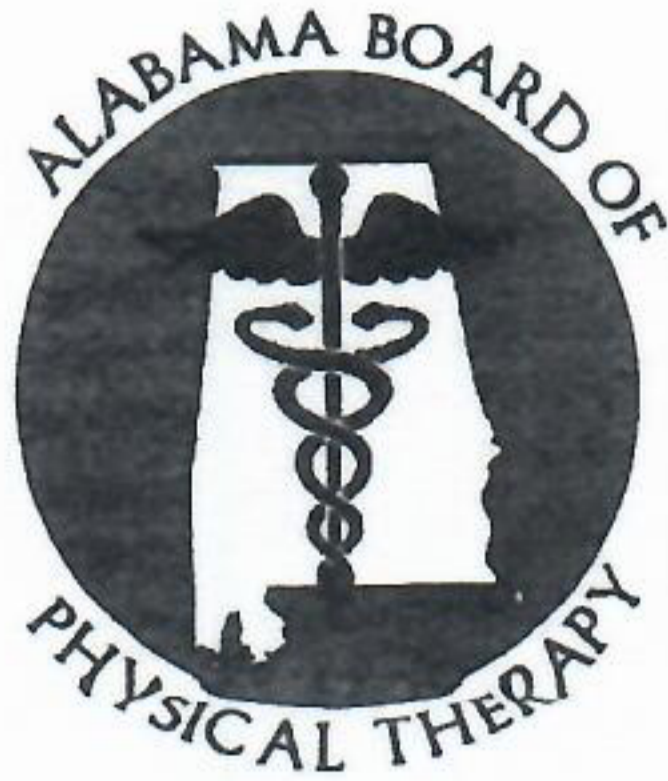


STATE OF ALABAMA  
BOARD OF PHYSICAL THERAPY



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Kathy Miller  
Executive Director

May 11, 2023

- I. **Call to Order:** The meeting was called to order in the Alabama Board of Physical Therapy's conference room by Board Chair Jonathan Zecher at 9:01 AM. Board Members present were T-Michael Dougherty, Robin Irwin, Dana Daniel Blake, Nathan McGriff, and Margaret Hemm. Also present were Kathy Miller, Executive Director, Kristi Mullins, Accounting Specialist, Teresa Allen, Licensing Specialist and Claire DiLaura, Accounting Specialist. Not in attendance was Robert Fleming and J. Matt Bledsoe, Assistant Attorney General.

A quorum was established.

**New Employee:** Executive Director Kathy Miller introduced and welcomed Teresa Allen who joined the Board of Physical Therapy on May 2, 2023. Ms. Allen, who has over 30 years working with the court system retiring as Deputy Clerk of the Supreme Court, will be assisting with licensing.

**Open Discussion:** Chair Jonathan Zecher opened the floor for open discussion. Director Miller referenced a request for an opinion that she received from a licensed physical therapist. The licensee requested the Board's position regarding the licensee's ability to perform dry needling in a Wellness setting. The Chair referenced the statute, Section 34-24-210.1(b)(4) for review by the Board. After some discussion the Board determined that the licensee should be referred to Section 34-24-210.1(b)(4) which specifies what licensees are free to do in a wellness setting. The Chair asked Director Miller to provide the Board's response to the licensee. There was no further Open Discussion.

- II. **Minutes:** The minutes from March 9, 2023, were reviewed. There was a suggestion to amend the minutes in section C. 2023-01, page 2, by adding to treatment to clarify that "the licensee is going back to treatment for 7 more weeks". A motion to accept the amended March 9, 2023, minutes was made by Margaret Hemm and seconded by T-Michael Dougherty. Nathan McGriff, Jonathan Zecher, Robin Irwin, Margaret Hemm, and T-Michael Dougherty voted in favor. Dana Daniel Blake abstained. The Minutes for March 9, 2023, as amended, were approved.

III. **Reports:**

A. **Licensee Report:** Kristi Mullins presented this report. As of May 1, 2023, there are 6440 active licensees - 3015 PTAs and 3425 PTs. Between March 1, 2023, and April 30, 2023, we had 48 regular licenses issued - 14 PTAs and 34 PTs; 4 temps were issued - 3 PTs and 1 PTA; and 5 expired licenses were reinstated - 3 PTs and 2 PTAs. There was 1 FCCPT report substantially

equivalent to CWT6 submitted and license issued and 1 FCCT report substantially equivalent to CWT5 submitted and license issued.

**B. Financial Report:** Kristi Mullins presented the report and noted that the Supplies, Materials and Operating Expenses line increased in March due to the purchase of promotional items to give away at the conference. A motion to accept the March 31, 2023 Financial Statement was made by Dana Daniel Blake and seconded by Jonathan Zecher. Nathan McGriff, Jonathan Zecher, Robin Irwin, Dana Daniel Blake, T-Michael Dougherty and Margaret Hemm voted in favor. The Financial Statement for March 31, 2023 was approved.

**C. Violations Committee Report:** In the absence of Assistant Attorney General J. Matt Bledsoe, Director Miller presented this report. The recommendations from the committee were as follows:

**2023-03:** Licensee (PT) allegedly double billed for non-therapist treatment. The non-therapist is alleged to have held himself out as a PTA; however, he does not hold a PTA license in Alabama (or anywhere in the U.S.) The Violations Committee recommends no probable cause.

**2023-04:** Licensee (PTA) allegedly treated patients without an evaluation performed by a physical therapist. The Violations Committee recommends no probable cause.

**2023-05:** Licensee (PT) allegedly touched a patient inappropriately. The Violations Committee recommends no probable cause.

**2023-06:** Licensee (PTA) withdrew from the Wellness program and voluntarily surrendered his license.

Robin Irwin made a motion to accept the recommendations of the Violations Committee and T-Michael Dougherty seconded the motion. Nathan McGriff, Robin Irwin, Dana Daniel Blake, and T-Michael Dougherty voted in favor. Jonathan Zecher and Margaret Hemm abstained. The recommendations of the VC were approved.

**D. Executive Director Report:** See attached Executive Director Update.

**E. Wellness Report:** Nathan McGriff reported that he had spoken to Dr. Garver and a few licensees have left the Wellness program. Dr. Garver told Mr. McGriff that we are the only Board that allows a licensee to surrender their license, and then at a later date re-enter the Wellness program and attempt to complete the program to regain their license.

#### **IV. Unfinished Business:**

##### **A. PT Compact Update:**

i. Director Miller presented an update on the bills.

1. HB110 passed the House on April 27, 2023.

2. SB 25 passed out of the Senate committee with a favorable report. There were no questions. It now goes to the Senate floor. Director Miller will be in touch with Senator Albritton to see when the bill might be added to the Special-Order Calendar.
- ii. Director Miller asked Claire DiLaura to provide an update on the status of the Request for Proposal for Digital Fingerprinting.
    1. Ms. DiLaura said that the proposal document is almost completed and will be submitted to State Purchasing for an initial review next week. Once the initial review is completed the Request for Proposal will be submitted to the Comptroller's Office of Shared Services for entry into STAARS. Ms. DiLaura also noted that she is obtaining guidance from FSBPT and ALEA regarding training for staff and the policies and procedures for the staff that will be handling the background checks.

## V. **New Business:**

- A. **AG Report: Public Records Policy** – In the absence of AAG Matt Bledsoe, Director Miller presented the public records policy for review by the Board. This policy is to comply with the Governor's Executive Order.

A motion was made by Margaret Hemm and seconded by Nathan McGriff to publish this rule for 90 days. Jonathan Zecher, Nathan McGriff, Margaret Hemm, Robin Irwin, T-Michael Dougherty, and Dana Daniel Blake voted in favor.

- B. **OIT Phone Services:** Executive Director Kathy Miller introduced Lindsey Thornton from the Office of Internet Technology. Ms. Thornton discussed state agencies migrating to a new phone system. The new phone system is a cloud solution and will allow cloud calling from cell phones as well as desk phones and maintain the same level of security as the current system. Ms. Thornton presented a quote for the migration of phones and a Cost Comparison between current services and cloud services. Ms. Thornton noted that the agency will save \$94.46 monthly with the new service and can pay for the one-time charge of \$776.05 in less than 6 months. The installation/migration should be transparent for users and no new equipment is required.

A motion to accept the transition to the new phone service was made by Nathan McGriff and seconded by Jonathan Zecher. T-Michael Dougherty, Robin Irwin, Dana Daniel Blake, Nathan McGriff, and Margaret Hemm voted in favor. The motion was approved.

- C. **Spring/Summer Newsletter:** Director Miller discussed the issuance of a summer newsletter in June and requested topics for articles that could be included in the newsletter.
- D. **Nominations PTA/Northern Division:** Director Miller reported that Nathan McGriff's Board term will expire in October so there will be a need to fill the role of the Wellness liaison.
- E. **Blast Email regarding Renewals:** Director Miller plans to send a blast email to all licensees reminding them of the renewal period for licenses, July 1, 2023 – September 30, 2023, and encouraging early renewals. It was suggested that the email blast be sent a week before the newsletter.

F. **Board Meeting iPads:** Director Miller reported that during the Property Audit the auditor discussed the iPads that were purchased for the Board members. If those are not going to be used then it is normal practice to make them available to other agencies. There was discussion about the need for iPads and it was decided that iPads were no longer needed by the Board.

Meeting adjourned at 11:09 AM.

The next meeting will be July 13, 2023 @ 9:00 AM at the Board offices.

  
Jonathan Zecher, Chair

## Executive Director Update

- On April 27, 2023, we had a property audit. All property is accounted for, and no issues noted.
- On May 2, 2023, Teresa Allen joined the team. She will serve as the Executive Assistant.
- On May 3, 2023, I spoke to T-Michael's class. They will soon graduate.
- Karen Entrekin, our investigator, resigned March 30, 2023. We are in the process of finding a replacement for her.
- We should consider thanking Senator Albritton and Representative Moore for their sponsorship of the PT Compact bill, either in a newsletter article or a blast email.

