



Board of Physical Therapy Examiners

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

BOARD OPEN SESSION MEETING MINUTES **March 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 Chair Gordes, 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
Enjeen Woolford, PTA
Meredith Levert, Public Member

Board Members Absent

James Connors, Public Member

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
Lillian Reese, Legislative and Regulations Coordinator
Kimberly Link, Senior Advisor to the Secretary for Health Board Matters

Guests

Physical Therapist Assistant students from Cecil College, Maryland

Approve February 21, 2023, Open Session Meeting Minutes

Motion: That the Board of Physical Therapy Examiners approves February 21, 2023, 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

Chair Gordes 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.

- DPT –
The Board discussed adding the acronym “DPT”, which means Doctor of Physical Therapy, to §13-402(b) of the Health Occupations Article Title 13 Statutes. It has come to the Board's attention that “DPT” is being used by a company to mean Dynamic Personal Training. The Board, in upholding its mission to protect the public, stated that the use of “DPT” other than by a Doctor of Physical Therapy leads to confusion and can convey to the public that physical therapy services are being provided. Per Board Counsel Felter, the Board can recognize additional terms under §13-402(b).

Motion: That that Board of Physical Therapy Examiners recognizes the term “DPT,” as meaning Doctor of Physical Therapy and unless licensed to practice physical therapy, a person may not use “DPT.” (introduced by Chair Gordes; seconded by Board Member Esterson). The motion passed.

Executive Director Update

Executive Director Kendall-Ellis reported on the following:

- Virtual Meeting with Secretary Herrera Scott –
The Health Occupations Boards Executive Directors met for the first time with Secretary Herrera Scott and Chief of Staff McMullen on March 20, 2023. A follow-up meeting is scheduled with Secretary Herrera Scott, Chief of Staff McMullen, Executive Director Kendall-Ellis, Executive Director Oliver, and Executive Director Dean to discuss a licensing management system project.
- Recruitment Update –
The Board continues to recruit for the Administrative Specialist and Compliance Administrator positions and looks forward to filling these positions within the next thirty days.

Legislative and Regulations Update

The Legislative Board Committee provided a March 2023 report on bills that were reviewed during the 2023 legislative session. Regulations & Legislative Coordinator Reese reported on the following:

- The 2023 legislative session will end at midnight on Monday, April 10, 2023.
- SB 727: Sunset Extension –
Secretary of Health Herrera Scott amended the bill's extension date to two years (2025) from three years (2027). The Board submitted a position paper amending the date to 2034. The bill passed the Senate as amended by Secretary Herrera Scott and has crossed over to the House. The House hearing will take place on Thursday, March 23, 2023, at 1:00 pm. Executive Director Kendall-Ellis will testify.
- COMAR 10.38.13 Telehealth –
The telehealth regulation was printed in the *Maryland Register* on January 13, 2023, Volume 50, Issue 1, pages 22-23 for public comment. No public comments were received during the 30-day comment

period. Although the regulation did not receive any public comments similar Telehealth regulations for other Occupation Health Boards did. The Joint Committee on Administrative, Executive, and Legislative Review (AELR) placed a hold on the Occupational Health Boards Telehealth regulations. The purpose of the requested delay is to provide the committee with an opportunity to examine more closely a number of issues relating to whether the statutes under which the regulations were adopted authorize the adoption and whether the regulations conform to the legislative intent of the statutes. The committee also wishes to ensure that concerns raised by stakeholders about the regulations are addressed. To this end, the committee has encouraged the Department of Health to work together with the stakeholders to resolve the issues they have raised concerning these regulations. Secretary Herrera Scott has written a letter to the AELR Committee, informing them of our intent to move forward with the regulations as amended. We are now waiting for AELR to lift the hold.

- HB172 |SB232 Athletic Training Dry Needling - The bill passed in the Senate and has crossed over to the House. Discussion by the Board about the possible passing and enactment of the bill occurred.

Monthly Applicant and Licensee Report

Licensing Manager Scott reported the following as of March 1, 2023:

- 36 new licenses were issued (34 Physical Therapists; 2 Physical Therapist Assistants)
- The total number of active licensees is 9,621 (7,249 Physical Therapists and 2,372 Physical Therapist Assistants)

PT Compact Report

Continuing Education and Dry Needling Manager Ali reported the following as of March 1, 2023:

- 236 Maryland PT Compact Privileges were Purchased since July 1, 2021 (193 Physical Therapists; 43 Physical Therapist Assistants)
- Maryland has privilege holders from 17 states. The majority of the privilege holders are from Virginia (72), Texas (26), and Delaware (15).

Deputy Director Update

Deputy Director Okehie reported that license renewals began as scheduled on March 14, 2023, and has been moving quickly and smoothly. The Board expects to renew a total of 4,900 licenses by May 31, 2023. As of March 21, 2023, the Board has renewed 600 licenses. Licensees may verify their renewal status, until they receive the hard copy of their license through the USPS, by going to the Board of Physical Therapy Examiners website.

Continuing Education Report

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:

Discussion: The Continuing Education Board committee presented its comments regarding the continuing education sponsor application information.

Motion: That the Board of Physical Therapy Examiners accepts the approval of ***Non-violent Crisis Prevention: Crisis Prevention Institute*** (motion introduced by Board Vice Chair Holsinger, motion seconded by Board Member Conroy). The motion passed.

Discussion: The Continuing Education Board committee presented its comments regarding the continuing education sponsor application information.

Motion: That the Board of Physical Therapy Examiners accepts the approval of ***Implicit Bias for the Healthcare Professional*** (motion introduced by Board Vice Chair Holsinger, motion seconded by Board Member Conroy). The motion did not pass.

Discussion: The Continuing Education Board committee presented its comments regarding the continuing education sponsor application information.

Motion: That the Board of Physical Therapy Examiners accepts the approval of ***Implicit Bias in Healthcare*** (motion introduced by Board Vice Chair Holsinger, motion seconded by Board Member Conroy). The motion did not pass.

Open Session Meeting Adjournment:

Motion: That the Board of Physical Therapy Examiners moves to adjourn the Open Session Meeting at 1:53 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 Holsinger). 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 April 18, 2023.