

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

MINUTES OF MEETING

- Date: Tuesday, May 12, 2015
- Time: 9:00 a.m.
- Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813
- Present: Neil Shimabukuro, Physical Therapist (“PT”), Chair
Rachelle Iopa, PT, Vice Chair
Russell Chung, Public Member
Debra Kubota, PT
Elizabeth McCreary, Public Member
Jill Wakabayashi, Physical Therapist Assistant (“PTA”)
Alan Taniguchi, Executive Officer (“EO”)
Rodney Tam, Deputy Attorney General (“DAG”)
Jennifer Fong, Secretary
- Guests: Herbert Yee, Hawaii Chapter of the American Physical Therapy Association
Lucy Lessard, Queen’s Medical Center
- 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 Shimabukuro called the meeting to order at 9:02 a.m.
2. Additions/
Additional
Distribution
to Agenda: Upon a motion by Ms. Kubota, seconded by Vice Chair Iopa, it was voted on and unanimously carried to add the following item to the agenda:
- Under 7. Applications, b. Applications, add “James Ward, Jr.”
- Chair Shimabukuro announced that the following was distributed to the Board as additional distribution:
- Under 6. Unfinished Business, a. Rule Revisions – Title 16, Chapter 110, HAR – Continued Competence Draft Language:

- Proposed Continuing Competency Unit Activities List;
- Colorado Physical Therapy Board Standards for Continuing Education Activities;
- Colorado Specialist Certification Petition;
- Colorado Professional Development Activities (PDA) List.

3. Approval of Board Meeting Minutes of the March 10, 2015 Meeting:

Chair Shimabukuro asked if there were any comments or concerns regarding the board meeting minutes of the March 10, 2015 meeting.

There were none.

Upon a motion by Ms. McCreary, seconded by Ms. Kubota, it was voted on and unanimously carried to approve the minutes of the March 10, 2015 meeting as circulated.

4. Executive Officer's Report:

EO Taniguchi welcomed the Board's new PTA member, Ms. Wakabayashi and reported that Michael Turner was appointed to the Board as a PT member effective July 1, 2015.

a. 2015 Federation of State Boards of Physical Therapy ("FSBPT") Annual Meeting, October 15-17, 2015, Orlando, Florida

EO Taniguchi stated that the FSBPT will fund three people to represent the board at their annual meeting – a voting delegate, a primary alternate delegate and an administrator. He asked who would be interested in attending the conference.

Ms. Kubota reported that she has been slated for FSBPT Director for the 2015 FSBPT Delegate Assembly elections. As a candidate, the FSBPT will be funding her attendance to the meeting. She expressed willingness to attend as a board delegate and said she would check with the FSBPT to see if it would be possible for her to do both.

Vice Chair Iopa and Ms. Wakabayashi also expressed interest in attending the conference.

After some discussion, upon a motion by Ms. Wakabayashi, seconded by Vice Chair Iopa, it was voted on and unanimously carried to appoint the following individuals to represent the Board at the 2015 FSBPT Annual Meeting: 1) EO Taniguchi as the Administrator; 2) Ms. Kubota as the voting delegate; 3) Vice Chair Iopa as the non-voting delegate; and 3) Ms. Wakabayashi as the alternate.

5. New Business:

None.

At this time, Chair Shimabukuro announced that he was taking the agenda out of order to discuss the following agenda items:

- 7. Applications, a. Ratifications
- 7. Applications, b. Applications

7. Applications: a. Ratifications

Upon a motion by Vice Chair Iopa, seconded by Ms. Kubota, it was voted on and unanimously carried to ratify the following:

PHYSICAL THERAPIST LICENSE
PT 3967 JAIMIE M CUNNINGHAM
PT 3968 JACQUE L MESSER
PT 3969 RYAN G DONAHOE
PT 3970 JULIA K DAVIS
PT 3971 NICOLE M DOBRIN
PT 3972 CHRISTINA A DE LA TORRE
PT 3973 HOLLY G TOOMEY
PT 3974 HEATHER E ROBERTSON
PT 3975 BRITTANY K GILLES
PT 3976 KRISTEN A SCHULZ
PT 3977 RACHEL M LOYD
PT 3978 KRISTIN N CAHILL
PT 3979 ANDRA K ST GERMAIN
PT 3980 KRISTIN S GEBBIE
PT 3981 ALISON M VAN HORN
PT 3982 JESSICA G GARAKIAN
PT 3983 CHRISTINE M REBER-SPENCER
PT 3984 AMY L OVERBEEK
PT 3985 DAVID N COSTA
PT 3986 CATHERINE L COKER
PT 3987 CHRISTOPHER S REBELE
PT 3988 MARY R WILKINS
PT 3989 KELLI M BERG
PT 3990 SUSAN M FLETCHER
PT 3991 LISA K MARTIN
PT 3992 JOANN D MIX
PT 3993 KRISTINE N AMII
PT 3994 HEATHER D MEANS
PT 3995 KERRI L ESTRELLA
PT 3996 JENNIFER M SEATON
PT 3997 WILLIAM N PACANA

PHYSICAL THERAPIST ASSISTANT LICENSE

PTA 217 YVONNE A ABREU
PTA 218 GISELLE MONTALVO
PTA 219 NINA B ALFERIO
PTA 220 JENNIFER A GESKE
PTA 221 JACOB C LANNERT
PTA 222 TIFFANY N K CHOPRA
PTA 223 JOANNE L KAONA
PTA 224 HARLAN N TSURUDA
PTA 225 KELLY L VALENTINE

b. Applications

- James Ward, Jr.

Executive Session:

At 9:21 a.m., it was moved by Ms. Wakabayashi, seconded by Ms. McCreary, and unanimously carried to enter into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

At 9:27 a.m., upon a motion by Vice Chair Iopa, seconded by Ms. Kubota, it was voted on and unanimously carried to move out of executive session.

Upon a motion by Chair Shimabukuro, seconded by Vice Chair Iopa, it was voted on to delegate to EO Taniguchi the authority to approve Mr. Ward's application for a physical therapist license pending Mr. Ward's submission of proof that he paid fines assessed by the Physical Therapy Board of California with Chair Shimabukuro, Vice Chair Iopa, Mr. Chung and Ms. McCreary voting "yes" and Ms. Kubota and Ms. Wakabayashi abstaining. The motion passed.

The Board returned to its regular order of business.

6. Unfinished Business

a. Rule Revisions – Title 16, Chapter 110, Hawaii Administrative Rules ("HAR") – Continued Competence Draft Language

Chair Shimabukuro noted that at their last meeting, the Board deferred discussion on competence based activities.

EO Taniguchi reported that the FSBPT has finished writing the jurisprudence exam. An FSBPT representative will proctor a review of the exam questions which will take approximately 4-5 hours. He asked the industry members for volunteers to participate in the review.

The industry members all expressed willingness to participate. After some discussion, Chair Shimabukuro and Ms. Kubota were selected, with Vice Chair Iopa and Ms. Wakabayashi as alternates, if needed.

Chair Shimabukuro gave a brief overview of the FSBPT's aPTitude website. He reported that each licensee will be able to create their own account. When logging into their account, they will eventually be able to view the Hawaii continuing competence page which will provide information on our requirements. Currently, there is a placeholder page in place. With regards to competence based activities, each state determines their own credit values. Some assign points by credit hours, others require completion before credit is given.

Ms. Lessard noted that Queen's Medical Center puts on their own courses. She noted that uploading the courses to aPTitude would require the provider to pay a fee per course. She asked if that is what they would have to do.

Chair Shimabukuro stated that aPTitude will allow licensees to review and self-report their continued competence units. If a vendor would like their courses posted on the website, they would have to contact the FSBPT regarding how to do so including payment of any associated fees.

Chair Shimabukuro said he feels it would be best to not make the guidelines restrictive.

EO Taniguchi reminded the Board that once they approve their guidelines for insertion into their rules, they must hold a public hearing for those proposed rules.

DAG Tam suggested making the guidelines as broad as possible.

The Board inquired whether an ethics course taken for another state would fulfill the requirement for the two units in ethics, laws, and rules (jurisprudence).

DAG Tam said no because it says "and" not "or". Also, the jurisprudence portion must be on Hawaii's laws and rules, therefore, a jurisprudence course for another state or jurisdiction will not be accepted.

EO Taniguchi noted that no other professional and vocational licensing board or program requires jurisprudence.

DAG Tam stated that other boards include an attestation on their applications that the individual knows and agrees to comply with the state laws and rules.

Mr. Yee stated that he feels that 90% of the licensees will be taking traditional courses to fulfill the continued competence requirements and that the Board is spending too much time focusing on the remaining 10%.

Ms. Lessard stated that she feels the other 10% is what moves the practice of physical therapy further. She said personally she feels keeping the guidelines loose would be best and noted that the Board can always amend the guidelines based on what happens during the first renewal.

Chair Shimabukuro stated that he had reviewed the continued competence guidelines for most states and of the states reviewed, he liked Colorado's guidelines the best because they are very clear. He drafted a "Proposed Continuing Competency Unit Activities List" for the Board based on Colorado's guidelines. That draft was distributed at today's meeting. He asked the board members for their comments.

DAG Tam reminded the Board that the guidelines must stay within the structure of the existing laws. He asked for time to review both the Colorado guidelines and the Chair's draft before he provided his input.

At 10:45 a.m., Mr. Chung was excused from the meeting.

By consensus, the Board unanimously carried to defer discussion on the guidelines for competence based activities pending DAG Tam's review.

9. Next Meeting:

Tuesday, July 14, 2015
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Vice Chair Iopa and Ms. Kubota stated that they will not be able to attend the July 14, 2015 meeting.

Chair Shimabukuro asked if it was possible to have another meeting before July 14th to discuss DAG Tam's review and hopefully finalize the guidelines.

EO Taniguchi informed him that it would depend on when DAG Tam finishes his review. Once DAG Tam notifies him that his review is completed, the staff can contact the board members regarding holding a meeting prior to July 14th.

10. Adjournment: With no further business to discuss, Chair Shimabukuro adjourned the meeting at 10:55 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Alan Taniguchi

Alan Taniguchi
Executive Officer

5/28/15

Minutes approved as is.

Minutes approved with changes; see minutes of _____.