

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

May 9, 2016

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

Absent: Terry Eckmann

Board President Dave Relling called the meeting to order at 9 AM Monday, May 9, 2016, at the Wheeler Wolf Law Firm, 220 N. 4<sup>th</sup> Street, Bismarck, ND 58501-4004.

Minutes: After review, it was moved by Jeanne DeKrey, seconded by Reed Argent and passed unanimously to approve the minutes of the Board's May 15, 2015, annual meeting, and the conference call meetings of November 12, 2015, December 16, 2015 and February 22, 2016

Stipulated Order: Jack McDonald presented a stipulated order form to be used by the North Dakota Board of Physical Therapy. The form is a template that will need to be modified depending on the infraction involved.

Jurisprudence Exam: Dave Relling has been working on additions to the jurisprudence exam. He will send this out to the board for approval prior to implementation of the exam. Bruce Wessman will monitor the scores of the JP exam and report the results back to the board next May.

Dry Needling: Reed Argent presented to the board information on Dry Needling. The PT board will update the frequently asked question on the web page to include information on dry needling.

Criminal Background Checks: Jack McDonald presented information on criminal background checks. It was moved by Reed Argent, seconded by Jeanne DeKrey and passed unanimously to seek 2017 legislative approval for the PT Board to require criminal background checks for licensure in North Dakota. The cost of these checks would be paid by the applicant.

PT/PTA Liaison: Jack McDonald presented information to the board regarding adding the PT/PTA liaisons as ex-officio member of the board. This would allow for travel reimbursement to the board meetings. It was moved by Reed Argent, seconded by Jeanne DeKrey and passed unanimously to have the NDPTA PT and PTA liaison as ex-officio non-voting members of the board.

Funding of Lobbyist: Jack McDonald presented information based on the Attorney General's October 29, 2015 opinion that prohibits licensing boards from hiring a lobbyist. The NDBPT will no longer enter into a contract with a lobbyist. Members of the board and/or board administrator may represent positions of the NDBPT.

Liability Coverage: Bruce Wessman presented the board with a memo from North Dakota's risk management division. The members of the NDBPT have liability insurance coverage through the state.

However, one exception is that when renting a vehicle on official travel the optional coverage for liability insurance including the damage waiver should be purchased.

Budget for July 1, 2016 – June 30<sup>th</sup> 2017: Bruce Wessman presented the budget for the upcoming year. As per the board's auditors recommendation the budget will now cover one year rather than two years. After review of the financial records it was moved by Reed Argent, seconded by Dr. Schall and passed unanimously to waive the license renewal fee for 2017.

Audit Due: Bruce Wessman presented a proposal from the CPA firm of Brady Martz to complete the required audit for the years ending June 30<sup>th</sup>, 2015 and 2016. After discussion it was moved by Jeanne DeKrey, seconded by Dr. Swanson and passed unanimously to accept the proposal from Brady Martz.

Licensure Compact: Dave Relling presented an update on the proposed language for the Physical Therapy Licensure Compact. After discussion it was moved by Jeanne DeKrey, seconded by Reed Argent and passed unanimously to support joining the compact. Jack McDonald will help draft language to be introduced during the 2017 legislative session.

PT ordering imaging and labs: Dave Relling presented an email from a PT licensee seeking NDBPT guidance regarding PT's ordering imaging studies such as X-rays. Bruce Wessman presented a request from another PT to complete DOT physicals. After discussion, the board reiterated their position that direct referral to a radiologist or ordering of imaging and lab tests should not be performed by the physical therapist. Dave Relling will respond back to the licensee. The complete DOT physicals are outside of the scope of PT unless working in collaboration with a physician in which case the PT could perform the musculoskeletal portions of the exam.

Open Meeting Laws: Bruce Wessman will provide the board members with a copy of "A Guide to North Dakota's OPEN RECORDS AND MEETING LAW" put out by the Attorney General's office.

Complaint form: The board directed Bruce Wessman to have a copy of the PT Complaint Registration form placed on the board's web page.

PT/PTA application/renewal form: The board directed Bruce Wessman to add a question regarding past or ongoing disciplinary action to the PT/PTA application by endorsement form and the PT/PTA renewal forms.

Addition of MDS to renewal form: Dave Relling presented information on the Minimum Data Set to the board and asked that they consider adding these questions to the renewal form. After discussion it was moved by Jeanne DeKrey seconded by Reed Argent and passed unanimously to add the questions from the minimum data set to the PT/PTA renewal form.

Foreign trained PT: Bruce Wessman presented an update on the licensure status of Ms. Najmus Saher. She will complete the required supervised clinical practice the week of May 16. Per her supervisor she is expected to successfully complete the clinical requirements required by the Board. After receipt of her successful clinical practice evaluation an unrestricted license will be issued.

Re-Appointment: Bruce Wessman announced that Dr. Keith Swanson has been re-appointed for a 5 year term on the NDBPT by Governor Dalrymple.

Continuing Competence Reporting form: Discussion was held regarding updating the continuing competence reporting form. It was moved by Jeanne DeKrey seconded by Reed Argent and passed unanimously to require additional information on the reporting form. Bruce Wessman will develop this and present to the board for approval. This will be sent out to all licensee's once completed and will be used starting with the renewal period of November 1, 2017. Licensees will have the option of using aPTitude for reporting of their continuing competence activities.

Application for Mr. Clock: Bruce Wessman presented a request from Mr. Clock to allow him to re-take the NPTE. After discussion it was noted that FSBPT does not have a policy that would prohibit Mr. Clock from taking the NPTE. The board directed Bruce Wessman to contact Mr. Clock and inform him that the board will allow him to take the NPTE. However since it has been an extended period of time since Mr. Clock graduated, it was moved by Jeanne DeKrey, seconded by Dave Relling and passed unanimously that if Mr. Clock does pass the NPTE that he would be required to successfully complete a supervised clinical practice of 1,000 hours prior to being issued an unrestricted license.

Policy limiting the amount of time from graduation to taking the NPTE: Discussion was held regarding the need for a policy to limit the amount of time elapsed from graduation to taking the NPTE. The board was advised by counsel that this would not be looked at favorably and that a policy like this should come from FSBPT.

Licensure stats: Bruce Wessman presented the board with the current number of PT/PTA licensed by North Dakota. ND currently licenses 795 PTs and 168 PTAs.

Raise for Administrative Assistant: After discussion by the board it was moved by Reed Argent and seconded by Dr. Keith Swanson to raise the hourly rate of the board's administrative assistant by \$1.50/hour.

Attorney General's Office and Board Representation: Bruce Wessman presented information on having the AG's office represent the PT board. After discussion the board elected to continue to use Jack McDonald, special assistant to the attorney general, as legal counsel. Bruce Wessman asked Jack McDonald to draw up a contract covering the fiscal year July 1,2016 –June 30,2017. The contract should specify that Jack is a special assistant attorney general and also include his hourly fee.

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

2016 FSBPT Annual Meeting: The Board designated Reed Argent and Jeanne DeKrey respectively, as FSBPT-funded delegate and alternate delegate to the 2016 FSBPT Annual Meeting. Bruce Wessman was designated to attend the 2016 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 2 additional board members to attend the FSBPT's educational session.

Next Board Meeting: The board's next meeting will be May 8, 2017 at the Wheeler Wolf Law Firm, 220 N 4<sup>th</sup> St., Bismarck, ND 58501.

No further business appearing, it was moved by David Schall, seconded by Reed Argent and passed unanimously to adjourn. President Relling adjourned the meeting at 1:35 PM.

DATED: May 9, 2016

/S/ Bruce Wessman  
Executive Officer NDBPT