

1
2
3
4
5
6
7
8
9
10
11
12

Texas Board of Physical Therapy Examiners

**RULES AND PRACTICE
Committee Meeting**

**333 Guadalupe, Suite 2-510
Austin, Texas 78701**

**July 26, 2018
3:00 pm**

13 **Members Present:** Harvey Aikman, PT
14 Jeff Tout, PT
15 Philip Vickers, Public Member

16
17 **Member Absent:** Gary Gray, PT, Chair

18
19 **Staff:** John Maline, Executive Director
20 Karen Gordon, PT Coordinator
21 Mark Turek, Chief Investigator
22 Michael Briscoe, Licensing Manager

23
24 **Legal Counsel:** Kara Holsinger, Assistant Attorney General

25
26 **Guests:** Lindsey Green, Texas Physical Therapy Association (TPTA) Staff
27 Kathleen Manella, TPTA Liaison

28
29 **Agenda**

- 30
31 A. Call to order.
32 B. Public comment.
33 C. Approval of minutes from the April 12, 2018 meeting.
34 D. Discussion and possible action on proposing changes to §329.1. General Licensure Requirements and
35 Procedures. pursuant to SB 317 amendments to Sec. 453.215, Occupations Code during the 85th
36 Legislative Session.
37 E. Discussion and possible action on proposing changes to §341.1 Requirements for Renewal., §341.6.
38 License Restoration., §341.8., Inactive Status., and §341.9. Retired Status; Performing Voluntary
39 Charity Care. Pursuant to SB 317 amendments to Sec. 453.255, Occupations Code during the 85th
40 Legislative Session.
41 F. Discussion and possible action on proposing changes to §344.1. Administrative Fines and Penalties.
42 pursuant to SB 317 amendments to Sec. 453.3525 and Sec.453.402(b), Occupations Code during the
43 85th Legislative Session.
44 G. Discussion and possible action on proposing changes to §343.6. Other Grounds for Denial of a
45 License or Discipline of a Licensee. Pursuant to SB 317 amendments to Sec. 453.215 and
46 Sec.453.255, Occupations Code during the 85th Legislative Session.
47 H. Discussion and possible action on proposing the addition of §344.2. Record of Disciplinary Action;
48 Expungement. pursuant to SB 317 amendments to Sec. 453.357, Occupations Code during the 85th
49 Legislative Session.
50 I. Discussion and possible action on proposing changes to Chapter 322. PRACTICE, regarding adding
51 §322.5. Telehealth.
52 J. Discussion and possible action on future meeting dates and agenda items.
53 K. Adjournment.
54

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

A. Call to Order

In the absence of the Committee Chair Gary Gray, Harvey Aikman called the roll and determined a quorum was present. He called the meeting to order at 3:05 p.m.

B. Public comment

There was no public comment.

C. Approval of minutes from the April 12, 2018 meeting

Motion: To approve the minutes as submitted.

Made by: Jeff Tout

Second: Philip Vickers

Motion passed unanimously.

D. Discussion and possible action on proposing changes to §329.1. General Licensure Requirements and Procedures. pursuant to SB 317 amendments to Sec. 453.215, Occupations Code during the 85th Legislative Session.

Mr. Turek updated the Committee on the progress of implementing Criminal Background Checks (CBC) through fingerprinting with the projected rollout of January 1, 2019.

Motion: To recommend proposing the changes to §329.1. General Licensure Requirements and Procedures.

Made by: Philip Vickers

Second: Jeff Tout

Motion passed unanimously.

E. Discussion and possible action on proposing changes to §341.1 Requirements for Renewal, §341.6. License Restoration, §341.8. Inactive Status, and §341.9. Retired Status; Performing Voluntary Charity Care. pursuant to SB 317 amendments to Sec. 453.255, Occupations Code during the 85th Legislative Session.

See remarks under Agenda Item D.

Motion: To recommend proposing the changes to §341.1. Requirements for Renewal, §341.6. License Restoration, §341.8. Inactive Status, and §341.9. Retired Status; Performing Voluntary Charity Care.

Made by: Jeff Tout

Second: Philip Vickers

Motion passed unanimously.

F. Discussion and possible action on proposing changes to §344.1. Administrative Fines and Penalties. pursuant to SB 317 amendments to Sec. 453.3525 and Sec.453.402(b), Occupations Code during the 85th Legislative Session.

Mr. Turek presented the completed Schedule of Sanctions for the Committee to review.

Motion: To recommend proposing the changes to §344.1. Administrative Fines and Penalties.

Made by: Philip Vickers

1 Second: Jeff Tout
2 Motion passed unanimously.

3
4 **G. Discussion and possible action on proposing changes to §343.6. Other Grounds for Denial of a**
5 **License or Discipline of a Licensee. Pursuant to SB 317 amendments to Sec. 453.215 and Sec.**
6 **453.255, Occupations Code during the 85th Legislative Session.**

7
8 The Committee decided that no rule changes were necessary.

9
10 **H. Discussion and possible action on proposing the addition of §344.2. Record of Disciplinary**
11 **Action; Expungement. pursuant to SB 317 amendments to Sec. 453.357, Occupations Code**
12 **during the 85th Legislative Session.**

13
14 The Committee took no action.

15
16 **I. Discussion and possible action on proposing changes to Chapter 322. PRACTICE,**
17 **regarding adding §322.5. Telehealth.**

18
19 The Committee reviewed, discussed, and edited a draft of the rule regarding Telehealth.

20
21 Motion: To recommend proposing the addition of §322.5. Telehealth.
22 Made by: Philip Vickers
23 Second: Jeff Tout

24 Motion passed unanimously.

25
26 **J. Discussion and possible action on future meeting dates and agenda items.**

27
28 The next committee meeting was set for October 18, 2018 in Austin.

29
30 **K. Adjournment.**

31
32 Motion: To adjourn the meeting.
33 Made by: Jeff Tout
34 Second: Philip Vickers

35 Motion passed unanimously.

36
37 Mr. Aikman adjourned the meeting at 3:34 p.m.

38
39

40 **Date reviewed by the Committee:** 7/18/2019
41 **Action taken by the Committee:** approved as submitted.