 85th Legislative Session.**
24

25 Mr. Turek updated the Committee on the progress of implementing Criminal Background Checks (CBC)
26 through fingerprinting. He reported that pending final approval of all of the measures required to conduct
27 CBCs and planning the logistics of the rollout, proposed rules should be forthcoming at the next meeting.
28

29 **E. Discussion and possible action on proposing changes to §341.1 Requirements for Renewal.,**
30 **§341.6. License Restoration., §341.8. Inactive Status., and §341.9. Retired Status; performing**
31 **Voluntary Charity Care. pursuant to SB 317 amendments to Sec. 453.255, Occupations Code**
32 **during the 85th Legislative Session.**
33

34 See remarks under Agenda Item D.
35

36 **F. Discussion and possible action on proposing changes to §344.1. Administrative Fines and**
37 **Penalties. pursuant to SB 317 amendments to Sec. 453.3525 and Sec.453.402(b), Occupations**
38 **Code during the 85th Legislative Session.**
39

40 Mr. Turek reported that a draft of the schedule of disciplinary action had been presented to the Investigation
41 Committee and is now being revised. The completed schedule should be forthcoming at the next meeting.
42

43 **G. Discussion and possible action on proposing changes to §343.6. Other Grounds for Denial of a**
44 **License or Discipline of a Licensee. Pursuant to SB 317 amendments to Sec. 453.215 and Sec.**
45 **453.255, Occupations Code during the 85th Legislative Session.**
46

47 See remarks under Agenda Item D.
48

49 **H. Discussion and possible action on proposing the addition of §344.2. Record of Disciplinary**
50 **Action; Expungement. pursuant to SB 317 amendments to Sec. 453.357, Occupations Code**
51 **during the 85th Legislative Session.**
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53 Mr. Turek reported that the Investigation Department is working on a schedule for expunging the facility
54 disciplinary actions.

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I. Discussion and possible action on proposing changes to Chapter 322. PRACTICE, regarding adding §322.5. Telehealth.

The Committee reviewed, discussed, and edited a draft of the rule regarding Telehealth.

Motion: To recommend proposing the addition of §322.5. Telehealth.
Made by: Harvey Aikman
Second: Jeff Tout

Motion passed unanimously.

J. Discussion and possible action on adding CHAPTER 348. PHYSICAL THERAPY LICENSURE COMPACT. pursuant to SB 317 addition of Subchapter K to Chapter 453, Occupations Code during the 85th Legislative Session.

The Committee reviewed, discussed, and edited a draft of the rule regarding the Physical Therapy Licensure Compact.

Motion: To recommend proposing the addition of CHAPTER 348. PHYSICAL THERAPY LICENSURE COMPACT.
Made by: Harvey Aikman
Second: Philip Vickers

Motion passed unanimously.

K. Discussion and possible action on future meeting dates and agenda items.

The next committee meeting was set for July 26, 2018 in Austin with potential proposal of Rules amendments as indicated in Agenda Items D., E., F., G., H., and I.

O. Adjournment.

Motion: To adjourn the meeting.
Made by: Jeff Tout
Second: Harvey Aikman

Motion passed unanimously.

Mr. Gray adjourned the meeting at 4:01 p.m.

Date reviewed by the Committee: 7/26/2018
Action taken by the Committee: approved as submitted