

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

MINUTES OF MEETING

- Date: Tuesday, January 9, 2018
- 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
Russell Chung, Public Member
Debra Kubota, PT
Michael Turner, PT
Jill Wakabayashi, Physical Therapist Assistant (“PTA”)
Alan Taniguchi, Executive Officer (“EO”)
Shari Wong, Deputy Attorney General (“DAG”)
Jennifer Fong, Secretary
- Excused: Rachelle Iopa, PT, Vice Chair
- Guests: None.
- 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 9:01 a.m.
 2. Additional Distribution: None.
 3. Approval of Board Minutes of the November 14, 2017 Meeting: Chair Shimabukuro asked if there were any comments or concerns regarding the board meeting minutes of the November 14, 2017 meeting.
DAG Wong requested the following corrections to the minutes (underlined material added, while bracketed material is to be deleted):

On Page 4, under item 7., the second sentence should read “Ms. Kubota [noted that changing the] inquired about the timeframe for proposed legislation.”

Upon a motion by Ms. Kubota, seconded by Mr. Turner, it was voted on and unanimously carried to approve the minutes of the November 14, 2017 meeting as amended.

4. New
Business:

a. Report on the 2017 Federation of State Boards of Physical Therapy ("FSBPT")
Annual Meeting

Ms. Wakabayashi stated that a lot of information was discussed at the annual meeting. She noted that there were new FSBPT members. The Board's former FSBPT liaison, Jim Heider, has been replaced by Joni Kalis of Oregon. There was quite a bit of discussion on the FSBPT's Exam Licensure Disciplinary Database ("ELDD").

Mr. Taniguchi said he had a discussion with the FSBPT and was told at minimum, the Board could provide the licensee names and license numbers to get their score up a bit. Previously, there was an issue with giving out identifying information as the FSBPT wanted information that could be used across the board to identify an individual licensee. Hawaii's laws do not allow the Board do provide a licensee's social security number or other identifying information such as birthdate.

Ms. Wakabayashi said it may be less of an issue now because schools are required to give the information to the FSBPT in order to register their graduates for the National Physical Therapy Examination.

b. Discussion on possible revisions to Hawaii Revised Statutes ("HRS") Chapter
461J regarding dry needling

Ms. Wakabayashi asked Chair Shimabukuro if he attended the dry needling seminar at the FSBPT Annual Meeting.

Chair Shimabukuro said no, however, he does have notes regarding the issue from the meeting. His notes indicate that the FSBPT recommended if a jurisdiction decides to submit legislation, they should form an advisory committee which includes a licensed acupuncturist. The FSBPT's website has model language which jurisdictions can use to assist to revise state practice acts for issues such as dry needling.

After some discussion, the Board agreed by consensus to defer this matter.

c. Discussion on possible revisions to HRS Chapter 461J regarding telehealth

Ms. Kubota said she feels telehealth is important, especially as allowing telehealth would make a positive impact on access to care for patients in rural areas and the neighbor islands.

Ms. Wakabayashi noted that there is a current shortage in care for the geriatric population especially in areas such as long term and acute care.

After some discussion, by consensus, the Board approved the creation of a committee to research telehealth, made up of Ms. Wakabayashi and Chair Shimabukuro.

d. Discussion on possible revisions to HRS Chapter 461J regarding adding a continuing competence requirement for renewal of Physical Therapist Assistant licenses

Mr. Turner stated that he feels of all of the issues on the agenda for possible revisions to the statute, this is the most important and also the easiest to implement as he does not feel there would be much opposition to such a change.

EO Taniguchi asked if PTAs can take the same courses as PTs.

Ms. Wakabayashi said yes.

EO Taniguchi asked if they feel PTAs would be subject to the same amount of hours in the same content areas.

Mr. Turner said yes.

After some discussion, by consensus, the Board approved the creation of a committee to research adding a continuing competence requirement for physical therapist assistants, made up of Mr. Turner and Ms. Kubota.

Mr. Turner asked if the Board can propose legislation for both telehealth and a continuing competence requirement for PTAs in one bill.

EO Taniguchi said they could. The legislature does have the ability to remove the portions of the bill they do not like.

DAG Wong noted that the legislature could also kill the whole bill.

Ms. Kubota said separate bills might make more sense.

EO Taniguchi noted that each bill would require testimony at every hearing. Administrative bills, such as those submitted by a board or commission, are usually submitted in the Fall.

e. Discussion regarding possible participation in the FSBPT licensure compact

Ms. Wakabayashi reported that at the end of the FSBPT Annual Meeting, the first PT Compact meeting was held. The PT Compact's policies and procedures were established at that meeting. She is unsure if Hawaii would qualify to participate in the PT Compact because of their inability to participate in the ELDD.

Chair Shimabukuro stated that the PT Compact was enacted on April 25th when the 10th state was added. The PT Compact has its own website which was developed by the FSBPT and includes the model PT compact as well as the compact's bylaws and rules. The compact is organized more by the Physical Therapy Compact Commission ("PTCC") than the FSBPT. The PTCC is the governing body of the compact which is comprised of the member states established to implement the provisions of the PT Compact. He noted that there is also a list of fees on the PTCC website. If the Board is interested, they must change their statutes prior to joining.

Ms. Wakabayashi noted that participation in the PT Compact would benefit military members who want to practice in Hawaii.

Chair Shimabukuro stated that there was discussion on getting military liaisons and legislators involved as well as requesting assistance from the local chapter of the American Physical Therapy Association ("APTA") if a state decides to proceed with joining the PT Compact. He stated that some other states decided to create their own compact with other related health care professions such as occupational therapists and physicians.

DAG Wong stated that if the Board decides to move forward with possibly joining the PT Compact, they would need to obtain data to justify proposing the legislation to amend their statute to allow for participation. She noted that neither the Hawaii Medical Board ("HMB") nor the Hawaii Board of Nursing are interested in or working on participating in a compact at this time. The HMB did look at the three states where they get the most licensees from and none of those states participated in any compact.

Ms. Wakabayashi said participation would benefit traveling PTs.

Mr. Turner said he feels the Board shouldn't base their decision on which states are participating in the PT Compact. Mr. Turner suggested if the Board is interested, they should review the requirements and other information on the PT Compact's website before considering participation.

DAG Wong stated that the Board could also consider licensure by endorsement by specific states. It would be more focused than joining a compact and the Board would not be subject to a compact's regulations.

Mr. Turner asked how licensure by endorsement would work.

DAG Wong said as an example, if the Board entered into an endorsement agreement with California, a person licensed in California who wants a Hawaii license would still have to submit an application and fee but the required documentation may be different.

Mr. Turner asked if California belonged to the PT Compact and Hawaii entered into an endorsement agreement with California, would a person licensed in another state such as Montana be able to obtain a Hawaii license by endorsement?

DAG Wong said that is different. A state's participation in a compact does not mean that those who practice in that state based on the compact would qualify for license by endorsement. The person generally would have to hold a license with the state that has the endorsement agreement.

Ms. Wakabayashi asked if endorsement would make the licensing process easier.

EO Taniguchi said yes. As long as the applicant shows proof of having a current active license with an approved state and they do not have any disciplinary action or criminal convictions, a license would be issued.

DAG Wong said the Board may also want to consider the financial impact of participation in a compact such as how much licensing fees would be lost because the Board would get a lesser fee from the compact.

Ms. Wakabayashi said the Board would earn a minimal fee for participation in the PT Compact. She thinks it would be around \$25 per licensee.

Mr. Turner stated he feels that this issue can be tabled for now so the Board can focus on more critical issues such as telehealth and the continued competence requirement for PTAs. So far, the Board has been fine without

participating in a compact and this issue does not have any strong impact to patient care.

After some discussion, the Board agreed by consensus to defer this matter.

5. Continuing Competence (“CC”) Course Approval Requests:

a. Requests for Review

After some discussion, upon a motion by Vice Chair Iopa, seconded by Ms. Wakabayashi, it was voted on and unanimously carried to approve the following courses for Professional Practice of Physical Therapy CCUs:

INDEX #	PROGRAM TITLE (SPONSOR)	UNITS
17-063	Visceral Manipulation: Abdomen 1 (VM1) (Sponsor: International Alliance of Healthcare Educators)	24.0

After some discussion, upon a motion by Chair Shimabukuro, seconded by Ms. Kubota, it was voted on and unanimously carried to defer the following courses pending receipt of additional information:

PROGRAM TITLE (SPONSOR)
• The Development of Gait: Back to the Beginning - Section 1 (Sponsor: Surestep)
• Indy 2 Stage AFO – Variable Control for Improved Function (Sponsor: Surestep)
• Surestep SMO – Surestep’s Innovative Treatment Options (Sponsor: Surestep)
• Toe Walking – Surestep’s Innovative Treatment Options (Sponsor: Surestep)

7. Applications:

a. Ratifications

Upon a motion by Ms. Wakabayashi, seconded by Mr. Turner, it was voted on and unanimously carried to ratify the following:

Approved for Physical Therapist License

- | | |
|----------------------------|-----------------------------|
| PT 4501 DEANNA L GRUVER | PT 4505 JANNA K O TORREGANO |
| PT 4502 BRIAN R SHIVE | PT 4506 AMBER E REAGAN |
| PT 4503 MEREDITH A JOHNSON | PT 4507 ERIN A H NAKATSUKA |
| PT 4504 BARBARA S PERRY | PT 4508 JENNIFER A LIS |

Approved for Physical Therapist License (continued from previous page)

PT 4509 KRISTIN M OBERT	PT 4514 MAURA E O'CONNOR
PT 4510 BRIAN A EGGE	PT 4515 HIKIAUMOANA D T FLOOD
PT 4511 ZACHARIAH A KEPCZYNSKI	PT 4516 BREENA J BERKLAND
PT 4512 ELAINE ALRUTZ	PT 4517 JENNIFER L AUFIERO
PT 4513 KAYLA K SAKAMOTO	PT 4518 ANTHONY R AUFIERO

Approved for Physical Therapist Assistant License

PTA 386 DEANNA D BURCH	PTA 394 JENNIFER K FLOYD
PTA 387 CAITLIN E YAUCH	PTA 395 NAMPHUONG N TRAN
PTA 389 ELAINE MAE C AGALOOS	PTA 396 KEITH A BOYCHUK
PTA 390 JAUBELINA J BUTAY	PTA 397 DAVID A BERGEN
PTA 391 ALBERT F MANIBO	PTA 398 CARL C C KO
PTA 392 MALIKKA L CAIGE	PTA 399 NATHAN P RABIDEAU
PTA 393 JANYA ORFEYEVA	PTA 400 JENNIFER M MURPHY

7. Next Meeting: Tuesday, March 13, 2018
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
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8. Adjournment: With no further business to discuss, Chair Shimabukuro adjourned the meeting at 10:04 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Alan Taniguchi

Alan Taniguchi
Executive Officer

1/30/18

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of March 13, 2018.