

**Oregon Board of Physical Therapy
Board Meeting Minutes
July 19 and July 21, 2023**

Wednesday, July 19

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

Board Members Absent: None (one position vacant).

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

Staff Absent: None.

Legal Counsel: Angie Hunt, AAG.

PUBLIC (OPEN) SESSION

Chair Shanahan convened the Board into Public Session at 4:05 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 4:07 PM pursuant to ORS 192.660(2)(f) and ORS 192.660(2)(L).

At 7:03 PM, Chair Shanahan adjourned Executive Session.

Friday, July 21

PUBLIC (OPEN) SESSION

Chair Shanahan convened the Board into Public Session at 8:30 AM.

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

Board Members Absent: None (one position vacant).

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

Staff Absent: None

Legal Counsel: Angie Hunt, AAG.

Members of the Public Present: Noel Tenoso, PT; Jessica Lumba, PT.

Board Motions:

Case PT 761-05/22

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

Case PT 787-12/22

Motion by Member Reynolds to issue an interim order pursuant to ORS 688.140(3)(g).
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 799-03/23

Motion by Member Reynolds of finding of violation of ORS 688.140(2)(a)(j) and OAR 848-045-0020(2)(b)(c).
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 809-05/23

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

Case PT 810-05/23

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

Case PT 814-06/23

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

Case PT 817-07/23

Motion by Member Reynolds to issue license and close case.
Motion seconded by Member Okumura.
Motion passed unanimously by a vote of 7-0.

Case PT 813-06/23

Motion by Member Reynolds to issue license and close case.
Motion seconded by Member Okumura.
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—May 19, 2023.
- 2 Ratification of PT/PTA Licenses & Temp Permits issued May 1, 2023 – June 30, 2023.

3 Executive Director's Report for July 2023.

4 Summary Report: Developing Culturally Responsive Regulation.

Director Sigmund-Gaines highlighted a few items. The audited financials were only available through May in time for the meeting. The final numbers for June and the overall 21-23 biennium will be reported at the next Board Meeting. The other statistical data on the Director's report does go through June. Also, noted was that we are expecting a significant upgrade to our licensing system which is expected for September/October. In addition, the prior biennium external audit will be starting in October.

Member Reynolds moved to approve the consent agenda items as written. Member Okumura seconded the motion. Motion passed unanimously by a vote of 7-0.

Public Comments

None.

Board Member/Committee/Delegate Reports

Director Sigmund-Gaines noted that the PT Compact Commission recently changed their administrative rules now allowing any administrative staff member to serve as the PT Compact Delegate rather than only the Director.

Member Reynolds moved to elect Sherri Paru as the PT Compact Delegate for Oregon. Member Okumura seconded the motion. Motion passed unanimously by a vote of 7-0.

Strategic Plan Progress Review: Aside from the updates provided in the Director's report, it was noted that due to other work and the recent Leadership Issues Forum (LIF) meeting, two project items have been on hold. We have not been able to coordinate follow-up with the Board of Medical Imaging or further our work with the Educational Pathway Committee. We expect to pick up with these discussions in the late fall. The Rules Advisory Committee for the Non-CAPTE accredited rules review will be discussing the Model Practice Act that was presented at the LIF meeting as they continue their work.

Open Roundtable:

Member Rennick shared input regarding the use of ultrasound. He stressed that in future meetings with the OBMI, we should clarify that the application is not for diagnosis but rather to use as a guide for rehabilitation.

Board General Discussion & Action Items

Review of Delegated Authority

Director Sigmund-Gaines reviewed the proposed changes to the delegative authority letter regarding the issuance of a confidential advisory letter pertaining to the failure to disclose. Member Reynolds moved to adopt the proposed amendment to the delegated authority license application approval policy as written. Member Okumura seconded the motion. Motion passed unanimously by a vote of 7-0.

2023 Legislative Session Update

Director Sigmund-Gaines reviewed the 4 bills from our previous list that made it through the legislative session. These include: HB 2618, HB 2240, HB 2805 and SB 11. The Board was reminded that our next opportunity for an agency legislative concept request would not be until

2025.

Board Annual Best Practices Review

Director Sigmund-Gaines led the members through two assessment tools. The 1st one is required by all semi-independent agencies. The second assessment is the Board Assessment Resource (BAR) Tool created by the FSBPT. This process led to productive discussion and identified opportunities of where we could explore other ways to make improvements. A favorable response was given for both assessments.

General Discussion

Chair Shanahan shared her experience at the LIF meeting and expressed the benefit of having discussions with the other jurisdictions. Topics presented at the meeting included the NPTE passing rates and upcoming changes to the exam, re-entry to practice, workforce data, telehealth and the use of artificial intelligence (AI) in the practice of physical therapy.

One day of the workshop was a review of the revised Model Practice Act published at the end of 2022. Director Sigmund-Gaines added the FSBPT will be providing a recap of the LIF presentations to share.

Noel Tenoso, PT attended the Model Practice Act session as the APTA Oregon representative. He is looking forward to seeing what changes may occur because of the updates. Director Sigmund-Gaines noted that together with Chair Shanahan and Noel, they will be continuing the Crosswalk exercise, which is comparing the Model Practice Act to our current statutes and rules and bringing the results to the next Board Meeting for their review. If either organization has interest in pursuing any legislative changes, then we will discuss the pathways to take those changes to a legislative concept for the 2025 session.

Also noted were 2 additional topics discussed at the meeting. The Sexual Misconduct and Boundary Violations Committee is developing additional materials pertaining to sexual misconduct and trauma as well as looking at the term protection and digital practice, or AI in particular. We anticipate having more discussions regarding this at future meetings.

Other Business

Director Sigmund-Gaines advised the Board that the Governor appointment for the second public Board Member is scheduled for the week after our September in-person Board meeting. It was asked if members would have any conflicts with changing the meeting to Oct 6. After discussion, it was determined that it would be best to keep the meeting as scheduled.

Meeting Adjourned at 10:21 AM.