

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

MINUTES OF MEETING

Date: May 14, 2024

Time: 9:00 a.m.

In-Person Meeting Location: King Kalakaua Conference Room
HRS King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Present: Cynthia Tamayo, Physical Therapist ("PT"), Chairperson
Joanne Zazzera, PT, Vice Chairperson
Stacie Keliinoi, PT, Member
Michele Chee, PT, Member
Rochelle Araki, Executive Officer ("EO")
Christopher Fernandez, Executive Officer ("EO")
Christopher J.I. Leong, Deputy Attorney General ("DAG")
Cortnie Tanaka, Secretary

Guests: None

All Board members were present.

Call to Order: There being a quorum present, Chair Tamayo called the meeting to order at 9:06 a.m.

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").

Approval of Board Meeting Minutes of February 13, 2024: Chair Tamayo asked if there were any comments or concerns regarding the Board Meeting Minutes of the February 13, 2024, meeting. There were none.

There being no further discussion or amendments to the minutes, upon a motion by Ms. Chee, seconded by Vice Chair Zazzera, it was voted on and unanimously carried to approve the minutes of the February 13, 2024, meeting, as circulated.

Continuing Competence ("CC") Course Approval Requests:

CC Courses Requests for Review

Upon a motion by Ms. Keliinoi, seconded by Vice Chair Zazzera, it was voted and

unanimously carried to approve the following courses for Professional Practice of Physical Therapy CCUs:

PROGRAM TITLE (SPONSOR)	UNITS
COMT 2 - Cervical Gateway to Musculoskeletal Therapy	2.1
Foot Orthoses: Essentials of Evaluation and Fitting	4.5
Fluid Articular Release - Lower (FAR-L) Orthopedic CDT	18.0
Brain Advanced Cranial Meninges (BACM)	18.0
Advanced Concepts for Physical Therapists in 2024: PRP & Stem Cells	10.0
Foundations of Manual Therapy Practice Utilizing an Integrative Approach, Module 11: Intermediate Fascial Diagnostics and Treatment	8.0
Fluid Articular Release - Upper (FAR-U) Orthopedic CDT	18.0
Brain, Eyes, Meninges & CSF	18.0
5th Annual Critical Care Rehabilitation Virtual Conference	22.0
Foundations of Manual Therapy Practice Utilizing an Integrative Approach, Module 12: Intermediate Visceral Diagnostics and Treatment	8.0

Applications:

Ratifications (list attached)

Upon a motion by Ms. Chee, seconded by Ms. Keliinoi, it was voted on and unanimously carried to ratify the attached list of individuals for licensure.

New Business:

Scope of practice Question:

Is a PTA able to perform transfers of patients coming into the hospital without orders or direction from the supervising PT?

Chair Tamayo asked the Board for discussion.

Ms. Chee asked if there was an order for the transfer of the patient.

Chair Tamayo responded that this may be the facilities' standard of practice.

Ms. Chee stated that it seemed as if there was an order since there was discussion about weight bearing.

Chair Tamayo stated that this was the second incident, and the nurse may have given the PTA wrong information regarding weight bearing. There may have been an order, but the supervising PT wasn't present in the building so there was no evaluation.

Chair Tamayo added that a "nurse" instructed the PTA to get the new patient from the car.

Ms. Chee asked if the PTA was functioning as a PTA at that time helping with the transfers?

Chair Tamayo responded that he was clocked in as a PTA at the time and doing the duties of a PTA.

Ms. Keliinoi added that the supervising PT should always be available via telecommunication even if they are not at the facility. This is not a billed service but more of some help to the facility. If an individual is clocked in as a PTA, they should only do what a PTA can do. This type of situation puts the PTA and the supervising PT at risk.

Vice Chair Zazzera referred to HAR section 16-110-4(c) "*A supervising physical therapist shall assure that the physical therapist assistants, and support or auxiliary personnel under the physical therapist's supervision are competent and able to safely complete all delegated activities.*"

Chari Tamayo added that there were some things that made her uncomfortable with this situation. As a PTA, he did not have access to the chart because of HIPAA. The nurse should have provided him the level of assist, giving the PTA background information.

Ms. Keliinoi stated that the APTA website provides information about the job or role of a PTA is. It is all under the direction of the supervising PT, not a nurse or a doctor. As an educator of PTA's, Ms. Keliinoi reiterated that PTA's are informed in school that their direction comes completely from the supervising PT.

Chair Tamayo stated that the "PTA was not treating a patient with the transfer and was performing a nursing function. The facility should train appropriate staff to perform transfers. It is, however, not the Board of Physical Therapy's responsibility to instruct the facility on what to do."

Chair Tamayo asked the Board if they felt that he was working within his scope of practice?

Ms. Keliinoi replied and said that the supervising PT should make the necessary assessment first for the PTA.

Chair Tamayo stated that the PTA should clock out first if they are working outside of their scope of practice. As an example, at Chair Tamayo's facility, they have rehab aides working as rehab aides but would clock out and work as a nurse aide doing nursing aid duties. She stated that a process needs to be put in place by the facility, they need to protect the integrity of the PTA's license.

Vice Chair Zazzera asked the Board what if an injury were to occur and then the

PTA loses their license?

Chair Tamayo stated that this was not a question that can be easily answered.

Ms. Keliinoi added that the supervising PT needs to check the chart first and provide the orders to the PTA. The PTA has the right to say no to do the transfers without the order from the PT. This is outside of their PTA scope of practice.

Chair Tamayo responded that the facility has already told them if they don't like what was being said to get a different job.

Chair Tamayo asked to clarify what the Board's informal response to this inquiry should be.

EO Araki summarized the Board's concerns: according to their scope of practice, a PTA must get direct orders from the supervising PT.

Ms. Keliinoi confirmed that APTA also states that a PTA must get direct orders from the PT.

Chair Tamayo agreed with Ms. Keliinoi.

The Board also opined that they are unable to make suggestions to the facilities' practices.

Chair Tamayo asked if there was any additional discussion, there was none.

Continuing Competence for PTA

Chair Tamayo stated that currently Hawaii does not require physical therapist assistants to obtain continuing competency credits to renew their license. And after reviewing FSBPT's website, there are about five to six additional states which do not require PTA's to obtain continuing competency credits. Majority of the other states require PTA's the same continuing competency credits as PT's. About 33% of the states require 10 – 15 continuing competency credits while PT's require 30 continuing competency credits.

Chair Tamayo suggested, "the Board should require PTA's to complete continuing competency for renewal. It is critical for PTA's to know the practice and at minimum, a jurisprudence course. They are their own advocate and should know the practice act to protect themselves."

Chair Tamayo added that "at times therapists and business owners attempt to use PTA's incorrectly. PTA's should be well versed in what they are or are not allowed to do. The field of physical therapy has changed a lot and we must keep learning."

DAG Leong advised the Board that this would need to be done through a statutory change.

Chair Tamayo asked the Board if there was anything else they wanted to change?

Chair Tamayo mentioned that she didn't foresee much opposition to the changes and that the APTA would be in support of this update.

EO Araki asked the Board if the local association would be inclined to submit a bill on this with the legislators?

Vice Chair Zazzera responded, she was not sure. The local association is short staffed.

Chair Tamayo asked if a private person could introduce a bill.

DAG Leong answered yes.

Vice Chair Zazzera asked if the Board could introduce a bill.

DAG Leong stated that the Board may not be able to introduce a bill that they will later be administering.

Chair Tamayo added that it becomes a conflict.

EO Fernandez added that the Board would also need to consider the administration effects of an administrative bill. Both EO's will need to provide administrative justification for administrative bills. It may be easier to have an association introduce the bill.

Vice Chair Zazzera thought that admin bills were easier to pass each committee since they are internal.

DAG Leong advised that the process was more complicated. Some admin bills also die or do not get heard.

Vice Chair Zazzera stated that "it may not be as bad if the board were to introduce the bill even if it dies because everyone in the PT community becomes aware. Once next session comes around there will be more support and able to be pushed."

The Board deferred this agenda item for further discussion.

Election of Chairperson

And Vice Chairperson: EO Araki asked if there were any nominations for Chairperson and Vice Chairperson.

Vice Chair Zazzera nominated Cynthia Tamayo for Chairperson, seconded by Ms. Keliinoi.

Ms. Chee nominated Stacie Keliinoi for Vice Chairperson, seconded by Chair Tamayo.

Cynthia Tamayo motioned the slate as presented, it was voted on and unanimously carried to elect Cynthia Tamayo for Chairperson and Stacie Keliinoi for Vice Chairperson.

Legislative Designation
For 2025:

EO Araki asked the Board to elect up to two Board members to be the Legislative Liaison for the Board.

Ms. Chee asked what is needed to be the Legislative Liaison.

EO Araki explained that a legislative liaison would assist the EO on the Board's testimony on matters where the Board has already formed their position during legislative session.

Chair Tamayo asked if the Board wanted to "wait and see if the new Board member would like to be nominated. It could be a good idea to have a variety of practices."

The Board deferred this agenda item for the next Board meeting.

Executive Officers
Report:

A. Financial Disclosure

EO Araki reminded all Board members that Financial Disclosures deadline is May 31, 2024.

The Board members will check to make sure that they complete their Financial Disclosure.

Chairperson's Report:

A. Continuing Competency Presenter Requirements

Chair Tamayo had reached out to FSBPT and other state boards with regards to the continuing competency presenter requirements. The Louisiana Board had shared with her their continuing education policy and procedure, which included a section for qualifications for presenters and speakers. She has also reached out to Minnesota and is awaiting feedback.

Chair Tamayo suggested that the Board could use Louisiana as a guideline on what the Board should consider a competent instructor to be presenting a competence course.

Chair Tamayo added that she did not have concerns with education seminar groups as they vet their instructors very well.

Vice Chair Zazzera shared her concerns with non-PT instructors teaching PT competence course. They might not know the full scope of PT practice or how things are being implemented.

Chair Tamayo also agreed with Vice Chair Zazzera's concerns.

Vice Chair Zazzera stated that she liked the speaker minimum qualifications from Ohio, and this should be added to the Board's check list.

Ms. Chee clarified that the Board currently requires CV or resumes of the instructor to be submitted.

Chair Tamayo asked if an application fee for CC's is charged.

EO Araki answered no. The Division's fee schedule, pursuant to HAR section 16-53 does not provide a fee for PT continuing competence application.

Ms. Keliinoi asked the Board if they had knowledge of other boards having an online or automated service to submit CC's.

EO Fernandez responded that building an online service to submit CC's would incur additional cost. This may potentially require an increase in licensure fees and renewal fees.

Chair Tamayo asked if any of the Board member was familiar with the Mergener Formula. It's a formula that calculates text-based courses.

Chair Tamayo asked the Board if this was something that they would want to include on their Board rules.

DAG Leong advised the Board that it could be included on the application form in the instructions and procedures section.

Chair Tamayo stated that the current application should be updated to provide clear information of the requirements.

Chair Tamayo added that the Board should create a "qualification list" for consistency.

EO Fernandez suggested that the Board decide on the structure of the CC packet.

Ms. Keliinoi agreed with Chair Tamayo and suggested to also define restrictions on qualifications, if there are any.

Chair Tamayo added that this would help determine if an individual was qualified to teach each specific course.

DAG Leong advised the Board that they could come up with a procedure, but if the Board would like to come up with a specific requirement, then it would have to be a rule change.

The Board deferred this agenda item for further discussion and guidance from DAG Leong on the requirements.

Next Meeting: July 9, 2024
9:00 a.m.
Queen Liliuokalani Conference Room

Adjournment: With no further business to discuss, Chair Tamayo adjourned the meeting at 10:50 a.m.

Reviewed by:

Taken by:

/S/ Rochelle Araki
Rochelle Araki
Executive Officer

/S/ Cortnie Tanaka
Cortnie Tanaka
Secretary

07/03/2024

[] Minutes approved as is.

[X] Minutes approved with changes; see minutes of 9/10/2024.

BOARD OF PHYSICAL THERAPY 05/14/2024 – RATIFICATION LIST

PHYSICAL THERAPIST LICENSE

PT-5875-0	Camille Abellon Alcantara
PT-5876-0	MICHELLE L CRAFTON
PT-5877-0	JACOB M OZMENT
PT-5878-0	Toni Renee Smith
PT-5879-0	MELINDA R MONETTE
PT-5880-0	MICHAEL S NIENOW
PT-5881-0	Jonah B M Lapitan
PT-5882-0	Kenneth A Juras
PT-5883-0	ROBERT R B DALUT
PT-5884-0	MICHELLE ANN M DE SALAMANCA
PT-5885-0	JACLYN R BROOKS
PT-5886-0	TANYA ANNE D YOUSRY
PT-5887-0	SARAH GANDHI-BESBES
PT-5888-0	Caroline Linardos
PT-5889-0	JAY DELGADO
PT-5890-0	William Arvanitis
PT-5891-0	APRIL MAE M TIU
PT-5892-0	Spencer Todd
PT-5893-0	Rodrigo Quevedo
PT-5894-0	MARIN L COLE
PT-5895-0	Carolyn Bentley
PT-5896-0	Jay Michael Copeland
PT-5897-0	SHIV BHAKTA
PT-5898-0	JENNIFER C MCGARRY
PT-5899-0	DEBRA ANN POPPE
PT-5900-0	KRISTINE MARY D CANLAS
PT-5901-0	Katherine Frances Guth
PT-5902-0	BRITTANY K NEWMAN
PT-5903-0	ANAMARIA N MUSTERER
PT-5904-0	Heather Mae Gonzalez-Wilson
PT-5905-0	Sarah Walker
PT-5906-0	KAYLA D BOWLER
PT-5907-0	Jacob Ryan Walker
PT-5908-0	Kaitlyn Englehart
PT-5909-0	CLAIRE G ZWAAN

PHYSICAL THERAPIST ASSISTANT LICENSE

PTA-726-0	Dylan P Bradley
PTA-727-0	DANE M LUM HO
PTA-728-0	LISANDRA LORENZO
PTA-729-0	Trent I.K Hiram
PTA-730-0	Joshua Raymond Hostetler
PTA-731-0	SABRINA M BOZZO
PTA-732-0	DESTINY J SEEBAUM
PTA-733-0	Kelsey Mikala Leak
PTA-734-0	Courtney Marie Redmond