



MARYLAND Department of Health

Board Of Physical Therapy Examiners

BOARD MEETING OPEN MINUTES

April 16, 2019

The meeting was called to order at 1:06 pm by Board Vice Chair, Sumesh Thomas.

Call to Order

There was a motion and a second to close the open session at 2:15 p.m. to engage in medical review committee deliberations regarding confidential information in applications for licensure and discuss other privileged matters in accordance with General Provisions Article, Section 3-305 (b) (7) and (13). Unless recused, all Board members and staff who were present for the open session were also in attendance for both the closed and administrative sessions.

Board Members Present:

Stephen Baur, PT

Michelle Finnegan, PT

Karen Gordes, PT

Rebecca Holsinger, PT

Meredith Levert, Consumer Member

Sumesh Thomas, PT

Board Members Absent:

Kimberly Rotondo, PTA

Donna Richmond, Consumer Member

Also Present:

Ogu Isaac Okehie, Deputy Director

Brett Felter, AAG, Board Counsel

John Bull, Chief of Compliance and Data Analysis

Deborah Jackson, Licensing Coordinator

Patricia Miller, Administrative Assistant

Michelle Cutkelvin, Project Manager

Also Absent:

Andrew Rosenfeld, Investigator

Minute Taker:

Eric Hebron, Administrative Specialist

Guests:

Lillian Reese, Legislative and Regulations Coordinator

Monique Caruth, APTA of Maryland

David Thomas, CACHE PTA Program Director

Anne Arundel Community College, 11 students

College of Southern Maryland, 5 students

Carroll Community College, 4 students

The minutes of the March 19, 2019 meeting were presented for approval. The Board voted to approve the minutes.

Minutes

Acting Executive Director, Isaac Okehie apprised the Board that House Bill 648, The Physical Therapy Compact will allow out of state Physical Therapist to receive compact privilege. The Physical Therapy Licensure Compact bill passed and will go into effect October 1, 2019.

Legislature
Updates

Deborah Jackson, Licensing Coordinator, gave the licensure report. Mr. Thomas raised a question: "Why do we not have data representing quarterly licensing trends?" Ms. Jackson agreed to provide the Board with quarterly trends of new licenses issued.

Licensure Update

A licensee is seeking clarification on whether a tele-video physical therapist must be licensed in the state of Maryland to practice treatment via tele-video in a Maryland physical therapist office. The Board had referenced Maryland's Physical Therapy Policy Position Statement on Telehealth which states:

Scope of Practice
Tele-Rehab

(1) Physical therapy practitioners must hold a valid Maryland license prior to providing physical therapy services via telehealth to clients physically located in Maryland; and,

(2) The practice of physical therapy, via telehealth or otherwise, in the State of Maryland must be in accordance with the Annotated Code of Maryland, Health Occupations Article, Title 10, and The Code of Maryland Regulations (COMAR), 10.38.01 – 10.38.11.

2019 Leadership
Issues Forum

Mr. Okehie apprised the Board of the upcoming 2019 Leadership Issues Forum, July 13-July 14, 2019 and FSBPT 2019 Annual Meeting & Delegate Assembly October 24 -26, 2019. Board Member, Rebecca Holsinger and Dr. Thomas volunteered to attend.

FSBPT 2019
Annual Meeting
& Delegate
Assembly

The Board voted in favor of Dr. Holsinger and Dr. Thomas attending both the forum and meeting.

Mr. Okehie apprised the Board of the upcoming Elections for the position of Board Chair and Vice Chairperson. Mr. Okehie asked interested Board members to send him an email as to express interest in the open positions. Elections will be held at the May Board Meeting.

Elections- Board
Chair & Vice
Chair

The Open Meeting Act was discussed. Board Counsel, Brett Felter gave an overview. Board Member, Karen Gordes offered to participate and serve as the Board's designated person in the online training required for public entities subject to the Open Meetings Act.

Open Meetings
Act

Mr. Okehie will give a Strategic Planning update during the next Board meeting.

Strategic
Planning

Board Member, Stephen Baur apprises the Board that his last meeting will be July 16, 2019. Dr. Baur greatly considered completing his current term but has ultimately decided to resign due to increasing work and family obligations.

Board Member
Farewell

The Board voted to **approve** the following CEU course application:

Continuing
Education

'Social and Emotional Foundations for Early Learning (SEEL) Pyramid Model for Infant and Toddlers Program Staff' and 'Spinal Manipulation'

The Board voted to **deny** the following CEU course applications because they are not substantially related to the PT practice:

'A Functional Approach to Preventing, Slowing Down and Reversing Cognitive Deficits', 'Home Health PDGM: What Therapist Need to Know Now', 'The Medically Complex Patient: Cardiac Management', 'An Interprofessional Approach to Pain Management: Intro to Screening and Assessment', 'The Medically Complex Patient: Key Points to Success', 'Therapeutic Use of Self', 'The Ethics of Validation and Therapeutic Fibbing in Dementia Care'.

There was a motion to close the open session at 2:15 pm.

The board meeting was adjourned at 2:43 pm.

Respectfully submitted,



Sumesh Thomas, PT, Vice Chairperson

05/21/19

Date Approved



Ogu Isaac Okechie, Acting Executive Director

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. Complete items 1 – 4:

1. Recorded vote to close the meeting: Date: 4/16/19; Time: 2:15; Location: 4201 Patterson 21215;
Motion to close meeting made by: S. Thomas Seconded by M. Finnegan;
Members in favor: All; Opposed: Ø;
Abstaining: Ø; Absent: Kimberly Rotondo, Donna Richmond.

2. Statutory authority to close session (check all provisions that apply):

This meeting will be closed under General Provisions Art. § 3-305(b) only:

(1)___ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2)___ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3)___ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4)___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5)___ "To consider the investment of public funds"; (6)___ "To consider the marketing of public securities"; (7)___ "To consult with counsel to obtain legal advice"; (8)___ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9)___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10)___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11)___ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12)___ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13)✓ "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14)___ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (13)	Licensing Application	To engage in medical review deliberations & application
§3-305(b) ()		
§3-305(b) ()		
§3-305(b) ()		
§3-305(b) ()		

4. This statement is made by Sumesh Thomas, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING

Time of closed session: 2:15 Place: 4201 Patterson Ave 21215
 Purpose(s): Review Confidential Applications for Licensure
 Members who voted to meet in closed session: All Present
 Persons attending closed session: All Board & Staff @ open session
 Authority under § 3-305 for the closed session: (b) (13)
 Topics actually discussed: Licensing Application
 Actions taken: Approved Application Each recorded vote: Voted

For a meeting recessed to perform an administrative function (§ 3-104): Time: 2:43
 Place: 4201 Patterson Persons present: All at Open Subject matter discussed: Disciplinary Matters and Investigation