

ALABAMA BOARD OF PHYSICAL THERAPY
100 North Union Street, Suite 724
Montgomery, Alabama 36130-5040
Regular Board Meeting
February 9, 2017

I. Call to Order

The meeting was called to order at 9:03 AM by Chair Wiley Christian, III at the board's office. Members present were Christian, Hobbs, McGriff, Molyneux, Strunk, Matt Bledsoe, Assistant Attorney General, Sheila Wright, Executive Assistant III, and Jeffrey Vinzant, Executive Director.

Open Discussion

Chair Christian opened the floor to general discussion. Member Molyneux inquired as to status of the overall office operations. Vinzant stated that the two pending violations items are currently in a status of inactivity due to timing of responses from the individuals and no action is currently required on the board's part. Vinzant reviewed some content changes made to the website since the last board meeting.

Member Strunk inquired if we could add date of the forms creation on the bottom of each form to represent the most recent version? Vinzant stated it could be done and would update them accordingly. Vinzant pointed out a pending change of how violations will be shown on the site, stating that the change is still in the working phase with ISD.

II. Minutes

Upon motion by Molyneux and second by Strunk, the board voted unanimously approval of the minutes of the January 2017 board meeting.

III. Reports

No reports this meeting to focus the meeting toward the topic of the Administrative Code.

IV. Correspondence/FYI

Christian inquired as to the status of the newsletter. Ms. Wright reminded the group of the deadline of the last week of February for articles.

V. Unfinished Business

Chair Christian moved the meeting to the item of the proposed Administrative Code changes. Molyneux inquired if the streamlining of the code was going to create confusion from the public that administrative procedures referred to in the Code of Alabama are not detailed in the new document. Counsel Bledsoe reviewed with all present that procedurally; whenever a licensee is contacted, the specific code is

referenced in the notification and additionally, we have sited the specific code in the new document, just not provided the detail. After further discussion, Christian pointed out that the new code will be sent to FSBPT who has the staff trained to tailor the changes to the Jurisprudence exam and overall meaning is not lost, just the details of every citation to the Code of Alabama.

Strunk inquired for a clarification of page six in the section regarding availability of records. Bledsoe reviewed procedures and limits of what is available for the public to see and what we will provide. Strunk noticed that page 12, at the bottom, was missing the word therapy. Additionally, requested that section 5, stated the same sentence twice. Strunk inquired for a clarification of the new fee structure. She pointed out the in section 700-X-2.09 that the wording is reflecting the restoration fee and not the expired renewal fee. Vinzant reviewed the conversations that Bledsoe had with the examiners office and stated that November 1 and after would be the expired renewal fee and restoration fee only. Strunk motioned for necessary changes in the wording of that section to renewal, seconded by Molyneux. Unanimously approved.

Chair Christian and Bledsoe advised the membership that the meeting would now look at each chapter and allow comment for changes, then vote on each thus moving through the entire document.

Chapter 700-X-1. Motion to accept changes of this section by Bledsoe, seconded by Hobbs. Board voted unanimously to accept.

Chapter 700-X-2. Suggestion by Strunk to remove the redundant statement of guidelines on page 12, 700-X-2.09, Renewal of License, paragraph 5, item (a). Motion to accept with change by Christian, seconded Molyneux. Board voted unanimously to accept. Vinzant pointed out earlier requested changes of 700-X-02.-09, Restoration of License, the term restore changed to renew and expired renewal fee. Strunk confirmed change, motion to accept by Christian, seconded by Hobbs. Board voted unanimously to accept.

Chapter 700-X-3. Discussion about the definition of abandonment. Bledsoe it would have to be applied on a case by case basis depending on the circumstances. After some discussion of certain scenarios, motion to accept changes as is was made by McGriff and seconded by Molyneux. Board voted unanimously to accept.

Chapter 700-X-4. Member Strunk asked for a clarification on 700-X-4.-09, Conflict and Bias, paragraph 1. Bledsoe reviewed the situations of where this would come into play. Christian asked about the section about probable cause on page 27. Concern was that it was the chair who would determine probable cause. Bledsoe reviewed that this is our current setup as we had changed from an administrative law judge to the chair having this responsibility. After more discussion, motion by Christian to accept changes as is was made, seconded by Hobbs. Board voted unanimously to accept.

Appendix. Bledsoe questioned the status of the Appendix section. Bledsoe explained that if retained in the document, it limits our ability to change forms without going to the formal filing process. After he reviewed the challenges and a brief discussion, all were in agreement. Motion to remove the Appendix section was made by Christian, seconded by Molyneux. Board voted unanimously to remove the Appendix section.

Chapter 700-X-5. Molyneux asked for a review and clarification of 700-X-5-.03 Board Decisions. Bledsoe reviewed overall purpose and reasoning behind the section. Strunk asked about the Public Hearing section. Question is current language being adhered to? Bledsoe stressed the need to keep language for overall purpose. After brief discussion, the suggestion was to change the wording from must to should and seven days to ten days. After more discussion, motion from Strunk to accept with changes, seconded by Hobbs. Board voted unanimously to accept.

Strunk requested a review of the timeline. Bledsoe stated that it will be submitted by February 20th for publication in March (February 28th), giving us the opportunity for public hearing at our April 21st meeting. Fifteen days to certify rules, then 35 days later, they become final and in effect around May 31st.

HB 17—still in the system. Legislative session started on Tuesday. Bledsoe predicted the item will pass.

Solicitation for new board members—draft of e-mail blast is just about ready. Discussion focused on the timeline of opening for new members.

Pharmacy issue in Therapy—Chair Christian had heard back from the Pharmacy Board. After discussion, Bledsoe recommended we pose the question to the Medical Examiners Board before we form our formal opinion on the matter. Christian agreed that direction would be best for our purpose. At the conclusion of the discussion, it was decided that Strunk will create an opinion for the board and Bledsoe will provide it to the Medical Examiners Board for review.

VI. New Business

Consumer Member nomination update—Bledsoe and Vinzant reviewed with the members the process of the four names that were forwarded to the Governor for replacing Graham Champion. The nominations were sent forward on January 25th. We are currently waiting for the response from the Governor. Strunk inquired if the Governor does not appoint, could we nominate in April? Bledsoe indicated that we can but we will be without till October.

Vinzant presented to the board question of physical therapists and physical therapists assistants performing heart and lung assessment and patient education. The board

office had received five inquires via phone and e-mail in the past week seeking an opinion on the topic. After discussion, the board agreed with member Strunk that heart and lung assessment is within the scope of practice of a PT and not a PTA. If PT's are not confident in their skill levels they should seek education and training to improve competency.

Vinzant reviewed that the room is secured for the Perdido meeting. McGriff inquired about the cost of the room. Vinzant stated the PT association will secure the room then bill us afterward for the cost. General discussion reviewed the time, days, hotel room rates and schedule of event.

Bledsoe requested a copy of the Examiners Report of the Board be brought to the meeting to assist with answering any questions that may arise about the fee schedule.

After discussion, member Strunk motioned that we rephrase section 700-X-2-.09 to include expired renewal fee as opposed to renewal fee, second by Molyneux. Board unanimously approved.

VII. Announcements

Next Regularly Scheduled Meetings:

April 21, 2017 (Perdido Beach) 10:00 AM

July 13, 2017 (Board Office, Montgomery)

August 11, 2017 (Ross Bridge, Birmingham)

October 12, 2017 (Board Office, Montgomery)

IX. ADJOURN: The meeting was adjourned at 11:23 AM.


Jeffrey Vinzant,
Executive Director


Wiley Christian, III
Board Chairman