



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Board of Physical Therapy Examiners

BOARD MEETING OPEN MINUTES

February 21, 2017

The meeting was called to order at 1:01 p.m. by Board Chair, Krystal Lighty.

Call to Order

There was a motion and a second to close the open session at 2:06 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:

Rhea Cohn, PT
Meredith Levert, Consumer Member
Krystal Lighty, PT
Donna Richmond, Consumer Member
Kimberly Rotondo, PTA
Katharine Stout, PT

Board Members Absent:

Stephen Baur, PT
Sumesh Thomas, PT

Also Present:

Carlton Curry, Executive Director
Joy Aaron, Deputy Director
John Bull, Compliance Manager/ Investigator
Brett Felter, AAG, Board Counsel
Desiree DeVoe, Investigator
Michelle Cutkelvin, Board Secretary

Also Absent:

Deborah Jackson, Licensing Coordinator
Patricia Miller, Secretary

Guests:

Susan Cecere, PT - Prince Georges County Public Schools
Carolyn Chanoski, PT – Legislative Coordinator APTA Maryland
Karen Greeley, PT – Baltimore City Schools
Kevin Platt, PT President Elect APTA Maryland
Jon Waxham, PT Wor-Wic Community College, Department Head & Associate
Professor Physical Therapy Assistant Program
Liz Wohlberg, PT - Kennedy Krieger

Board Chair, Krystal Lighty welcomed Board Members and guests. Board Members, Staff and guests introduce themselves.

Welcome

The minutes of the meeting held on December 20, 2016 were approved with corrections.

Minutes

Carlton Curry, Executive Director apprised the Board of his testimony for the bill regarding NC Dental vs FTC. Mr. Curry states that he will monitor Senate Bill 1079 and House Bill 1536 regarding Athletic Trainers. He states there are 2 additional bills proposing an independent review of all legislative bills. Mr. Curry will monitor the bills and keep the Board apprised. Brett Felter, Board Counsel asks about House Bill 668. Mr. Curry states that there will be an informal posting. Mr. Felter states that for large issues, bills are released informally.

Legislative
Update

Krystal Lighty reviewed the licensure update report.

Licensure
Update

Mr. Curry states that there was a request from licensees to review the evaluation standards for the pediatric population. Board Members Kimberly Rotondo and Katharine Stout undertook additional training with IDA. Ms. Stout states that there will be no special exemption for reevaluation within pediatrics. The reevaluation decision making is at the discretion of the therapist. Krystal Lighty thanked Ms. Rotondo and Ms. Stout for taking the time to take a closer look. Karen Greeley asked for clarification of how a Physical Therapist should document using the IDA standard vs. the Maryland regulations and are there specifications? In addition, Ms. Greeley asks when documenting should you document your rationale. Liz Wohlberg asks does seeing a child once a month for a consult constitute a reevaluation? Carolyn Chanoski asks if this should be considered a glorified progress note? Ms. Stout states that a 30 Day reevaluation is required and Maryland Regulation should be followed. Mr. Curry states that the Board cannot give specific examples and therapist should use sound professional judgment. Kevin Platt thanked the Board for their work and asked the Board to highlight clinical appropriateness, focus on the elements of the reevaluation and emphasize the information needed in the note. The Board voted to keep the reevaluation standards as is.

Evaluation
Standards
Pediatric
Population

James Hassell, PT requested feedback on applying iontophoresis using dexamethasone to a patient without a prescription from a MD. The Board has tabled their response and asks the following questions: Is the prescription for dexamethasone or a prescription for physical therapy? What are you specifically trying to do without a prescription?

Jesse Lewis, PT requested feedback on the following: Mr. Lewis states the he wants to consider offering a free telehealth screening session to those clients who were unsure about whether physical therapy was right for them. He wants to check with the Board to make sure there were no legislative barriers that might make that possible in Maryland. Also, thinking down the road, would there be any barriers to charging for a telehealth physical therapy session or a consulting session? The Board's response is physical therapy treatment is where the patient is, noting in regulation that prohibits however you may want to consider HIPPA regulations and jurisdiction rules. A licensee may also wish to consult third party payors for their specific requirements.

Chester Johnson, DPT student requested feedback on the following: Mr. Johnson's question pertains to temporary licensure for students after graduation from a doctorate program prior to taking the national board exam. He states students at his program students will graduate in early May, but will not be eligible for sitting for the board exam until July. He requests that the Board consider re-instituting temporary licenses for students. The Board's response is that the passage of the NPTE is a minimum standard quality requirement and public protection paramount.

James Graffenberg, PT requested feedback on the following: Mr. Graffenberg would like to teach Maryland Physical Therapists the modality Active Isolated Stretching for CEU's. He states that Active Isolated Stretching (AIS) was developed by world-class Licensed Kinesiotherapist, Aaron Mattes over four decades. AIS addresses many soft-tissue injuries and conditions, and neurological conditions and diseases, AIS helps these patients to function with greater range-of-motion and it (AIS) either reduces or totally eliminates pain in the first session, in most instances. AIS is safe and effective without the use of drugs or surgery. The Board's response is that he must submit a CEU application.

Amy Rust, PTA requested feedback on the following: Ms. Rust states that she has just signed up for a Klose lymphedema course and has several questions regarding the laws and limits as a PTA. (1) Do I need to take the LANA test to become certified? (2) Do I have to work under a PT that's lymphedema certified? (3) As a PTA am I able to open a lymphedema clinic? The Board's response is (1) because the Board does not certify specialties the Board cannot offer an opinion. Pursuant to the Maryland Physical Therapy Practice Act, a licensee may perform therapeutic interventions if competent to do so. (2) Secondly, as it relates to supervision requirements you should work under the guidance of someone knowledgeable. (3) Finally, the Practice Act does not prohibit anyone from owning a physical therapy practice.

The Board voted to **deny** the following CEU course applications:

Continuing
Education

'Lessons From the Dying Patient Part 1: The Fear of Death and Symbolic Language' because the course is not substantially related to the PT practice; *'Lessons From the Dying Patient Part 2: The Five Stages of Dying'* because the course is not substantially related to the PT practice; *'Lessons From the Dying Patient, Part3: Child and Death and Sudden Death'* because the course is not substantially related to the PT practice; *'Zika in America: What Do Healthcare Professionals Need to Know?'* because the course is not substantially related to the PT practice; *'Wilderness Upgrade'* because the course is not substantially related to the PT practice; *'The Leader Manager Paradigm in Healthcare'* because the course is not substantially related to the PT practice; *'SOMATOEmotional Release Techniques'* because the course is not substantially related to the PT practice and *'An Evidence Based Comparison of Female Athletes'* because the course is not substantially related to the PT practice.

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The board meeting was adjourned at 4:05 p.m.

Respectfully submitted,



Carlton Curry, Executive Director

3/21/2017

Date Approved



Krystal Lighty, PT, Chairperson