



**Board of Physical Therapy  
Public Meeting Minutes**

**April 21, 2014**

**10:00 a.m.**

Creekside Two at CenterPoint, 20425 72<sup>nd</sup> Ave S, Suite 310, Room 307, Kent, WA

On April 21, 2014, the Board of Physical Therapy met at the Department of Health, Creekside Two at CenterPoint, 20425 72<sup>nd</sup> Ave S, Suite 310, Room 307, Kent, WA. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

**MEMBERS PRESENT**

Robert Schmidt, PT, DPT, Chair  
Renee Compton, PTA, Vice Chair  
Ticha Green, PT, DPT  
Stacey Kloepfer, Public Member  
Byron Russell, PT, PhD  
Andrew Wodka, PT

**STAFF PRESENT**

Kris Waidely, Program Manager  
Blake Maresh, Executive Director  
Vicki Brown, Program Manager  
Megan Brown, Program Manager  
Cece Zenker, Program Support  
Lilia Lopez, Assistant Attorney General  
Dan Baker, Assistant Attorney General  
Bill Kellington, Supervising Staff Attorney  
Peggy Owen, Disciplinary Case Manager  
Diane Young, Credentialing Manager

**OTHERS**

Elaine Armantrout – Physical Therapy Association of Washington (PTWA) President  
Melissa Johnson – PTWA Lobbyist  
Jay Goldstein, Attorney – PTWA legal counsel  
Jackie Barry, PTWA Executive Director  
Curt Eschels – Washington East Asian Medicine Association (WEAMA) President  
Leslie Emerick – WEAMA Lobbyist  
John Peick, Attorney – Peick Law Group  
Betsy Rigsbee, DPT, OCS – Olympic Physical Therapy  
Susanne Michaud, DPT – Physical Therapy Works  
National Center for Acupuncture Safety & Integrity – Volunteer

## OPEN SESSION

1. **CALL TO ORDER** – The meeting was called to order by Robert Schmidt, PT, DPT, Chair, at 10:21 a.m.
  - 1.1 Introductions – The board, staff, and guests introduced themselves.
  - 1.2 Approval of the Agenda – The agenda was approved as presented.
  - 1.3 Approval of Meeting Minutes from Feb. 10, 2014 – The minutes were approved with the following amendment:
    - Section 2.2 – remove the bullet stating that “An executive Session is not subject to the OPMA”
  - 1.4 Approval of Disciplinary Meeting Minutes from Feb. 10, 2014 – The meeting minutes were approved with the following amendment:
    - Note that Renee Compton, PTA, Vice Chair was recused from case number M2013-1057
  
2. **PRESENTATIONS** – Diane Young, Department of Health, Credentialing Manager, provided a credential update to the board.
  - The increase in new health professions requiring a credential continues to grow making it challenging for customer service staff to issue licenses in a timely manner
  - Due to the several new health professions requiring a credential, the Office of Customer Service (OCS) has been able to increase their staff in order to keep up with demand
  - New supervisors have been hired which has reduced the number of professions per supervisor. A new supervisor has been assigned to the physical therapy applicants. Due to this change, customer service staff are able to review and process applications faster
  - OCS has reorganized its office and created sections to more efficiently process applications
    - Application review is assigned to specific staff members by profession. Each staff member is familiar with the licensure requirements for their assigned profession(s)
    - Since all applicants must go through a background check, there is a unit specifically for that purpose. In this unit, staff members do not have assigned professions
  - Applications that are on the department’s website have been locked in order to avoid alteration of the document
  - Update on online application:
    - Applying for a license online will be available for registrations only in June
    - The OCS plans on adding more professions in the fall
  - Ms. Young provided statistics regarding licenses that were issued within the department’s required timeframe. The variance is due to the loss of staff and hiring new staff
    - Quarter 1: 100%
    - Quarter 2: 80%
    - Quarter 3: 84%
    - Quarter 4: 85%
  - At the June meeting, Ms. Young will provide specific timeline statistics for a physical therapy licenses to be reviewed, processed, and issued

**3. CORRESPONDENCE** – The board reviewed and discussed correspondence and other input received regarding the practice of dry needling.

The board received a letter from Senator Kevin Ranker that was similar to correspondence they received from Representative Eileen Cody about the practice of dry needling.

The board members had an open discussion regarding how they would like to proceed with the issue of dry needling:

- Due to the letters received from Senator Ranker and Representative Cody, Dr. Schmidt does not feel it is appropriate to make a decision at this time
- Ms. Compton stated it is a legal issue and needs to be addressed by the Attorney General Office (AGO) in the form of an AGO formal opinion
- Ms. Kloepfer stated that if physical therapists want to do dry needling, they should have the proper education and training. She also agreed the board should request a formal AGO opinion
- Mr. Wodka and Dr. Russell are also in favor of either a sunrise review or AGO opinion. They are willing to do more research on the topic before making a decision
- Dr. Green stated she believes it is within the scope of practice but would be in favor of either a sunrise review or AGO opinion
- The board unanimously agreed to not make a decision at this time regarding the practice of dry needling

Lilia Lopez, AAG, discussed the sunrise review process versus a formal AGO opinion.

- Sunrise review:
  - All bills introduced in the legislature to regulate a health profession for the first time should be reviewed by the state agency regulating the profession
  - The department does a review of the proposal and gathers data to prepare a report to the legislature
  - The department will make recommendations to the legislature on a proposal to credential new health professions, increase existing health profession's scope of practice, and/or add new mandated insurance benefits
  - Typically, a bill will be introduced after the department has submitted the sunrise review
  - The sunrise review is not legally binding; it is just a report to the legislature
- Formal AGO opinion
  - When a board has a legal question, they can request a formal opinion from the AGO
  - While this is just an opinion, it can hold weight in court
  - There is an office in the AGO specific to writing the formal opinions

**4. EXECUTIVE SESSION**

The board did not go into executive session

**5. CLINICAL TRAINING AND/OR COURSEWORK** – The board reviewed and discussed updating board procedure 5.4 Acceptable Clinical Training and/or Coursework.

- Ms. Waidely reviewed the policy with the board
  - The board should make changes to the policy to coincide with federations motion which establishes a lifetime limit of six attempts at passing the NPTE
  - Currently, there is no limit on how many times the exam can be taken
- Ms. Waidely provided a handout of the policy and a copy with suggested changes and additions
- The board discussed changes they would like to see made to the policy regarding re-examination
  - When an applicant requests to take the national exam they must:
    - Indicate how many times they have taken the NPTE
    - Provide the dates of all exams taken
    - Provide the exam scores for each exam
    - Indicate if they have previously submitted a plan to receive more attempts to take and pass the exam
    - Indicate the date they plan on retaking the exam
    - Provide a detailed explanation of their plan
    - Indicate the date that the plan will be completed
    - Provide or have the clinician provide their contact information to include license number, contact information, area of practice, and acknowledgment of training with the applicant
- The board unanimously approved Ms. Waidely to make the discussed changes and bring to the June board meeting for the board to review
- The policy is a guidance tool and is not legally binding

## **6. FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT) ANNUAL MEETING AND DELEGATE ASSEMBLY**

- The board did not vote on a delegate or alternate to send to the FSBPT annual meeting. Dr. Schmidt, Dr. Green, Mr. Wodka, and Ms. Compton all expressed interest in attending
- Ms. Waidely stated that the board has enough money in their travel budget to send four members
- Ms. Waidely will submit a request for approval to travel out-of-state

## **7. PROGRAM REPORT – Information provided to the board by the Program Manager and Executive Director.**

### **7.1 Budget**

- Ms. Waidely and Mr. Maresh presented the board's budget report. There are no concerns about the board's budget as this time.

### **7.2 Legislation/rules**

- Ms. Waidely discussed the 2014 legislative session
  - HB 2160 Allowing physical therapists to perform spinal manipulation
    - Effective July 1, 2015, physical therapists may perform spinal manipulation after being issued an endorsement by the secretary

- ESHB 2315 Concerning suicide prevention
  - Effective June 12, 2014, multiple health professionals, including physical therapists, shall complete a one-time training in suicide assessment, treatment, and management.
  - A disciplining authority may, by rule, specify minimum training and experience sufficient to exempt a professional from the suicide assessment training.
  - The board approved Ms. Waidely to work on filing a CR-101 to begin the rulemaking process

7.3 Board member recruitment

- Ms. Waidely reported that the terms for Dr. Schmidt and Stacey Kloepfer will expire on September 17, 2014. They are both eligible for reappointment
- Stacey Kloepfer will not be seeking reappointment
- Dr. Schmidt will be seeking reappointment
- There will be two vacancies – one physical therapist and one public member
- Ms. Waidely explained the recruitment process
  - The department must recruit interested parties via listserv and other methods of notification
  - In March 2014, Ms. Waidely sent out a recruitment notice to the interested parties listserv
  - The board must conduct interviews and submit five names to the governor's office
  - Drs. Wodka and Russell are interested in being a part of the interview panel

7.4 Planning for upcoming meetings

- Board members requested the following agenda items for the June meeting
  - Rulemaking
  - Start reviewing the entire list of procedures for updating
  - Work on a presentation for PTWA's annual meeting that is scheduled to be held in Seattle from October 9-11, 2014
  - Possibly continue discussion regarding dry needling
- The board would like to begin training the new members on disciplinary case reviews, hearings, sanction schedules, and other items as determined by the program, case manager, and board members
- Ms. Waidely updated the board on the Verisys public disclosure request
  - The board has denied their public disclosure request two times
  - Verisys has requested a hearing based on the board's decision
  - Ms. Lopez discussed the hearing process

7.5 Other – there was no discussion for this agenda item

**CLOSED SESSION** – The board went into closed session at 12:52 p.m.

**REVIEW OF APPLICATIONS**

Applicant B: Deficient
Applicant C: Deficient
Applicant D: Approved

**CONTINUING EDUCATION AUDITS**

CE Audit A: Approved	CE Audit F: Approved
CE Audit B: Approved	CE Audit G: Approved
CE Audit C: Approved	CE Audit H: Approved
CE Audit D: Approved	CE Audit J: Approved
CE Audit E: Approved	CE Audit M: Issue NOC

**DISCIPLINARY CASE REVIEWS** – See disciplinary meeting minutes

**OPEN SESSION** – 2:33 p.m.

**8. ADJOURNMENT** – The meeting was adjourned at 2:34 p.m.

Respectfully submitted:

Approved:

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Kris Waidely, Program Manager  
Board of Physical Therapy

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Robert Schmidt, PT, DPT, Chair  
Board of Physical Therapy