



Board of Physical Therapy Examiners

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

BOARD OPEN SESSION MEETING MINUTES

January 18, 2022

Call to Order

The Maryland Department of Health Board of Physical Therapy Examiners Open Session meeting was called to order at 1:03 PM by Board Chair Gordes, who established that a quorum was present and reviewed the agenda which was adopted.

Board Members Present

Karen Gordes, DScPT, PhD, PT, Chair
Rebecca Holsinger, DPT, PT, NCS, CVTP, Vice Chair
Samuel Esterson, DPT, MBA, PT, OCS
Michelle Finnegan, DPT, PT, OCS, MTC, CCTT, CMTPT, FAAOMPT
Meredith Levert, Consumer Member
Sumesh Thomas, DPT, PT, OCS, CHT, FAAOMPT
Enjeen Woolford, PTA

Board Members Absent

James Connors, Consumer Member

Staff Present

Laurie Kendall-Ellis, Executive Director
Ogu Isaac Okehie, Deputy Director
Brett Felter, JD, Assistant Attorney General, Board Counsel
Lillian Reese, Legislative and Regulations Coordinator
Khadija Ali, Continuing Education, Dry Needling & Project Manager
Lisa Scott, Licensing Manager
Andrew Rosenfeld, Investigative Supervisor
Sharon Harris-Friend, Data Entry & Record Management Supervisor
Morgan Powell, Licensing Secretary
Kimberly Link, Executive Liaison, MDH Secretary Office

Approve November 16, 2021 Open Session Meeting Minutes

Motion: That the Board of Physical Therapy Examiners approves the November 16, 2021 Open Session Meeting Minutes. (motion introduced by Board Chair Gordes; motion seconded by Board Vice Chair Holsinger). The motion passed.

Board Chair Welcome and Update

Board Chair Gordes welcomed Board Members, staff, and the public. The ground rules for the meeting were shared. Board members and staff were introduced and acknowledged. Chair Gordes announced the departure of Deputy Director of Operations, John Bull and Investigative Supervisor, Andrew Rosenfeld from the Maryland Board of Physical Therapy Examiners and wished them well in their future endeavors.

Executive Director Update

- Deputy Director of Operations, John Bull's last day with the Board of Physical Therapy Examiners was January 11, 2022. We thank Mr. Bull for his dedication and service to the Board.
- Investigative Supervisor, Andrew Rosenfeld's last day with the Board of Physical Therapy Examiners will be January 25, 2022. We thank Mr. Rosenfeld for his dedication and service to the Board.
- On December 4, 2021, the Maryland Department of Health (MDH) experienced a system wide cyber-attack. Executive Director Kendall- Ellis thanked the Board staff and the small board's IT staff for their teamwork and ability to quickly establish workarounds in order to continue business operations during this crisis which continues.
- Executive Director Kendall-Ellis was acknowledged and thanked by the MDH Secretary's Office Executive Liaison, Kimberly Link for her hard work and for the help she provided to the other Occupational Health small boards during this crisis.
- Executive Director Kendall-Ellis noted that this is not the first crisis that the Board has faced (COVID-19 being the other) and we continue to do our best to support the public and our licensees and appreciate everyone's support and understanding.

Legislative and Regulations Update

Legislative and Regulations Coordinator Reese highlighted the following:

- The 2022 General Assembly convened on January 12, 2022 and will adjourn April 11, 2022.
- State Board of Physical Therapy Examiners - Sunset Extension (SB 209): The Education, Health, and Environmental Affairs Committee (EHE) hearing will take place Thursday, January 20, 2022 at 1:00

PM. Executive Director Kendall-Ellis will testify, on behalf of the Board, in support of SB 209 which extends the termination provisions related to the statutory and regulatory authority of the Board for 10 years until July 1, 2032.

Board Member and Legislative & Regulations Board Committee Lead Woolford highlighted the following:

- The *Temporary Licenses to Practice Physical Therapy and Limited Physical Therapy (COMAR 10.38.01, 10.38.03, and 10.38.06)* regulation amendments was printed in the October 22, 2021 *Maryland Register* with the comment period ending November 22, 2021. No comments were submitted.
 - Motion: That the Board of Physical Therapy Examiners accepts the *Temporary Licenses to Practice Physical Therapy and Limited Physical Therapy (COMAR 10.38.01, 10.38.03, and 10.38.06)* regulations as printed in the *Maryland Register*. (motion introduced by Board Member Woolford; motion seconded by Board Member Finnegan) The motion passed.
- The *Code of Ethics (COMAR 10.38.02)* regulation amendment was printed in the November 19, 2021 *Maryland Register* with the comment period ending December 19, 2021. No comments were submitted.
 - Motion: That the Board of Physical Therapy Examiners accepts the *Code of Ethics (COMAR 10.38.02)* regulation as printed in the *Maryland Register*. (motion introduced by Board Member Woolford; motion seconded by Board Member Finnegan) The motion passed.
- Board Counsel Felter briefed the Board on the *Health Occupations Boards- Authority over Staffing and Infrastructure Operations* draft bill proposed by Secretary of Health Schrader. The Board discussed the following.
 - Proposed governance changes to Statutes §13-203 Officers and 13-204 Board Executive Director
 - The Governor shall appoint the Chair of the Board for a 2-year term.
 - The Chair may appoint the Vice Chair.
 - The Board shall elect any officers, other than the Chair and Vice Chair, that it considers necessary and determine their terms.
 - The Secretary of Health may employ a staff for the Board and may designate one of the staff, as an Executive Director.
 - MDH Secretary's Office Executive Liaison, Kimberly Link sent a December 20, 2022 email on behalf of the Office of Governmental Affairs inviting review and feedback to the draft bill.
 - The Legislative & Regulations Board Committee discussed the proposed bill on January 7, 2022 and the recommendation to send a letter to the Secretary of Health.

Motion: That the Board of Physical Therapy Examiners provide a response to the *Health Occupations Boards-Authority over Staffing and Infrastructure Operations* draft bill. (motion introduced by Board Chair Gordes; motion seconded by Board Member Esterson) The motion passed.

Action: That Board Counsel Felter and Executive Director Kendall-Ellis, in a timely manner, will draft a response to the proposed, *Health Occupations Boards- Authority over Staffing and Infrastructure Operations* draft bill. The draft will be reviewed and approved by the Legislative & Regulations Board Committee. Once approved, the Board's response will be sent to Heather Shek, Director of MDH Government Affairs. Executive Director Kendall-Ellis will communicate with the other Occupational Health Board Executive Directors about this Board's action.

Monthly Applicant and Licensee Report

Licensing Manager Scott reported the following as of December 1, 2021:

- The total number of active licensees is 9,475 (7,114 Physical Therapists and 2,361 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:** Cupping/ Myofascial Decompression: I am wondering about the use of "cupping" or "myofascial decompression" in the practice of physical therapy. I have taken several continuing education courses on the subject as it is taught specifically for physical therapy. It is considered similar to the Chinese medical practice of cupping, using glass cups with a heat source to create negative pressure and then the cups are left on the skin for a period of time. The courses I have taken do not use heat, but rather suction via a silicone or plastic cup with a pump. The courses have been based in Western medical science. It is comparable to acupuncture (theory and practice) vs dry needling or Gua Sha vs Graston/Instrument-Assisted Soft Tissue Mobilization (IASTM). There are two forms of cupping, dry cupping and wet cupping. I do not practice wet cupping myself as it involves the practice of placing a cup on an area (e.g. the upper trapezius) for several minutes, removing the cup, making small incisions just into the skin via a tiny sterile surgical blade and then cupping again to draw the blood out. I know of acupuncturists that do this practice, but was not sure if physical therapists were allowed to practice this also. It may be considered "wet" cupping if someone is dry needled and

then cupped on the same area immediately after. I have been to an acupuncturist who did this with 1 time use cups and a disposable surgical blade. I did not see anything specific on the Maryland Board of Physical Therapy Examiners website and was wondering if you can provide further guidance about wet and dry cupping. Just to be clear, I am not practicing the "wet" cupping method, but I do use "dry" cupping to promote blood circulation, increase flexibility and improve myofascial mobility. These cups can be placed and left in one spot or slid around the length of the tissue/muscle. They can also be put in place for Neuromuscular Re-education techniques to improve tactile input to a specific body area (e.g. on tibialis anterior and the foot for tactile cue to increase degrees of freedom in a stroke patient while walking). Are there any laws/specifications for physical therapists to do it? Are the laws similar to dry vs wet needling for PT?

- **A:** The Board referenced §13-101.(i)(2)(iv) and COMAR 10.38.03.02.A.(2)(a); COMAR 10.38.03.02.A(s)(f). Physical Therapists shall exercise sound professional judgement in the use of evaluation and treatment procedures and work within the physical therapist's competency in physical therapy evaluation and treatment. Within the physical therapist's competency cupping techniques can be administered per the referenced statute.

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 which received the committee's unanimous approval have been notified.

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

Motion: That the Board of Physical Therapy Examiners accepts the Continuing Education Board Committee's recommended approval of *Understanding Pediatric Sleep: How Can We Help as Physical Therapists?* (motion introduced by Board Vice Chair Holsinger; motion seconded by Board Member Finnegan). The motion passed.

Motion: That the Board of Physical Therapy Examiners accepts the Continuing Education Board Committee's recommended request to return *Emergency Medical Technician* to the applicant and request an agenda detailing the duration of each training session. (motion introduced by Board Vice Chair Holsinger; motion seconded by Board Member Finnegan) The motion passed.

Action: Continuing Education Board Committee will review *Emergency Medical Technician* requested materials upon receipt.

Open Session Meeting Adjournment:

Motion: That the Board of Physical Therapy Examiners moves to adjourn the Open Session Meeting at 2:06 p.m. (motion introduced by Board Chair Gordes; motion seconded by Board Vice Chair Holsinger). The motion passed.

The Board will convene the Administrative Session meeting and unless recused, all Board members and Board staff who were present for the Open Session meeting will also be in attendance.

The Board of Physical Therapy Examiners' adjourned at 2:55 p.m.

Karen Gordes, DScPT, PhD, PT, Chair

Minutes approved by the Board on ____02/15__, 2022