



STATE OF ALABAMA BOARD OF
PHYSICAL THERAPY
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July 13, 2023

- I. **Call to Order:** The meeting was called to order in the Alabama Board of Physical Therapy's conference room by Board chair Jonathan Zecher at 9:04 A.M. Board members present were T-Michael Dougherty, Robin Irwin, Dana Daniel Blake, Nathan McGriff and Robert Fleming. Also present were J. Matt Bledsoe, Assistant Attorney General, Kathy Miller, Executive Director, Teresa Allen, Licensure Specialist, Kristi Mullins, Finance Specialist and Claire DiLaura, Accounting Specialist. Not in attendance was Margaret Hemm.

A quorum was established.

There was no open discussion.
- II. **Minutes:** The minutes from May 11, 2023, were reviewed. There were no recommendations for change. A motion to accept the May 11, 2023, minutes was made by Nathan McGriff and seconded by Jonathan Zecher. All voted in favor, none opposed. The minutes for May 11, 2023, were approved.
- III. **Reports:**
 - A. **Licensee Report:** Teresa Allen presented this report. As of June 29, 2023, there were 6549 active licensees – 3031 PTA's and 3518 PT's. Between May 1, 2023, and June 29, 2023, we had 103 regular licenses issued, 16 were PTA's and 87 were PT's. 62 Temps were issued, 32 were PTA's and 30 were PT's. 6 expired licenses were reinstated, 2 were PTA's and 4 were PT's. There were 0 FCCPT report substantially equivalent to CWT6 submitted and license issued. There were 0 FCCPT report substantially equivalent to CWT5 submitted and license issued. Kathy Miller also stated there were 133 license renewals as of this meeting.
 - B. **Financial Report:** Kristi Mullins presented this report and noted that the revenue is up due to graduation in May and license renewals. Professional services (Legal Services) are up, and equipment purchases are up due to the purchase of a new printer and scanner for the office. Otherwise, everything else has remained the same. Dana Daniel Blake made a motion to accept the financial report and Jonathan Zecher seconded this motion. All voted to approve, none opposed.

C. Violations Committee Report: Assistant Attorney General J. Matt Bledsoe presented this report. The recommendations from the committee were as follows:

2023-07: The licensee allegedly had an inappropriate relationship with a patient. Recommendation: Find the licensee guilty of Unbecoming Conduct and assess a \$200.00 administrative fee.

2023-08: The licensee allegedly had an inappropriate relationship with a patient. Recommendation: No probable cause to charge the licensee with a violation of the Practice Act.

2023-09: The licensee voluntarily surrendered her license after failing to comply with a condition of her license. Recommendation: No further action is needed.

2023-10: The licensee voluntarily surrendered his license after failing to comply with a condition of his license. Recommendation: No further action is needed.

2023-011: The licensee, a physical therapist assistant, is alleged to have engaged in conduct unbecoming by not following the direction of the supervising physical therapist. Recommendation: No probable cause to charge the licensee with a violation of the Practice Act:

Nathan McGriff made a motion to accept the 5 Violations Committee recommendations 2023-07 through 2023-11. T. Michael Dougherty seconded the motion. Robert Fleming, Robin Irwin, Dana Daniel Blake voted in favor. Jonathan Zecher abstained. The 5 Violations Committee recommendations were approved.

*****2022-01:** On 01/25/2022, the ABPT received an Adverse Action report on the licensee indicating he surrendered his license in the state of Florida after an administrative complaint was filed against him. On 02/09/2022, because of the Adverse Action report, the licensee voluntarily surrendered his license in Alabama. On 05/03/2023, the licensee contacted Dr. Garver and requested his license be reinstated. Dr. Garver advised the licensee the decision to reinstate would be up to the Board. Recommendation: Hold, pending further investigation.

Discussion was held. Nathan McGriff made a motion that **2022-01** licensee be reinstated upon completion of a Consent Order, entering the Wellness Program and subjecting the licensee to the maximum fine of \$1000.00. T. Michael Dougherty seconded the motion. Robert Fleming and Robin Irwin voted in favor. Jonathan Zecher abstained. Dana Daniel Blake opposed. The motion was approved.

D. Executive Directors Report: See attached Executive Director Update.

E. Wellness Committee Report: Nathan McGriff reported that there had been one addition, case 2023-03, added to the wellness program since the last board meeting. Nathan reminded the Board that his term was set to expire at the first of October 2023 and a new Wellness Committee Liaison would need to be considered. Discussion was held and T. Michael Dougherty volunteered to be the new Wellness Committee liaison to represent the Board beginning in October 2023. Jonathan Zecher made a motion to accept, and Robert Fleming seconded his motion. All were in favor, none opposed. T. Michael Dougherty was approved as the new Wellness Committee liaison.

IV. Unfinished Business:

A. PT Compact Update: Assistant Attorney General, J. Matt Bledsoe presented this report. An update was given that the PT Compact was signed into Law and will go into effect in September 2023. Claire DiLaura gave a summary on the RFP proposals for the fingerprinting contract.

B. Administrative Rule Changes for PT Compact: Discussion was held for the need to create a Rules Committee prior to the PT Compact law going into effect. Jonathan Zecher made a motion that Robin Irwin Chair this committee and T. Michael Dougherty seconded this motion. All voted in favor, none opposed. T. Michael Dougherty made a motion to go in to recess to conduct a public hearing, Robin Irwin seconded this motion. All voted in favor, none opposed. Jonathan Zecher made a motion to hold a public hearing on the rules for Public Records Request, T. Michael Dougherty seconded this motion. All voted in favor, none opposed. The floor was opened to the public and no comment was made on the proposed rules. Nathan McGriff made a motion to close the public hearing and return to the meeting, Robin Irwin seconded this motion. All voted in favor, none opposed. Jonathan Zecher then made a motion to accept the rules and certify the rules, Dana Daniel Blake seconded this motion. All voted in favor, none opposed.

V. New Business:

- A. Dr. Garver's Contract:** Discussion was held. Nathan McGriff made a motion to accept the presented contract and Jonathan Zecher seconded this motion. All voted in favor, none opposed. Dr. Garver's contract was approved.

- B. Karen Entrekin's Contract:** Discussion was held. Robin Irwin made a motion to accept the presented contract pending approval through Alabama Buys. T. Michael Dougherty seconded this motion. All voted in favor, none opposed.

- C. Red Tape Reduction Act:** Director, Kathy Miller presented this report. The Governors Red Tape Reduction Act requires every agency to submit an inventory of their rules by September 1, 2023. By September 15, 2023, a list of the rules and intended modifications should be submitted to the Governor to comply with the Executive Order. The Board of Physical Therapy inventoried and modified their rules 2 to 3 years ago and these changes will be submitted by September 15th to comply with the Governors requirement.

Meeting adjourned at 10:56 A.M.

The next meeting will be August 26, 2023, at the August APTA Alabama Annual Conference Meeting at Samford University.


JONATHAN ZECHER

Executive Director Report

June 6, 2023: The nominations blast email was sent out. So far, we have received three nominations.

June 14, 2023: Governor Ivey signed the PT Compact bill (HB110) into law. I mailed thank-you cards to Senator Albritton and Representative Moore.

June 20, 2023: The Summer 2023 newsletter was sent to all active licensees. I also sent the newsletter to Senator Albritton and Representative Moore. In case you haven't had a chance to read it, I thanked them for their assistance in getting the bill passed.

June 27, 2023: Claire and I participated in a PT Compact meeting (Zoom). Nothing was discussed that will affect how we operate.

June 29, 2023: Claire attended a training on preparing the Operations Plan for the budget.

Our phone upgrade/conversion was cancelled by OIT due to an issue with AT&T. It will be rescheduled as soon as possible.

We are a registered exhibitor at the APTA conference on August 26, 2023.

