



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH PROFESSIONS
RAE RAMSDELL
DIRECTOR

STEVEN H. HILFINGER
DIRECTOR

MICHIGAN BOARD OF PHYSICAL THERAPY MEETING JULY 17, 2012 APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Physical Therapy met in regular session July 17, 2012, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Jill Marlan, PT, Chairperson, called the meeting to order at 1:31 p.m.

ROLL CALL

Members Present: Jill Marlan, PT, Chairperson
Andrew May, PT, Vice Chairperson
Brian Gilbert, PT
Vijay Kumar, DPT
Ajay Middha, DPT
Barbara Simmons, PTA
Ginger Smietana, Public Member

Members Absent: Mecha Crockett, Public Member
Mark Epolito, Public Member
David Goldenbogen, PT
Sean Handler, Public Member

Staff Present: Christine Hanson, Board Secretary, Health Regulatory Division
Norene Lind, Policy Manager, Health Regulatory Division
Desmond Mitchell, Policy Analyst, Health Regulatory Division
Kelly Hugh, Policy Analyst, Health Regulatory Division
Robert Jenkins, Assistant Attorney General
Heidi Johnson, Assistant Attorney General
Danielle Burk, Analyst, Health Regulatory Division

Others Present: Jake Jakubiak Kovacek, Michigan Physical Therapy Association
Jill Sullivan, Michigan Physical Therapy Association
Kris Thompson, Michigan Physical Therapy Association
David Perry

APPROVAL OF MINUTES

MOTION by Simmons, seconded by Smietana, to approve the minutes of the April 17, 2012 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Simmons, seconded by Gilbert, to approve the Agenda with the following amendment:

Under **New Business**, add item 8B. HPRC Representative; and item 8C. FSBPT Representative.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Ram Chand Arora, PT – Proposal for Decision/Board's Findings of Fact and Conclusions of Law

MOTION by Smietana, seconded by May, to untable the matter of Ram Chand Arora, PT.

MOTION PREVAILED

MOTION by Smietana, seconded by May, to accept the Board's Findings of Fact and Conclusions of Law and deny reinstatement in the matter of Ram Chand Arora, PT.

Discussion was held.

A roll call vote followed: Yeas – Middha, Kumar, May, Gilbert, Simmons, Smietana, Marlan

MOTION PREVAILED

COMMITTEE REPORTS

RULES COMMITTEE

Marlan stated that May is the Chair of the Rules Committee. Mitchell stated that the Bureau is waiting for the Office of Regulatory Reinvention to approve the Request for Rulemaking. Once approved, he will share modified draft rules with the Rules Committee.

Lind will provide a presentation on the rulemaking process at a future meeting.

CHAIRPERSON'S REPORT

Marlan stated that the allegation cases she reviewed involved FSBPT test breaches and PTAs. She reviewed six (6) cases as Conferee, and an additional case this morning. Additional discussion was held regarding FSBPT test breach fines.

Marlan also reported the FSBPT has set the fixed testing dates for July and October 2012, as well as January, April, July, and October of 2013.

OLD BUSINESS

DRY NEEDLING

Marlan stated that Ramsdell has submitted a formal request to the Attorney General's office, seeking an opinion regarding dry needling, and she awaits a response.

Federation of State Boards of Physical Therapy (FSBPT) Board Member Training Recap

Middha, Gilbert, and Kumar shared their experiences as attendees of the FSBPT Board Member Training Meeting, June 21-23, 2012, in Alexandria, VA.

NEW BUSINESS

Department Update

Lind shared a memorandum entitled, "Legislative Update," which summarized recent public acts, Senate bills, and House bills.

HPRC Representative

MOTION by May, seconded by Simmons, to appoint Susan Talley, PT, DPT, C/NDT, as the Board's representative on the Health Professional Recovery Committee.

Discussion was held.

A roll call vote followed: Yeas – Gilbert, Kumar, May, Middha, Simmons,
Smietana, Marlan

MOTION PREVAILED

FSBPT Representative

Marlan and Lind will work together to select two Board members who will represent the Michigan Board of Physical Therapy at the FSBPT Annual Meeting, September 20-22, 2012, in Indianapolis, Indiana. The FSBPT will sponsor the attendance of a delegate and alternate delegate, as well as a Board Administrator.

PUBLIC COMMENT

Jake Jakubiak Kovacek of the Michigan Physical Therapy Association gave a brief overview of HB 4603 and HB 5233-5236, noting the following points:

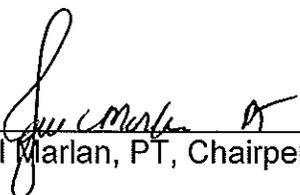
- Tie barred bills are voted on together, not individually. All five bills will either pass or fail in one vote.
- These bills permit third party payers to continue to require a prescription/referral for physical therapy, should they so desire. This is their current practice, and HB 4603 does not change this practice. Therefore, third party payer concerns that HB 4603 will increase costs are unfounded as a result of these tie-barred bills.

ANNOUNCEMENTS

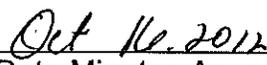
The next regularly scheduled meeting will be October 16, 2012 at 1:30 p.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

ADJOURNMENT

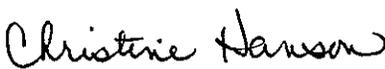
MOTION by Simmons, seconded by Kumar, to adjourn the meeting at 2:28 p.m.



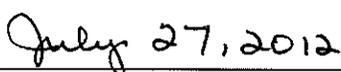
Jill Marlan, PT, Chairperson



Date Minutes Approved



Christine Hanson, Board Secretary



Date Minutes Prepared