

**PHYSICAL THERAPY LICENSURE BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 2/15/2019**

**BOARD MEMBERS PRESENT:** Angela L Lippiello - Chair  
M Andrew Mix  
Craig L Esplin  
Glady Schroeder

**BOARD MEMBERS ABSENT:** Mike D Bailey

**BUREAU STAFF:** Kelley Packer, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Administrative Support Manager  
John Kersey, Chief Investigator  
Maurie Ellsworth, General Counsel  
Rob McQuade, Legal Counsel  
Debbie Toncray, Technical Records Specialist II

**OTHERS PRESENT:** Rebecca Tormey, Physical Therapist

The meeting was called to order at 9:00 AM MST by Angela L Lippiello.

**INTRODUCTIONS**

Ms. Packer was introduced to the Board members as the new Bureau Chief.  
Mr. McQuade was introduced to the Board members as the Bureau's new legal counsel.

**APPROVAL OF MINUTES**

Mr. Mix made a motion to approve the minutes of 11/2/2018, 11/16/2018, 12/12/2018, 1/3/2019. It was seconded by Ms. Schroeder. Motion carried.

**DISCIPLINE**

Mr. Nelson presented a memorandum regarding case number PHT-2019-2. After discussion, the Board gave recommendations for appropriate discipline. Mr. Mix made a motion to designate Mr. Esplin as the cognizant member in this case, and authorized him to work with counsel on the details of the stipulation and consent order. It was seconded by Ms. Schroeder. Motion carried.

**LEGISLATIVE REPORT**

Ms. Packer gave the legislative report. She updated the Board on current legislation and said the proposed dry needling rules have passed. Ms. Packer said that two Executive Orders were issued by the Governor's Office on 1/31/2019: the Licensing Freedom Act of 2019, and the Red Tape Reduction Act. She said the Executive Orders had three key points: 1) Sunrise standards for any new type of license; 2)

Sunset review for all existing licensure; and 3) Red tape provisions that require Boards to remove two regulations before implementing a new one. Ms. Packer said the proposed timeline for the review process for the sunset provisions is three years.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$223,982.69 as of 1/31/2019.

## **TRAVEL POLICY**

Ms. Eavenson reviewed the state travel policy with the Board.

## **INVESTIGATIVE REPORT**

Mr. Kersey gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Mr. Esplin made a motion to approve the Bureau's recommendation and authorize closure in case I-PHT-2019-1, from which Mr. Mix was recused. It was seconded by Ms. Schroeder. Motion carried.

The Board reviewed the reports submitted in case PHT-2018-1.

## **OLD BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **REVIEW CE COURSE APPLICATION FORM**

The Board reviewed the example of a CE course review application form. The Board agreed that an approved course would need to submit the CE course review application every three years. Mr. Mix said he would check with Ms. Herbst-Paakkonen and ask about the approval times used in Pro-Cert by the Federation of State Boards of Physical Therapy (FSBPT). Mr. Esplin made a motion to revise the CE course review form to require a three-year review of prior course approvals and to bring the draft back to the Board for review at the next face-to-face meeting. It was seconded by Mr. Mix. Motion carried.

## **APPOINT MEMBER AS LEGISLATIVE CONTACT**

Mr. Mix made a motion to appoint Mr. Esplin as the Board's legislative contact. It was seconded by Ms. Schroeder. Motion carried.

## **DISCIPLINARY SUBCOMMITTEE REPORT**

Mr. Mix reviewed the model board action guideline and disciplinary action information with the Board. The Board agreed that a model board action reference page would be helpful when reviewing disciplinary actions. Mr. Mix said he will draft the reference page and bring it to the Board at the next face-to-face meeting.

## **FOREIGN-EDUCATED COURSEWORK TOOL SUBCOMMITTEE REPORT**

Ms. Lippiello and Mr. Mix reviewed the proposed language for Rules 175 and 176 with the Board. Mr. Ellsworth said that a change would need to be made in Idaho Code § 54-2212(g) regarding English not being an applicant's "native language." The Board agreed that a "parking lot" be added to the To Do List and include items such as disciplinary actions, statute changes, and background checks. Mr. Esplin made a motion to have the Bureau review the laws and rules regarding foreign-trained applicants; revise the proposed language and bring it back to the Board for review at its next face-to-face meeting; and create a parking lot on the To Do List to include items in the practice act for future Board review. It was seconded by Mr. Mix. Motion carried.

## **NEW BUSINESS**

### **EXECUTIVE SESSION**

Ms. Schroeder 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 Mr. Mix. The vote was: Ms. Lippiello, aye; Mr. Esplin, aye; Mr. Mix, aye; and Ms. Schroeder, aye. Motion carried.

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

### **REQUEST TO ADDRESS THE BOARD – REBECCA TORMEY**

Ms. Tormey addressed the Board regarding the possibility of backdating a reinstated license to the licensee's most recent birthday/renewal date. The Board let her know that the Board does not have the authority to backdate a license which has been expired and then reinstated, and that a licensee should not practice on an expired license.

The Board discussed educating licensees regarding the renewal requirements. The Board agreed that the Idaho Physical Therapy Association could be contacted and a request made to address the issue in a newsletter. Ms. Lippiello said she would look for other avenues for educating licensees regarding renewals and scope of practice.

### **DISCUSSION: RECONSIDERATION OF REQUESTS ON BOARD DECISIONS**

Mr. Ellsworth reviewed the process of reconsideration and the 21-day time period in which a respondent can request reconsideration of a Board decision. Mr. Mix made a motion to authorize the Board Chair to determine whether a meeting should be convened to reconsider a decision or to let the denial stand by operation of law. It was seconded by Mr. Esplin. Motion carried.

## **APPROVAL OF CE WAIVERS BETWEEN MEETINGS**

The Board discussed the review of CE waivers. Mr. Mix made a motion to authorize the Board Chair to review CE waivers received in between scheduled meetings. It was seconded by Ms. Schroeder. Motion carried.

## **FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT)**

### **2019 REGULATORY TRAINING**

The Board reviewed the meeting information for the FSBPT 2019 regulatory training. Mr. Mix made a motion to authorize Mr. Esplin to attend, if available, or to authorize the Board Chair to appoint another member to attend. It was seconded by Ms. Schroeder. Motion carried.

### **2019 BUDGET**

The Board reviewed the 2019 FSBPT budget and took no action.

## **COMMENT SUMMARY AND CANDIDATE SATISFACTION SURVEY REPORT**

The Board reviewed the report and took no action.

## **DISCUSSION: CE COURSE APPROVAL**

The Board discussed the review of CE course applications. Mr. Esplin made a motion to authorize the Board Chair to select a clinical Board member to review CE course applications received in between meetings. It was seconded by Ms. Schroeder. Motion carried.

## **CORRESPONDENCE**

### **PTA AND PROGRESS REPORT LAWS**

The Board reviewed correspondence from a physical therapist assistant (PTA) regarding regulations and laws for authorization of a PTA to solely document progress reports. Mr. Mix made a motion to authorize the Bureau to draft a response which states that Rule 016.02.c is clear, and that the supervising physical therapist is responsible for such reports; that the Board requests clarification of the question if she's asking about any other reports; and that the Chair review and sign the response. It was seconded by Ms. Schroeder. Motion carried.

## **COMMISSION ON ACCREDITATION IN PHYSICAL THERAPY EDUCATION (CAPTE) ACTIONS OCTOBER 2018**

The Board reviewed the information regarding CAPTE actions related to accredited schools and took no action.

### **CAPTE DECISION – JANUARY 2019**

The Board reviewed the information regarding CAPTE review of accredited schools in Spring 2019 and took no action.

## **CAPTE PROPOSED REVISIONS TO 2016 STANDARDS AND REQUIRED ELEMENTS**

The Board reviewed the information regarding proposed changes to the CAPTE *2016 Standards and Required Elements* and took no action.

### **EXECUTIVE SESSION**

Ms. Schroeder 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 Mr. Mix. The vote was: Ms. Lippiello, aye; Mr. Esplin, aye; Mr. Mix, aye; and Ms. Schroeder, aye. Motion carried.

Mr. Mix left the meeting at 1:05 PM MST.

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

### **APPLICATIONS**

Mr. Esplin made a motion to approve the following for examination after submission of a certificate of completion of the practice exam and assessment tool (PEAT):

Applicant ID 901160411

It was seconded by Ms. Schroeder. Motion carried.

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

PHYA-5948 SHARAMEL ANN ALCANTARA FIRMEZA

It was seconded by Ms. Schroeder. Motion carried.

Mr. Esplin made a motion to approve the following for examination:

Applicant ID 901164320

It was seconded by Ms. Schroeder. Motion carried.

### **CE AUDIT**

The Board reviewed the CE audits. Mr. Esplin made a motion to approve all CE audits except the two noted exceptions. It was seconded by Ms. Schroeder. Motion carried.

### **CE FOR REINSTATEMENT**

The Board reviewed the CE for reinstatement. Mr. Esplin made a motion to approve all CE for reinstatement except the noted exception, and to have the Bureau contact that licensee regarding the Board's decision. It was seconded by Ms. Schroeder. Motion carried. Mr. Esplin made a motion to have the Bureau contact another

licensee and allow additional time to provide documentation of completion of CE. It was seconded by Ms. Schroeder. Motion carried.

## **CE COURSES**

The Board reviewed and denied the following course:

**NASM CERTIFIED PERSONAL TRAINER & EXAM PREPARATION**  
COLLEGE OF WESTERN IDAHO WORKFORCE DEVELOPMENT

The Board reviewed and approved the following courses:

**ABILITIES CARE APPROACH ASSESSMENT WORKSHOP**  
ENSIGN SERVICES, INC.

**ABILITIES CARE APPROACH: ENHANCING HEALTH, FUNCTION AND  
QUALITY OF LIFE FOR PATIENTS WITH DEMENTIA**  
ENSIGN SERVICES, INC.

**ABILITIES CARE APPROACH: STAGE SPECIFIC REHABILITATION FOR  
PATIENTS WITH NEUROCOGNITIVE IMPAIRMENTS**  
ENSIGN SERVICES, INC.

**HEARTPARC CARDIAC RECOVERY PROGRAM**  
ENSIGN SERVICES, INC.

**FASCIAL DISTORTION MODEL - MODULE I: KNEE, ANKLE, SHOULDER**  
THE FDM ACADEMY

**FUNCTIONAL DRY NEEDLING LEVEL 1**  
KINETACORE

**MYOFASCIAL CUPPING BASICS**  
MISTY LAKE

**LITEGAIT THERAPY: RATIONALE, EVIDENCE-BASED PROTOCOLS, &  
CLINICAL APPLICATIONS**  
MOBILITY RESEARCH, INC.

**BASIC DRY NEEDLING: AN EVIDENCE AND ANATOMY BASED LAB  
COURSE**  
NORTH IDAHO PHYSICAL THERAPY

**DEFENSIBLE DOCUMENTATION - HOME HEALTH**  
ONE SOURCE HOME HEALTH & HOSPICE

**INSTRUMENT-ASSISTED SOFT TISSUE MOBILIZATIONS FOR THE  
LOWER QUARTER**  
PTWEBUCATION.COM

**INSTRUMENT-ASSISTED SOFT TISSUE MOBILIZATIONS FOR THE UPPER QUARTER**

PTWEBUCATION.COM

**SLHS REHAB LEADERSHIP DEVELOPMENT 101**

ST. LUKE'S ADULT REHAB

**CONCUSSION SIDELINE ASSESSMENT**

ST LUKE'S - ELKS REHAB

**EXPERTS DO THE BASICS WELL: LUMBAR EXAM**

ST LUKE'S - ELKS REHAB

**ST. LUKE'S ORTHOPEDIC FRACTURE EDUCATION MODULES**

ST. LUKE'S HEALTH SYSTEM

**BOISE MONTHLY SPORTS MEDICINE CONFERENCE**

ST. LUKE'S ORTHOPEDICS AND SPORTS MEDICINE

**I CAN – ENHANCING QUALITY OF LIFE THROUGH EFFECTIVE ORTHOTIC INTERVENTION**

SURESTEP

**NEXT MEETINGS** were scheduled for the following dates: conference call on 3/7/2019 at 1:15 PM MST; conference call on 3/26/2019 at 1:15 PM MDT; and face-to-face meeting on 8/23/2019 at 9:00 AM MDT.

**ADJOURNMENT**

Ms. Schroeder made a motion to adjourn the meeting at 1:22 PM MST. It was seconded by Mr. Esplin. Motion carried.

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Angela L Lippiello, Chair

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M Andrew Mix

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Mike D Bailey

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Craig L Esplin

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Glady Schroeder

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Kelley Packer, Bureau Chief