

OREGON BOARD OF PHYSICAL THERAPY

BOARD MEETING AGENDA

May 19, 2023 9:00 AM - until end of business

Portland State Office Building – Room 1A

Members of the public may attend the public portions of this meeting remotely by registering via the link posted on our website at: <https://www.oregon.gov/pt/Pages/meetings.aspx>

I Call to Order -- Roll Call

A Executive Session – The Board is expected to enter executive session immediately after roll call pursuant to ORS 192.660(2)(f)(h) and (L).

II Call to Order -- Public Session (TO START 12:30 PM)

A Board Motions - Board actions as result of Executive Session.

B Consent Agenda Items – *These items are being presented as a consent agenda; the Board members review the consent agenda items ahead of the meeting and will adopt the items as a single motion unless specific items are flagged for discussion and/or individual motion.*

- 1 Board Meeting Minutes, Draft—Mar 15/17, 2023.
- 2 Ratification of PT/PTA Licenses & Temp Permits issued Mar 1st, 2023 – April 30th, 2023.
- 3 Executive Director’s Report for May 2023.
- 4 Final 23-25 Affirmative Action Plan.
- 5 EO 23-03 Agency Response.

C Public Comments

The Board welcomes public comments. At this point in the meeting, the Board Chair will ask if anyone attending would like to make comment—speakers will be asked to identify themselves for the record when speaking.

D Board Member/Committee/Delegate Reports

- 1 Recognition of Service: Member Haworth
- 2 New Board Member Appointments
- 3 Election of Officers and Delegates
- 4 PT Compact Commission and FSBPT Delegate Updates
- 5 Strategic Plan Progress Review
- 6 Open Roundtable

E Board General Discussion & Action Items

- 1 **Presentation** – *Educational Pathway Workgroup Member: Pacific University Elementary Outreach Project 2023.*
- 2 **Report to Board** – Rule Advisory Committee report on rules related to applicants who are graduates of non-CAPTE accredited programs.
- 3 **Rulemaking relating to OAR 848-005-0100**—*The Board will review public input on the proposed rulemaking process related to the adoption of the proposed budget for the 2023-2025 biennium and may consider motion to adopt proposed rule.*
- 4 **Rule Change or Clarification Requests**—*The Board will discuss recent public requests for rule changes and/or clarification.*
- 5 **2023 Legislative Session Update** – *Staff will provide an update on bills currently being tracked.*
- 6 **Data Presentation**—*Follow up presentation, complaint categories.*

F Other Business

III Adjournment

This proposed agenda subject to last minute changes without prior notice. A request for an interpreter or other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 971-673-0200 or physical.therapy@oregon.gov

Oregon Board of Physical Therapy Board Meeting

Call to Order



A - Board Motions as Result of Executive Session



B – Consent Agenda

- March Minutes
- Ratification Report
- Director's Report
- AA Plan
- EO 23-03 Response



Oregon Board of Physical Therapy
Board Meeting Minutes
March 15 and March 17, 2023
DRAFT

Wednesday, March 15, 2023:

Board Members Present: Phil Haworth, PT, Chair; Erica Shanahan, PTA, Vice Chair; Sandra Hahn; Hoku Okumura, PT; Becca Reisch, PT; Michael Rennick, PT; Susan Reynolds, PT.

Board Members Absent: None.

Staff: Michelle Sigmund-Gaines, Executive Director; Sherri Paru, PT, Clinical Advisor/Investigator; Gayla Goodwin, Licensing Coordinator, Sarah Casey, Operations and Policy Analyst.

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 4:08 PM for the purpose of roll call. No members of the public were present.

EXECUTIVE (CLOSED) SESSION

After roll call, the meeting was convened into Executive Session at 4:09 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 7:08 PM, Chair Haworth adjourned Executive Session.

Friday, March 17, 2023:

PUBLIC (OPEN) SESSION

Chair Haworth convened the Board into Public Session at 8:37 AM.

Board Members Present: Phil Haworth, PT, Chair; Erica Shanahan, PTA, Vice Chair; Sandra Hahn; Hoku Okumura, PT; Becca Reisch, PT; Michael Rennick, PT; Susan Reynolds, PT.

Board Members Absent: None.

Staff: Michelle Sigmund-Gaines, Executive Director; Gayla Goodwin, Licensing Coordinator, Sarah Casey, Operations and Policy Analyst.

Staff Absent: Sherri Paru, Clinical Advisor/Investigator, excused.

Legal Counsel: Angie Hunt, AAG.

Members of the Public Present: Jeremy Hilliard, PT; John Parr, PT; Beth Sitterley, PT; Leslie Spalding Murillo, PT; Erika Wilson.

Board Motions:

Case PT 727-09/21

Motion by Member Reisch to close case.

Motion seconded by Member Shanahan
Motion passed unanimously by a vote of 7-0.

Case PT 732-10/21

Motion by Member Reisch of finding of sufficient evidence of violation of ORS 688.140(2)(a)(m)(n)(o) and OAR 848-045-0020(2)(i)(j)(o)(p)(B)(q).

Motion seconded by Member Shanahan.
Motion passed unanimously by a vote of 7-0.

Case PT 742-02/22

Motion by Member Reisch to close case.
Motion seconded by Member Shanahan
Motion passed unanimously by a vote of 7-0.

Case PT 758-05/22

Motion by Member Reisch to close case.
Motion seconded by Member Shanahan
Motion passed unanimously by a vote of 7-0.

Case PT 770-07/22

Motion by Member Reisch of finding of sufficient evidence of violation of ORS 688.140(2)(a), OAR 848-040-0105(5) and OAR 848-045-0020(2)(i).

Motion seconded by Member Shanahan
Motion passed unanimously by a vote of 7-0.

Case PT 796-10/22

Motion by Member Reisch of finding of sufficient evidence of violation of ORS 688.140(2)(a)(m)(s), OAR 848-040-0170(1) and OAR 848-045-0020(2)(i)(j)(p)(A).

Motion seconded by Member Shanahan
Motion passed unanimously by a vote of 7-0.

Consent Agenda Items

The following items were presented as a consent agenda. Board members reviewed the items prior to the meeting.

1. Board Meeting Minutes, Draft for Jan 18 and 20, 2023.
2. Ratification of PT/PTA Licenses & Temporary Permits issued Jan 1, 2023 – Feb 28, 2023.
3. Executive Director's Report for March 2023.
4. Letter: Governor Expectations and Deadlines for Agencies
5. LFO Report: Semi-Independent Agencies for 19-21 Biennium

Director Sigmund-Gaines provided an overview of the items on the consent agenda and noted that because we are approaching the end of the biennium, the director's report includes a projected actuals to budgets for the 2021-2023 biennium. Also noted, as part of our education and outreach activities, we have added a link on our website, effective Sept 2022, simplifying the process for accessing a list of recent actions taken by the Board. After discussion, it was suggested that data regarding types of complaint cases and trends would be helpful to include in the Director's Report periodically. Member Reisch moved to approve the consent agenda items as written. Member Shanahan seconded the motion. Motion passed unanimously by a vote of 7-0.

Public Comments:

None.

Board Member/Committee/Delegate Reports

FSBPT Delegate Report and PT Compact Commission Report:

Director Sigmund-Gaines reported that she and member Rennick attended the recent virtual regulatory workshop held March 10-12. Staff Sherri Paru is serving on the Sexual Boundaries Committee. They held their first meeting of the year and will be developing educational materials targeted to PT/PTA students, Boards, as well as documents for licensees, patients and complainants. Director Sigmund-Gaines serves as the Chair for The Council of Board Administrators (CBA) and they will be holding an inaugural symposium March 20. The Education Committee, which Director Sigmund-Gaines is also serving on, is currently requesting ideas, topics and/or speakers for educational sessions for the annual meeting in October. Chair Hayworth suggested return to practice and information on what other state's policies include. The FSBPT has scheduled a one-day workshop, July 17th to review the most recent version of the Model Practice Act and discuss the changes. Also, noted is that it is time to select a new Delegate and Alternate Delegate for the July 2023 – June 2024 term. Selections will be made at the May Board meeting.

South Carolina began issuing compact privileges 2/1/2023 bringing the total number of states issuing compact privileges to 28. Staff member Sherri Paru is serving on the PT Compact Commission compliance committee. They are scheduled to hold their first meeting in April.

Rule Advisory Committee for Non-CAPTE Accredited Graduates:

Staff Casey provided an update on the first meeting of the rules advisory committee. The committee plans to meet again the week of March 20th and hopes to have a report for the Board at the May or July meeting.

Strategic Plan Progress Review

Director Sigmund-Gaines presented a verbal update of the Strategic Plan Progress and reviewed each category. Director Sigmund-Gaines spoke with the Director of the Medical Imaging Board. They discussed working together to develop joint communications for licensees defining the requirements for the use of diagnostic ultrasound. They also would like to have members from each Board meet for a discussion. Member Rennick expressed interest in participating in this discussion.

Open Roundtable:

No other updates.

Board General Discussion and Action Items

Rulemaking relating to OAR 848-010-0015(5)

Director Sigmund-Gaines reviewed the rule related to taking the NPTE up to 90 days prior to graduation. No public comment was received. Member Reisch moved to adopt the proposed amendment relating to OAR 848-010-0015(5) as written to be effective on filing. Member Shanahan seconded the motion. Motion passed unanimously by a vote of 7-0.

Rulemaking relating to OAR 848-055-0001:

Director Sigmund-Gaines reviewed the rule related to the most recent version of the PT Compact Commission rules. No public comment was received. Member Reisch moved to adopt the proposed amendment relating to OAR 848-055-0001 as written to be effective on filing. Member Shanahan seconded the motion. Motion passed unanimously by a vote of 7-0.

ORS 688.055 PTA Licensure Requirements:

Director Sigmund-Gaines reviewed the statute relating to requirements for physical therapist assistants. The statutory language is impacting licensees who had been licensed prior to the development of accredited physical therapist assistant programs and those who have graduated from a Non-CAPTE accredited program outside of the United States. It also does not allow for those who have graduated from a PT program who may want to pursue licensure as a PTA. Following discussion, Member Reisch moved to direct staff to bring back a possible legislative concept request related to ORS 688.055 graduation requirements for PTA applicants who are not graduates of CAPTE accredited PTA programs. Member Shanahan seconded the motion. Motion passed unanimously by a vote of 7-0.

Proposed 23-25 Budget Discussion

Director Sigmund-Gaines explained the process and presented the data used for developing the proposed 23-25 budget. The Board appreciated the detailed analysis. Member Reisch moved to accept the proposed budget for the 23-25 biennium as written and direct staff to initiate the public rulemaking process related to OAR 848-005-0010. Member Shanahan seconded the motion. Motion passed unanimously by a vote of 7-0.

Data Presentation

Staff Casey presented information regarding complaint investigations, trends, and a detailed analysis of boundary/ethical violation cases. Included was a breakdown of cases by case types. As identified in the strategic planning, in regards to trauma-informed care, staff has completed changing the type 6 boundary/ethical violations category to 3 subcategories, 6a, 6b, and 6c, increasing visibility to sexual misconduct cases.

2023 Legislative Session Update

Director Sigmund-Gaines provided an update on the bills that are currently being tracked. Highlighted were SB849, relating to the professional workforce, and SB818, relating to a suicide risk assessment, that were introduced after the last Board meeting.

Other Business

None

Meeting Adjourned at 11:09 AM.

Oregon Board of Physical Therapy

Ratification Report: New Licenses and Temporary Permits Issued 3/1/2023 - 4/30/2023

License Number	First Name	Last Name	License Effective Date	License Method	License Status	License Type	Initial Registration Date
7618	Lauri	Kisor	3/1/2023	Exam	Active	PTA	8/21/1991
3153	Kellie	Barnes	3/22/2023	Endorsement	Active	PT	3/1/1996
3250	Rosalyn	Beesley	3/30/2023	Exam	Active	PT	8/12/1996
3798	Wendy	Latta	3/27/2023	Endorsement	Active	PT	4/1/1999
4265	Michael	Tompkins	3/22/2023	Endorsement	Active	PT	8/22/2001
5818	John	Lowry	3/29/2023	Endorsement	Active	PT	11/7/2008
6699	Julie	Burtis	3/21/2023	Exam	Active	PT	11/2/2011
60874	Anthony	Brant	4/3/2023	Endorsement	Active	PT	12/5/2014
9301	Christine	Johnson	3/7/2023	Exam	Active	PTA	4/13/2016
9328	Hailey	Crawford	5/2/2023	Exam	Active	PTA	7/13/2016
62980	Anthony	Colabella	3/20/2023	Endorsement	Active	PT	8/29/2018
63603	Ursula	Schneider	3/27/2023	Endorsement	Active	PT	4/1/2020
63941	Yu-Ann	Wu	3/14/2023	Exam	Active	PT	12/18/2020
64348	Dean	Cisco	4/18/2023	Exam	Active	PT	1/5/2022
64873	Katherine	Armstrong	3/1/2023	Exam	Active	PT	3/1/2023
64874	Cole	Manoukian	3/1/2023	Endorsement	Active	PT	3/1/2023
64876	Trevor	McCracken	3/2/2023	Exam	Active	PT	3/2/2023
10146	Jenna	Taormina	3/2/2023	Endorsement	Active	PTA	3/2/2023
64875	Rasika	Hatti	3/2/2023	Endorsement	Active	PT	3/2/2023
10147	Adriana	Sanchez	3/6/2023	Endorsement	Active	PTA	3/6/2023
64877	Kaitlin	Mirchel	3/7/2023	Endorsement	Active	PT	3/7/2023
10148	Barbara	McLeod	3/7/2023	Endorsement	Active	PTA	3/7/2023
64878	Lance	Gerber	3/7/2023	Endorsement	Active	PT	3/7/2023
10149	Bethany	Marion	3/10/2023	Endorsement	Active	PTA	3/10/2023
10150	Erik	LeMay	3/13/2023	Endorsement	Active	PTA	3/13/2023
64881	Joseph	Espero	3/14/2023	Exam	Active	PT	3/14/2023
64880	Anna	Volk	3/14/2023	Endorsement	Active	PT	3/14/2023
64879	Abby	Rozmark	3/14/2023	Endorsement	Active	PT	3/14/2023
64882	Nicholas	Wiggers	3/15/2023	Endorsement	Active	PT	3/15/2023
10151	Jose	Tutt	3/16/2023	Endorsement	Active	PTA	3/16/2023
10152	Ashley	Quintana	3/16/2023	Endorsement	Active	PTA	3/16/2023
64883	Janice	Gau	3/20/2023	Endorsement	Active	PT	3/20/2023
10153	Tracey	Allen	3/21/2023	Endorsement	Active	PTA	3/21/2023
10154	Autumn	Orville	3/22/2023	Endorsement	Active	PTA	3/22/2023
64884	Alexandra	Reel	3/23/2023	Endorsement	Active	PT	3/23/2023
10155	Rachel	Skelton	3/24/2023	Endorsement	Active	PTA	3/24/2023
64885	Jennifer	Dannenbring	3/27/2023	Endorsement	Active	PT	3/27/2023
64886	Shene	Hill	3/28/2023	Endorsement	Active	PT	3/28/2023
10156	Jhun Daniele	Agonoy	3/28/2023	Endorsement	Active	PTA	3/28/2023
64887	McKenzie	Moore	3/28/2023	Exam	Active	PT	3/28/2023

Oregon Board of Physical Therapy

Ratification Report: New Licenses and Temporary Permits Issued 3/1/2023 - 4/30/2023

64888	Catherine	Enger	4/3/2023	Exam	Active	PT	4/3/2023
64890	Catherine	Covell	4/3/2023	Endorsement	Active	PT	4/3/2023
64891	Gabriel	Eisner	4/3/2023	Endorsement	Active	PT	4/3/2023
64892	Olivia	Rasp	4/3/2023	Endorsement	Active	PT	4/3/2023
64889	Victoria	Jaramillo	4/3/2023	Endorsement	Active	PT	4/3/2023
64894	Evan	Motlong	4/6/2023	Endorsement	Active	PT	4/6/2023
64893	Nadja	Goulart	4/6/2023	Endorsement	Active	PT	4/6/2023
64895	Christopher	Perez de Corcho	4/6/2023	Endorsement	Active	PT	4/6/2023
64896	Mileen	Langley	4/6/2023	Endorsement	Active	PT	4/6/2023
10158	Jill	Day	4/7/2023	Endorsement	Active	PTA	4/7/2023
64897	Keith	Harston	4/11/2023	Endorsement	Active	PT	4/11/2023
10159	Abigail	Allgyer	4/11/2023	Endorsement	Active	PTA	4/11/2023
64898	Scott	Mueller	4/12/2023	Endorsement	Active	PT	4/12/2023
10160	Eric	Batdorf	4/12/2023	Exam	Active	PTA	4/12/2023
10161	Rebecca	Heddin	4/12/2023	Exam	Active	PTA	4/12/2023
64899	Ja'Quasha	Sesler	4/13/2023	Endorsement	Active	PT	4/13/2023
64900	Tyler	Van Bastian	4/13/2023	Endorsement	Active	PT	4/13/2023
10162	Kayla	Martinez	4/17/2023	Endorsement	Active	PTA	4/17/2023
64901	Angela	Osborn-Brown	4/17/2023	Endorsement	Active	PT	4/17/2023
64902	Katherine	Cox	4/18/2023	Endorsement	Active	PT	4/18/2023
10163	Craig	Wical	4/18/2023	Endorsement	Active	PTA	4/18/2023
10164	Christian	Pinango	4/19/2023	Endorsement	Active	PTA	4/19/2023
64903	Barry	Miller	4/24/2023	Endorsement	Active	PT	4/24/2023
64904	Thomas	Seastone	4/24/2023	Endorsement	Active	PT	4/24/2023
64905	Amy	Seastone	4/24/2023	Endorsement	Active	PT	4/24/2023
64907	Jesse	Pedersen	4/25/2023	Endorsement	Active	PT	4/25/2023
64908	Phil	Jamora	4/25/2023	Endorsement	Active	PT	4/25/2023
64906	Daniel	Stopka	4/25/2023	Endorsement	Active	PT	4/25/2023
64909	Nabbin	Chammachel	4/27/2023	Endorsement	Active	PT	4/27/2023
10165	Garrison	York	4/27/2023	Exam	Active	PTA	4/27/2023
10166	Christina	Trang	4/27/2023	Exam	Active	PTA	4/27/2023
64910	Patricia	Hays	4/27/2023	Endorsement	Active	PT	4/27/2023

Count			
	Endorsement	Exam	Grand Total
PT	40	9	49
Active	40	9	49
PTA	16	7	23
Active	16	7	23
Grand Total	56	16	72

*Note: Where Initiation Registration Date is before Effective Date

Oregon Board of Physical Therapy

Ratification Report: New Licenses and Temporary Permits Issued 3/1/2023 - 4/30/2023

License Transaction is either a change from prior status, such as Temp to Active, or renewal of Lapsed License, or re-application of an Expired License.

EXECUTIVE DIRECTOR'S REPORT

MAY 2023 | FOR THE PERIOD 03/01/2023 – 04/30/2023

21-23 BIENNIUM BUDGET VS. ACTUAL PERFORMANCE

Actuals to Budget through current period (July 2021-April 2023).

	Jul '21 –Apr '23	Budget (to date)	\$ Variance	% of Budget (to date)
Income	\$ 1,594,661.88	\$ 1,589,151.48	\$ 5,510.40	100.3%
Expense	\$ 1,357,122.15	\$ 1,619,910.78	\$ -262,788.63	83.8%

Projected Actuals to Budget for the 2021-2023 Biennium.

	Projected 21-23 Actuals	21-23 Budget	\$ Variance (Proj)	% of Budget (Proj)
Income	\$ 1,626,423.88	\$ 1,615,413.32	\$ 11,010.56	100.7%
Expense	\$ 1,499,518.96	\$ 1,763,251.12	\$ -263,732.16	85%

NOTES –Expenses have been held to a minimum this biennium as a result of deferred project costs or costs eliminated (such as travel and training); some anticipated expenses for personal services and contract labor also lower than projected. Licensing income was over-projected due to a calculation error; however, the gap has been closed due to higher than projected number of applications.

ATTACHED FINANCIAL REPORTS

- July 2021-Apr 2023 Budget Vs. Actual Report

EDUCATION & OUTREACH ACTIVITIES –02/29/2023 - 05/12/2023

03/24/2023 –Rules Advisory Committee Meeting for Non-CAPTE Accredited Program Applicants.

03/31/2023 – Published News Brief.

04/05/2023 – Presentation to Mt Hood Community College 2nd year students.

04/11/2023 – Presentation to Lane Community College 2nd year students.

04/26/2023 – Panel Discussion at AT-TIES conference (Paru).

04/28/2023 –Rules Advisory Committee Meeting for Non-CAPTE Accredited Program Applicants.

04/28/2023 –Educational Pathway Workgroup Meeting.

05/02/2023 – Presentation to Pacific University 1st year students.

ADMINISTRATION

- The Board has entered into a contract with Moss Adams, LLC to perform the statutorily required financial review of the 21-23 Biennium after Chair review and approval. The audit work is scheduled to begin in October 2023.
- Board staff are working with Thentia, the vendor of the Board's licensing system, to process change requests in preparation for 2024 renewals, as well for needed changes to the application based on recent or anticipated statutory changes or other state or federal requirements.

LICENSE COUNTS BY STATUS AS OF MAY 01, 2023

License Status	PT	PTA	TOTAL
Active	5,204	1,233	6,437
Restricted	1	1	2
Probation	2	0	2
Suspended	5	0	5
Total Licensed	5,212	1,234	6,446
<i>Net change since last</i>	<i>+49</i>	<i>+20</i>	<i>+69</i>

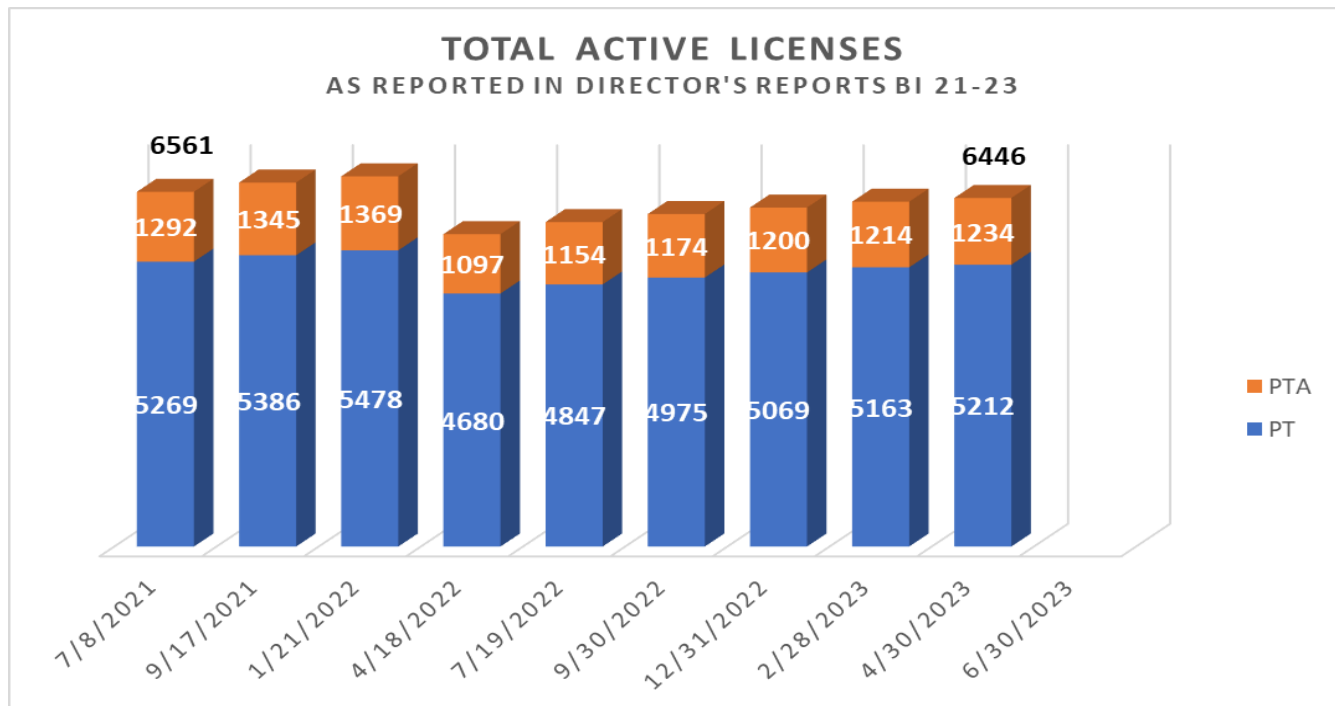
Temp Permit	0	0	0
Temp-Military Spouse	2	0	2

License Status	PT	PTA	TOTAL
<i>Lapsed (five or fewer years)</i>	1,543	529	2,072
<i>Change since last</i>	<i>(718)</i>	<i>(238)</i>	<i>(956)</i>
<i>Expired (more than five years)</i>	4,826	1,459	6,285
	+703	+237	+1
Total Previously Licensed	6,369	1,988	8,357

Applications Submitted by Type 3/1/2023-4/30/2023	EXA	END	TOTAL
PT	21	43	64
PTA	3	14	17
TOTAL	24	57	81

BIENNIUM TOTAL ACTIVE LICENSE COUNTS AS OF APRIL 30, 2023

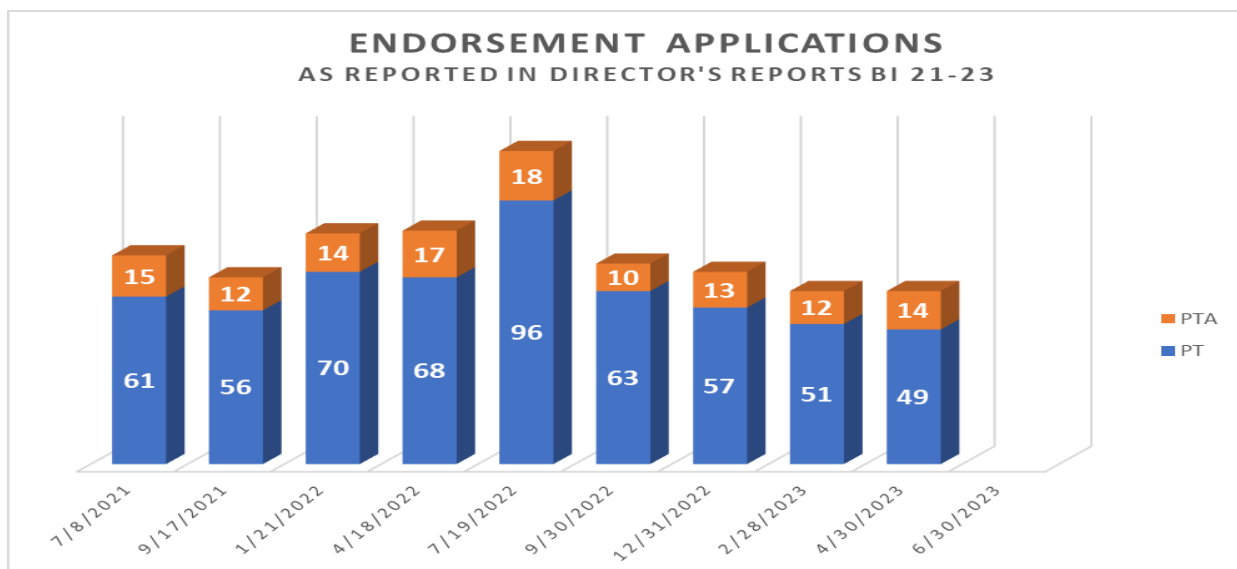
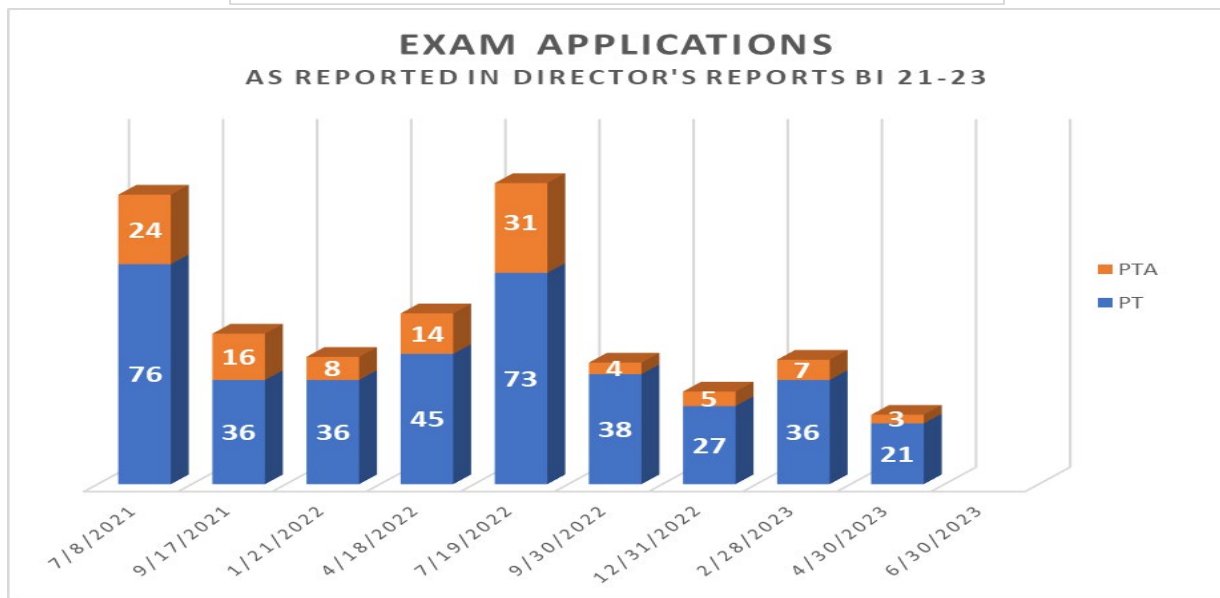
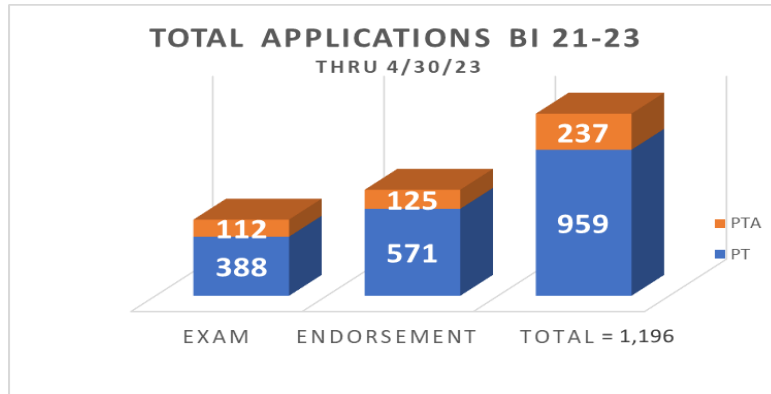
NOTE: Numbers have historically been reported through a date the week before each Board meeting; this changed at the end of 2022 and numbers are reported at the end of each month prior to Board meetings, which will allow for alignment with the Biennium reporting. License counts by status for the prior section and this section are sourced from the licensing system licensee status statistical report and reflect the counts as of a given day.



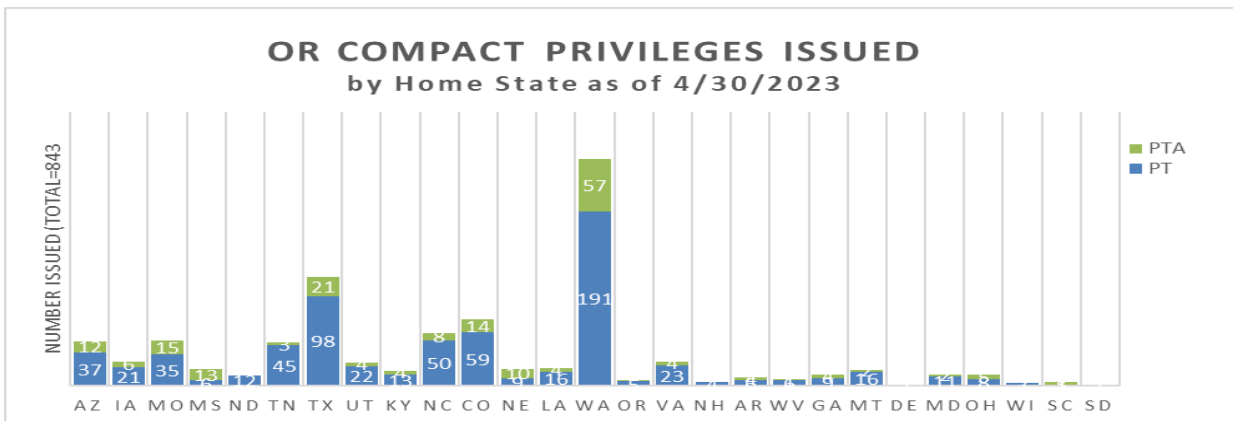
When viewed over the course of a biennium, the drop off in active licenses after renewal is typical based on historical patterns. The total as of approx. 7/1/2021 and the current period are noted; there are two months remaining in the biennium and we are on track to reach a near net sum flat growth at the end of the BI consistent with projections.

BIENNIUM TOTAL APPLICATIONS SUBMITTED AS OF APRIL 30, 2023

NOTE: Numbers have historically been reported through a date the week before each board meeting; this changed at the end of 2022 and numbers are reported at the end of each month prior to board meetings, which will allow for alignment with the Biennium reporting. Application data taken from licensing system based on date of submittal; applications may not be complete when first submitted, and final approval may appear in a different reporting period.

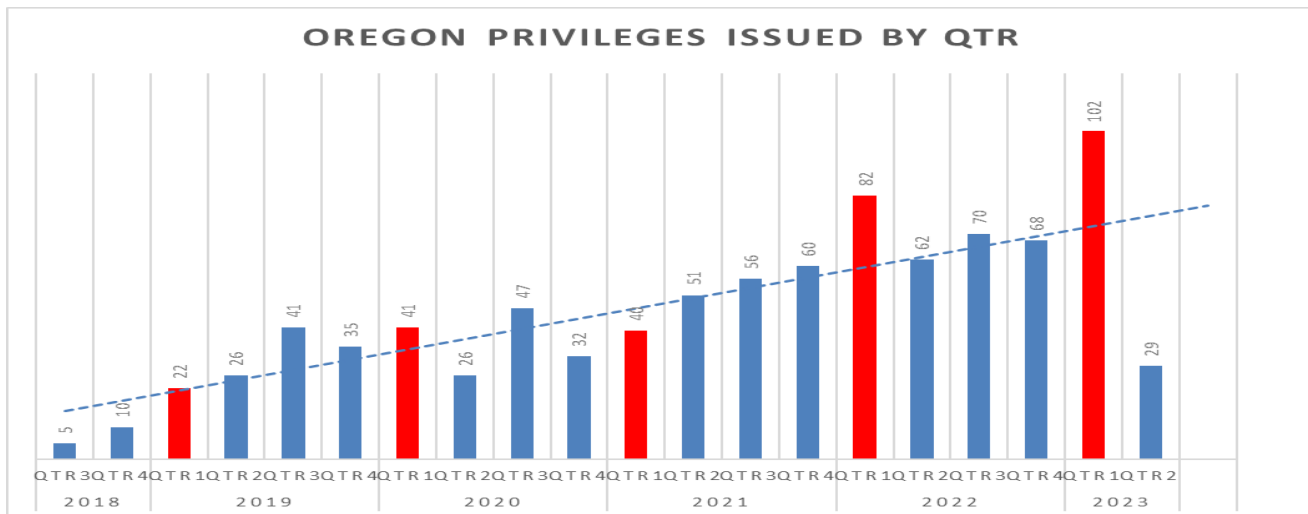
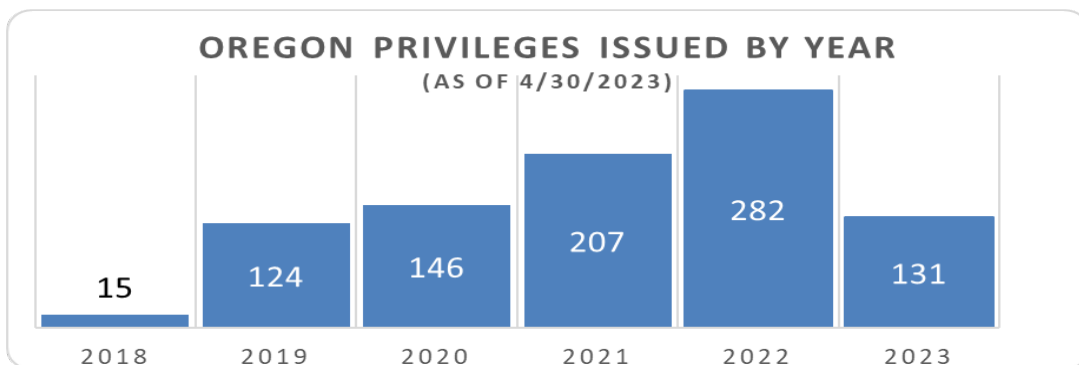


PT COMPACT OREGON PRIVILEGE HOLDERS – AS OF APRIL 30, 2023



OR Privileges Issued																												
	AZ	IA	MO	MS	ND	TN	TX	UT	KY	NC	CO	NE	LA	WA	OR	VA	NH	AR	WV	GA	MT	DE	MD	OH	WI	SC	SD	Total
Initial	37	23	43	14	11	42	106	25	15	42	60	15	14	164	6	26	4	10	5	12	13	1	12	12	2	4	1	719
Renewal	12	4	7	5	1	6	13	1	2	16	13	4	6	84	1	0	0	0	2	1	5	0	1	1	1	0	0	186
Total	49	27	50	19	12	48	119	26	17	58	73	19	20	248	6	27	4	10	5	13	18	1	13	13	3	4	1	905

NOTES: Cumulative total privileges purchased since Oregon began issuing privileges—not total number of current active privileges. Oregon privileges have been purchased in 27 of the currently issuing 29 states (none currently from OK or IN).



NOTES: Data for all tables and graphs sourced from PTCC compact privilege purchase reports; data through 4/30/2023.

INVESTIGATIONS: OPEN CASES & AGING REPORT

May-23 OBPT Open Cases

22	Total Open Cases
6	Presenting to Board May 2023 Meeting
2	Post Board Meeting (Notice/Hearing Process)

14 Remaining Open Cases

Remaining Open Case Aging (date of complaint thru Present to Board)

6	Case(s) currently over four months (120 days)
4	Additional case(s) will be over four months (120 days) by July 2023 meeting
4	Case(s) that will be four months or under (120 days) by July 2023 meeting

14 Total

Based on case tracking status on 05/13/2023.

NOTE: Approval of the Executive Director's Report will also authorize extension(s) of investigation period for case reporting to the Board under ORS 676.165 where case(s) will exceed 120 days based on the date of the next available scheduled meeting.

CASES OPENED AND CLOSED PER BIENNIUM AS OF 05/13/2023

BIENNIUM	2013 2015	2015 2017	2017 2019	2019 2021	2021 2023*
Cases Opened	88	58	56	49	89
Cases Closed	82	54	71	48	76
Compact Opened Percent of Total Opened			1 .02%	3 6.12%	22 24.72%

NOTE: Total cases opened, and total cases closed in each biennium. Cases opened in one period may be closed in the subsequent period dependent on when received. Does not reflect type of action taken, only raw counts. Data sourced from case tracking report on 05/13/2023. *21-23 BI not complete.

AFFIRMATIVE ACTION STATEMENT
OREGON BOARD OF PHYSICAL THERAPY
2023-2025 BIENNIUM



Questions:

Michelle Sigmund-Gaines, Executive Director
Oregon Board of Physical Therapy
800 NE Oregon Street, Suite 407
Portland, OR 97232
obpt.exec@oregon.gov
971.673.0203

March 2023

AGENCY OVERVIEW

The Oregon Board of Physical Therapy (OBPT)* is a semi-independent agency of the State of Oregon that operates under Chapters 688, 676, 240 and 182-454-472 of the Oregon Revised Statutes (ORS). The OBPT was created by the Oregon Legislature in 1971 to regulate the practice of physical therapy in Oregon. Its primary purpose is the protection of the public health, safety, and welfare, which it achieves by establishing and regulating professional standards of practice which ensure physical therapists and physical therapist assistants are properly educated, hold valid and current licenses, practice within their scope of practice, and continue to receive ongoing training throughout their careers. Physical therapy practice is governed by state statutes and rules that define the scope of practice. The Board issues licenses, promulgates rules, monitors continuing competency, investigates complaints, issues civil penalties for violations, and may revoke, suspend, or impose probation on a licensee or place limits on a licensee's practice.

The Board is comprised of eight volunteer members: five physical therapists, one physical therapist assistant, and two public members. Each member is appointed by the Governor and confirmed by the Senate. Members serve a four-year term and may be reappointed to subsequent terms.

The agency has a total staff of four individuals for a total of 3.6 FTE. Human Resources is managed within the agency.

**The Board was renamed in the 2019 legislative session, effective January 1, 2020. Previously, the Board was named the Physical Therapist Licensing Board (OPTLB),*

AFFIRMATIVE ACTION STATEMENT

Affirmative Action Policy Statement

The Oregon Board of Physical Therapy is committed to:

- Maintain an open and welcoming working environment that honors and values all individuals,
- Employ within our own operations and policies a culturally responsive lens that advances equity, diversity, and inclusion, and removes structural and cultural barriers to individual achievement, and,
- Always engage multiple voices and perspectives on the issues of equity, diversity, and inclusion.

The Oregon Board of Physical Therapy will not tolerate discrimination or harassment on the basis of age, color, marital status, mental or physical disability, national origin, race, religion, sex, sexual orientation, or any reason prohibited by state or federal statute. Nor shall the Board do business with any vendor/provider for the State of Oregon who discriminates or harasses in the above-described manner. All employment and personnel actions of the Board, all licensing and disciplinary actions, all outsourcing and contracts shall be administered according to this policy.

All staff of the Board shall adhere to the Affirmative Action Policy Statement. Management staff, in particular, shall assure that the intent, as well as the requirements, are implemented in all employee relationships and personnel practices. In addition, it is the duty of every employee of the Board to create a job environment atmosphere which is conducive to non-discrimination policies and free of any form of discrimination or harassment. The application of this policy is the individual responsibility of all administrative and professional staff, and each shall be evaluated on his/her performance in achieving this Affirmative Action Policy, as well as in other job performance criteria. The Affirmative Action Policy and Summary Statements are posted on the Board's website, and a hard copy is available at the Board office. Failure to meet Affirmative Action standards is subject to disciplinary action.

All employees shall be advised of the procedure for lodging a discrimination/harassment complaint, and all employees with concerns of any kind related to affirmative action shall be encouraged to bring them to the attention of the Executive Director.

It is further the policy of the Board to establish and maintain this program of affirmative action to provide for a method of eliminating any effects of past or present discrimination, intended or unintended, which may be indicated by analysis of present employment patterns, practices, or policies.

This Affirmative Action Policy Statement was originally approved/adopted by the Board at its January 5, 2017 Board meeting and was effective July 1, 2017, and be evaluated biannually. The Statement was most recently evaluated by the Board in the context of the review of the 2023-25 draft plan in October 2022.

PROGRESS ON 2021-2023 AFFIRMATIVE ACTION GOALS

Affirmative Action 2021-23 Objectives Progress and Status

1. Internal: Implement lens of 'culturally responsive interaction' into all policies and procedures in order to operationally integrate in a way that transcends individual personnel. Review agency policies and procedures; identify opportunities to improve/modify language/steps/practices, adopt new policies and procedures; train staff in new policies and procedures.

Progress: Preliminary review of policies and procedures by all staff members complete and language updated where appropriate based on collective feedback. Policies and procedures reviewed and discussed as reviewed, thereby enabling discussion and in-context training.

2. External: Increase opportunities to relay information from other state sources to licensees about training, resources, and other opportunities available relating to equity, cultural competency, diversity, and inclusion via Board publications and website.

Progress: Added reference information for cultural competency courses to public website in support of licensees during 2022 renewals.

3. External: Continue community strategic planning process addressing the diversification of the PT workforce. Partner with associations and PT schools to evaluate and make recommendations to improve the educational pipeline (renamed pathway) process.

Progress: Initiative discussed at all strategic planning sessions; workgroup formed with membership from PT schools and professional association specifically to address the physical therapy educational pipeline (pathway).

4. Internal: The next Board member opening will be in 2022 for practitioner members. Work with Governor's office and external stakeholders to identify and recruit candidates from under-represented communities to fill these positions.

Progress: Worked with Governor's office, performed outreach to professional association and licensee base with an emphasis on outreach to licensees from underserved groups and from communities outside the Willamette Valley.

2023-2025 AFFIRMATIVE ACTION GOALS

2023-2025 Affirmative Action Goals

1. Continue progress on Board strategic initiative to increase the diversity of the physical therapy workforce by working with the educational pipeline (renamed educational pathway) workgroup. Specifically for 23-25, complete the establishment of the common dataset project to be able to track data from educational program application through post-licensure in order to quantify change over time.
2. Continue to provide DEIB training opportunities for staff and Board members with focus in this biennium on bias, anti-racism, trauma-informed regulation and intersectionality. Specific training to be discussed with each staff member and formalized on annual training plan. Debrief and sharing of learnings to be standing item at staff meetings and Board meetings to further amplify learnings and discussion.
3. Create more inclusive communications by providing core content in audio/video format in addition to written language on the Board's website. Focus on application process, continuing competence requirements, and the complaint process for initial content offerings.

AGENCY MISSION AND OBJECTIVES

Statutory Purpose

ORS 676.303(2) All health professional regulatory boards shall operate with the primary purposes of:

- promoting the quality of health services provided,
- protecting the public health, safety and welfare by ensuring that licensees practice with professional skill and safety and
- addressing impairment among licensees.

ORS 676.400 Racial and ethnic composition of regulated health professions; findings; duties of health professional regulatory boards.

(3) Health professional regulatory boards shall establish programs to increase the representation of people of color and bilingual people on the boards and in the professions that they regulate.

Such programs must include activities to promote the education, recruitment and professional practice of members of these targeted populations in Oregon.

(4) Each health professional regulatory board shall maintain records of the racial and ethnic makeup of applicants and professionals regulated by the board. Such information shall be requested from applicants and the professionals regulated who shall be informed in writing that the provision of such information is voluntary and not required.

ORS 676.410 Information required for renewal of certain licenses.

(2) An individual applying to renew a license with a health care workforce regulatory board must provide the information prescribed by the Oregon Health Authority pursuant to subsection (3) of this section to the health care workforce regulatory board. Except as provided in subsection (4) of this section, a health care workforce regulatory board may not approve an application to renew a license until the applicant provides the information.

ORS 676.440 Duty of health professional regulatory boards to encourage multidisciplinary pain management services.

(1) Health professional regulatory boards shall encourage the development of state-of-the-art multidisciplinary pain management services and the availability of these services to the public.

ORS 688.015 Findings and purpose.

(1) The Legislative Assembly finds and declares that providing for state administrative control, supervision, licensure and regulation of the practice of physical therapy in this state serves the purpose of protecting the public health, safety and welfare.

(2) It is the intent of the Legislative Assembly that only individuals who meet and maintain prescribed standards of competence may engage in the practice of physical therapy as authorized by ORS 688.010 to 688.201 and implemented by the Oregon Board of Physical Therapy.

Mission

The board's purpose is public protection and to establish professional standards of practice which assure that physical therapists and physical therapist assistants are properly educated, hold valid/current licenses, practice within their scope of practice and continue to receive ongoing training throughout their careers.

Agency Staffing & Contacts

Agency director or administrator:

Michelle Sigmund-Gaines
Executive Director

Governor's policy advisor:

Rachel Currans-Henry

Policy Advisor for Behavioral Health and Health Licensing
Office of Governor Tina Kotek

HR/Affirmative Action Representative/Contract Equity:

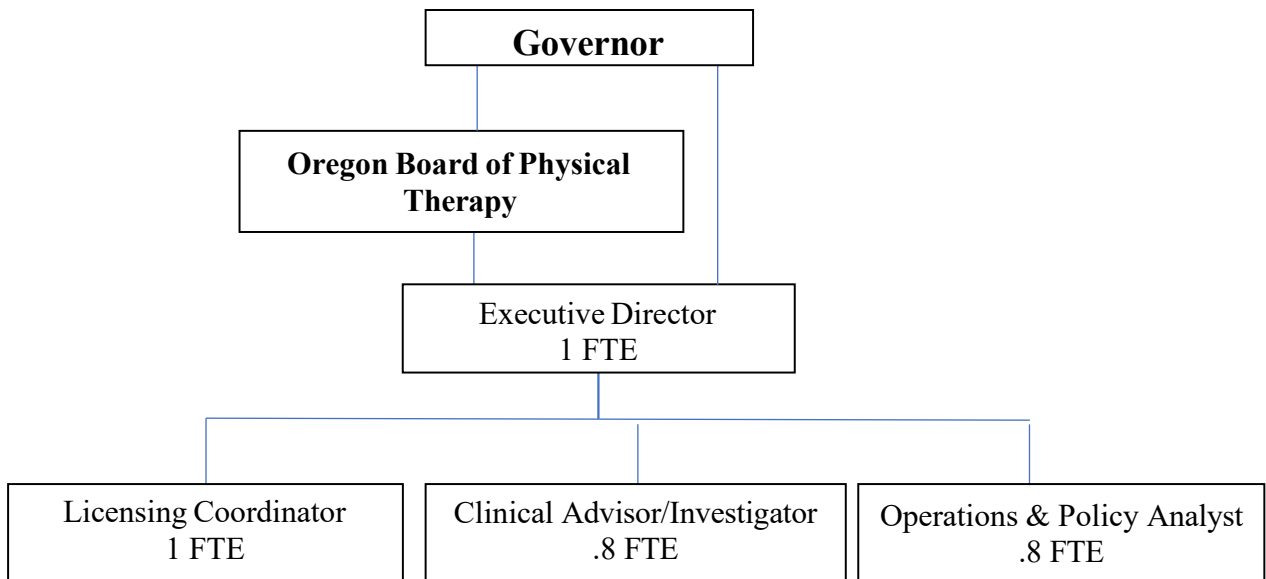
Michelle Sigmund-Gaines, Executive Director
(971) 673-0203
800 NE Oregon Street, Suite 407
Portland, OR 97232
Web site: www.oregon.gov/pt

Leadership Evaluation

ORS 659A.012 has the following requirement for agencies: *To achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, disability or age, every state agency shall be required to include in the evaluation of all management personnel the manager's or supervisor's effectiveness in achieving affirmative action objectives as a consideration of the manager's or supervisor's performance.*

The Executive Director serves as the HR manager and Affirmative Action Representative for the agency and is the only staff position in a management or supervisory position. The promotion of equity is a core competency identified in the position description, and a specific topic for evaluation during each review.

AGENCY ORGANIZATIONAL CHART



The Agency is governed by an 8-member board appointed by the Governor and confirmed by the Senate. The Board appoints an Executive Director who serves at the pleasure of the Governor, under the direct supervision of the Board.

DEMOGRAPHIC ANALYSIS: AGENCY WORKFORCE VS BOARD VS LICENSEE VS OREGON POPULATION COMPOSITION

Agency Workforce Composition Compared to Board, Licensee and Oregon General Population Composition

Race & Ethnicity Category	Agency Workforce	Board*	Physical Therapists**	Physical Therapist Assistants**	Oregon**
American Indian/Alaska Native			0.1%	0.3%	0.9%
Asian		17%	6.9%	2.3%	6.9%
Black/African American			0.5%	0.5%	1.8%
Hispanic or Latino	36%		2.4%	2.8%	12.8%
Native Hawaiian/ Other Pacific Islander			0.3%	0.3%	0.4%
Two Or More Races			1.9%	2.8%	3.7%
Other Race			0.2%	0.1%	0.2%
White	64%	83%	87.7%	91%	76%

*The above data for board members is based on original applications to Governor’s office.

Licensee data is based on data from the Oregon workforce survey data reported as of January 2020 by licensees renewing license. Approximately 10.5% of licensees declined to answer. Oregon population data also taken from the same Oregon workforce survey data; based on five-year ACS estimates (data collected over 60-month period, 2014-2018). **UPDATED DATA NOT YET PUBLISHED.

Governing Process & Laws

Discrimination or Harassment Complaint Process

Individuals should follow the complaint process described in OBPT policy for Harassment-free Workplace if they feel they have been subjected to unlawful discriminatory actions. They may contact the Executive Director or Board Chair or may alternatively contact DAS CHRO.

Individuals may also contact the Governor’s Affirmative Action Office, (503) 373-7444. The Governor’s Affirmative Action Office cannot comment regarding claims that are in litigation.

Additionally, if your concern is not resolved, you can follow this step:

File a complaint with The Civil Rights Division of the Bureau of Labor and Industries (BOLI); in Salem call (503) 731-4075 ext. 1; in Portland call (971) 673-0761 or you mail email them at BOLI.MAIL@state.or.us

Governing State and Federal Employment Laws, Policies and References

ORS 182.100	The requirement for all appointive authorities for state boards, commissions, and advisory bodies shall implement this policy of affirmative action in their appointments, subject to the legal requirements for each appointment.
ORS 243.305	The policy defines affirmative action as fair and equal employment opportunities and advancement.
ORS 243.315	Directs and monitors affirmative action programs in all state agencies to implement the public policy.
ORS 659A	This statute prohibits unlawful discrimination in employment, public accommodations, and real property transactions; administrative and civil enforcement.
ORS 659A.012	Every state agency shall be required to include in the evaluation of all management personnel, the manager's or supervisor's effectiveness in achieving affirmative action objectives as a consideration of the manager's or supervisor's performance.
ORS 659A.015	Requires affirmative action reports to include information on awards of construction, service, and personal service contracts awarded to minority businesses.
Oregon Executive Order No. 16-09	Promotes diversity and inclusion opportunities for Oregon minority-owned, women-owned, service-disabled veteran-owned, and emerging small businesses.
Oregon Executive Order	Affirms commitment to promote diversity, equity, and inclusion in the workplace and eliminate past and present discrimination, intended, or unintended.
Section 503 of the Rehabilitation Act of 1973	Prohibits federal contractors and subcontractors from discriminating in employment against individuals with disabilities and requires employers to take affirmative action to recruit, hire, promote, and retain these individuals.
Title VII of the 1964 Civil Rights Act	This federal law outlaws discrimination based on race, color, religion, sex, or national origin. It prohibits unequal application of voter registration requirements and racial segregation in schools, employment, and public accommodations.
<ul style="list-style-type: none"> • Statewide Diversity, Equity, and Inclusion Action Plan • Executive Order 22-11 • ADA and Reasonable Accommodation Policy (<i>Statewide policy 50.020.10</i>) • Discrimination and Harassment Free Workplace (<i>Statewide policy 50.010.01</i>) • PENDING FINAL APPROVAL: Statewide Workforce Learning and Development (<i>Statewide policy 10-040-01</i>) • Duties of Administrator (<i>ORS 240.145</i>) 	

- Rules Applicable to Management Services (*ORS 240.250*)
- Recruitment and Selection (*Statewide policy 40.010.02*)
- Veterans Preference in Public Employment (*ORS 408.230*)
- Equal Opportunity and Affirmative Action Rule (*105.040.0001*)
- Age Discrimination in Employment Act of 1967 (ADEA)
- Disability Discrimination Title I of the Americans with Disability Act of 1990
- Genetic Information Discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
- Equal Pay and Compensation Discrimination Equal Pay Act of 1963
- Title VII of the Civil Rights Act of 1964
- Retaliation Title VII of Civil Agency Affirmative Action Policy

DATE: March 23, 2023

TO: Governor Tina Kotek & Taylor Smiley Wolfe

FROM: OBPT Executive Director Michelle Sigmund-Gaines

SUBJECT: Oregon Board of Physical Therapy Report on EO 23-03

1. Agency Name: **Oregon Board of Physical Therapy (OBPT)**

2. What are the primary functions of your agency?

To regulate the practice of physical therapy in Oregon through licensure, education, outreach, and complaint investigations. The OBPT licenses individuals and has two license types: physical therapists (PT) and physical therapist assistants (PTA).

3. Broadly, how do the primary functions of your agency support the housing stability of Oregonians (e.g., program that helps improve economic stability)?

Our agency functions do not directly support housing stability in general, beyond supporting the licensure and effective practice of health professionals, many of whom are small business owners. PTs and PTAs work largely with individuals that have been injured or otherwise are seeking to increase or preserve physical function. These rehabilitative services can help individuals return to work and thus improve economic stability. PTs generally assist patients with reduction in pain without use of opioids or other medications.

With that said, recent trends in the reduction of reimbursement rates for Medicare/Medicaid is impacting small privately owned clinics, particularly outside the Portland-Salem corridor, causing some to need to stop seeing patients receiving these services.

For applicants or current licensees experiencing housing instability, the Board does not require a specific Oregon residence for licensure; applicants may use a mailing address in any state, including an employer or other location. Individuals that are justice-involved are not barred from licensure, unless there is a clear and direct nexus to practice. While there are application and licensure renewal fees, the Board allows payment in a variety of ways and has extending windows for renewal of license. The Board also helps find and distribute information about free continuing education offerings to satisfy the Board's requirements, and, the Board has a mechanism for individuals to request delay and/or waiver of these requirements.

4. Broadly, how do the primary functions of your agency create housing barriers for Oregonians (e.g., program that results in conviction/criminal record)?

Licensees who harm patients or otherwise violate the scope of practice would receive disciplinary action and possible civil penalty sanction (administrative law), although the vast majority of discipline taken by the Board does not result in suspension or revocation of license. Disciplinary actions are public record and must be reported the national practitioners' data bank, and possible employment disruption may result.

5. What equity tool or practice do you use to inform/guide your programs, services, funding and/or decision making?

The Board employs a framework of culturally-responsive regulation, which requires review of any policy, practice or requirement through multiple viewpoints, seeking to eliminate discriminatory or other unintended consequences. The Board also adheres to all required Governor, DAS and Legislative statutes, requirements and mandates on this work.

6. If so, what is your tool or practice (e.g Racial Equity Tool kit from State's DEI action plan, Racial Equity Impact Budgeting Worksheet, etc.)?

The OBPT Affirmative Action Plan is aligned with the State's DEI Plan, and this tie will be more explicitly documented in the OBPT DEI Plan, which is being broken out from the Affirmative Action Plan. The Board's Strategic Plan is also aligned with this and the above referenced tools.

7. What data do you receive and/or collect about the people you serve?

Like most health professionals, OBPT licensees are required by law to complete the OHA Workforce Survey on renewal, although answers to individual questions are optional. This information is collected, analyzed and reported on by the OHA Office of Health Analytics. The most recent data is available through 2021.

<https://www.oregon.gov/oha/hpa/analytics/pages/health-care-workforce-reporting.aspx>

a. Does your agency have REALD/SOGI data as part of this data?

Historically, the survey captured race/ethnicity and gender, but REALD was implemented only in the most recent 2022 survey, and I do not believe SOGI has yet been made part of the survey. OBPT renewal cycle is every two years, so licensees will not complete the survey again until April 2024.

b. Does that data include disaggregated demographic, geographic and socio-economic information?

Demographic and Geographic (in terms of reported county of practice). The survey does not include questions about socio-economic status such as earnings; beyond education levels and practice settings related to the license; however, licensees may have other education and employment outside the scope of license, and therefore the information is incomplete.

c. Does that data include housing status of the people you serve or who are impacted by your programs?

Not to my knowledge.

d. Does it include whether people are experiencing homelessness, are at risk of homelessness, are homeless but living in short-term settings, or have stable and affordable housing?

Not to my knowledge.

e. How do you use that information to inform program or service delivery?

OHA shares the dataset with the OBPT; we use the information to programs and policy.

f. Do you share this information with other program areas or agencies?

Only via aggregate reports.

8. What programs does your agency have that expands emergency shelter? **Not Applicable.**

Thank you for the opportunity to consider and respond. The OBPT fully supports this important work.

E3 – Rulemaking
related to
OAR 848-005-0100

Out of Agenda Order



D3 – Election of Officers & Delegates

Slate of Candidates:

Officers

Chair – Member Shanahan

Vice Chair – Member Okumura

FSBPT Delegates

Delegate – Member Shanahan

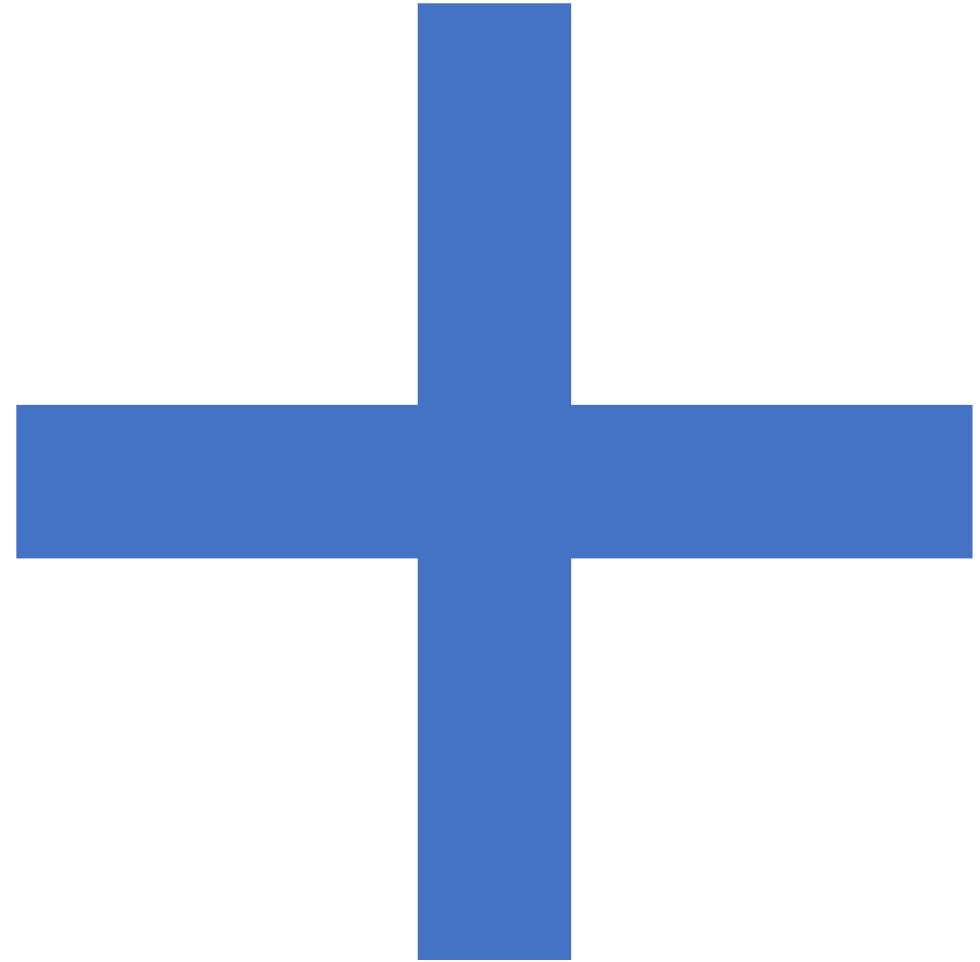
Alt. Delegate—Member Rennick

Out of Agenda Order

D2 – New Member Appointments

*Pending Senate
Confirmation*

- Erin Crawford, PT
- Dwight Terry, Public Member



Out of Agenda Order

D4 – Delegate Reports

- Upcoming LIF Meeting
- FSBPT Board Candidate
- Session/Webinar Ideas

- Indiana 29th state issuing Privileges
- Active rulemaking



PT • COMPACT



Physical Therapy Compact Commission Notice of Proposed Rulemaking

The Physical Therapy Compact Commission is requesting public comment on the proposed amendments to its Rules. Pursuant to Section 9 of the Physical Therapy Compact, the Commission is required to post this Notice at least thirty (30) days in advance of the meeting at which the Rules will be considered and voted upon by the Commission.

PUBLICATION DATE:

5/12/2023

SUMMARY OF THE PROPOSED RULES OR AMENDMENT TO EXISTING RULES:

Rule	Summary of Changes
1.1	Adds a definition of “board administrator”
4.2	Adds new rule 4.2 to make a technical correction to the citation for “active duty military” in Section 2 of the model statute

TEXT OF THE PROPOSED AMENDMENTS:

A copy of the proposed amendments is attached to this Notice.

MEETING DATE, TIME, AND LOCATION:

The Physical Therapy Compact Commission will consider and vote on the adoption of the attached amendments to its Rules at its public meeting on June 27, 2023. The meeting will take place virtually at 2:30 p.m. ET.

DEADLINE AND PROCESS TO SUBMIT WRITTEN COMMENTS:

Written comments must be received by 5:00 PM, ET, on June 20, 2023. All comments or intentions to attend the Commission meeting should be submitted electronically by the deadline to info@ptcompact.org. All comments must be provided in a single file and must include the name of the submitter, any organization the submitter represents, and the rule number(s) the comments address. If electronic submission of comments is not feasible, please contact the PT Compact Commission using the contact information below for special instructions.

REQUESTS FOR PUBLIC HEARING:

Pursuant to Section 9 of the Physical Therapy Compact, the PT Compact Commission shall hold a public hearing on the proposed rules changes if a hearing is requested by:

1. At least twenty-five (25) persons;
2. A state or federal governmental subdivision or agency; or
3. An association having at least twenty-five (25) members.

If one of the three standards above is met, the Commission will hold a hearing on the proposed rules at its public meeting on June 27, 2023. The meeting will take place virtually at 2:30 PM, ET.

All requests for a public hearing must be submitted electronically to info@ptcompact.org by 5:00 PM, ET, on June 20, 2023.

FOR FURTHER INFORMATION CONTACT:

Jeffrey M. Rosa, Compact Administrator, by email at administrator@ptcompact.org or by telephone at 703-299-3100 ext. 239 or at 124 West Street South, Suite 300, Alexandria, VA 22314-2825.

2023 DRAFT Compact Rules Amendments for Executive Board for Public Comment

Please note that additions are indicated by red underlined text. Deletions are indicated by ~~red strikethrough~~ text. Black text is existing unchanged text.

1) Rule 1.1 – Definitions

Reason: To add a definition of “board administrator”.

Proposed Amendment:

“Board administrator” means an individual serving as administrative staff to a member state’s physical therapy licensing board.

2) Rule 4.2 – U.S. Code Citation for Active Duty Military

Reason: To make a technical correction to the citation for “active duty military” in Section 2 of the model statute.

Proposed Amendment:

Add new Rule 4.2 to Chapter 4

Rule 4.2 – U.S. Code Citation for Active Duty Military

The reference in to 10 U.S.C Section 1209 and 1211 contained in Section 2, paragraph 1 of the model statute should correctly be 10 U.S.C. Chapter 1209 and 1211. Any references in the model statute to 10 U.S.C. Section 1209 and 1211 should be interpreted as 10 U.S.C. Chapter 1209 and 1211.

D6 – Roundtable

- Sherri Paru selected as one of Oregon's 2023 Public Service Ambassadors



*“For this year's Public Service Recognition Week, we have chosen the theme of **extraordinary customer service**, whether our customers are external or internal, we want to celebrate employees who continue to show an unconditional commitment to giving the highest level of service to every person they encounter.”*

D1 – Recognition of Service

Phil Haworth, PT

Out of Agenda Order

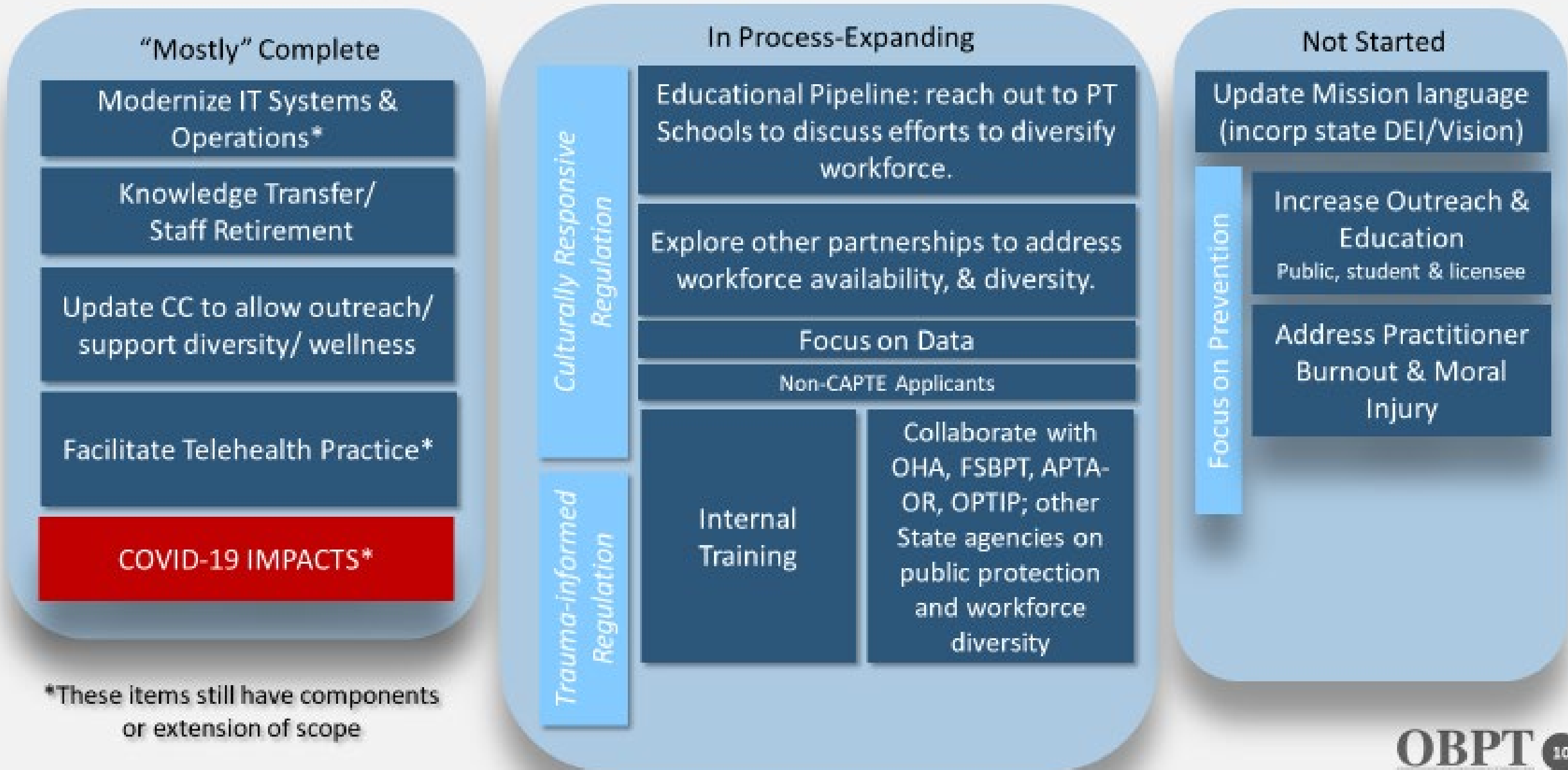


D5 – Strategic Plan Progress Review

Out of Agenda Order



Identified Strategic Priorities—2018-2023 (Five Years)



*These items still have components or extension of scope

OBPT Strategic Planning Initiatives: Progress Update



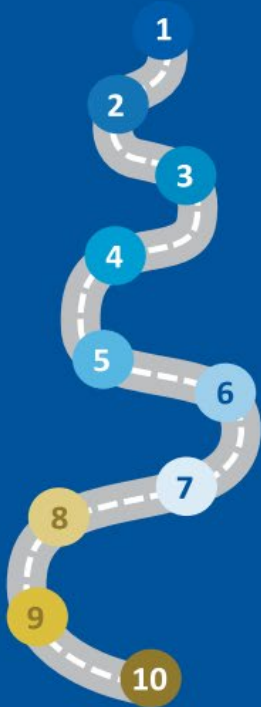
Trauma Informed
Regulation

Culturally
Responsive
Regulation

Focus on
Prevention

State of Oregon Diversity Equity and Inclusion Action Plan

Ten Strategies



Develop Agency-specific Racial Equity Plans

1

Build State Diversity, Equity, and Inclusion Infrastructure

2

Foster Inclusive Communications

3

Strengthen Community Engagement

4

Utilize Disaggregated Data as a Lever for Change

5

Create Equitable Budget & Inclusive Budget Process; Invest in Target Communities

6

Advance Contract Equity and Improve State Procurement Processes

7

Build a More Diverse Workforce and Create an Inclusive Workplace

8

No Tolerance for Racism, Hate, and Discrimination

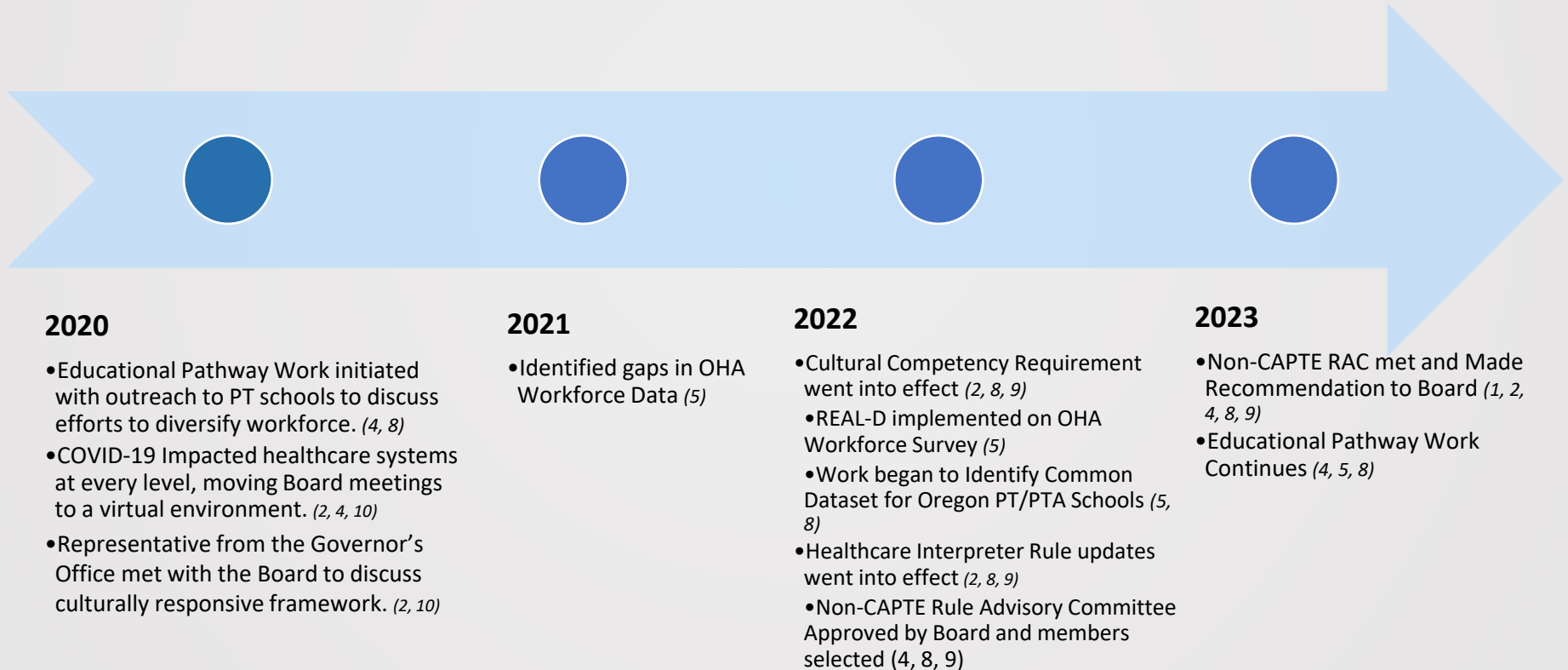
9

Operate with Urgency, Transparency, and Accountability

10

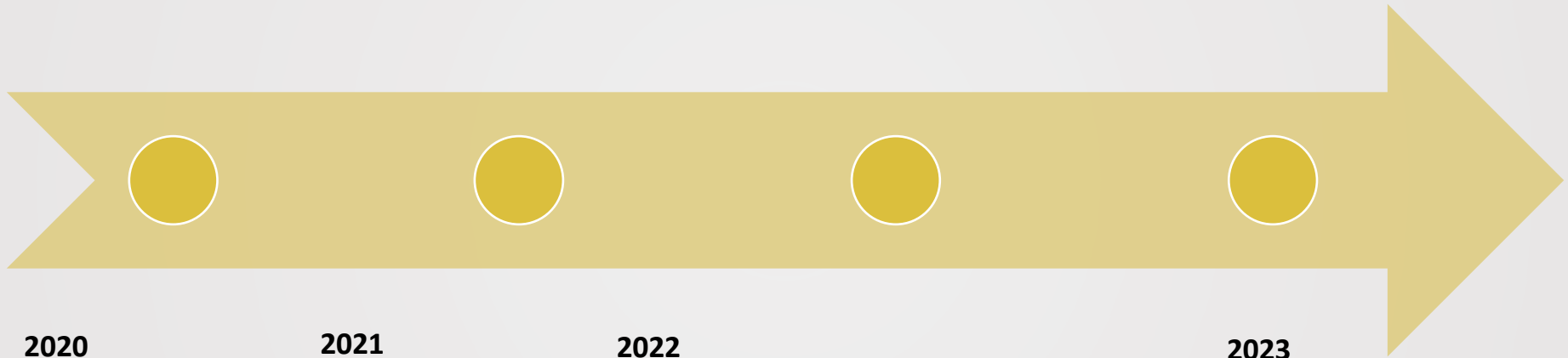
OBPT Strategic Planning Initiatives

Culturally Responsive Regulation



OBPT Strategic Planning Initiatives

Trauma Informed Regulation



2020

- Investigator Paru named to FSBPT Sexual Misconduct and Boundary Violations Committee (4, 8, 9)

2021

- Paru completed the Bolante Psychological First Aide Certification. (2,3)

2022

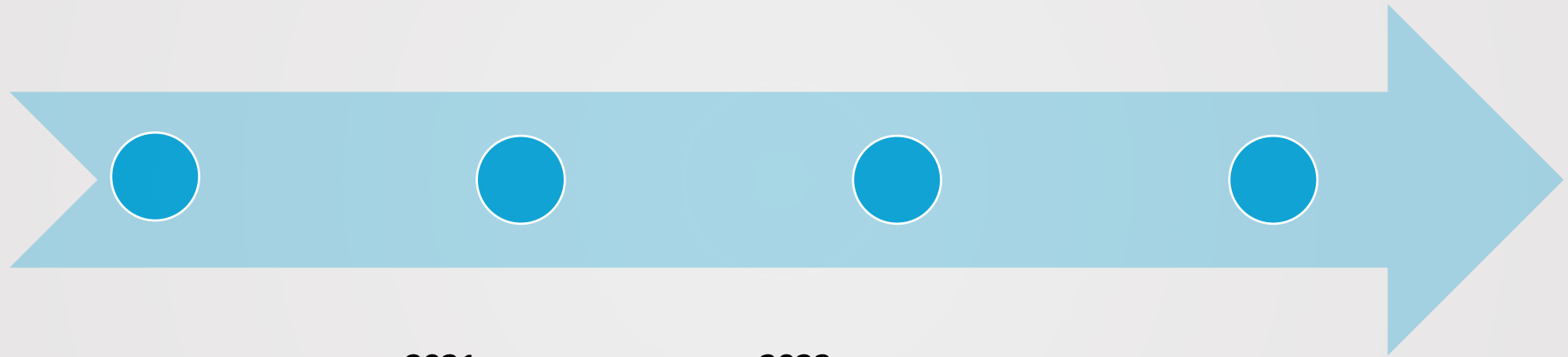
- Paru took CLEAR Investigating Reports of Sexual Misconduct Course. (2)
- Paru worked with CLEAR to develop additional Sexual Misconduct Training Curriculum (3, 4)
- Staff and Board Members attended cross-agency training on investigating Sexual Misconduct (2, 9)
- Board discussed 3rd party complainant advocate, training opportunities for licensees or changes to CC requirements, and collaboration with OPTA and/or other state agencies. (2, 4)

2023

- Board Members and Staff completed PBI Training on Professional Boundaries (2, 9)

OBPT Strategic Planning Initiatives

Focus on Prevention



- 2020**
- COVID-19 Emergency Rulemaking, outreach to licensees to continue safe practice in unforeseen circumstances (3, 10)
- 2021**
- Virtual Outreach to PT schools (3, 4, 10)
- 2022**
- 100% review of license renewals prior to approval, instead of 10% audit after approval (10)
 - Website reviewed and updated for accuracy; 2 PDF guides created on CC and Applying for licensure. Instructional videos for portal. (3)
 - Outreach to PT Schools offered virtually or in Person. (4, 8)
- 2023**
- Compact Privilege information created and published to Website. (3, 8)
 - More guides to be created, including information on opening a PT clinic and information for patients and public. (3)

Out of Agenda Order

E1 – Presentation

Kim Malin, PT

Pacific University

Educational Pathway
Workgroup Member



Out of Agenda Order

E4– Rule Clarification & Change Requests



1. [OAR 848-040-0155](#): Request to increase maximum time elapsed for reassessment from 30 to 60 days in the pediatric outpatient setting. 60 days current standard in educational setting.

RATIONALE SUMMARY: Pediatric patients in outpatient typically seek weekly, bi-weekly or even monthly rather than typical 2-3x/week for adult patients. PT workforce availability in some areas creating increased dependence on PTA.

CURRENT STATUS: The Board directed staff to clarify specific implementation of the rule with requester to bring back more information.

Out of Agenda Order

E4– Rule Clarification & Change Requests

Deirdre Nixon , PT
Medford Children's
Therapy



2. NEW [OAR 848-040-0170](#): Request to change requirement for discharge record requirements in outpatient setting to allow last entry to serve as discharge record for inactive patient/patient who hasn't returned for further treatment within 30 days.


RATIONALE SUMMARY: In such instances, discharge notes do not contain any pertinent clinical information; therefore, it seems that the note from the last treatment visit would be sufficient as to the last known status of the patient. Eliminating this requirement will save therapists time on tasks with little to no clinical benefit. Perhaps a standard treatment note contain a statement such as "If the patient does not return for further treatment beyond 30 days, this note will serve as the discharge note." *** *or if patient self-discharges from treatment prior to goals being met.*

Out of Agenda Order

E2– Report to Board

**Rule Advisory
Committee on Rules
Related to Applicants
Who Are Graduates of
non-CAPTE Accredited
Programs**





Non-CAPTE
Rules Advisory Committee
Recommendations
to the Board

May 19, 2023

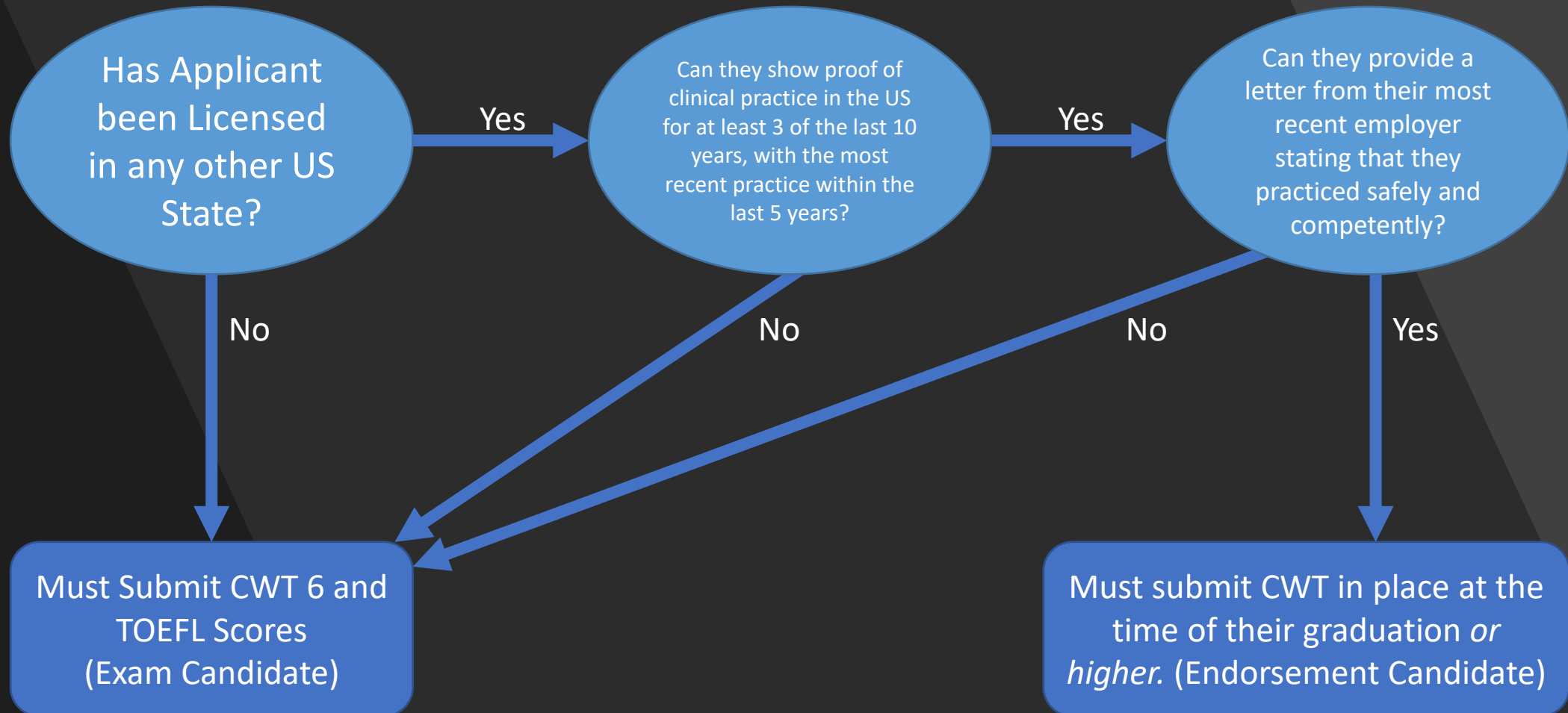
Background

- OAR 848-010-0010 specifies that to qualify for licensure applicants must complete a **Commission on Accreditation in Physical Therapy Education (CAPTE)** Accredited program.
- Applicants who graduated from programs *not* accredited by CAPTE must complete additional requirements for licensure.
- At the July 2022 Meeting, the Board authorized the creation of a Rules Advisory Committee to review the current administrative rules regarding licensure of graduates of non-accredited educational programs.

Note on Language: In OBPT Statutes and Rules, graduates of programs not accredited by CAPTE are referred to as “Foreign-Educated,” however, in day-to-day operations staff have moved to using the term “Non-CAPTE.” This term is both more specific and more accurate.

While there is only one currently accredited program outside of the United States, there have been 19 previously accredited programs, across 5 countries. Additionally, US-based transitional DPT programs are not accredited by CAPTE and completion of these programs alone cannot qualify applicants for licensure.

Current Non-CAPTE Process



Coursework Evaluation Tool (CWT)

- FSBPT has created a Coursework Evaluation Tool to determine equivalency of educational requirements for Non-CAPTE educated applicants.
- Several agencies are authorized by FSBPT to use the tool to review and assess an individual's credentials.
- In Oregon, Endorsement Candidates are required to provide the CWT in place at the time of their graduation *or higher*. Exam candidates are required to provide a CWT 6.
- The cost of having an initial credentials evaluation performed can be \$1200 - \$1400. Re-evaluation can be \$800 - \$1200. The process takes several months to complete.

Graduation Year	CWT in Effect
Before 1978	CWT 1
1978 – 1991	CWT 2
1992 – 1997	CWT 3
1996 – June 30, 2009	CWT 4
July 1, 2009 – 2016	CWT 5
2017 – Present	CWT 6

OBPT Strategic Initiatives: Culturally Responsive Regulation

The current rules are the result of a previous Rules Advisory Committee who assembled in 2018.

The recommendations made in 2018 were designed to address several concerns at the time:

- FSBPT had recommended that the CWT 6 be the only CWT accepted.
- FSBPT had recommended the TOEFL be required.
- The RAC did not want Endorsement Candidates to need to take the TOEFL, so they substituted US-based work experience for the TOEFL, with the assumption that someone working in the US for 3 years in a clinical setting would, by necessity, have sufficient English language proficiency.

FSBPT no longer has either of these recommendations to State Boards. FSBPT does note on their website that individuals taking the NPTE are more likely to pass if they have a CWT 6 and meet a minimum TOEFL score, but they do not require these as prerequisites to the exam, resulting in Oregon having a higher standard than the current recommendation by FSBPT.

Barriers to Licensure with Current Rule

Exam Candidates

- Sets a TOEFL standard that is higher than neighboring states and higher than FSBPT requirements.
- TOEFL date must be within the last 2 years - requiring some applicants to need to retake the TOEFL.

Endorsement Candidates

- May require applicants to disclose to their current employer their plan to leave.
- Sets minimum number of hours worked that prevents part-time employees from applying for licensure in Oregon.
- Applicants who cannot meet the Endorsement standard due to the above two barriers may need to pay high fees for additional education *and* a new CWT which they may or may not qualify for.

Case Study

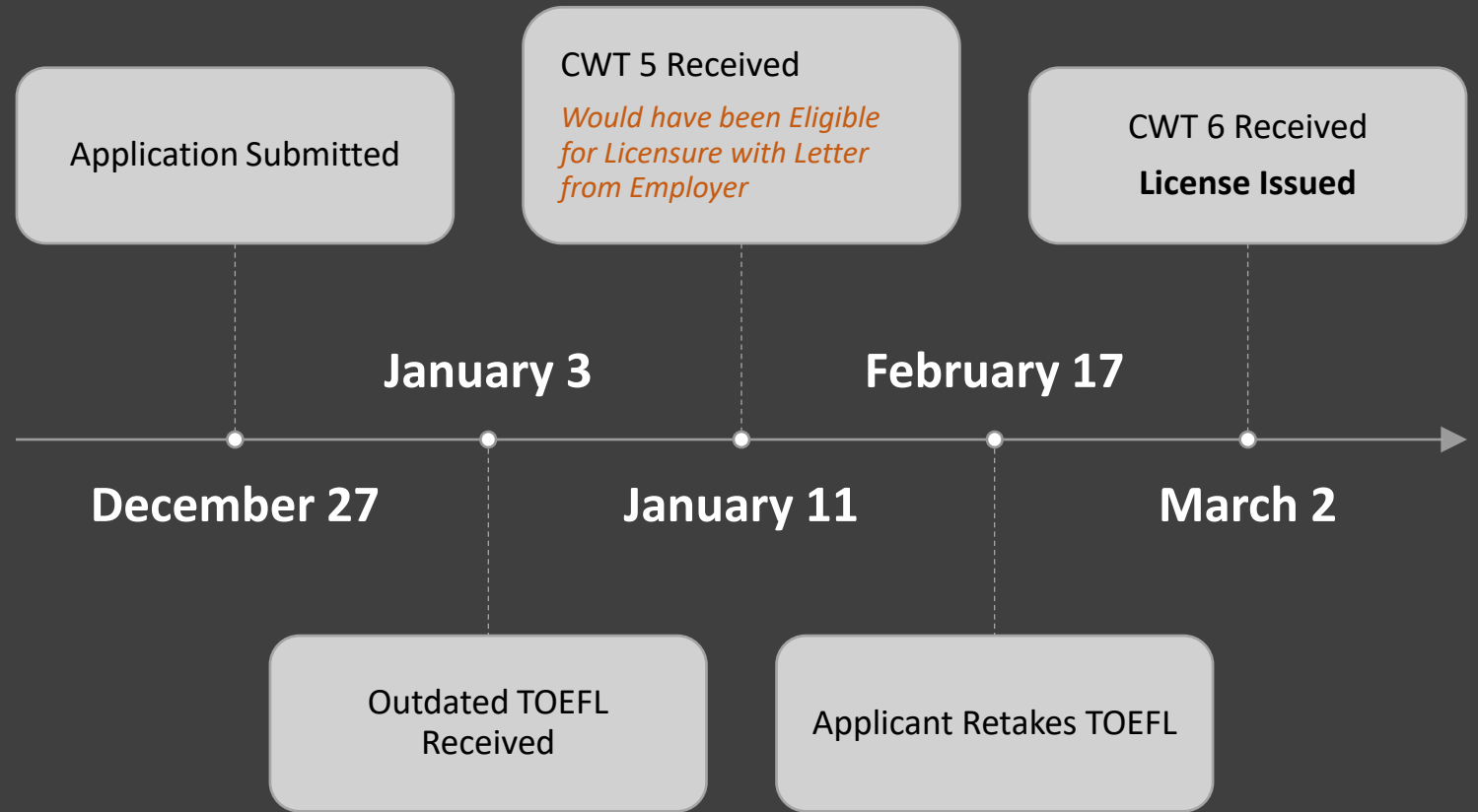
Applicant graduated with an MPT in India, qualifying her for a CWT 5. She had since completed additional coursework in the Philippines, and subsequently qualified for a CWT 6. She had been licensed in New York for three years. The licensee submitted her application on December 27th, and FCCPT initially sent the CWT 5 to OBPT on January 11th.

While she would have qualified under the endorsement rules, she did not want to inform her employer of her potential move.

We received your TOEFL report from the FCCPT, however, the test dates are over 2 years ago. We will need a recent TOEFL score. I do see that you are currently licensed in other states. If you can meet the requirements to apply for endorsement, then we don't need a TOEFL score. If not, then the Exam applicant requirements apply.

I was wondering if you could consider waiving the TOEFL requirement for my license application. I have worked in NY for a year and a half, and all my patient care and documentation have been in English. I took the English CLEP examination and passed it in 2019 (which is valid for 10 years). If not, I completely understand and will take the TOEFL test at the next available slot in February.

Case Study



Rules Advisory Committee

- Met in February, March, and April.
 - Ruggie Canizares, PT, Chair
 - Noel Tenoso, PT
 - Mary Hlady, PT
 - Maria Smith, PT
 - Kent Bond, PT
 - Joel Thakkar, PT
 - Li-Zandre Philbrook, PT



Recommendation: TOEFL for Exam Candidates

- Remove Requirement that the test be taken within 2 years of NPTE.
- Remove Requirement that all four scores be taken within the same exam.

These changes move Oregon into alignment with changes made by FSBPT- as the TOEFL is not a prerequisite to the NPTE.

Washington and other states have removed the “same test” requirement- which allows Compact Privilege holders meeting this standard to already practice in Oregon.

The minimum passing scores *have not* been modified.

848-010-0015

Examinations

(3) Unless qualified for licensure by endorsement under OAR 848-010-0022, an applicant whose first professional degree in physical therapy was awarded from a foreign physical therapy program that is/was not CAPTE accredited must submit:

(a) A Credentials Evaluation Statement ("the Report") of professional education and training prepared by a Board-approved credentials evaluation agency. The Report must be sent directly from the credentialing agency to the Board. It is the applicant's responsibility to pay the expenses associated with the credentials evaluation.

(A) The Report must provide evidence and documentation that the applicant's education outside a state or territory of the United States is substantially equivalent to the education of a physical therapist who graduated from an accredited physical therapy education program approved by the Board pursuant to ORS 688.050(2).

(B) To determine substantial equivalency, the approved credentialing evaluation agency shall use the appropriate Course Work Tool ("CWT") adopted by the Federation of State Boards of Physical Therapy. The appropriate CWT means the CWT in place at the time the foreign educated physical therapist files the application with the Oregon Board.

(b) English Language Proficiency

(A) Verification that English is the native language of the country of origin, and the physical therapy program employs English as the language of training; or

(B) Verification that the applicant has achieved the following minimum scores for each category of the internet based TOEFL (ibTOEFL) examination: writing, 22; speaking, 24; reading, 22; listening, 21. All passing scores must be achieved on the same score report and the report date must be within two years of the NPTE examination application.

(c) If applicant has taken a Board-approved national licensing examination prior to application for licensure in Oregon, a report of applicant's examination scores must be submitted to the Board directly from the Board-approved examination service.

(d) If applicant holds or has held a license in the country in which the applicant received their physical therapy education, the applicant must provide primary source verification of the license.

Recommendation: Proof of Employment for Endorsement Candidates

- Remove the requirement that applicant must provide proof of working 1000 hours per year for at least 3 of the last 10 years, with at least 1 year being within the last 5.
- Remove the requirement that applicant's most recent employer must provide the Board with a letter stating that they practiced safely and competently.

Since OBPT's March meeting, the Louisiana Veterinary Board has been challenged on work-time requirements. They require out-of-state licensees to have practiced for an average of 20 hours per week without significant interruption in the immediate five years preceding application. 2 experienced vets have challenged this law as discriminatory, as they both worked part-time while raising families.

848-010-0022

Endorsement of Out-of-State Foreign Educated Physical Therapists

A foreign educated physical therapist not licensed in the State of Oregon may be licensed by endorsement if the applicant meets or fulfills the requirements of subsections (1), (2), (4) and (5) of OAR 848-010-0020 and the Board receives all of the following additional items:

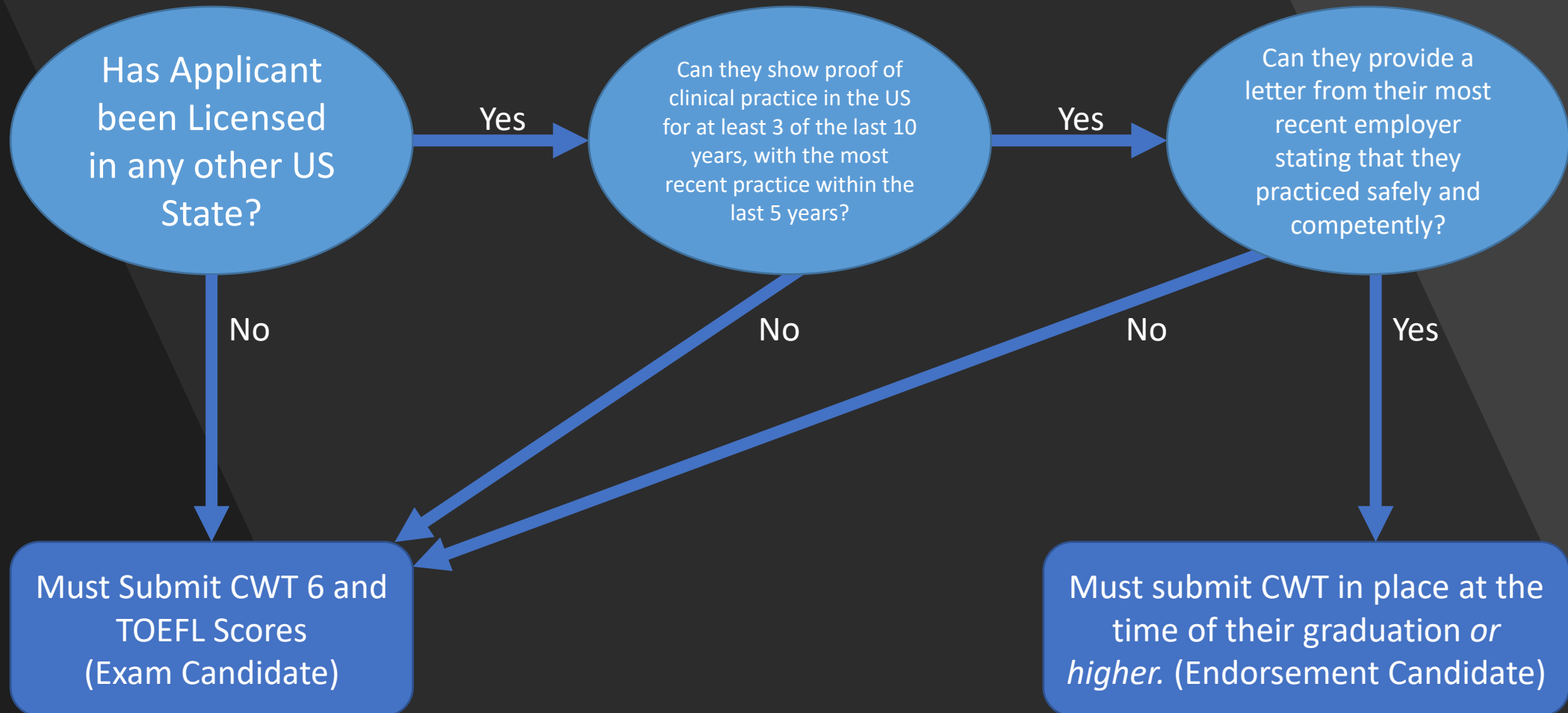
(1) A certified copy of the Course Work Tool (CWT) used by a physical therapy licensing authority of a state or territory of the United States to make the determination to issue a license in that state or territory. The report must indicate that the applicant's foreign physical therapy education was determined to be substantially equivalent to the education of a physical therapist who graduated from an accredited physical therapy program approved by the Oregon Board pursuant to ORS 688.050(2). To determine substantial equivalency, the approved credentialing evaluation agency shall use the appropriate CWT adopted by the Federation of State Boards of Physical Therapy. The appropriate CWT means the CWT in place at the time the foreign educated physical therapist graduated from their physical therapy program. The licensing authority of the state or territory must certify the report and must send it directly to the Oregon Board.

~~(2) Proof of completion of a minimum of 1000 hours of clinical practice each year in a state or territory of the United States for three of the last ten years immediately prior to application. To meet this requirement, however, no more than five years can have elapsed since the applicant has had clinical practice in a state or territory of the United States. The applicant's current or prior employer(s) must send this proof directly to the Oregon Board.~~

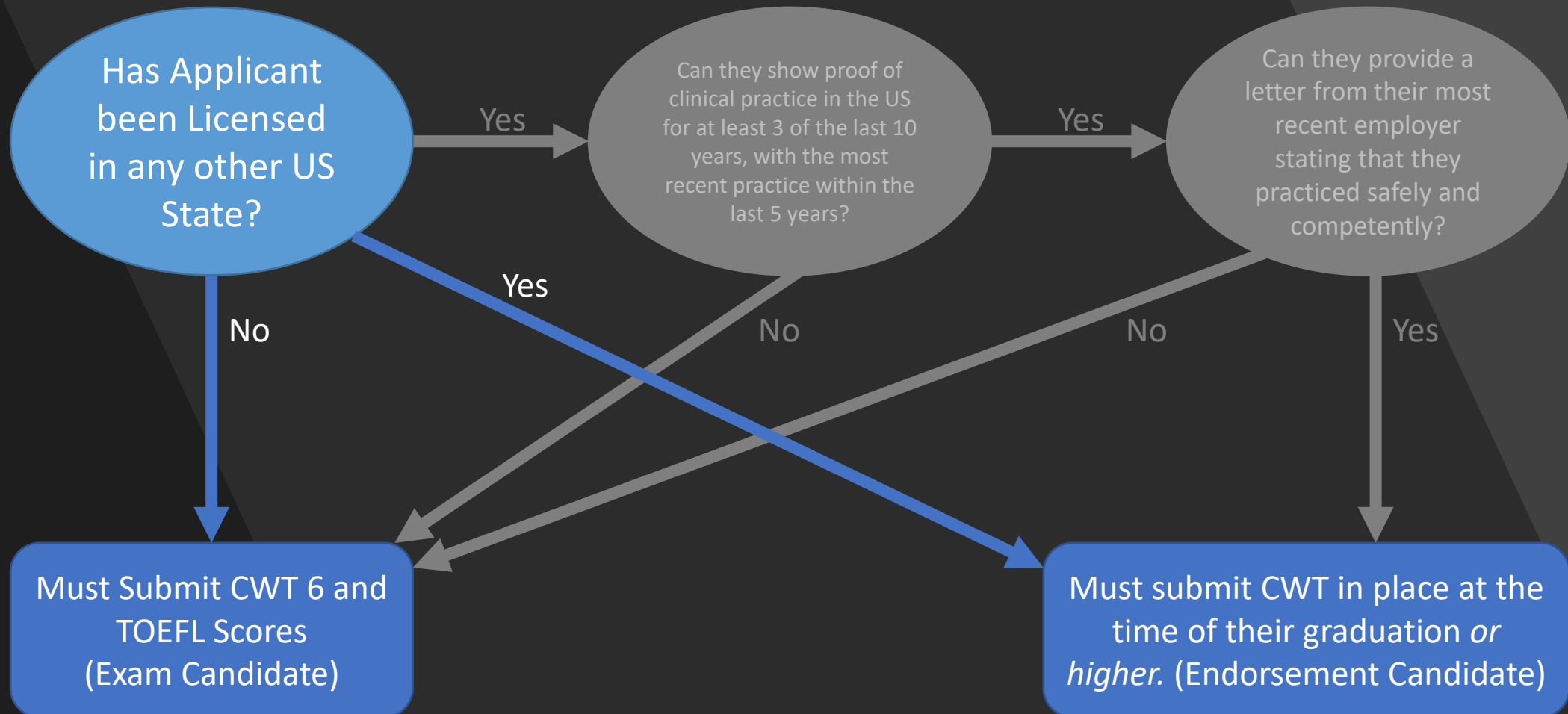
~~(3) A written statement from the applicant's most recent employer stating that the applicant practiced safely and competently. The employer must send this proof directly to the Oregon Board.~~

~~(4) (2) A foreign educated physical therapist who does not meet the requirements of this section may apply for licensure under OAR 848-010-0015(3).~~

Current Non-CAPTE Process

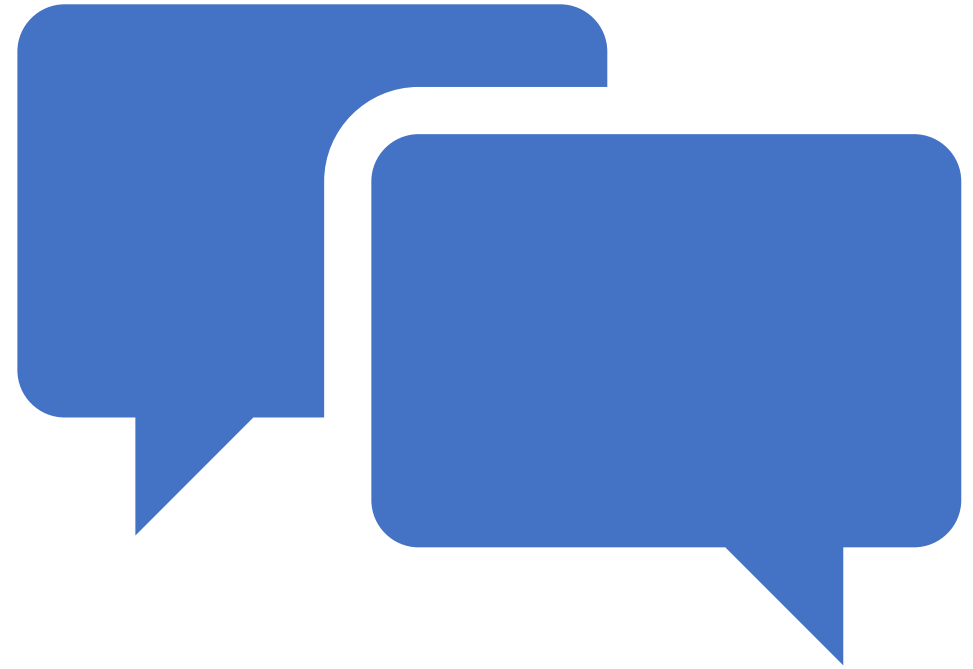


Proposed Non-CAPTE Process



Out of Agenda Order

C– Other Public Comment



E5– 2023 Oregon Legislative Session Update

Out of Agenda Order



Deadlines do not apply to bills that are assigned to Rule, Revenue, Ways & Means, and Joint Committees.

DEAD HB 2432 - Relating to health care providers; declaring an emergency.

STATUS: Referred to Committee 1/11

DEAD SB 408/HB 2886 Relating to health care profession scopes of practice; and prescribing an effective date.

STATUS: 408 – Public Hearing Held 3/27

STATUS: 2886 – Referred to Committee with subsequent referral to W&M 1/16

DEAD HB 2825 – Relating to professional licensing during emergencies.

STATUS: Referred to Committee 1/16

DEAD HB 2652 – Relating to funding county health measures; declaring an emergency.

STATUS: Public Hearing held 2/1

HB 2618 – Relating to school-based health practitioners; declaring an emergency.

STATUS: Passed out of 2nd chamber with Do Pass recommendation to Senate Floor.

HB 2959 – Relating to health care services in schools; prescribing an effective date.

STATUS: Work session held 3/22. Referred to W&M. (No new status)

DEAD HB 3044 - Relating to parental rights; creating new provisions; amending ORS 109.650, 109.675, 109.680 and 192.556; and prescribing an effective date.

STATUS: Referred to Committee 1/20

HB 2240 Relating to requirements to use health care interpreters; declaring an emergency.

STATUS: Passed out of 2nd chamber with Do Pass recommendation to Senate Floor.

SB 517/325/763 – Relating to the effects on adjudicated persons of adjudications for criminal acts.

STATUS: SB 517 – 1st chamber work session held 4/4; 5/1 Do Pass recommendation; referred to W&M.

STATUS: 325 – referred to judicial committee 1/12

STATUS: 763 – 1st chamber work session held 3/28; Do pass recommendation to Senate Floor.

SB 304 – Relating to task force on occupational licensing; and prescribing an effective date.

STATUS: Committee recommend do pass, subsequent referral to W&M 3/10 (No new Status).

HB 2805—Relating to Public Meetings.

STATUS: 1st chamber work session held 4/4; 5/1 Do Pass recommendation; referred to W&M.

SB 11 – Requiring certain executive department boards or commissions that conduct public meetings through electronic means to records and promptly publish recording on website or hosting service.

STATUS: Passed out of 2nd chamber with Do Pass recommendation to Senate Floor

NEW SB 849 – Relating to professional workforce; declaring an emergency.

STATUS: 3/16 Work session held; referred to Ways & Means (No new status).

<https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/SB849>

Requires professional licensing boards to provide culturally responsive training to specified staff members, publish guidance on pathways to professional authorization for internationally educated individuals and waive requirement for English proficiency examination for specified internationally educated individuals. Prohibits Oregon Medical Board from imposing time limitation on completion of United States Medical Licensing Examination. Allows board to issue limited license to practice medicine to specified individuals for practice under supervision of other licensed physician. Establishes Internationally Educated Workforce Reentry Grant Program within Higher Education Coordinating Commission to award grants to specified entities that provide eligible career guidance and support services to internationally educated residents of Oregon who are seeking to enter Oregon workforce in certain professions. Declares emergency, effective July 1, 2023.

NEW SB 818 – Relating to suicide risk assessment continuing education opportunities.

STATUS: Work session held 3/20; referred to W&M 3/23 (No new status).

<https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/SB818>

Directs Oregon Health Authority to develop list of suicide risk assessment and treatment continuing education opportunities for specified physical health care providers. Requires authority to develop continuing education opportunities if none exist. Allows specified health professional regulatory boards to approve continuing education opportunities included on list developed and maintained by authority, and to specify minimum requirements to exempt licensees regulated by board from requirement to complete continuing education. Takes effect on 91st day following adjournment sine die.

General/Other:

HB 2992 – Restricts insurers ability to refuse to credential health care provider or refuse to contract with health care provider. **STATUS: Referred to committee 1/16**

SB 584 – OHA to implement website for health care providers to contact [health care interpreters](#) directly and to process billing. **STATUS: Work session held; no vote.**

HB 2789 – Studies License Portability of Military families. **STATUS: Referred to committee 1/16**

HB 2792 – Requires OHA to contract with a 3rd party to examine restructuring the OHA. **STATUS: Referred to committee 1/12**

SB 243 – Abolishes the Department of Education. **STATUS: Referred to committee 1/11**

SB 730 – Requires Zero-based budgeting in development of the ARB (Agency Request Budget). **STATUS: Referred to Rules committee 1/13 (No new status).**

Administrative Rules:

SB 39 – Requires agency to report to appropriate committee of legislature before permanently amending rule that was adopted < 5 years.). **STATUS: Referred to Rules committee 1/13 (No new status).**

SB 40 – Requires agency to provide technical and legal documentation support statement of need required in notice of rulemaking.). **STATUS: Referred to Rules committee 1/13 (No new status).**

SB 42 – Modifies provisions relating to FIS for admin. rules. Agencies must report to LFO as part of presenting budget requests. **STATUS: Public hearing held 2/14. Has subsequent referral to W&M. (No new status).**

SB 43 – Requires agencies to post certain info about rulemaking on agency websites. **STATUS: Referred to Rules committee 1/13 (No new status).**

SB 723 – Requires agency upon written request of 10 members of LA objecting to rule to appear before appropriate committee for hearing on rule. **STATUS: Referred to Rules committee 1/13. Motion to Withdraw from Committee FAILED 4/27.**

SB 732 – Modifies rule review process to require legislative approval of newly adopted rules in order for rules to take effect. **STATUS: Referred to Rules committee 1/13 (No new status).**

New boards:

HB 2976 – Establishes new *semi-independent* board (Oregon Spirits Board)
STATUS: 3/23-Recommended do pass referral to Revenue and then W&M. Public hearing held 4/25 in Revenue.

HB 2803 – Requires OHA to study nutritionist licensing. **STATUS: Referred to committee 1/16**

Compacts for:

- *Nursing* - HB2748, HB2408 **STATUS: 2748 - Referred to committee 1/16 STATUS: 2408 – Public hearing held 2/20.**
- *OT* - HB2736 **STATUS: Public hearing held 1/31.**

E6— Data Presentation

Part II: Complaint Categories



Complaint Investigations

Part II: Additional Analysis

OBPT Board Meeting | May 19, 2023

Part I: Presentation at March 2023 Meeting

OBPT Closed Cases:

Respondents by License Type

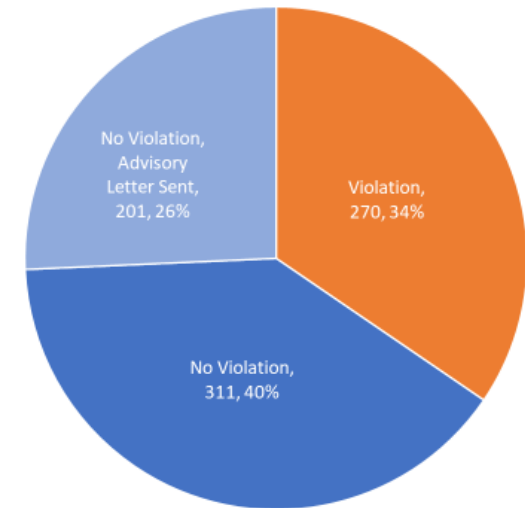
- 786 Closed Cases
 - 622 Licensees (520 PTs, 102 PTAs)
 - 20 Compact Privilege Holders (16 PTs, 4 PTAs)
 - 113 Applicants (70 PTs, 43 PTAs)
 - 31 Unlicensed Respondents

The majority of licensees investigated have had only one complaint, however 92 Licensees have been investigated 2 or more times.

Analysis includes investigations closed since May 2001.

OBPT Closed Cases:

Investigation Outcomes



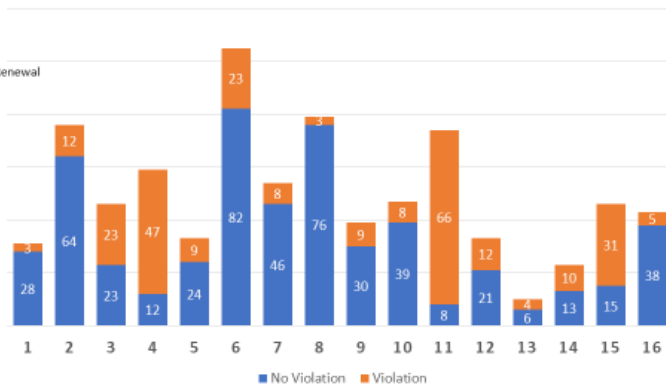
TOTAL: 786 Closed Cases

Analysis includes investigations closed since May 2001.

Part I: Board Requested Further Analysis on the Ratio of Action to No Action based on Case Type.

Number of Cases by Type

- 1 Documentation Issue
- 2 Failure to Disclose History on Application/Renewal
- 3 Supervision Issue
- 4 Failure to complete CC Requirements
- 5 Discipline in Another state
- 6 Boundary Issues/Ethics
- 7 Scope of Practice Issue
- 8 PT Injury, Negligence, RX Competency
- 9 Billing issues or Billing fraud
- 10 Arrest or Conviction of Crime
- 11a Expired License less than one month
- 11b Expired License greater than one month
- 11c Expired License greater than one year
- 12 Practicing without a valid license
- 13 Improper use of title (DPT, PT, etc)
- 14 Drug or Alcohol abuse
- 15 Multiple Violations
- 16 Other



Analysis includes investigations closed since May 2001.

Note- Individual cases may be represented in more than one case type.

Discussion

- The Board has taken formal disciplinary action on 34% of total cases over the last ~20 years.
- The ratio of action compared to no action varies widely depending on case type- with one case type only resulting in action in 4% of cases and another case type resulting in action for 89% of cases.
- For Type 6 cases, the Board has taken action on 22% of cases overall.
- When subdivided, the Board has taken action on
 - 13% of Type 6A
 - 16% of Type 6B
 - 31% of 6C

Note- "Violation" and "Disciplinary Action" are used interchangeably throughout this presentation.

Case Type by **Impact Category**

Case Type by Complaint Allegations

- 1 Documentation Issue
- 2 Failure to Disclose Complete Personal History on Application or Renewal
- 3 Supervision Issue
- 4 Failure to complete Continuing Competency Requirements
- 5 Discipline in Another state
- 6 Boundary Issues/Ethics (Ethical; Non-Sexual Boundary; Sexual Misconduct)
- 7 Scope of Practice Issue
- 8 PT Injury, Negligence, RX Competency
- 9 Billing issues or Billing fraud
- 10 Arrest or Conviction of Crime
- 11 Expired License
- 12 Practicing without a valid license
- 13 Improper use of title (DPT, PT, etc)
- 14 Drug or Alcohol abuse
- 15 Multiple Violations
- 16 Other

To further analyze the ratio of cases in which the Board found a violation occurred, we chose to look through the lens of **who** the violation impacted and **how**.

As a result, we split Case Types into 3 **Impact Categories:**

- **Direct Patient Harm**
- **Indirect Patient Harm**
- **Licensing Requirements**

Note: By separating Licensing Requirements from the Patient Harm categories, we are **not implying** that failure to comply with licensing requirements doesn't impact or harm patients. Rather, we are distinguishing between patient harm that has already occurred and the *potential* for patient harm, in alignment with the Board's strategic initiative to focus on prevention.

Case Types by **Impact Category**

Licensing Requirements

- Failure to Disclose Complete Personal History on Application or Renewal (2)
- Failure to complete Continuing Competency Requirements (4)
- Discipline in Another state (5)
- Arrest or Conviction of Crime (10)
- Expired License (11)
- Practicing without a valid license (12)
- Improper use of title (DPT, PT, etc) (13)

Direct Patient Harm

- Supervision Issue (3)
- Boundary Issues/Ethics (6)
 - Ethical violation (6a)
 - Non-Sexual Boundary Violation (6b)
 - Sexual Misconduct (6c)
- Scope of Practice Issue (7)
- PT Injury, Negligence, RX Competency (8)

Indirect Patient Harm

- Documentation Issue (1)
- Billing Issues or Billing Fraud (9)

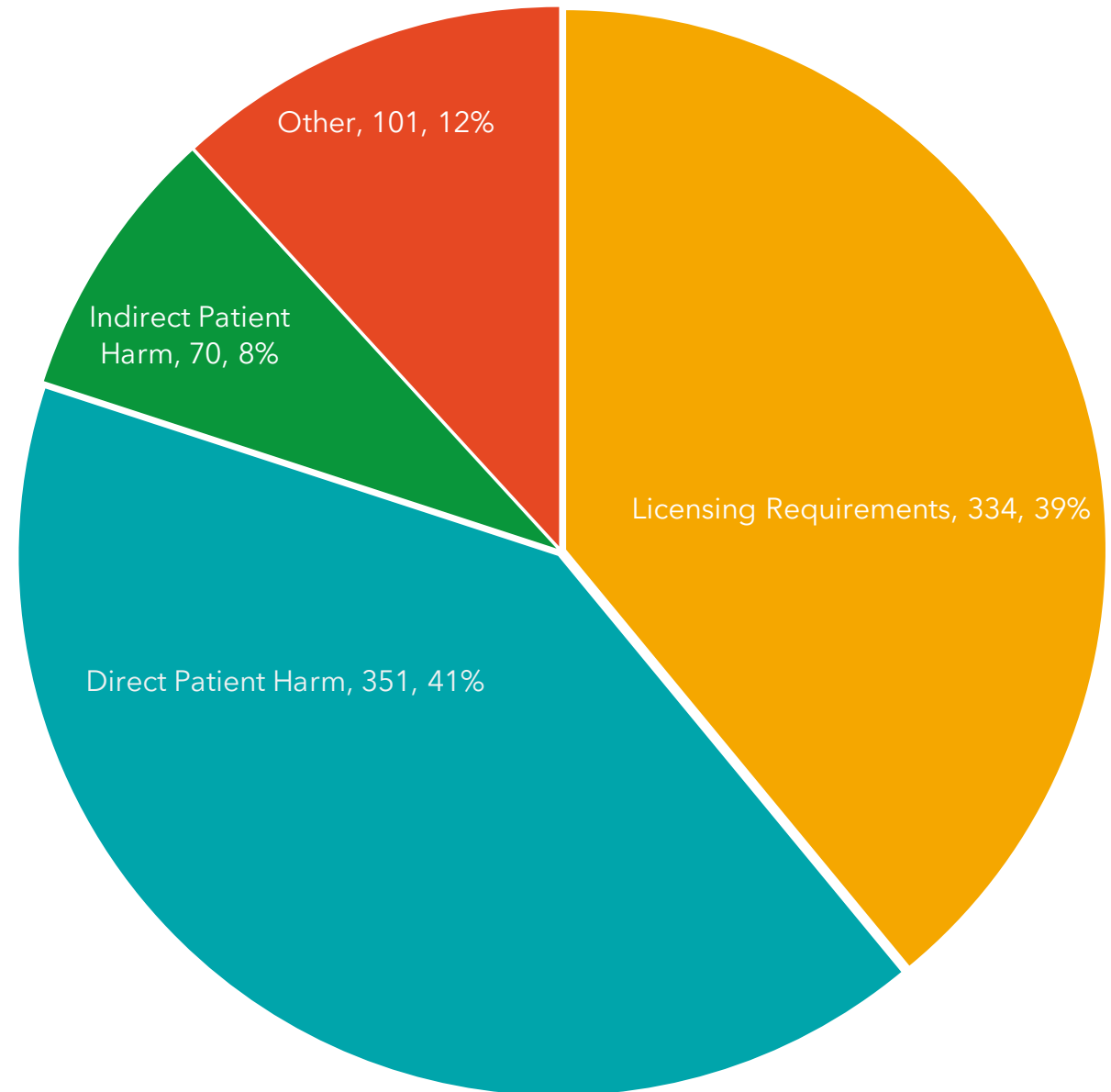
Additionally, 3 case types could fit within multiple categories because the **Investigation Specifics Determine Impact Category**. For the sake of brevity, we'll be referring to these as "**Other**" for the remainder of the presentation.

- Drug or Alcohol abuse (14)
- Multiple Violations (15)
- Other (16)

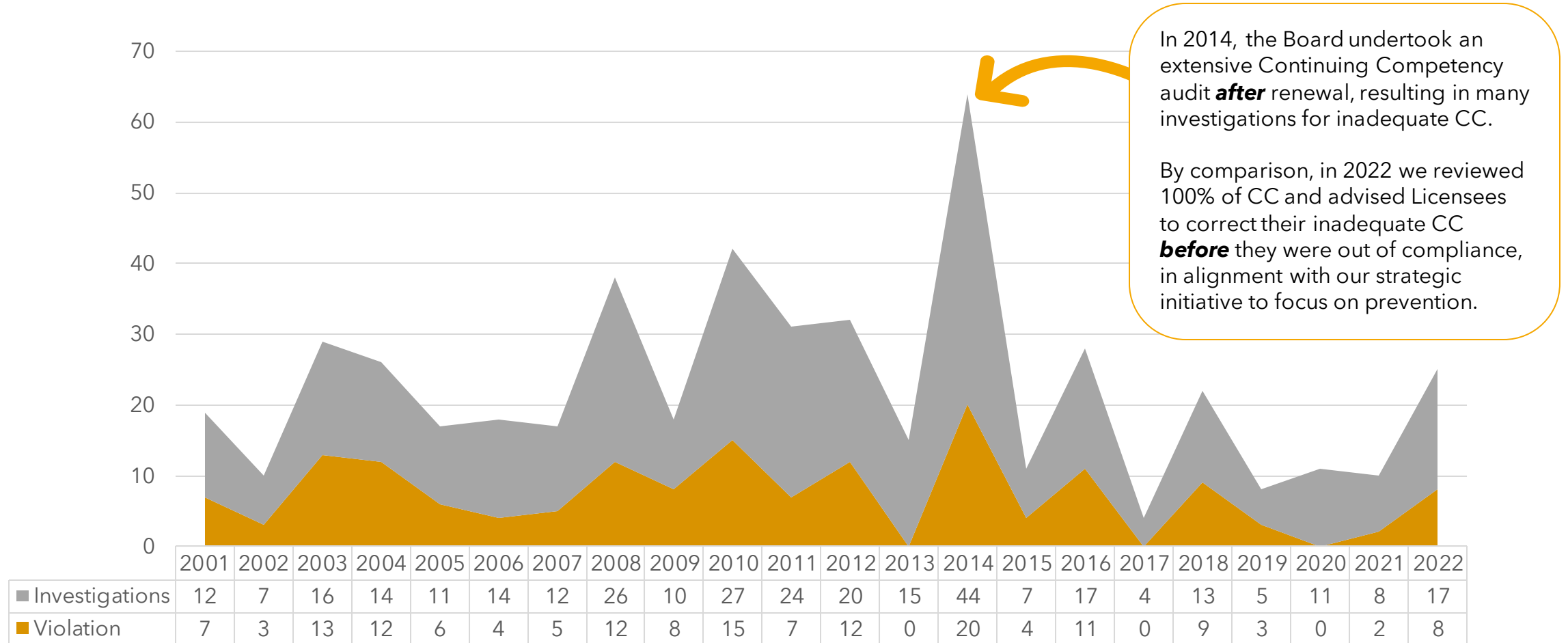
Impact Category

Count and Percentage of Cases by Impact Category

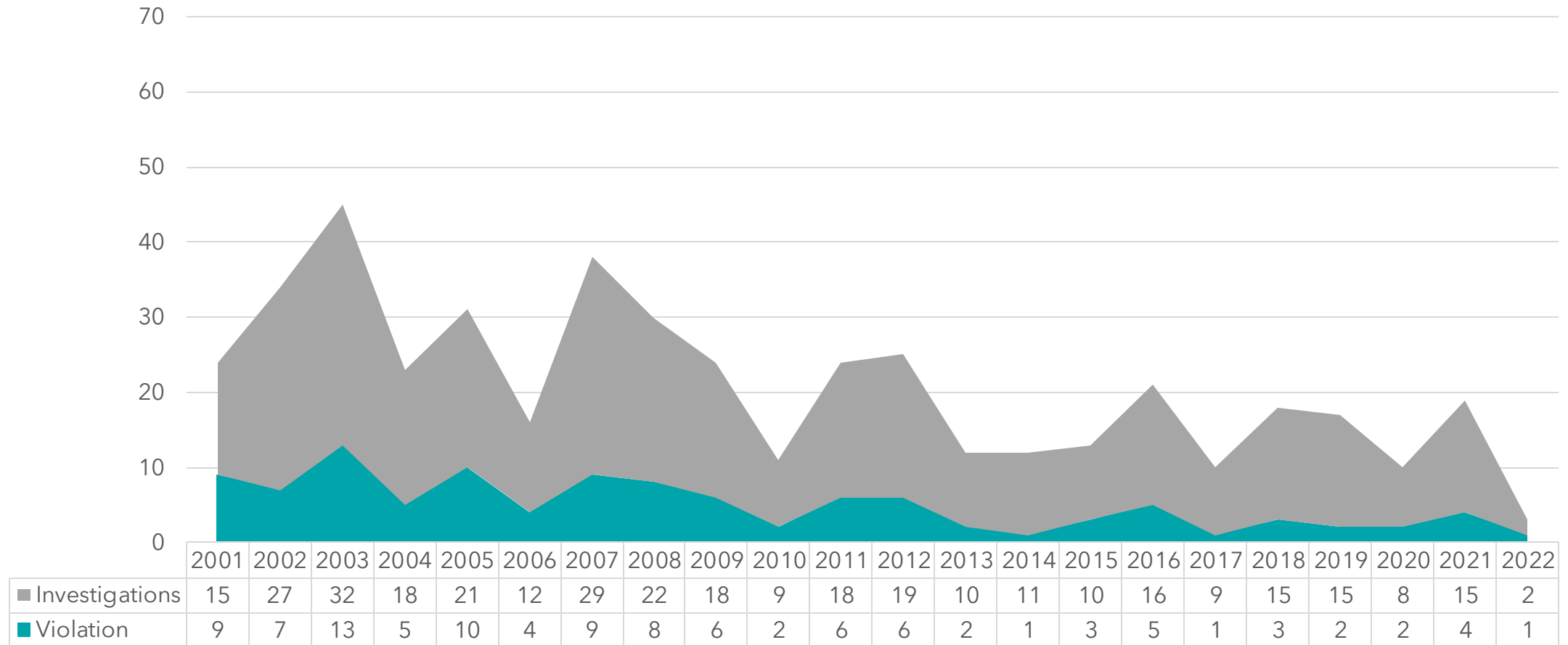
Analysis includes all investigations closed between May 2001 and March 2023, irrespective of case outcome.



Licensing Requirements Investigations Over Time

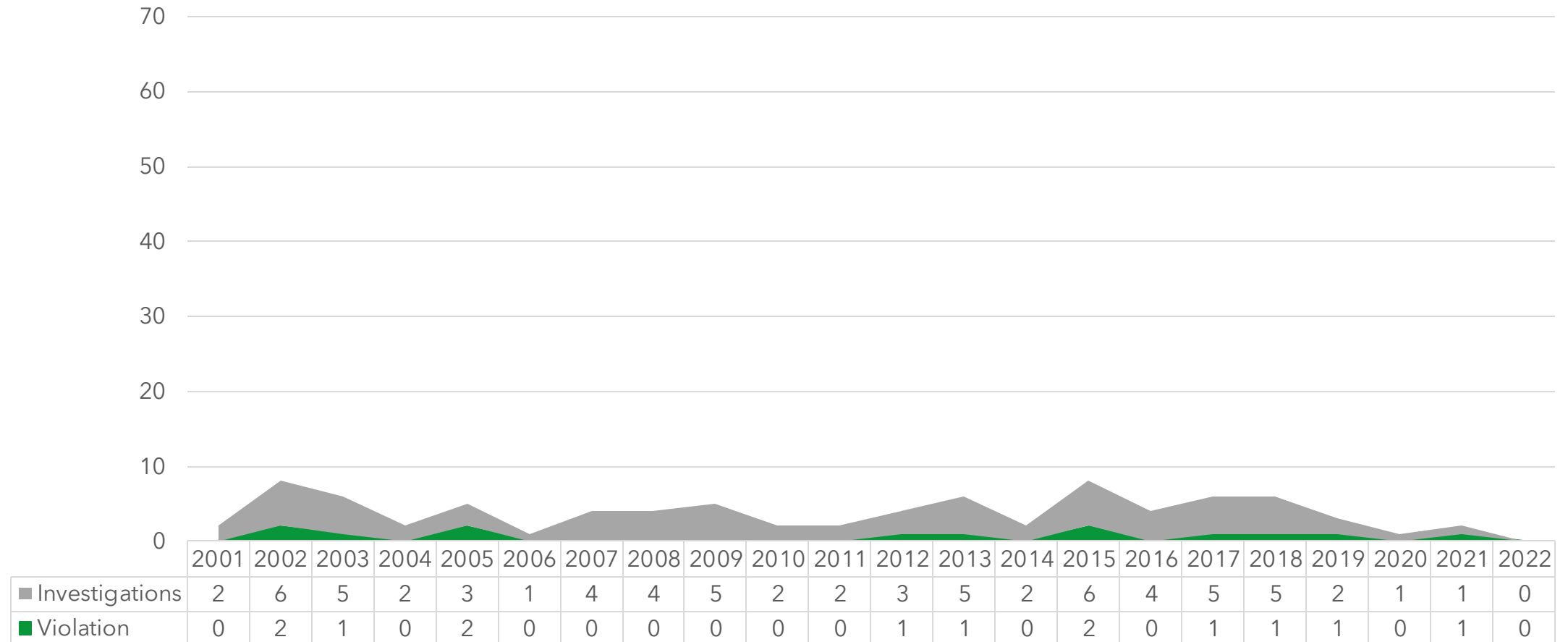


Direct Patient Harm Investigations Over Time



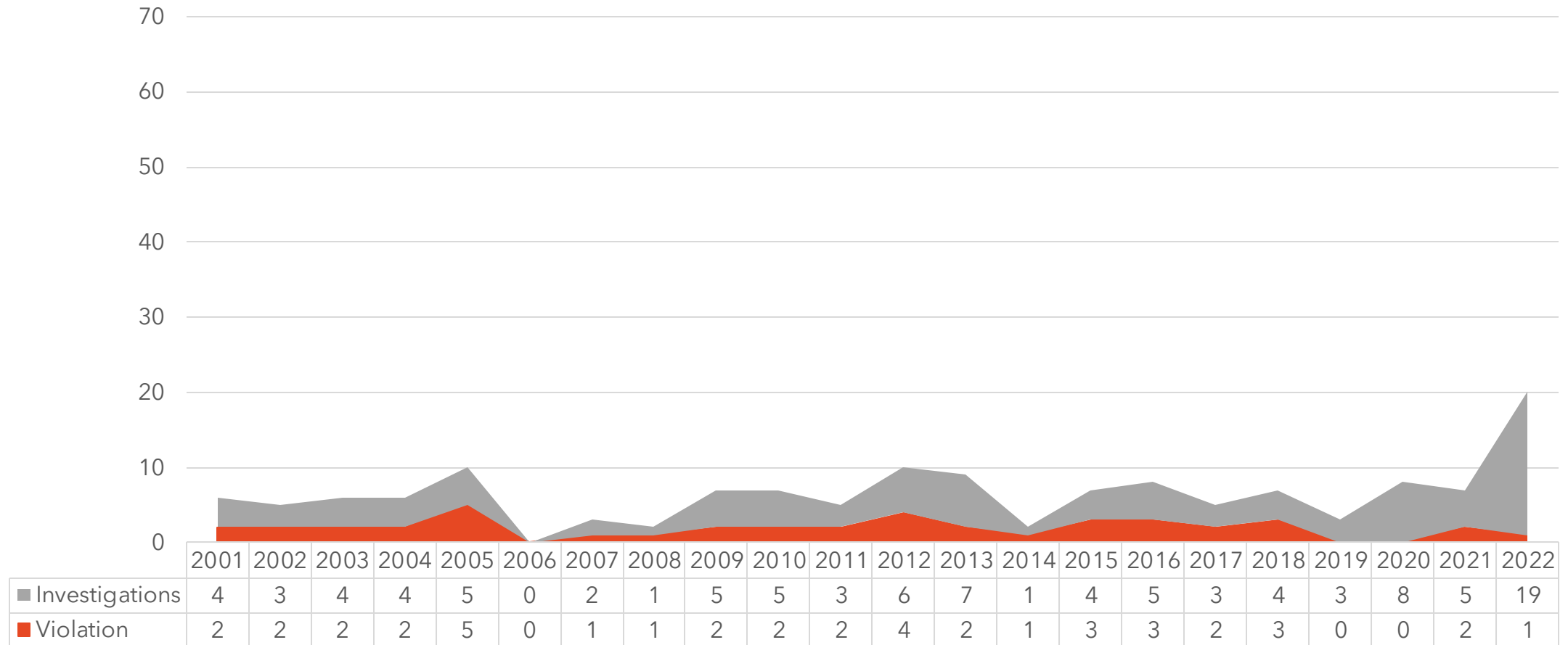
Analysis includes all investigations closed between May 2001 and March 2023.

Indirect Patient Harm Investigations Over Time



Analysis includes all investigations closed between May 2001 and March 2023.

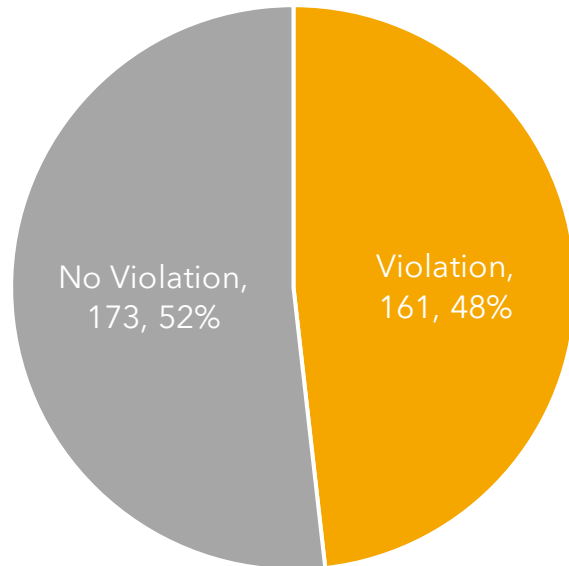
Other Investigations Over Time



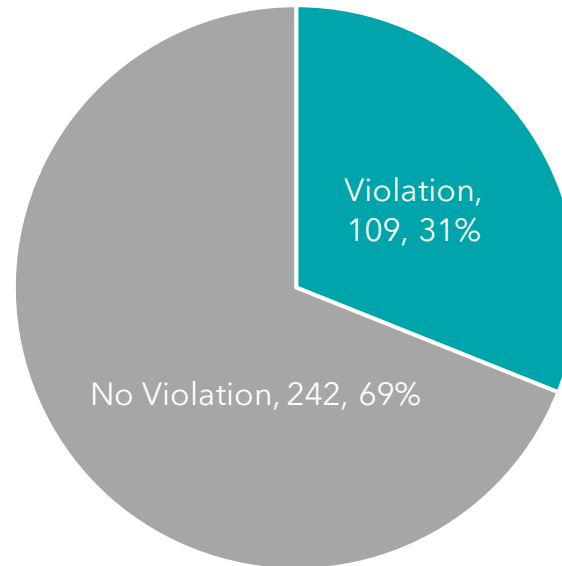
Analysis includes all investigations closed between May 2001 and March 2023.

Ratio of Finding of Violation vs. No Violation

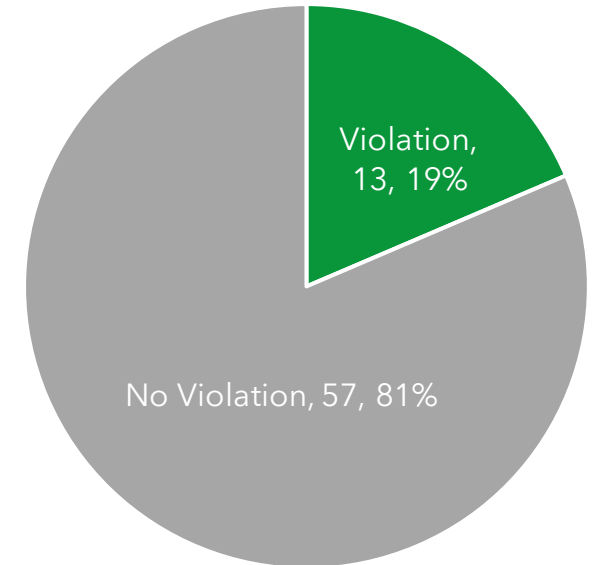
Licensing Requirements



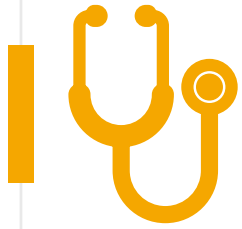
Direct Patient Harm



Indirect Patient Harm



PLUS: 41% Finding in "Other" Impact Category



Comparison: Oregon Medical Board

Information published in the
OMB Legislative KPM Report for 2022
as part of KPM #2.

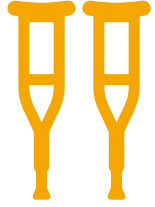
Fiscal Year	2018	2019	2020	2021	2022
Investigations Closed	745	805	743	880	820
Orders & Agreements Issued	55	41	79	85	77



Approximately 7-10%



**Need to confirm data
measurement detail.**



Comparison: Ohio OTPTAT Board

Joint Board: Occupational Therapy, Physical Therapy, and Athletic Trainers Board

FY 2022 PT Investigations Only

- 102 Completed Investigations
 - 17 Consent Agreements
 - 3 Hearings resulting in Revocation
 - 82 Investigations with No Disciplinary Action Taken



Approximately 20%



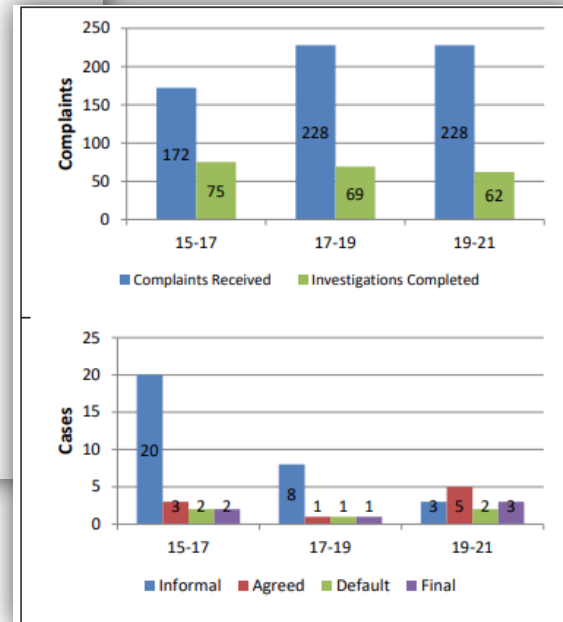
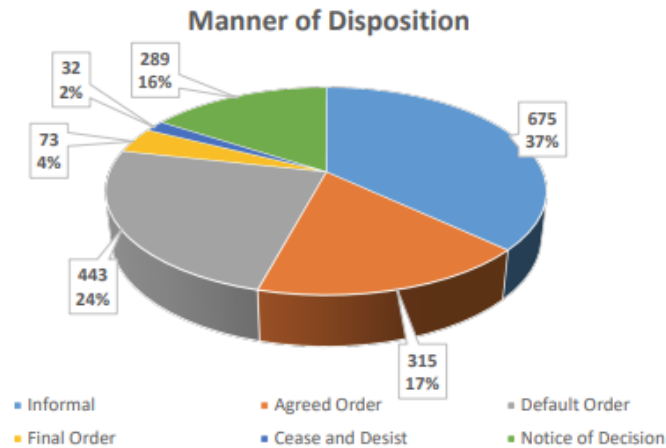
Need to confirm data measurement detail.



Comparison: Washington Overall & Physical Therapy Board

Figure 3 – Summary of Case Disposition – 2019-21 Biennium

The department, boards, and commissions took disciplinary action on 5 percent (1,827) of the total 35,128 complaints on all professions.⁵ Here is the breakdown of disciplinary actions by the manner of disposition.



Approximately 3-5%



Need to confirm data measurement detail.

All Washington Professions

PT Board

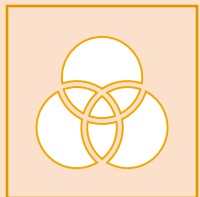
Discussion



From March....

"The Board has taken formal disciplinary action in 34% of total cases over the last ~20 years.

The ratio of formal disciplinary action varies widely depending on case type- with one case type only resulting in action in 4% of cases and another case type resulting in action for 89% of cases."



New Analysis....

Over the last 20 years, the Board has taken formal disciplinary action on

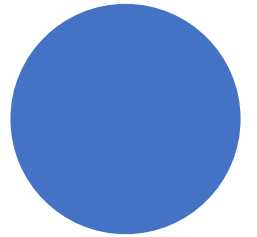
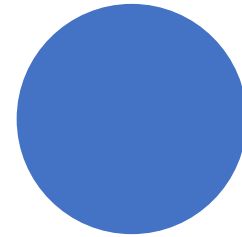
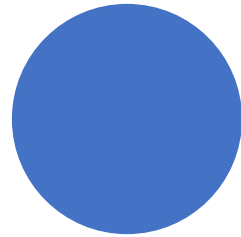
41% of Licensing Requirements Cases

31% of Direct Patient Harm Cases

19% of Indirect Patient Harm Cases

41% of cases in which the Investigation Specifics Determined the Impact Category (Other)

F – Other Business



III - Adjourn