

South Dakota Board of Physical Therapy

Mailing Address: 810 North Main Street, Suite 298 Spearfish, SD 57783

Phone: (605) 642-1600 E-Mail: office@sdlicensing.com

Draft-Video Conference BOARD MEETING AGENDA

TO:

All Board Members

FROM:

Brooke Tellinghuisen Geddes

DATE:

August 5, 2024

MEETING DATE:

August 20, 2024

LOCATION:

Video Conference

The public is invited to attend the meeting via Microsoft Teams at the following link:

https://teams.microsoft.com/l/meetup-

join/19%3ameeting NDNkZGEzYWUtY2Q1YS00MGI5LWI5ZTUtODY3MjViMG E5YzQ4%40thread.v2/0?context=%7b%22Tid%22%3a%22e69efb98-56ef-4797a76b-e1ec658a639c%22%2c%22Oid%22%3a%22ee0a24e7-6d2c-4495-ade5-4377098865d2%22%7d

If members of the public would like to be sent the Microsoft Teams invitation to the meeting instead of using the above link, please contact the board office prior to the meeting at <u>office@sdlicensing.com</u>. If you are having issues accessing the link, please contact the board office at 605-642-1600.

MEETING TIME:

11:00AM MDT / 12:00PM CDT

Agenda Item Number

- 1. Call to Order/Welcome
- Roll Call
- Public Hearing to Adopt Proposed Rules-Vote

- 4. Approval of the Agenda
- 5. Public Comment
- 6. Approval of the Minutes from May 14, 2024
- 7. Financial Update
- 8. CEU Workgroup Update
- 9. API Grant- Vote
- 10. Updated Reinstatement/Re-Entry Application Process-Vote
- 11. Workforce Data Collection on Renewal Application-Vote
- 12. Leadership Issues Forum, July 13-14, Arlington, VA- Thuringer
- 13. FSBPT Annual Education Meeting- October 31-November 2- Cedar Rapids, IA- Vote to send Delegate/Alternate Delegate
- 14. Schedule Next Meeting(s)
- 15. Executive Session pursuant to SDCL 1-25-2
 - a. Complaints/Investigations
 - b. Application 2024-1
- 16. Application 2024-1- Vote
- 17. Any other Business
- 18. Adjourn

20:66:03:02. Activities for continuing education requirements. To meet the continuing education hours required in § 20:66:03:01, an activity must-be:

- (1) Sponsored or Directly relate to the practice of physical therapy;
- (2) Be planned, organized, and designed to maintain, improve, or expand a physical therapist's or physical therapist assistant's practice knowledge and skills to protect the health, safety, and welfare of the public; and
- ____(3) Be approved by-the:
- (a) The American Physical Therapy Association or other national or state physical therapy association:
- (2) Conducted by a hospital or related institution (b) The American Physical Therapy

 Association-South Dakota Chapter;
 - (3) Approved by the (c) The State Board of Physical Therapy; or
- (4) Sponsored by a college or university (d) A board responsible for licensing physical therapists or physical therapist assistants in another state.

The activity must also have significant intellectual or practical content dealing primarily with matters directly related to the practice of physical therapy or to the professional responsibility or ethical obligations of the participants.

Source: 44 SDR 95, effective December 7, 2017; 50 SDR 66, effective December 3, 2023.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-51.

Therapy may—waive_grant a full or partial waiver of the continuing education requirements in this chapter if the applicant physical therapist or physical therapist assistant submits an affidavit to the board stating that the applicant was prevented from completing the requirements because of—the

20:66:03:04. Waiver of continuing education requirements. The State Board of Physical

eireumstances any circumstance listed in SDCL 36-10-51.- A Before attempting to renew a license,

a physical therapist or physical therapist assistant must submit the affidavit for a waiver to the board

at least thirty days prior to the expiration of the two-year period referenced in § 20:66:03:01.

Source: 44 SDR 95, effective December 7, 2017; 50 SDR 66, effective December 3, 2023.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-51.

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OFFICIAL BOARD MINUTES FOR MAY 14, 2024 VIDEO CONFERENCE

MEMBERS PRESENT:

Patti Berg-Poppe, President Leonard Suel, Vice-President Rebeca Schmitz, Secretary Matthew Weigel, Member Brad Thuringer, Member Janelle Toman, Lay Member Linda Ahrendt, Lay Member

MEMBERS ABSENT:

None

OTHERS PRESENT:

Brooke Tellinghuisen Geddes, Executive Director

Katie Funke, Executive Assistant

Howard Pallotta, SD Dept, of Health, General Counsel

Katie O'Bright, Redefine Health Education

CALL TO ORDER: Berg-Poppe called the meeting to order at 12:00 PM CDT.

ROLL CALL: Tellinghuisen Geddes called the roll. Berg-Poppe, yes; Suel, yes; Schmitz, yes; Thuringer, yes; Toman, yes; Ahrendt, yes; Weigel, yes. A quorum was present.

APPROVAL OF THE AGENDA: Toman made a motion to approve the agenda. Schmitz seconded the motion. **MOTION PASSED** by unanimous voice vote.

PUBLIC COMMENT PERIOD: O'Bright, owner of Redefine Health Education, voiced interest to the board during the public comment period regarding the board accepting continuing education that has been approved by other Physical Therapy licensure boards. Berg-Poppe advised that the board cannot opine on public comment questions during the meeting if it is not directly on the agenda but that the board would be discussing this later in the meeting.

APPROVAL OF THE MINUTES FROM MARCH 19, 2024: Toman made a motion to approve the minutes from March 19, 2024. Schmitz seconded the motion. MOTION PASSED by unanimous voice vote.

FINANCIAL UPDATE: Tellinghuisen-Geddes reported year-to-date financials as of March 31, 2024: Revenue of \$195,594.01, expenses of \$109,147.38 and a Cash Balance of \$1,244,554.55.

CEU WORKGROUP UPDATE/GUIDING DOCUMENT: Berg-Poppe discussed two guiding documents the CEU workgroup has been drafting to help provide clarity around continuing education for both licensees and those who put forth continuing education. She explained the guiding documents would be implemented once the board is able to update administrative rules. Specifically, she asked for input on implementing a policy to split continuing education into two categories. The first category would include certified activities and have no limit on the number of allowable hours in a licensure cycle. The second category would include various participatory activities to allow licensees flexibility in continuing education activities. This category would have a limit on the hours a licensee could claim in a licensure cycle. Schmitz agreed that it would be beneficial to have two categories as to not allow licensees to get all of their continuing education in participatory activities. Weigel expressed concern with making continuing education more difficult to obtain and the need to consider work and financial constraints of licensees. Suel agreed that it made sense to have two categories of continuing education and applauded the detail in the guiding documents and clarity they will provide.

ADMINISTRATIVE RULES UPDATE-CEU'S/VOTE: The board discussed proposed changes to ARSD 20:66:03:02 and 20:66:03:04. Changes include defining continuing education, updating the approval entities to the South Dakota Board of Physical Therapy, SD Chapter of APTA, APTA and another state's licensure board who licenses Physical Therapists and Physical Therapist Assistants. The guiding document, which would provide further clarification on activities approved by the board, would be implemented after the rule changes are effective. Following discussion, Thuringer moved to initiate the process of updating the administrative rules as discussed. Schmitz seconded the motion. MOTION PASSED by unanimous voice vote.

SCOPE OF PRACTICE FLOW CHART/VOTE: The board was presented with an updated scope of practice flow chart with changes discussed at the last meeting incorporated. Berg-Poppe reminded the board that the chart is just a tool to help licensees think through their scope of practice questions and is not intended for the board to provide advice on their scope of practice. Weigel made a motion to adopt the flow chart as presented. Ahrendt seconded the motion. MOTION PASSED by unanimous voice vote.

COMPACT PRIVILEGE FEE INCREASE: The board discussed updating the compact fee to be more consistent with the fee licensees in South Dakota pay for a license. Following discussion, the board decided to table to topic until a later date. They plan to revisit the topic at a meeting this fall.

ELECTION OF OFFICERS: Schmitz made a motion to re-elect the current slate of officers with Berg-Poppe as President, Suel as Vice-President, and Schmitz as Secretary. Weigel seconded the motion. **MOTION PASSED** by unanimous voice vote.

SCHEDULE NEXT MEETING(S): The next meeting is scheduled for August 20, 2024 at 11AM MDT/12 PM CDT via Microsoft Teams. This meeting is also tentatively planned to serve as the public rules hearing for the administrative rule changes. Two more meetings were scheduled as follows: October 8, 2024 at 11AM MDT/12 PM CDT via Microsoft Teams and December 10, 2024 at 11AM MST/ 12 PM CST via

Microsoft Teams.

EXECUTIVE SESSION PURSUANT TO SDCL 1-25-2: The board did not have a need to enter executive session.

COMPLAINTS/INVESTIGATIONS: The board office reported one pending complaint.

ANY OTHER BUSINESS: There was no other business to discuss.

Toman made a motion to adjourn 1:07 PM CDT. Schmitz seconded the motion. **MOTION PASSED** by unanimous voice vote.

Respectfully submitted, Brooke Tellinghuisen Geddes

Broom Hellinghuisen Gedoles

Executive Director

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.

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STATE OF SOUTH DAKOTA CASH CENTER BALANCES AS OF: 06/30/2024

COMPANY

AGENCY: 09 HEALTH
BUDGET UNIT: 09210 BOARD OF PODIATRY EXAMINERS - INFO

COMPANY/SOURCE TOTAL 6503 667 COMP/BUDG UNIT TOTAL 6503 09210

BUDGET UNIT TOTAL

ACCOUNT

BALANCE 26,495.73 DR DR/CR

26,495.73 DR *

1,226,130.64 DR

1,226,130.64 DR *

1,252,626.37 DR *** 1,252,626.37 DR **

CENTER DESCRIPTION

BOARD OF PODIATRY EXAMINERS

PHYSICAL THERAPY BOARD

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Promoting Safety and Competence

124 West Street South, Third Floor Alexandria, VA 22314 703-299-3100 | www.fsbpt.org

May 23, 2024

Brooke Tellinghuisen Geddes Executive Director South Dakota Board of Physical Therapy 810 North Main Street, Suite 298 Spearfish, SD 57783

Dear Brooke,

The Federation of State Boards of Physical Therapy Board of Directors is appreciative of your efforts to enhance your reporting of licensee information to the ELDD to better protect the public. We applaud you, along with the South Dakota Board of Physical Therapy for this effort. FSBPT was pleased to receive your request for funding support in the amount of \$2,250.

It is my pleasure to inform you that the FSBPT Board of Directors has approved your request and directed FSBPT staff to work with you and your vendor(s) to assist in the distribution of these funds as appropriate during this calendar year. The project will need to be completed and payment made before December 31, 2024.

Please send all invoices to Richard Woolf (rwoolf@fsbpt.org) or Linda Michelsen (lmichelsen@fsbpt.org).

If you have any questions or concerns, please feel free to contact me.

Sincerely,

William A Hatherill, CEO

Federation of State Boards of Physical Therapy

124 West Street South, 3rd Floor

Alexandria, VA 22314-2825

Phone: (703) 299-3100 ext. 232

Fax: (703) 299-3110

This memorandum outlines the process for considering applications made to the SD Board of Physical Therapy.

Clean Applications (initial and renewal): Applicants who answer "no" to all legal questions, no
criminal history on background check, no action on other licenses from other states or prior
action on South Dakota licenses. These applicants also meet all other requirements for licensure
or renewal.

Recommendation: Executive director issues license.

The State Board of Physical Therapy adopted this process for considering applications at its meeting on March 19, 2024.

2. Other Applications (initial and renewal): Applicants who answer "yes" to legal questions, have criminal history on DCI or FBI background check, action on a license from another state or former South Dakota license, or other problematic issues.

Recommendation: Review by board president, legal counsel, and executive director. May choose to 1) approve application or renewal or 2) bring to full board for consideration of conditions or denial at next regularly scheduled meeting (board president must abstain from voting).

The State Board of Physical Therapy adopted this process for considering applications at its meeting on March 19, 2024.

- 3. Reinstatement or Re-Entry Applications: Applicants who were formerly licensed in South Dakota or another state but who do not hold current licensure and forfeited their license consistent with SDCL 36-10-33 (i.e., 6 months past expiration date).
 - **1-3 years lapsed:** Review by board president and executive director, who will make recommendation on the number of CEU's needed. The decision will be brought to the board for ratification only at its next regularly scheduled meeting.
 - **3-5 years lapsed**: In addition to requirements from 1-3 years lapsed, the applicant will complete the Federation of State Boards of Physical Therapy's (FSBPT) Practice Exam & Assessment Tool (PEAT) and subsequent CEU's, to be determined by the board president and executive director, to address deficiencies. The decision will be brought to the board for ratification only at its next regularly scheduled meeting.
 - **5-10 years lapsed**: Review and approval by the full board at its next regularly scheduled meeting. In addition to the requirements from 3-5 years, the applicant will complete a mutually agreed supervised practice. The board will issue a credential and require reports from a board approved supervisor for a defined period.
 - 10+ years lapsed: Review and approval by the full board at its next regularly scheduled meeting. The applicant will retake the National Physical Therapy Exam (NPTE) or the National Physical Therapy Assistance Exam (NPTAE). This may also include additional CEU's as required in the 3-5 year time frame and/or supervised practice as required in the 5-10 year time frame.

The purpose and intent of this policy is to assist the board in determining if an applicant who has been without an active license for over 3 years is competent to practice. Each applicant will be reviewed on a case-by-case basis, and it is left to the discretion of the approval entities assigned to determine appropriate competency measures. The board and designated approval

entities may consider these guidelines including by not limited to the above guidelines in making their determination.

The State Board of Physical Therapy adopted this revised process for considering applications at its meeting on _______.

36-10-46. Appeal from decision of board.

Any party feeling aggrieved by any acts, rulings, or decisions of the State Board of Physical Therapy, relating to the refusal to grant a license or to the cancellation, revocation, or suspension of a license may appeal the decision, pursuant to chapter 1-26.

Core Minimum Data Set Questions

Sex (Standard question, Standard Response)

What is your sex? SINGLE-SELECT

- a. Male
- b. Female
- c. Transgender
- d. Gender Non-binary
- e. Other
- f. Prefer not to answer

Race/Ethnicity (Standard question, Standard response)

What is your race? Mark one or more boxes MULTI-SELECT

- a. American Indian or Alaska Native
- b. Asian
- c. Black or African American
- d. Native Hawaiian/Pacific Islander
- e. White
- f. Some Other Race

Are you of Hispanic, Latino/a, or Spanish origin? SINGLE-SELECT

- a. No
- b. Yes

Age/Year of Birth (Standard question, Standard response)

What is your birth year? OPEN FIELD

Year Completed Education (Standard question, Standard response)

What year did you complete the education program/degree that <u>first qualified</u> you for this license? *OPEN FIELD*

What type of degree/credential first qualified you for this license? SINGLE-SELECT

- c. Technical/Vocational Certificate
- d. Associate Degree
- e. Bachelor's Degree
- f. Master's Degree
- h. Professional/Doctorate Degree

Other (Specify:)

Highest Level of Education (Standard question, Mappable response)

What is your highest level of education? SINGLE-SELECT

Where did you compl license? (Note: for or housed) SINGLE-SEL a. [LIST OF U.S. STATE	eate uivalent) -level) -Completed Education (Standard lete the education program/degranine programs, please select the LECT ES and territories]	□ tDPT (transitional) □ EdD □ DSc □ PhD (or equivalent) and DPT □ Other (Specify:) d question, Mappable response) ee that first qualified you for this clocation where this program was
b. Another Country (r	101 (0.5.)	
	Specialty (Standard questio	on, Flexible response)
most of your professi Add these choices:	emic Institution (educating stude ovascular and Pulmonary Adults (Geriatrics) ology logy pedics trics s : Health d Management	ield/area of practice in which you spend ent PTs/PTAs) of actively treating patients/clients)
below system o Musci o Neuro o Cardio o Integu o Other	ns (total must be 100%). uloskeletal omuscular opulmonary imentary (GI, GU, Renal, Metabolic, Endo	our time spent treating conditions of the crine) crine) t actively treating patients/clients)

- o 0-12 years
- o 13-21 years
- o 22-65 years
- o Over 65 years

the below lifespans (total must be 100%).

Provide a best estimate of the percentage of your time spent treating patient/clients within

o None of the above (select if you are not actively treating patients/clients)

Please indicate the population groups	to which you pro	ovide services. Plea:	se check all that
apply. MULTI-SELECT CHECKBOXES			

- a. Newborns
- b. Children (ages 2-10)
- c. Adolescents (ages 11-19)
- d. Adults
- e. Geriatrics (ages 65+)
- f. Pregnant women
- g. Veterans
- h. Incarcerated individuals
- i. Individuals with disabilities
- j. Individuals who speak a language other than English
- k. Medicaid
- l. Medicare
- m. Sliding Fee Scale
- n. None of the above (select if you are not actively treating patients/clients)

Practice Location (Standard question, Flexible response)

In what state is your primary practice location? If this does not apply, please select "N/A" [LIST OF U.S. STATES AND TERRITORIES AND OPTION FOR N/A]

In what state(s) and/or jurisdiction(s) do you hold an active license or have authority to practice? (Select all that apply) *MULTI-SELECT* [LIST OF U.S. STATES and territories]

Do you hold compact privileges?" If "yes", "Within which states do you hold compact privileges?" **MULTI-SELECT**

[LIST OF U.S. STATES and territories]

What is the five-digit ZIP code of your primary practice location? If this does not apply, please indicate "N/A"

OPEN TEXT FIELD

i	n	e	Δ	rt

What is the size of the community of your primary practice location? If this does not apply, please indicate "N/A".

Less than 1000	10,000-24,999	Greater than 250,000
1000-4999	25,000-49,999	NA
5000-9999	50,000-250,000	

Telehealth (Standard question, Standard response)

Telehealth may be defined as the use of electronic information and telecommunications technologies to extend care to patients, and may include videoconferencing, store-and forward imaging, streaming media, and terrestrial and wireless communications. Do you use

telehealth to deliver services to patients? SINGLE SELECT

- a. No
- b. Yes

Employment Type/Arrangement (Standard question, Mappable response) Employment Status (Standard question, Mappable response)

What is your employment status? SINGLE-SELECT

- a. Actively working in a position that requires this license
- b. Actively working in a position in the field of Physical Therapy that does not require this license
- c. Actively working in a position in a field other than Physical Therapy
- d. Not currently working
- e. Retired

Future Employment Plans (Standard question, Mappable response)

Which of the following best describes your current employment arrangement at your principal practice location? **MULTI-SELECT**

- a. Self-employed/Consultant
- b. Salaried employee
- c. Hourly employee
- d. Temporary employment/Locum tenens
- e. Other
- f. Not Applicable

What best describes your employment plans for the next 2 years? SINGLE SELECT

- a. Increase hours in a field related to this license
- b. Decrease hours in a field related to this license
- c. Seek employment in a field unrelated to this license
- d. Retire
- e. Continue as you are
- f. Unknown

Position Type/Role (Standard question, Mappable response)

Please identify the role/title(s) that most closely correspond(s) to your primary employment/practice type. *MULTI-SELECT*

- a. Administrator
- b. Clinical Practice
- c. Faculty/Educator
- d. Researcher
- e. Other
- f. Not Applicable

Setting Type (Standard question, Flexible response)

Which of the following best describes the practice setting	
If this does not apply, please select "not applicable." SIN	
	ool system or early intervention
☐ Subacute rehab hospital (inpatient) ☐ secondary)	Academic institution (post-
☐ Health system or hospital based outpatient fac	nility or olinio
• • • • • • • • • • • • • • • • • • • •	•
· · · · · · · · · · · · · · · · · · ·	Private outpatient office or group practice SN/ECF/ICF
	Patient's home/home care
☐ Other (Specify)	ratient's nome/nome care
b. Telehealth	
c. Not applicable	
c. Not applicable	
Hours/Week (Standard question,	Standard response)
Estimate the average number of hours per week spent at	your primary practice location. If
this does not apply, please select "not applicable." SING	LE-SELECT
a. 0 hours per week/Not applicable	
b. 1 – 4 hours per week	
c. 5 – 8 hours per week	
d. 9 – 12 hours per week	
e. 13 – 16 hours per week	
f. 17 – 20 hours per week	
g. 21 – 24 hours per week	
h. 25 – 28 hours per week	
i. 29 – 32 hours per week	
j. 33 – 36 hours per week	
k. 37 – 40 hours per week	
l. 41 or more hours per week	
Hours/Week in Direct Patient Care (Standard	question, Standard response)
Estimate the average number of hours per week spent IN	DIRECT PATIENT CARE at your
primary practice location. If this does not apply, please se	elect "not applicable." SINGLE-SELECT
a. 0 hours per week/Not applicable	
b. 1 – 4 hours per week	
c. 5 – 8 hours per week	
d. 9 – 12 hours per week	
e. 13 – 16 hours per week	
f. 17 – 20 hours per week	
g. 21 – 24 hours per week	
h. 25 – 28 hours per week	
i. 29 – 32 hours per week	
j. 33 – 36 hours per week	
k. 37 – 40 hours per week	

l. 41 or more hours per week