



**STATE OF ALABAMA
BOARD OF PHYSICAL THERAPY**

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*Kathy Miller
Executive Director*

September 12, 2024 Meeting Minutes

The Alabama Board of Physical Therapy met on Thursday, September 12, 2024, at the Board's office located at 100 North Union Street, Suite 724, in Montgomery, Alabama. Notice of the meeting was posted on the Secretary of State's website, www.sos.alabama.gov, and the Board's website, www.pt.alabama.gov, in accordance with the Alabama Open Meetings Act.

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 9:04 AM. Board Members present were T-Michael Dougherty, Jonathan R. Zecher, Robin Irwin, Margaret Hemm, Zach Nelson, and Robert Fleming. Member absent was Dana Daniel Blake. Also present were J. Matt Bledsoe, Assistant Attorney General, Kathy Miller, Executive Director, and Angela Warr, Executive Assistant/Recording Secretary. One visitor was present – Mr. Wiley Christian.

A quorum was established.

Robin Irwin led the board members in an opening prayer.

T-Michael Dougherty recognized visitor Wiley Christian and welcomed him.

Dana Daniel Blake joined the meeting at 9:06 AM.

II. Minutes: The minutes from the July 11, 2024 meeting were reviewed. Two revisions were noted. A motion to accept the July 11, 2024 minutes, as revised, was made by Robin Irwin and seconded by Jonathan Zecher. Robin Irwin, Dana Daniel Blake, Jonathan Zecher, Zach Nelson, Robert Fleming, and T-Michael Dougherty voted in favor, Margaret Hemm abstained, and none were opposed. The minutes for the July 11, 2024 meeting were approved.

The minutes from the August 24, 2024 meeting were reviewed. A motion to accept the August 24, 2024 minutes as presented was made by Dana Daniel Blake and seconded by Robin Irwin. Robin Irwin, Dana Daniel Blake, Zach Nelson, Robert Fleming, and T-Michael Dougherty voted in favor, Margaret Hemm and Jonathan Zecher abstained, and none were opposed. The minutes for the August 24, 2024 meeting were approved.

III. Reports:

A. Licensee Report: Angela Warr presented this report. As of August 30, 2024, there were 6891 active licensees – 3148 PTAs and 3743 PTs. Between July 1, 2024, and August 30, 2024, there were 136 regular licenses issued – 53 PTAs and 83 PTs. Two expired licenses were reinstated – both were PTs. There was one FCCPT report submitted – a CWT4 equivalent. Between July 1, 2024, and August 30, 2024, there were 13 temporary licenses issued – 7 PTAs and 6 PTs.

Angela Warr further reported that as of the date of this meeting, 2335 licensees had renewed during the current renewal cycle – 957 PTAs and 1378 PTs. Of the renewed PTs, 412 licensees had been cleared for direct access.

B. Financial Report: Kathy Miller presented the August 31, 2024 Financial Report. A motion to accept the August 31, 2024 Financial Report was made by Margaret Hemm and seconded by Jonathan Zecher. Jonathan Zecher, Robin Irwin, Dana Daniel Blake, Zach Nelson, Robert Fleming, Margaret Hemm, and T-Michael Dougherty voted in favor, and none were opposed. The Financial Report for August 31, 2024, was approved.

C. Violations Committee Report: Attorney Matt Bledsoe reported there were no complaints pending.

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

Robin Irwin exited the meeting at 9:46 AM.

E. Wellness Report: Zach Nelson noted that per a conversation with Dr. Garver all participants are fully compliant with all conditions. Margaret Hemm made a motion to accept the Wellness Report. T-Michael Dougherty seconded the motion. Jonathan Zecher, Dana Daniel Blake, Robert Fleming, Zach Nelson, Margaret Hemm, and T-Michael Dougherty voted in favor, and none were opposed. The motion was approved.

Robin Irwin rejoined the meeting at 9:49 AM.

IV. Unfinished Business:

A. Compact Update:

Kathy Miller reported that the Board is expecting to begin issuing Compact Privileges on October 1, 2024, if everything is completed regarding the needed software updates.

B. Direct Access: A discussion was held regarding the recently enacted Direct Access law. Wiley Christian and Assistant Attorney General Matt Bledsoe participated in the discussion. Mr. Christian expressed concern about the wording of the expanded law and potential exposure of the Board to complaints from bachelor's level physical therapists and other licensees. As a former Board member, he offered to assist the Board in any way should the Board choose to attempt reshape the law. The following action was taken by the Board:

1. Jonathan Zecher made a motion to have Assistant Attorney General Matt Bledsoe draft proposed changes to the new Direct Access law for the Board's review and for the Board

to call a Special Meeting on September 26, 2024, at 9:00 AM to discuss the proposed draft. Robert Fleming seconded the motion. Jonathan Zecher, Robin Irwin, Dana Daniel Blake, Robert Fleming, Zach Nelson, Margaret Hemm, and T-Michael Dougherty voted in favor, and none were opposed. The motion was approved.

V. New Business:

A. Direct Access and Cash Payments:

A discussion was held regarding the provision in the new Direct Access law regarding cash paying patients and who could evaluate and treat said patients. Assistant Attorney General Matt Bledsoe recommended requesting an Attorney General's Opinion to clarify the cash payment provision (all forms of self-payment, including credit) in the law and whether or not it applies to all PTs or just those who meet the requirements stated in the law and are otherwise authorized to provide Direct Access to patients. Jonathan Zecher moved to request an Attorney General's Opinion. Robert Fleming seconded the motion. Jonathan Zecher, Robin Irwin, Dana Daniel Blake, Robert Fleming, Zach Nelson, Margaret Hemm, and T-Michael Dougherty voted in favor, and none were opposed. The motion was approved.

B. Sunset Hearing and Report Update:

Kathy Miller reported that Legal Compliance and Sunset Audits were complete. An Exit Interview for the Legal Compliance Audit was held on August 20, 2024, with the Examiners of Public Accounts. Kathy Miller, T-Michael Dougherty, Margaret Hemm, and Dana Daniel Blake participated in the Exit Interview. The Board commended Kathy Miller and her staff for their work in general for the Board and in completing the Audits.

A special called meeting will be on September 26, 2024, at 9:00 AM at the Board office.

The next regular meeting will be November 14, 2024, at 9:00 AM at the Board office.

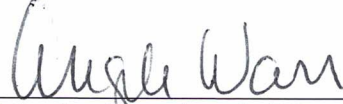
There being no further business, the meeting adjourned at 11:08 AM.

The meeting was reconvened by Chair T-Michael Dougherty at 11:08 AM to discuss one additional item of New Business. T-Michael Dougherty informed the Board that he held Executive Director Kathy Miller's annual performance appraisal that morning. He further recommended a 2-step raise be awarded to Kathy Miller. Kathy Miller was commended by the Board on her performance as Executive Director this past year. T-Michael Dougherty moved to approve a 2-step raise for Kathy Miller. Jonathan Zecher seconded the motion. Jonathan Zecher, Robin Irwin, Dana Daniel Blake, Robert Fleming, Zach Nelson, Margaret Hemm, and T-Michael Dougherty voted in favor, and none were opposed. The motion was approved.

There being no further business, the meeting adjourned at 11:10 AM.



T-Michael Dougherty
Chair



Submitted by: Angela Warr, Recording
Secretary on 9-26-2024

Executive Director Update:

- 8/14/2024: Started receiving background check results.
- 8/20/2024-Had Legal and Compliance exit conference with the Examiner.
- 8/23/2024-Along with T-Michael, participated in the PTA Educator Collaborative held at South University.
- 8/24/2024-Board meeting and Nominations (names sent to Governor's office on 8/27/2024) at APTA Conference, had lots of visitors at the Board booth.
- 8/25/2024- Attended Direct Access Roundtable discussion.
- 9/4/2024-Will speak to the PTA class at South University.
- 9/5/2024-Contract Review Committee for Dr. Garver's contract.