

Kansas Board of Healing Arts
Physical Therapist Council Meeting
February 22, 2012 at 2:00pm

- I. Call to Order:** Meeting called to order by Chair Carolyn Bloom at 2:04 p.m.
Council Members Present: Carolyn Bloom, PT; Gary Counselman, DC; Aaron Proctor, PT; Dave Sanderson, PT;
Council Members Absent: Dick Geis, MD
Others Present: Ann Halferty, Assistant General Counsel; Katy Lenahan; Licensing Administrator; Joshana Offenbach, Associate Disciplinary Counsel; Dan Riley, Disciplinary Counsel; Kelli Stevens, General Counsel
- II. Approval of Minutes from November 2, 2011:** Minutes approved (Sanderson – Proctor)
- III. Old Business:**
- A. Proposed Changes to KAR 100-29-9:** Ms. Stevens reported that the regulation has been returned from the Dept. of Administration for formatting changes. The changes will be made and resubmitted.
 - B. KSA 65-2914 and KAR 100-29-16 Board Policy:** Following a discussion on the statute and regulation, Mr. Sanderson made a motion to add a new regulation to KAR 100-29-16 that a PT must evaluate and establish a plan of care within 1 week from the initial PTA contact, then maintain PT contact as patient requires or in the normal course of care. Motion was seconded by Mr. Proctor. Motion was carried with no one opposing. Ms. Stevens will form the regulation and e-mail each Council member. The regulation will go to the April Board meeting for approval.
 - C. Senate Bill 76, creating regulations:** Ms. Bloom reported that KPTA does not want to take the issue back to the legislature. Ms. Stevens stated that there is no prohibition against any specific designation and if an individual wants to have a specific designation approved the licensee would need to submit a request for consideration to be added to the Board agenda; therefore, there will be no need for a regulation or for staff to create a list of approved designations.
 - D. Dry Needling:** Ms. Stevens stated that the issue has not been added to the website's FAQs yet because she is in the process of revising the FAQs, but it should be added soon. Ms. Bloom reported that dry needling is a controversial topic and many states are now approving it for PTs and recently some states have been reversing previous decisions against it. Mr. Sanderson's believes this is a topic that KPTA should look at.
 - E. Mentoring Plans:** The Council reviewed the OT/OTA mentoring plan forms and Mr. Sanderson made a motion that the forms should be revised and used for mentoring plans for PTs and PTAs. The motion was seconded by Mr. Proctor. The motion carried with no one opposing. Ms. Bloom and Mr. Sanderson will revise the forms and bring the revised forms to the next Council meeting for the full Council to review.
- IV. New Business:**
- A. HB 2159:** Ms. Bloom reported that the bill has passed out of committee. Ms. Bloom was concerned with the fiscal note that was submitted on behalf of the Board because it stated that the Board may incur additional costs if the Bill should pass. Ms. Bloom stated that it has been

documented in other states that have passed similar Bills that the cost to licensing agencies have not increased because there have been no increase in complaints or investigations. Mr. Riley stated that it is just an estimate and hypothetical on what could occur.

- B. Complaints against PTs/PTAs:** Ms. Bloom stated that she attends national PT meetings in which other states discuss statistics concerning complaints and actions taken on PTs but she is unaware of the statistics for Kansas. Mr. Riley stated that he could provide a statistical report on complaints and actions taken but he is unable to provide specific case details beyond what is public knowledge. Ms. Bloom was also referred to the Board's website if she wanted to review formal actions taken against a specific licensee.
- C. Disciplinary Actions taken on past complaints against PTs/PTAs:** This topic was discussed in conjunction with Complaints against PTs/PTAs listed above.
- D. Accommodations:** Mr. Sanderson wanted clarification the approval of accommodations for testing. Ms. Lenahan discussed the accommodations form. It was agreed that Ms. Lenahan will obtain additional information on the need for accommodations if Mr. Sanderson requires when reviewing applications.

V. Disciplinary Report: Ms. Halferty and Ms. Stevens were recused. Close session 3:55 (Sanderson – Proctor). Open Session 4:15 (Sanderson – Counselman).

VI. Application Review:

- A. Application Review Report:** Ms. Lenahan presented the review report. Seven applicants requested additional examination dates and 2 were application reviews for those that had been out of practice. Seven were approved and 2 were sent to the full Council to review.
- B. Jennifer Porter request retest for the 8th time:** The full Council reviewed her request and agreed she should be allowed to retest one additional time. The Council will not consider another retest if she does not pass on the 8th attempt.
- C. Amy May PT, request to change license designation to active:** The full Council reviewed her request. It was determined that she needs to take the PRT through FSBPT and submit her results. The results will be forwarded to Mr. Sanderson to review.

VII. Meeting Dates: 2:00 on May 16, 2012, August 22, 2012 and November 14, 2012

VIII. Adjourn: 4:35 (Sanderson - Bloom)