



**MARYLAND**  
**Department of Health**  
*Board Of Physical Therapy Examiners*

**BOARD MEETING OPEN MINUTES**

**March 20, 2018**

The meeting was called to order at 1:00 pm by Board Chair, Krystal Lighty.

There was a motion and a second to close the open session at 2:07 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

Karen Gordes, PT

Michelle Finnegan, PT

Meredith Levert, Consumer Member

Krystal Lighty, PT

Donna Richmond, Consumer Member

**Board Members Absent:**

Kimberly Rotondo, PTA

Sumesh Thomas, PT

**Also Present:**

Carlton Curry, Executive Director

Joy Aaron, Deputy Director

Brett Felter, AAG, Board Counsel

John Bull, Compliance Manager/ Investigator

Michelle Cutkelvin, Board Secretary

Patricia Miller, Board Secretary

**Also Absent:**

Deborah Jackson, Licensing Coordinator

**Guests:**

Penny Heisler, Executive Director - Board of Acupuncture

Laurie Neely, University of Maryland APTA

Linda Teodosio, PT - Bayada Home Health

Board Chair, Krystal Lighty welcomed Board Members and guests. Board Members and staff introduced themselves.

Welcome

The minutes of the meeting held on February 20, 2018 were approved.

Minutes

Carlton Curry Executive Director apprised the Board he has been monitoring approximately 72 bills for the current legislative session. Mr. Curry states HB 288 was not successful. He states that he will continue to monitor HB 1388, which survived crossover. The Athletic Trainer bill was withdrawn. In addition he states an offer was made for the role of legislative liaison.

Legislative  
Update

Krystal Lighty apprised the Board of the joint meeting with the Secretary of Health, Robert Neall, Chair of the Acupuncture Board and Chair of the Chiropractic Board. Ms. Lighty states that the primary discussion was the extension of the date for dry needling. She states the Board's goal was to allow vendors to be vetted by designated entities. Secretary Neall proposed that the Board extend the date to October 1, 2018 instead of January 1, 2018. Ms. Lighty states the Secretary highlighted the following concerns: (1) public awareness of Dry Needling, in which he requests a collective effort amongst the respective Boards; (2) complaints or concerns addressed with the appropriate actions such as an educational letter or information letter; and (3) Chiropractors with Physical Therapy Privileges where additional regulations are needed. Penny Heisler, Executive Director of the Board of Acupuncture states that the education letters speaks directly to the Board of Acupuncture, for the purpose of informing a practice it is advertising acupuncture. The Board voted to approve October 1, 2018 as the extension date.

Dry Needling

Mr. Curry states that he met with David Blaiwas, President of the Maryland Acupuncture Society. He states that Dr. Blaiwas was pleasantly surprised by the actions of the Board of Physical Therapy related to Dry Needling and noted his willingness to work with APTA and the University of Maryland.

Ms. Lighty states that building relationships is key. She states that the Boards can meet, discuss and vet any potential concerns beforehand when there is a working relationship, while continuing to protect the public and respect individual scopes.

Mr. Curry states an open conference call is scheduled for March 28, 2018 at 7pm to answer questions related to dry needling.



Mr. Curry gave the licensure update report.

Licensure  
Update

Linda Teodosio PT, requests feedback on the following: Are Physical Therapist allowed to take a verbal order and write it for signature and then have a nurse review the changes and potential medication issues? Specifically if a patient is having a problem and a physician is called to report the changes in the patient's condition and as result there is a verbal medication change order. The Board's response is that this a policy driven by the facility/organization and medication changes and management is outside of the scope of Physical Therapy. The Board has not articulated on the topic of medication management, licensees may submit suggestions, as the regulations are currently under review.

Scope of  
Practice, Linda  
Teodosio, PT

Ms. Lighty recused herself at 1:43 pm from the discussion, she was present however she did not speak or read the following scope of practice question. The UMMS system therapy workgroup purchased the rights to utilize the AM-PAC. They requested feedback on the following: The AM-PAC, Activity Measure for Post-Acute Care, which is classified as a patient reporting tool that has been validated as a tool that can also be completed by Nurses, since it prompts questions to ask the patient. The workgroup would like the Board's opinion on whether this tool can be completed by PTAs. The Board's response is that a Physical Therapy Assistant can complete the AM-PAC tool.

Scope of  
Practice,  
Krystal Lighty,  
PT

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

Continuing  
Education

*'Human Trafficking: Forced Labor'; 'Human Trafficking Sexual Exploitation'; 'Intimate Partner (Domestic) Violence: A Guide for Physical Therapists Part 2'; and 'Shoe Wear Considerations for the Active Patient and Older Adult'.*

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

*'Insights on Suicide Prevention'* because the course is not substantially related to the PT practice; *'Nutrition Management: Core Competency for Cardiac Rehab'* because the course is not substantially related to the PT practice; *'Overcoming the Difficulties of Obesity in the Clinical Application of Physical Therapy'* because the course is not substantially related to the PT practice; *'Using a Coaching Interaction Style in Natural Learning Environments'* because the course is not substantially related to the PT practice; and *'Intimate Partner (Domestic) Violence: A Guide for Physical Therapist Part 1'* because the course is not substantially related to the PT practice.

There was a motion and a second to close the open session at 2:07 p.m. to engage in **medical review committee deliberations regarding confidential information in** applications for licensure, 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.


The board meeting was adjourned at 2:19 pm.

Respectfully submitted,

4/17/2018

Date Approved

  
\_\_\_\_\_  
Carlton Curry, Executive Director

  
\_\_\_\_\_  
Krystal Lighty, PT, Chairperson

**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: 3/20/18; Time: 2:07; Location: 4201 Patterson 21215;  
Motion to close meeting made by: K. Lighty Seconded by D. Richmond;  
Members in favor: All Present; Opposed: —;  
Abstaining: —; Absent: K. Rolando, S. Thomas.
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 Applications	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 Krystal Lighty, PT, 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: 2:09 pm. Place: 4201 Patterson Avenue  
 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: Application for Licensure  
 Actions taken: Application Approved Each recorded vote: voted  
on as appropriate.

For a meeting recessed to perform an administrative function (§ 3-104): Time: 2:16 p.m.  
 Place: 4201 Patterson Persons present: All at open Subject matter  
 discussed: Board investigations & other disciplinary matters.