



**STATE OF ALABAMA
BOARD OF PHYSICAL THERAPY**

100 NORTH UNION STREET, SUITE 724
MONTGOMERY, AL 36130-5040
Phone: (334) 242-4064 Fax: (334) 242-3288
info@pt.alabama.gov



Kathy Miller
Executive Director

March 14, 2024

- I. Call to Order:** The meeting was called to order in the Alabama Board of Physical Therapy's conference room by Board Chair T-Michael Dougherty at 9:07 AM. Board Members present were Robert Fleming, Robin Irwin, Dana Daniel Blake, Zach Nelson and Margaret Hemm. Also present were J. Matt Bledsoe, Assistant Attorney General, Kathy Miller, Executive Director, and Claire DiLaura, Accounting Specialist. Not in attendance was Jonathan Zecher.

A quorum was established.

The Chair asked Dana Daniel Blake to lead the board members in prayer.

Open Discussion: There was no open discussion.

- II. Minutes:** The minutes from January 11, 2024, were reviewed. Three typographical errors were noted for correction. A motion to accept the January 11, 2024, minutes as amended was made by Margaret Hemm and seconded by Robin Irwin. Robert Fleming, Robin Irwin, Dana Daniel Blake, Zach Nelson, Margaret Hemm and T-Michael Dougherty voted in favor, and none were opposed. The Minutes for January 11, 2024, were approved.

III. Reports:

A. Licensee Report: Claire DiLaura presented this report. As of March 1, 2024, there are 6594 active licensees - 3049 PTAs and 3545 PTs. Between January 1, 2024, and February 29, 2024, we had 111 regular licenses issued - 26 PTAs and 85 PTs. 6 temporary licenses were issued - 1 PT and 5 PTAs. 7 expired licenses were reinstated - 4 PTs and 3 PTAs. There was no FCCPT report substantially equivalent to CWT6 submitted.

T-Michael Dougherty stated that it would be helpful to have this information in a spreadsheet so the Board could compare previous months or years to see changes more easily. He will create a spreadsheet of previous months and email to Kathy Miller, Kristi Mullins and Claire DiLaura to use for licensee reporting.

B. Financial Report: Claire DiLaura presented the January 2024 report. Dana Daniel Blake noted that Personnel and Benefits costs were less this month than in October 2023 and asked if the Board needed to hire more support staff. After discussion it was decided that Kathy Miller will monitor the need for additional support staff. A motion to accept the January 31, 2024, Financial

T-Michael Dougherty made a motion to end the public hearing. Robin Irwin seconded the motion.

T-Michael Dougherty made a motion to reenter the regularly scheduled board meeting. Robin Irwin seconded the motion.

T-Michael Dougherty made a motion to adopt the rules as they are presented. Robin Irwin seconded the motion. Robert Fleming, Robin Irwin, Dana Daniel Blake, Zach Nelson, T-Michael Dougherty and Margaret Hemm voted in favor, and none were opposed. The rules were adopted.

V. New Business:

A. Physical Therapist Scope of Practice Fingerstick PT/INRs:

- i. The Board received an email request for clarification and guidance on whether it is within the Physical Therapist Scope of Practice to perform fingerstick PT/INRs. After discussion, the Board requested that the Executive Director respond to the email as follows:
 - i. The Board does not consider performing fingerstick PT/INR a violation of the Practice Act.
 - 1. If the PT is trained annually, and
 - 2. The PT is not billing for the procedure, and
 - 3. The results of the procedure are documented and sent to the appropriate person for follow-up.

B. Introduction of Regulatory Board Consolidation Bill:

- i. The Chair, T-Michael Dougherty, referred to a draft of a bill proposed by Senator Elliot that is expected to be filed next week. The bill proposes a phased in approach to consolidate all state regulatory agencies under the Department of Labor. As part of the proposed legislation the Department of Labor will appoint a director who will handle the business of multiple agencies. The current agency board members will no longer be required to attend board meetings in person and instead, will meet by Zoom, Webex or a similar technology. The Alabama Board of Physical Therapy is included in Phase II of the bill.

After discussion, Dana Daniel Blake made a motion for the Board to take a position opposing the consolidation bill. Robin Irwin seconded the motion. Robert Fleming, Robin Irwin, Dana Daniel Blake, Zach Nelson, T-Michael Dougherty and Margaret Hemm voted in favor, and none were opposed. The motion was approved.

T-Michael Dougherty made a motion to create a taskforce workgroup to address communication of the Board's opposition to the consolidation bill. Robin Irwin seconded the motion. Robert Fleming, Robin Irwin, Dana Daniel Blake, Zach Nelson, T-Michael Dougherty and Margaret Hemm voted in favor, and none were opposed. The motion was approved. It was agreed that T-Michael Dougherty, Dana Daniel Blake, Robin Irwin and Zach Nelson will serve on the taskforce workgroup with T-Michael Dougherty and Dana Daniel Blake serving as co-chairs.

Statement was made by Zach Nelson and seconded by Robert Fleming. Robert Fleming, Robin Irwin, Dana Daniel Blake, Zach Nelson, Margaret Hemm and T-Michael Dougherty voted in favor, and none were opposed. The Financial Statement for January 31, 2024, was approved.

C. Violations Committee Report: Assistant Attorney General J. Matt Bledsoe presented this report, and the recommendations were as follows:

2024-01: Violations Committee recommends placing case on hold, pending further investigation.

2024-02: Violations Committee recommends that the case be closed due to no probable cause.

2024-04: Violations Committee accepted surrender of license after the licensee failed to comply with a condition of his license.

Robert Fleming made a motion to accept the recommendations of the Violations Committee and Zach Nelson seconded the motion. Robert Fleming, Robin Irwin, Dana Daniel Blake, and Zach Nelson voted in favor. T-Michael Dougherty and Margaret Hemm abstained. The recommendations of the Violations Committee were approved.

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

E. Wellness Report: T-Michael Dougherty noted that per Dr. Garver's March 1, 2024, update all participants are fully compliant with all conditions. There was discussion that since T-Michael Dougherty has more responsibilities now as Board Chair it would be helpful if someone else would volunteer to be the Wellness Coordinator. Zach Nelson volunteered to accept that responsibility.

IV. Unfinished Business:

A. PT Compact Update:

i. Rule Changes/Adoption of Rule Changes

Margaret Hemm made a motion to pause the regular meeting and open the floor for a public hearing on the proposed rule changes. T-Michael Dougherty seconded the motion.

T-Michael Dougherty made a motion to go into a public hearing to hear public comments on the proposed rule changes. Zach Nelson seconded the motion.

AAG Matt Bledsoe asked if Director Kathy Miller had received any written comments on the proposed rule changes. Director Miller did not receive any written comments. Since no written comments were received, AAG Bledsoe invited members of the public to make any comments that they have on the proposed rule changes. Hearing none, AAG Bledsoe requested a motion be made to end the public hearing.

The meeting adjourned at 11:15 AM.

The next meeting will be May 9, 2024 @ 9:00 AM at the Board offices.

T-Michael Dougherty
T-Michael Dougherty, Chair