

PHYSICAL THERAPY LICENSURE BOARD

Bureau of Occupational Licenses

700 West State Street, P.O. Box 83720

Boise, ID 83720-0063

Conference Call Minutes of 12/13/2017

BOARD MEMBERS PRESENT: Angela L Lippiello - Chair
M Andrew Mix
Mike D Bailey
Brian White
Glady Schroeder

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Eric Nelson, Board Prosecutor
Debbie Toncray, Technical Records Specialist II

The meeting was called to order at 1:15 PM MST by Angela L Lippiello.

EXECUTIVE ORDER

Ms. Cory updated the Board on the Executive Order meeting on 10/12/2017 with Lieutenant Governor Little. Ms. Cory stated that Lieutenant Governor Little gave an overview of the Executive Order and explained that the purpose of the review is to ensure the lightest possible hand of government regulating commerce and industry while still preserving the public trust. Ms. Cory said that Mr. White will continue to work with the Bureau on the report for the Executive Order.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadlines to submit proposed rule and law revisions to the Governor's Office have passed for the 2018 Legislative Session. The deadline to submit proposed law changes to the Governor's Office is July 2018 and the deadline to submit proposed rule changes to the Governor's Office is August 2018 for the 2019 Legislative Session. Ms. Cory updated the Board regarding the statewide meetings she is having with legislators and Board Chairs.

LEGISLATIVE INTERIM COMMITTEE UPDATE

Mr. Ellsworth stated that the Idaho Legislature has an Interim Committee that has been studying the use of Hearing Officers and is also looking at the Idaho Administrative Procedures Act. Draft legislation was presented at the Interim Committee's last meeting that would make substantial changes to Idaho

Administrative Procedures Act and the way contested cases are handled. The Bureau submitted a letter to the Committee seeking clarification concerning some of the proposed changes prior to the Committee's meeting on October 2, 2017. As the Bureau receives additional information, it will be provided to the Board.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number PHT-2018-2. Mr. Mix was recused from this case. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Nelson presented a Stipulation and Consent Order in case PHT-2017-1. Mr. Bailey made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Schroeder. Motion carried.

Mr. Mix left the meeting at 1:55 PM MST.

NEW BUSINESS

PROPOSED RULES – COMMENTS

The Board reviewed the comment received about the proposed rules regarding the requirement of the number of continuing education hours for licenses expired for one year (16 hours), two years (32 hours), and more than two years (48 hours). Mr. White made a motion to have Bureau staff draft a response letter to the licensee similar to the letter sent to Ms. DeLass regarding the proposed rule and have the Chair review and sign it. It was seconded by Mr. Bailey. Motion carried.

EXECUTIVE SESSION

Mr. White made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Schroeder. The vote was: Ms. Lippiello, aye; Mr. Bailey, aye; Ms. Schroeder, aye; and Mr. White, aye. Motion carried.

Mr. White made a motion to come out of executive session. It was seconded by Mr. Bailey. The vote was: Ms. Lippiello, aye; Mr. Bailey, aye; Ms. Schroeder, aye; and Mr. White, aye. Motion carried.

APPLICATIONS

Mr. White made a motion to approve the following to sit for the NPTE after providing the required documentation:

Applicant ID 901154964

It was seconded by Ms. Schroeder. Motion carried.

Mr. Bailey made a motion to approve the following for licensure:

PHYA-5418 Cynthia Bragg Pesco

PHYA-5442 Tami Huber

It was seconded by Mr. White. Motion carried.

NEXT MEETING set as previously scheduled for 1/19/2018 at 9:00 AM MST.

ADJOURNMENT

Mr. White made a motion to adjourn the meeting at 2:05 PM MST. It was seconded by Ms. Schroeder. Motion carried.

Angela L Lippiello, Chair

M Andrew Mix

Mike D Bailey

Brian White

Glady Schroeder

Tana Cory, Bureau Chief