

THE BOARD OF PHYSICAL THERAPY
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

- Date: Tuesday, July 10, 2012
- Time: 12:00 p.m.
- Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813
- Present: Charles Aki, Public Member
Rachelle Iopa, Physical Therapist ("PT")
Debra Kubota, PT
Neil Shimabukuro, PT
Michael Turner, PT
Rodney J. Tam, Deputy Attorney General ("DAG")
Kenyatta Nichols, Executive Officer ("EO")
Jennifer Fong, Secretary
- Guests: Laurel Aki
Ann Frost, Hawaii Chapter of the American Physical Therapy Association ("HAPTA")
- Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), Hawaii Revised Statutes ("HRS").
1. Call to Order: There being a quorum present, Chair Pro Tem Aki called the meeting to order at 12:00 p.m.
 2. Additions/Additional Distribution: None.
 3. Approval of Minutes: Upon a motion by Mr. Turner, seconded by Ms. Iopa, it was voted on and unanimously carried to approve both the board and executive session minutes of the May 29, 2012 Board meeting.

4. Executive Officer's Report: **2012 Federation of State Boards of Physical Therapy ("FSBPT") Annual Meeting, September 20-22, 2012, Indianapolis, Indiana**

Upon a motion by Mr. Turner, seconded by Ms. Iopa, it was voted on and unanimously carried to appoint Ms. Iopa as the Board's voting delegate and Ms. Kubota as the Board's primary alternate delegate at the 2012 FSBPT Annual Meeting.

5. Applications: **Ratification List**

It was moved by Mr. Turner, seconded by Ms. Kubota, and unanimously carried to ratify the following:

Approved Physical Therapists

- CEGELNIK, James
- CHANG, Pei-Yuan
- FRANKLIN, Danielle
- GANEM, Christina
- HOUSE, Melanie
- LANG, Dmitry
- MINZES, Darla
- WONG, Sean

6. Election for New Chair and Vice Chair:

The floor was opened for nominations for Chair.

Mr. Turner moved to nominate Mr. Aki for Chair and close the nominations. Ms. Iopa seconded the motion. It was voted on and unanimously carried.

The floor was opened for nominations for Vice Chair.

Mr. Turner moved to nominate himself for Vice Chair and close the nominations. Ms. Iopa seconded the motion. It was voted on and unanimously carried.

Mr. Turner inquired about the status of the continued competency and physical therapy assistant ("PTA") licensure issues.

The Board was reminded that this issue was not on the agenda.

Chair Pro Tem Aki said he felt it was okay to discuss the status of these issues because the Board had discussed the issues at previous meetings.

The DAG said that it would be okay if the Board added the issues to their agenda.

It was moved by Mr. Turner, seconded by Chair Pro Tem Aki, and unanimously carried to add "Status of Investigation into Continued Competency and PTA Licensure" to the agenda as #7 and move the remaining agenda items down one item.

7. Status of the Investigation into Continued Competency and PTA Licensure:

Mr. Turner asked the EO what the status is of these issues.

The EO replied that regarding continued competency, his understanding was that the continued competency investigative committee was working on answering the questions in the Professional and Vocational Licensing Division ("PVL") Continuing Professional Education Guidelines – Checklist ("Checklist"). Regarding PTA licensure, as previously reported, there was a meeting that consisted of himself, the DCCA Director and PVL Licensing Administrator and Ms. Frost as HAPTA's representative to discuss how HAPTA can assist with this issue and it was determined that if a bill is introduced on this issue, it should come from the Board and not HAPTA. Therefore, it is up to the Board to determine how they would like to address this issue.

Ms. Frost said that HAPTA is in the process of putting together a questionnaire regarding continued competency and PTA licensure. They are planning to distribute it next month in an email blast to their members. The questionnaire will also be available on HAPTA's website for non-members to offer their input.

Mr. Turner asked if the results of the questionnaire would be provided to the Board before the October meeting.

Ms. Frost said yes.

Mr. Turner asked Ms. Frost to provide the results to the EO a few weeks before the meeting so the Board could receive the information in their meeting packet.

Ms. Frost agreed.

The DAG reminded the Board that currently, the continued competency investigative committee currently consists of Mr. Turner, Ms. Iopa and former Chair Baxendale. He noted that since Ms. Baxendale is no longer on the Board, the Board may amend the membership of the committee if they wish.

The Chair said that he recalls previously that the entire Board has been able to have discussions via email for the purpose of fact gathering.

The DAG stated that the investigative committee can consist of two or more members, however, it must be less than the amount of members needed for quorum. In addition, the committee cannot discuss how they intend to vote on board matters.

Mr. Shimabukuro volunteered to join the committee.

The DAG reminded the Board that the new legislative session starts in January and if the Board intends to introduce legislation during that session, they need to start seriously working now.

Ms. Frost said that her understanding was that the Board tasked HAPTA with the job of getting legislation introduced.

Mr. Turner said that initially, the Board thought that having HAPTA introduce the legislation would be the fastest way to accomplish their goals, however, a few meetings ago, it was determined that it would be better for the Board to introduce the legislation.

Ms. Frost stated that prior to the October meeting, she will provide the results of the questionnaire as well as some models of continued competency implementation to the EO for the Board to review.

Mr. Turner asked if continued competency and PTA licensure have to be addressed in the same bill.

The DAG said no and reminded the Board that if they choose to do so and one part of the bill is contentious, the entire bill may be killed. He suggested that it would be to the Board's benefit to get as much background information as possible to make it easy for the legislature to support the bill. Some of the possible issues to look into would be the availability and cost of the courses as well as reviewing other states' requirements.

Mr. Turner said that the last time he spoke to Ms. Baxendale the feeling was that the Board would not be ready in time to have a bill introduced in January because of the September deadline for bills introduced by the administration.

The DAG stated that he believes that the Board can submit the concept for the bill in September and they would have time to submit a final bill in December or January for review.

Ms. Iopa asked if HAPTA would be able to provide language for both the continued competency and PTA licensure issues.

Ms. Frost said she could possibly get language to the Board by the beginning of August.

Mr. Shimabukuro stated that he believes all of the information the Board needs is available. He suggested that they review the language available from the FSBPT and come up with draft language.

Upon a motion by Mr. Turner, seconded by Ms. Kubota, it was voted on and unanimously carried to approve an amendment to the members of the previously created continued competency investigative committee, which will now consist of Mr. Turner, Ms. Iopa and Mr. Shimabukuro.

8. Next Meeting: Tuesday, October 9, 2012
12:00 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

9. Adjournment: With no further business to discuss, the Chair Pro Tem adjourned the meeting at 12:31 p.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Kenyatta Nichols

Mr. Kenyatta Nichols
Executive Officer

7/18/12

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____.