



Board of Physical Therapy Examiners

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera, Secretary

BOARD OPEN SESSION MEETING MINUTES **February 21, 2023**

Call to Order

The Maryland Department of Health Board of Physical Therapy Examiners Open Session meeting was called to order at 1:01 PM by Board Vice Chair Holsinger, who established that a quorum was present and reviewed the agenda which was adopted.

Board Members Present

Karen Gordes, PT, Ph.D., DScPT, Chair
Rebecca Holsinger, PT, DPT, NCS, CVTP, Vice Chair
Vincent Conroy, PT, DScPT
Samuel Esterson, PT, DPT, MBA, OCS
Michelle Finnegan, PT, DPT, OCS, MTC, CCTT, CMTPT, FAAOMPT
Meredith Levert, Public Member
James Connors, Public Member

Board Members Absent

Enjeen Woolford, PTA

Staff Present

Laurie Kendall-Ellis, Executive Director
Issac Okehie, Deputy Director
Brett Felter, Board Counsel
Lisa Scott, Licensing Manager
Khadija Ali, Continuing Education Manager
Susan Erdman, Lead Investigator
Leia Cathell, Board Investigator
Morgan Powell, Licensing Coordinator

Approve January 17, 2023, Open Session Meeting Minutes

Motion: That the Board of Physical Therapy Examiners approves January 17, 2023, Open Session Meeting Minutes. (Motion introduced by Board Vice Chair Holsinger; motion seconded by Board Member Conroy).
The motion passed.

Board Chair Welcome and Update

Board Vice-Chair Holsinger welcomed Board Members, staff, and the public to the open session meeting. The ground rules for the meeting were shared. Board members and staff were introduced and acknowledged.

Executive Director Update

Executive Director Kendall-Ellis reported on the following:

New Administration Welcome

The Board sent a welcome email to Maryland Governor Moore, the Maryland Department of Health Secretary Dr. Laura Herrera Scott, and the Maryland Department of Health Chief of Staff, Erin McMullin. Secretary Herrera Scott has worked as a vice president at Anthem Blue Cross and Blue Shield, held the position of medical director of population and community health at Johns Hopkins Healthcare, and served as deputy secretary of public health under former Gov. Martin O'Malley. Chief of Staff McMullin has over a decade of combined state and federal health policy experience and most recently served as principal analyst at the Medicaid and MCHIP Payment and Access Commission (MACPAC). We look forward to working with the new administration.

Staff Update

Compliance Administrator, Marc Ware left the Maryland Department of Health and resigned from the Board as of February 10, 2023. During his tenure with the Board, Mr. Ware used his expertise to implement positive changes in the Compliance and Investigation Unit. We wish him much success in his future endeavors and thank him for his time with the Board. We are in the midst of recruiting to fill that vacancy and are waiting for the final approval from the Department of Budget and Management.

Lead investigator Sue Erdman and investigator Leia Cathell are hard at work. The Board thanks them for their due diligence in providing the board with relevant information they obtain during their investigations which enables the Board to carry out its mission to protect the public.

Accolades by Deputy Director Okehie to Licensing Manager Lisa Scott, Licensing Coordinator Morgan Powell, and Continuing Education Manager Khadija Ali for their dedication to our licensees were acknowledged by the Board.

Information Technology Update

The Department of Information Technology (DoIT) continues to provide status updates regarding security upgrades post the December 4, 2021, cyber attack. The Board has wireless internet access and looks forward to the completion of the enterprise reconnection project with DoIT within the next 60 days. The Board's operations continue to be conducted on time.

The Federation of State Boards of Physical Therapy (FSBPT)

If members of the Board are interested in serving as a funded voting delegate or alternate delegate at the following FSBPT meetings, please submit your name to Chair Gordes and Executive Director Kendall-Ellis.

1. Regulatory Workshop, March 10-12, 2023, virtual
2. Leadership Issues Forum, July 15-16, 2023, Arlington, VA
3. Delegate Assembly, October 16, 2023, virtual
4. Annual Education Meeting, October 19-21, Jacksonville, FL

Legislative and Regulations Update

Draft Regulation COMAR 10.38.13 Telehealth, at the request of the joint committee on Administrative, Executive & Legislative Review (AELR), has been amended based on public comments received by other Health Occupation Boards during their telehealth regulations review period,

Motion: That the Board of Physical Therapy Examiners accepts COMAR 10.38.13 Telehealth as amended (motion introduced by Board Vice Chair Holsinger, motion seconded by Board Member Esterson). The motion passed.

Senate Bill 727, State Board of Physical Therapy Examiners – Sunset Extension will be on the Senate’s Finance Committee agenda in March. The Board will provide testimony in support of the bill.

Monthly Applicant and Licensee Report

Licensing Manager Scott reported the following as of February 1, 2023

- 66 new licenses were issued (39 Physical Therapists; 27 Physical Therapist Assistants)
- The total number of active licensees is 9,579 (7,211 Physical Therapists and 2,368 Physical Therapist Assistants)

Scope of Practice

The Board received and has been asked to respond to the following scope of practice question. Inquirers will be notified of the Board’s answers and provided with the relevant regulatory reference.

Q: Is it within our scope of practice under our Physical Therapy Practice Act to address medications as noted below when providing home health services to patients within the State of Maryland?

1. Under new OASIS E guidelines for N0415 – High-Risk Drug Classes: Use and Indication
 - a. Check if the patient is taking any medication by pharmacological classification, not how its used, in the following cases.
 - b. Check if there is an indication noted for all medications in the drug class – antipsychotic, anticoagulant, antibiotic, opioid, antiplatelet, hypoglycemic, or none of the above.

A: The physical therapist is able to review the medication list and reconcile what is in the home. Discrepancies are brought to the physician of record and/or the medical team for reconciliation. Documentation would be done in accordance with COMAR 10.38.03.02-1. The physical therapist may review the medication list with the patient, read the enclosed literature, and direct the patient to information available in the public domain. Coding, use, indication, justification, or contraindications of medications is not in the Maryland Physical Therapy Act.

Continuing Education

Board Vice Chair and Continuing Education Board Committee Lead Holsinger presented the committee’s report. Continuing Education applicants will be notified of the Board’s decisions and provided with the relevant regulatory reference (COMAR 10.38.08). Continuing Education applications that received the committee’s unanimous approval have been notified.

The following continuing education applications were presented to the Board for a decision:

Motion: That the Board of Physical Therapy Examiners accepts the Continuing Education Board Committee's recommendation to deny ***LTC Survey Success: Lessons Learned during the Public health Emergency*** (motion introduced by Board Vice Chair Holsinger, motion seconded by Board Member Connors). The motion passed.

Open Session Meeting Adjournment:

Motion: That the Board of Physical Therapy Examiners moves to adjourn the Open Session Meeting at 1:49 PM in order to engage in deliberations regarding confidential information in applications for licensure, in accordance with General Provisions Article, Section 3-305 (b) (13) - To comply with a specific constitutional, statutory, or judicially imposed a requirement that prevents public disclosures about a particular proceeding or matter. (motion introduced by Board Chair Gordes; motion seconded by Board Member Esterson). The motion passed.

The Board of Physical Therapy Examiners adjourned at 3:30 p.m.

Karen Gordes, PT, Ph.D., DScPT, Chair
Minutes approved by the Board on 03/21/2023