

MINUTES OF THE ANNUAL MEETING OF THE NORTH DAKOTA BOARD OF PHYSICAL THERAPY

May 14, 2018

Present: Board members Dr. Keith Swanson, Jeanne DeKrey, Reed Argent, Daniel Conn and Dave Relling; Executive Officer Bruce Wessman; Board Counsel Jack McDonald; North Dakota Physical Therapy Association PTA liaison Cassie Christensen and PT liaison Brittany Anderson; Visitor Sam Larson

Absent: Dr David Schall

Board President Reed Argent called the meeting to order at 9 AM Monday, May 14, 2018, at the Wheeler Wolf Law Firm, 220 N. 4th Street, Bismarck, ND 58501-4004.

Minutes: After review, it was moved by Jeanne DeKrey, seconded by Dave Relling and passed unanimously to approve the minutes of the Board's May 8, 2017, annual meeting, and the conference call meetings of May 14, 2017.

Continued Competency Rules: Bismarck attorney Sam Larson appeared before the Board and asked it, on behalf of PT Courses.com, to amend North Dakota Administrative Rule §61.5-03-02-01 to provide that "certified activities" would include continued competence related to physical therapy that are "approved" by state physical therapy boards in addition to other certified activities. Board president Argent said the Board will take his concerns into consideration as it reviews possible statutory and rule changes.

Alternate Approval Pathway for NPTE: Bruce Wessman informed the board that North Dakota was not eligible to participate in the AAP as we have a rule requiring remediation after the second failed NPTE attempt. FSBPT is not able to accommodate this rule in their screening process.

PT Compact: Bruce Wessman reported that North Dakota is on track to start accepting applications via the PT compact July 1, 2018. The database has been updated and able to communicate with FSBPT.

Criminal Background Checks: Bruce Wessman updated the board that almost all required board personnel have completed the online CJIS training. Bruce Wessman and Jack McDonald have completed in-person training from the Bismarck BCI office. Criminal Background checks are set to go into effect starting with all new applications as of July 1, 2018.

PT and Ionizing Radiation: Bruce Wessman presented a letter from Warren Freier of the North Dakota Department of Health. The letter stated that all screening programs that use ionizing radiation must make application to this department for prior approval and that the ND-DOH RCP does not allow use of x-ray technology without a licensed practitioners order.

CC Audit: Bruce Wessman reported that 40% of those audited for continuing competence compliance failed the audit. All licensees had enough total credits however there was discrepancy in

what was reported as “certified” units vs. “approved” units. As the PT board believes the rule that was put into effect in 2016 is confusing it was moved by Reed Argent, seconded by Keith Swanson and passed unanimously to waive enforcement of this rule as long as the licensee had a total of 25 units of continuing competence for the 2 year reporting cycle.

Rule Changes: Bruce Wessman presented the board with numerous rule changes. The Board agreed to look at the following rules. PTA supervision levels, PT aide duties, coursework tool requirement for foreign trained applicants, PTA foreign trained applicants, 6 time limit for NPTE, removal of remediation requirement, addition of a compact fee, change in board composition and rewriting of the CC rules. The board will create a rules review committee to look into these changes. Member of the committee will be Bruce Wessman, Jeanne Dekrey, Dave Relling and Reed Argent.

A motion was made by Jeanne DeKrey, seconded by Dave Relling and passed unanimously to form a task force consisting of PT/PTA’s from around the state to review the issues of PTA supervision and scope of practice in ND. Cassie Christensen, Bruce Wessman, Dave Relling and Justin Berry will head up this task force.

Budget: Bruce Wessman presented a draft budget for July1, 2018 to June 30, 2019. After discussion of line item changes it was moved by Jeanne Dekrey, seconded by Keith Swanson and passed unanimously to accept the budget as presented. For the line items: It was moved by Jeanne Dekrey, seconded by Dave Relling and passed unanimously to accept the audit bid of 3,100 from Brady Martz of Grand Forks. It was moved by Keith Swanson, seconded by Dave Relling and carried unanimously to increase the executive officer’s pay from \$1,400 to \$1,500 per month and to change the Board counsel’s pay from per month charges to a monthly retainer of \$1,500 per month, with both actions effective July 1, 2018. It was moved by Jeanne Dekrey, seconded by Dave Relling and passed unanimously to sponsor a continuing competence activity by the NDPTA for \$5,000. It was moved by Dave Relling, seconded by Jeanne Dekrey and passed unanimously to allow the executive officer to purchase a new computer for board activity. After discussion on handling the money for processing criminal background checks it was moved by Jeanne Dekrey, seconded by Dave Relling and passed unanimously to collect the \$40.00 BCI change for criminal background checks along with the \$200 application fee and to send the \$40.00 fee onto Bismarck BCI with the completed fingerprint cards.

Financial statement: Bruce Wessman presented the board with the financial statements as of May 1, 2018. A motion was made by Jeanne Dekrey, seconded by Dave Relling and passed unanimously to add 75,000 to the PT board’s reserve fund.

Licensure stats: Bruce Wessman presented the board with the current number of PT/PTA licensed by North Dakota. Currently there are 872 PT and 173 PTA.

Complaint: Bruce Wessman informed the board that there was one complaint that was investigated last year. The complaint dealt with the use of PT aides and billing for their services. The PT board was made aware of the allegations and the findings of the investigation. Following discussion of this case it was moved by Jeanne Dekrey seconded by Daniel Conn and passed unanimously with Dave

Relling abstaining from the vote to accept an agreed order consisting of an advisory letter placed in the files of the therapist involved.

Questions for the board: The PT Board was asked if a PT can write return to work orders for patients. The PT board stated that writing return to work orders was within the PT's scope of practice and is common with direct access patients and work injury management through North Dakota WSI for Functional Capacity and Workability testing.

Farwell to Dr. David Schall: Bruce Wessman announced that Dr. Schall's term on the board expires on June 30th 2018. As of today the Governors' office has not filled this position.

Election of Officers: It was moved by Dave Relling, seconded by Keith Swanson and passed unanimously that Jeanne DeKrey and Reed Argent be elected President and Vice President respectively.

2018 FSBPT Annual Meeting: The Board designated Jeanne DeKrey and Reed Argent respectively, as FSBPT-funded delegate and alternate delegate to the 2018 FSBPT Annual Meeting. Bruce Wessman was designated to attend the 2018 FSBPT Annual Meeting as the Board's administrator, FSBPT will fund his attendance. A motion was made by Jeanne DeKrey, seconded by Reed Argent and passed unanimously to fund the remaining 2 board members to attend the FSBPT's educational session.

Next Board Meeting: The date of next year's board meeting will be set at a later time

No further business appearing, President Argent adjourned the meeting at 1:30

DATED: May 14, 2018

/S/ Bruce Wessman
Executive Officer NDBPT