

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

MINUTES OF MEETING

- Date: Tuesday, May 13, 2014
- Time: 9:00 a.m.
- Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813
- Present: Michael Turner, Physical Therapist ("PT"), Chair
Rachelle Iopa, PT, Vice Chair
Russell Chung, Public Member
Debra Kubota, PT
Elizabeth McCreary, Public Member
Neil Shimabukuro, PT
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 ("HAPTA")
Lee Ann Teshima
- 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 Turner called the meeting to order at
9:01 a.m.
 2. Additions/
Revisions
to Agenda: None.
 3. Approval of
Board Meeting
Minutes of the
January 14,
2014 Meeting: Upon a motion by Ms. Kubota, seconded by Vice Chair Iopa, it was voted on
and unanimously carried to approve the minutes of the January 14, 2014
meeting as circulated.

4. Executive Officer's Update: EO Taniguchi introduced himself and noted that the Board's previous EO Kenyatta Nichols is no longer with the Department. He also welcomed the Board's new public member, Russell Chung.

- a. 2014 Federation of State Boards of Physical Therapy ("FSBPT") Annual Meeting, September 18-20, 2014, San Francisco, California

After some discussion, upon a motion by Chair Turner, seconded by Ms. McCreary, it was voted on and unanimously carried to appoint Mr. Shimabukuro as the Board's voting delegate, Ms. Kubota as the Board's primary alternate delegate, Vice Chair Iopa as an alternate, if needed, and EO Taniguchi as the Board's Administrator for the 2014 FSBPT Annual Meeting.

5. Applications: a. Ratifications

Upon a motion by Chair Turner, seconded by Mr. Shimabukuro, it was voted on and unanimously carried to approve the attached ratification list.

- b. Applications

Executive Session:

At 9:09 a.m., it was moved by Vice Chair Iopa, seconded by Ms. Kubota, and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a)(1) and (4), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both," [and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 9:17 a.m., it was moved by Chair Turner, seconded by Ms. Kubota, and unanimously carried to move out of executive session.

After discussion, it was moved by Mr. Shimabukuro, seconded by Vice Chair Iopa, it was voted on and unanimously carried to approve the following applications:

- Kevin McKearney
- Gabriel Metzger
- Stephen Otton
- Chang Yoon

6. Unfinished Business

a. Rule Revisions – Title 16, Chapter 110, Hawaii Administrative Rules - Physical Therapist Assistant (“PTA”) Licensure – Update

DAG Tam reported that he is still reviewing the draft. Once his review is complete, he will send his comments to the Board.

b. Rule Revisions – Title 16, Chapter 110, HAR – Continued Competence Language Working Committee

The Continued Competence (“CC”) Language Working Committee provided additional documents from the FSBPT regarding aPTitude.

Board members expressed concern about limiting licensees to CC courses and activities approved by aPTitude.

DAG Tam pointed out that the statute states that "continuing competence units shall be obtained from a provider or agency approved by the board, including but not limited to: (1) Continuing education courses, including home and self study courses, obtained from an agency recognized by the board; (2) College coursework from an educational institution accredited by the United States Department of Education or other agency recognized by the board; and (3) Other competence related activities approved by the board or an agency recognized by the board."

Chair Turner stated that licensees will be able to submit courses that are certified or credentialed not only by the FSBPT but other organizations such as the American Physical Therapy Association ("APTA"). All courses must be submitted to aPTitude to track regardless of who provides the course. The Board would have to provide guidelines to aPTitude regarding what is acceptable especially in required areas such as the jurisprudence and life support for health care professionals. He noted that EO Nichols was going to look into the cost of the jurisprudence exam and asked EO Taniguchi if he had anything to report.

EO Taniguchi stated that he did not receive that information from EO Nichols and he will look into it.

Ms. Teshima asked what the justification for the jurisprudence exam is.

Chair Turner said that requiring a jurisprudence exam would force licensees to keep track of any changes in the laws and rules.

DAG Tam noted that the statute says that for each renewal period, a licensee's continuing competence units shall include two units in ethics, laws, and rules (jurisprudence), or some combination thereof.

Mr. Shimabukuro asked how long it is going to take to get the CC language into the rules.

EO Taniguchi stated that the Board must go through the rules process, similar to what is happening for the PTA rule amendments.

After some discussion, upon a motion by Mr. Shimabukuro, seconded by Chair Turner, it was voted on and unanimously carried to add language to the rules recognizing the FSBPT and the APTA as agencies recognized by the Board to provide continuing education courses. The Board directed EO Taniguchi to draft the language with assistance from DAG Tam.

Mr. Yee noted that the board position for a PTA member would remain unfilled until the Board licenses PTAs as it requires the member to hold a Hawaii PTA license.

After some discussion, the Board acknowledged that while HRS §461J-4 does not state that the PTA member of the Board must be licensed in Hawaii, HRS §461J-1 does define PTA as "a person who is licensed as a physical therapist assistant in the State and assists the physical therapist in selected components of treatment or intervention", therefore the PTA member must be someone licensed as a PTA in Hawaii.

7. Next Meeting:

Chair Turner noted that the next meeting is scheduled for July 8th. He was notified by staff today that his carryover time as a board member may be up.

EO Taniguchi stated that the staff will be looking into when Chair Turner's term ends.

Ms. Kubota stated that she would be unable to attend a meeting on July 8th.

DAG Tam stated that he would also be unavailable on July 8th.

After some discussion, it was determined that the July 8th meeting would be rescheduled for a date to be determined. The DAG and board members were directed to check their schedules regarding availability for a new date.

8. Adjournment: With no further business to discuss, Chair Turner adjourned the meeting at 10:23 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Alan Taniguchi

Alan Taniguchi
Executive Officer

5/15/14

Minutes approved as is.

Minutes approved with changes; see minutes of _____.