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Texas Board of Physical Therapy Examiners

**RULES AND PRACTICE
Committee Meeting**

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

**January 29, 2015
3:00 pm**

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

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18 **Staff:** Karen Gordon, PT Coordinator
19 John Maline, Executive Director
20 Mark Turek, Chief Investigator
21 Cindy Machado, Licensing Manager
22 Randy Glines, Assistant Licensing Manager

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24 **Guests:** Kathleen Manella, PT, TPTA Liaison
25 Stacey Mather, TPTA Staff
26 Amber Townsley, TPTA Staff

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29 A. Call to order
30 B. Public comment
31 C. Approval of minutes from the October 23, 2014 meeting
32 D. Discussion and possible action on proposing changes to §322.1., Provision of Services, regarding
33 adding (f) Telehealth.
34 E. Discussion and possible action on proposing changes to §322.4, Practicing in a Manner Detrimental
35 to the Public Health and Welfare.
36 F. Discussion and possible action on proposing changes to §341.9., Retired Status regarding
37 requirements for return to active practice.
38 G. Discussion and possible action on proposing changes to §346.3. Early Childhood Intervention (ECI)
39 Setting regarding review of plan of care.
40 H. Discussion and possible action on future meeting dates and agenda items.
41 I. Adjournment
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A. Call to Order

Harvey Aikman, Chair called roll and determined a quorum was present. He called the meeting to order at 3:02 p.m.

B. Public comment

There was no public comment.

C. Approval of minutes from the October 23, 2014 meeting

Motion: To approve the minutes as submitted.

Made by: Philip Vickers

Second: Melinda Rodriguez

Motion passed unanimously.

Mr. Aikman suggested reordering the agenda to take up items F & G prior to D & E. There was no objection from the committee.

F. Discussion and possible action on proposing changes to §341.9., Retired Status, regarding requirements for return to active practice.

The Committee discussed updating the section as a notarized application is no longer required and there are no options other than retaking and passing the national exam for a licensee on retired status for more than one year to return to active status while renewal is every two years.

Motion: To recommend changes to §341.9., Retired Status as submitted.

Made by: Melinda Rodriguez

Second: Gary Gray

Motion passed unanimously.

G. Discussion and possible action on proposing changes to §346.3. Early Childhood Intervention (ECI) Setting, regarding review of plan of care.

The Committee discussed changing the timeframe for review of the plan of care in the ECI setting from at least every 30 days to at least every 60 days or concurrent with every visit if the child is seen at intervals greater than 60 days to be consistent with changes already adopted for school setting and with the adopted change in §322.1. regarding Reevaluation.

Motion: To recommend changes to §322.1 Provision of Services as submitted.

Made by: Gary Gray

Second: Philip Vickers

Motion passed unanimously.

D. Discussion and possible action on proposing changes to §322.1., Provision of Services, regarding (f) Telehealth.

The Committee reviewed the Standards for Practice of Telehealth by a Physical Therapist submitted by the Texas Physical Therapy (TPTA) Task Force; an excerpt from the International Network of Physiotherapy Regulatory Authorities (INPTRA) webcast on Telehealth in Physiotherapy, A Global Regulatory Issue; Occupations Code, Title 3., Subtitle A., Chapter 111. Telemedicine and Telehealth; and Texas Medical Board Rules TAC, Title 22, Part 9, Chapter 174 Telemedicine. It was the consensus of the committee that further review and discussion were needed before promulgating rules regarding the provision of physical therapy via telehealth.

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E. Discussion and possible action on proposing changes to §322.4., Practicing in a Manner Detrimental to the Public Health and Welfare.

The Committee discussed the addition of (18) to establish that failing to maintain confidentiality of all verbal, written, electronic, augmentative, and nonverbal communication, including compliance with HIPAA regulations, would be considered detrimental practice and as such could subject a licensee to disciplinary action.

Motion: To recommend changes to §322.4. Practicing in a Manner Detrimental to the Public Health and Welfare as submitted.

Made by: Melinda Rodriguez

Second: Philip Vickers

Motion passed unanimously.

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

The Committee agreed that the agenda for the next meeting will include continued discussion of telehealth. The next committee meeting was set for April 23, 2015.

I. Adjournment

Motion: To adjourn the meeting.

Made by: Melinda Rodriguez

Second: Philip Vickers

Motion passed unanimously.

Mr. Aikman adjourned the meeting at 4:11 p.m.

Date reviewed by the Committee: 04/23/2015
Action taken by the Committee: approved as submitted