

MINUTES

PHYSICAL THERAPY MEETING

June 18, 2024

Heber M. Wells Bldg.

ELECTRONIC MEETING – 8:30 a.m.

Salt Lake City, UT 84114

CONVENED: 8:31 A.M.

ADJOURNED: 10:53 A.M.

DOPL STAFF PRESENT:

Bureau Manager: Jeff Busjahn

Board Secretary: Kelli Arriola

CONDUCTING:

Jackie Waring, DPT – Chair

BOARD MEMBERS PRESENT:

Jackie Waring, DPT – Chair

Linda Scholl, DPT

Jeff Lau, DPT

Amy Hardcastle-Cottam, Public Member

BOARD MEMBERS EXCUSED:

Amy Powell-Versteeg, PTA

GUESTS:

Matthew Johnson – DOPL, Legal Analyst

Diana Ragsdale

Brodie Martin

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER

Dr. Waring called the meeting to order at 8:31 a.m.

APPROVE THE MARCH 19, 2024, MINUTES:

Ms. Hardcastle-Cottam motioned to approve the minutes.

Dr. Lau seconded the motion.

The vote in favor was unanimous.

DISCUSSION ITEMS:

LEGISLATIVE UPDATE: N/A

ENVIRONMENTAL SCAN: N/A

FSBPT REGULATORY TRAINING MEETING DISCUSSION:

(Refer to audio for specifics. Audio_Part1_04:49 – 31:26)

Dr. Scholl attended the FSBPT Regulatory Training and asked questions on a few of the items the training went over. How does DOPL handle public and private information listed on application information. Mr. Busjahn explained that if a GRAMA request is made for an application all the personal and private information is redacted.

Dr. Scholl asked when an applicant is up for renewal and how often they are required to provide a background check. Mr. Busjahn explained if the applicant is renewing within the two-year cycle, they are not required to do a background check, but they are required to self-report and answer the qualifying questionnaire questions which asks if they have any pending investigation, disciplinary or criminal charges in the past two years. If the license has expired over the two-year cycle the applicant will need to fill out a new application and provide two new fingerprint cards for a background check.

Duke University offers a Physical Therapy course for foreign educated applicants.

Dr. Scholl would like to investigate reinstating the jurisprudence exam in Utah. This is something that can be discussed at a future meeting.

RE-ENTRY REQUIREMENTS & RULE REVIEW DISCUSSION:

(Refer to audio for specifics. Audio_Part1_32:43 – 1:19:03)

Mr. Johnson did a legal analysis of the re-entry requirements. Based on Mr. Johnson's findings the way the law works there are basically three categories of expiration.

- 1.) 1–2-year period - Allow the license to expire in the two-year cycle.
- 2.) 3–5-year period – Come before the board for guidance for reinstatement.
- 3.) 5 + years – The statute goes silent.

According to statute **58-24b-302**

- (1) An applicant for license as physical therapist shall:
 - (a) complete the application process, including payment of fees;
 - (b) submit proof of graduation from a professional physical therapist education program that is accredited by a recognized accreditation agency;
 - (c) pass a licensing examination:
 - (i) after complying with subsection (1)(b); or

Per Mr. Johnson, the way the law is written the exam cannot be taken until proof of education and submission of application. Anyone re-applying after the five-year period must re-take the exam.

According to statute **58-1-303**.

- (1) (a) The division may issue a temporary license to a person who has met all license requirements except the passing of an examination. In this case:
 - (i) the licensee shall take the next available examination; and

There is a way for re-entry after the five-year period. The applicant would be issued a temporary license and then the applicant would have to re-take the exam. Mr. Johnson believes there was an oversight when drafted and would need a clean-up bill to fix the statute. Mr. Johnson will continue to investigate a clean-up bill to fix the statute and work around the five-year plus cap.

APPOINTMENTS:

Diana Ragsdale – PT Applicant – Interview conducted by the Board.

Ms. Ragsdale is meeting with the Board to seek their guidance on how to reinstate her Utah license.

- Dr. Waring motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

The motion was seconded by Dr. Scholl.

The vote in favor was unanimous.

The meeting closed at 9:51 and reopened at 10:33.

Dr. Waring advised that the board has reviewed Ms. Ragsdale's situation, and the board would like to table this interview to a future meeting once there is more information on the re-entry review.

HB 534 BOARD COMPOSITION DISCUSSION:

(Refer to audio for specifics. Audio_Part2_00:40 –15:40)

Mr. Busjahn advised the board that the legislature combined the Physical Therapy Board and Occupational Therapy Board. The new board is effective October 1st 2024. The new name of the board is Physical Therapies Licensing Board. The new board will be comprised of three Physical Therapists, one Physical Therapist Assistant, two Occupational Therapists, one Occupational Therapist Assistant and one Public Member. This is not combining Practice Acts or Rule. Physical Therapy has its own practice act and rule. Occupational Therapist has its own practice act and rule.

MOVING THE NEXT BOARD MEETING:

The board has some conflicting engagements with the upcoming board meeting on September 17th, 2024. The board has agreed to move the next board meeting to September 10th, 2024.

NEXT SCHEDULED MEETING: SEPTEMBER 10, 2024

ADJOURN: 10:53 A.M.

The meeting was adjourned at 10:53 A.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

09/10/2024

Date Approved

Jackie Waring
Jackie Waring (Sep 10, 2024 16:18 MDT)

Jackie Waring - Chairperson, Physical Therapy

09/11/2024

Date Approved

Jeff Busjahn

Jeff Busjahn - Bureau Manager, DOPL