

**BOARD OF PHYSICAL & OCCUPATIONAL THERAPY
MEETING MINUTES
March 19, 2010**

A meeting of the Iowa Board of Physical and Occupational Therapy was held on March 19, 2010 at 9:00 a.m. in the Lucas State Office Building, Professional Licensure Room, Des Moines, Iowa.

CALL TO ORDER

The meeting of the Iowa Board of Physical and Occupational Therapy was called to order by Denise Behrends at 9:00 a.m.

BOARD MEMBERS PRESENT: Marty Unga, Denise Behrends, Jennifer Furness, Armando Rosales, Helen McNurlen, and Susan Callanan

BOARD MEMBERS ABSENT

Byron Bork

STAFF PRESENT: Judy Manning, board administrator; Eileen Gloor, bureau chief; Tony Alden; and Emily Kimes-Schwiesow, AAG

GUESTS PRESENT: None

APPROVAL OF MINUTES

Minutes of the December 18, 2009 meeting were reviewed. A motion was made by Unga to approve the minutes. Motion was seconded by Callanan. Motion carried unanimously.

Minutes of the January 14, 2010 meeting were reviewed. A motion was made by Unga to approve the minutes as amended. Motion was seconded by Callanan. Motion carried unanimously.

Minutes of the February 10, 2010 meeting were reviewed. A motion was made by Unga to approve the minutes. Motion was seconded by Callanan. Motion carried unanimously.

PUBLIC COMMENT

No public comment

REPORTS

ADMINISTRATOR

Judy passed out a FSBPT budget report. Judy thanked Marty Unga and Susan Callanan for their service to the Board. Judy reported that Denise Behrends has been reappointed for another term and Armando Rosales' term will expire on June 25, 2010.

BUREAU CHIEF

See attached addendum

CHAIR

No report

AAG

Emily gave a brief review of the difference between statutes and rules. Emily highlighted chapters that the Board members should be familiar with.

ADMINISTRATIVE RULES

- Chapters 203 & 207 – Continuing Education – the Board reviewed the continuing education rules. The Board will look at revisions to make further clarification.
- Adopt Changes to Chapter 4 for Nonpayment of State Debt – Rosales made a motion to adopt changes to Chapter 4. Ungs seconded the motion. Motion carried.
- Notice Changes to Chapter 4.11 – Audit of Continuing Education – The Board gave consensus to notice.

NEW BUSINESS

- PT to PTA Maximum Delegation – Susan Callanan gave an overview of the PT/PTA delegation requirements of other states in the Midwest. The Board will contact the professional associations for input and discuss this issue at a future meeting.
- Letter from Ron Huckfeldt, Gentiva Home Health – The Board reviewed a letter from Ron Huckfeldt requesting an official opinion as to whether the State of Iowa physical therapy practice act would permit a physical therapist to perform the medication review and education that is now a part of the Medicare Home Health OASIS-C assessment documentation process. After a lengthy discussion the Board determined that while it may be common practice for a therapist to collect data on medication the Physical Therapy practice act does not confirm that a physical therapist can perform the medication review and education. The Board noted that IAC Chapter 200.1 does not address medication review and education in the definition of “physical therapy.”

COMPLAINTS

A motion to go into closed session at 10:58 a.m. was made by Callanan, seconded by Furness, and passed unanimously. Roll call vote: Behrends: aye, Callanan: aye, Rosales: aye, McNurlen: aye, Ungs: aye.

A motion was made and seconded to return to open session at 11:36 a.m.

Case 08-010: Motion to accept the settlement agreement by Rosales. Seconded by Callanan. Passed unanimously.

Case 10-001: Motion to close by Furness. Seconded by McNurlen. Passed unanimously.

FUTURE BOARD MEETINGS

June 18, 2010	March 18, 2011	December 16, 2011
September 24, 2010	June 17, 2011	
December 17, 2010	September 16, 2011	

ADJOURNMENT

Ungs made a motion to adjourn the meeting. Motion was seconded by Callanan. Motion carried unanimously. Meeting adjourned at 11:38 a.m.

Respectfully submitted,

Iowa Board of Physical and Occupational Therapy

Bureau of Professional Licensure
Bureau Chief Report
1/01/10 – 3/31/10

- 1. Legislation and rulemaking** The 2010 legislative session convened on January 11. The funnel dates that allow bills to progress were February 12 and March 5. The 80th day of the session will be March 31. Primary issues addressed by the legislature include health care health care reform and the state budget. The Bureau of Professional Licensure submitted four requests for legislative changes in the Department's 2010 Technical Bill. These were for the Boards of Barbering, Cosmetology, Respiratory Care and Optometry. As we receive requests to make statutory changes or administer new licensure boards, I submit legislative assessments and fiscal notes with the input of the board executives, and we attend legislative subcommittee meetings upon request. When proposed legislation impacts with other boards such as medicine or nursing, the boards work together to provide consistent information regarding the impact of a proposed bill on public protection. When administrative rule changes are reviewed by the year round Administrative Rules Review Committee, the Board Executives provide information about the content of the changes, outcome of the public hearing, and public comment received. In some instances, Board members participate in the meetings to provide a professional perspective and articulate how rule changes proposed by the board benefit public protection.
- 2. Budget** The Department will continue to evaluate and respond to the impact of the overall state budget on public health services and workforce in SFY10. To date, IDPH has not experienced a substantive reduction in force. Our professional licensure staff is taking either 5 or 7 mandated unpaid days through June 30, depending on whether they are contract or non-contract employees. Thus far, all requests for the boards' professional memberships have been approved. No travel request for board members or staff may be submitted. PL staff members have been diligent in selecting furlough days that are spread over the coming months to assure the person who serves as their backup is informed about priority issues, allowing our work to progress as seamlessly as possible. Although the absence of any staff member is felt in an environment as busy as ours, we do not anticipate the boards will be significantly disadvantaged by the budget restrictions and we do not anticipate changes in our staff through the remainder of this fiscal year.
- 3. Activities of the Bureau Outreach and Compliance Educator** Marvin Firch has met with the 19 boards to describe the purpose of this new position and offer his services to improve compliance with Iowa's licensure statutes and rules. Marvin is currently accepting invitations to present information about the work of the licensure boards. He is developing educational materials that will be accessible to the public to better explain the complaint and disciplinary processes, and reinforce the link between licensure and public protection.

Several boards have identified projects that target Marvin's availability to travel within the state and meet with licensees, professional organizations, employers, students, and consumers. I encourage you to tap into his expertise and his focus on the positive aspects of licensure.

- 4. New Look on the Boards' Public Web Pages** The Bureau has changed the look of two public web pages to make information more accessible and easier for users to navigate. Since 2001 the boards have posted, on their individual Discipline and Public Actions page, those documents related to board actions that are public by law. Until now, the only way users could access information was by calendar year. This often made it difficult to link items that extended into another year. Under the new Channels system, users may select a board and sort disciplinary and public actions by licensee name, date, or location. The system does not provide a search option. However, users may use the Ctrl F function to insert a name that will be highlighted on the list. This option allows our Discipline Office staff to manage web postings, eliminating the need to submit requests to our IM Bureau. As in the past, public actions taken before October 2001 are available in hard copy and via CD. Additionally, the Bureau is using the Channels system to post meeting agendas, minutes, and related documents together under the date of the board meeting. Under the new system, which is also managed by our own staff, information will be available for the current year, the upcoming year, and the past year. Users who seek minutes from meetings two or more years in the past will be directed to contact the board office.
- 5. Internship Opportunity Posted** The Bureau has posted an internship opportunity for a graduate student to develop a program designed to educate salon owners, managers, and employees on matters related to Cosmetology licensure rules. In this case, the Bureau is interested in an individual who is familiar with Asian languages and customs. If such an intern is found, he/she will formulate a written plan to integrate a special populations component into other licensure boards' educational materials, and will recommend enhancements to board websites that increase their usefulness to diverse populations.
- 6. Measures of Success** Twice each year the Bureaus are required to report how well they have met performance measures. Our 19 boards have met or exceeded projected their targets for both licensure and discipline. The Bureau prints renewal notices and licenses in house, and licensure fees are processed and reconciled every business day. During SFY2009, the Bureau printed and mailed 22,177 licenses and wallet cards. In almost 100% of cases, printing and mailing is conducted within three business days when all required items are on file in the board office. In SFY09, the 19 boards in total received 415 complaints. The boards respond to 100% of signed complaints. Throughout the year, total of 213 cases were referred to the Department of Inspections and Appeals for investigation and 202 investigations were

completed. Our ability to work efficiently is largely the result of experienced staff and the commitment of board members to assuring public protection through licensure, rulemaking, and discipline of incompetent or unethical practitioners. On behalf of our Bureau I would like to thank you for the work you do and encourage you to help us identify areas for improvement.

- 7. Microsoft 2007** The Department of Public Health upgraded to Microsoft 2007 in fall 2009. Board members are encouraged to consider a similar upgrade in order to receive materials.