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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

SHELLY EDGERTON  
DIRECTOR

**MICHIGAN BOARD OF PHYSICAL THERAPY  
JULY 12, 2016 MEETING**

**APPROVED MINUTES**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Physical Therapy met on July 12, 2016, at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

**CALL TO ORDER**

Brian Gilbert, PT, Chairperson, called the meeting to order at 1:38 p.m.

**ROLL CALL**

**Members Present:** Brian Gilbert, PT, Chairperson  
Ajay Middha, PT, DPT, Vice-Chairperson  
Jill Marlan, PT  
Sarah McAllister, PT  
Jeff Munford, Public Member  
Barbara Simmons, PTA  
Whitney Terry, Public Member

**Members Absent:** Linda Minter, Public Member  
John Poronto, Public Member  
Renee Przystas, PT  
Adam Swain, PT, AT

**Staff Present:** Erin Londo, Board Support, Board and Committees Section  
Karen Carpenter, Policy Analyst, Board and Committees Section

**APPROVAL OF AGENDA**

MOTION by Simmons, seconded by Middha, to approve the agenda as presented.

A voice vote was taken.

MOTION PREVAILED

## **APPROVAL OF MINUTES**

MOTION by Middha, seconded by McAllister, to approve the April 12, 2016 meeting minutes as presented.

A voice vote was taken.

MOTION PREVAILED

## **REGULATORY CONSIDERATIONS**

None

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **FSBPT Delegates – Gilbert and Middha**

MOTION by Simmons, seconded by McAllister, to approve Gilbert and Middha to represent the Board at the FSBPT annual fall meeting.

A voice vote was taken.

MOTION PREVAILED

## **Jurisprudence Exams**

Since the administrative rules have been updated, the jurisprudence exams required for licensure should be updated. The task for initial review and approval of exam language will be done by the Rules Committee.

## **Chairperson's Report**

Gilbert wanted the Board to be aware of HB 4712. There has been no movement since the last meeting.

Gilbert discussed the first requirement for PDR for the renewal cycle of 7/31/2017 – 7/31/2019 in order to give adequate notice for accumulating continuing education.

Gilbert indicated there is misinformation amongst the profession regarding a nurse practitioner's ability to prescribe physical therapy services. However, it was confirmed that only individuals licensed under Parts 166, 170, 175, or 180 (DDS, MD, PA, DO, or DPM) could prescribe physical therapy services.

Gilbert requested that there be a link to the rules added to the State of Michigan physical therapy website. He found it difficult to navigate the site and find the rules. Marlan requested a link for the rules and complaints be provided to the Board members in order for them to share with others.

### **Rules Committee Update**

The Rules Committee will be meeting after Disciplinary Subcommittee today to review proposed Jurisprudence examination language.

### **Department Update**

None

### **PUBLIC COMMENT**

Susan Talley, the HPRC appointee addressed the Board and spoke about the MPTA concerns regarding confusion in the profession of a nurse practitioner's ability prescribe physical therapy. She also expressed a desire for the rules to be made easier to find on the Bureau website. (See Addendum #1)

Jake Jakubiak Kovacek addressed the Board regarding the upcoming public hearing for the rule on human trafficking. She also suggested that there could be items added to the FAQ page on the State website regarding nurse practitioners and the PDR cycle.

### **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held October 11, 2016 at 1:30 p.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

### **ADJOURNMENT**

MOTION by Simmons, seconded by Munford, to adjourn the meeting at 2:05 p.m.

A voice vote was taken.

MOTION PREVAILED

Minutes approved by the Board on November 1, 2016

Prepared by:  
Nakisha Bayes, Board Support

November 4, 2016

## Addendum #1



Date: July 12, 2016  
To: Michigan Board of Physical Therapy  
Bureau of Professional Licensing, LARA  
From: Michigan Physical Therapy Association  
Susan Ann Talley, PT, DPT, PhD(c), President, MPTA  
Subject: Communication of Information to Licensees

Thank you for your service to the public by serving on this board and allowing me this opportunity to speak. I have three items that I would like to bring to your attention. All are centered on communication with the public and/or licensees. With the change-over in staff and the efforts that LARA is putting to increase both efficiency and effectiveness, we thought that this would be an opportune time to bring these forward. MPTA, in its effort to communicate with our members, wants to ensure that the message we deliver is consistent with LARA.

1. Communication regarding the implementation of the professional development requirements. MPTA is very supportive of the requirement of continuing competency for license renewal by acquiring 24 PDRs during the 2 years immediately preceding the expiration of the license. There continues to be some misunderstanding as to the time frame during which the first group of licensees will need to accumulate their 24 PDRs.
  - a. One MPTA member was given misinformation through LARA, stating that "This would mean that you will be required to earn the 24 hours of professional development credit between the dates of August 1, 2016 and July 31, 2018." In reality, the first cycle is August 1, 2017 – July 31, 2019. After our follow-up the information was corrected.
  - b. Last week, a non-MPTA member asked me when LARA was going to let her know about when she needed to begin her continuing competency PDR's. She is on an even year cycle and I gave her the information needed but she still wanted to know when and how she would be informed by LARA.
2. Communication regarding Nurse Practitioners and their role in prescribing physical therapy.
  - a. Over the past year I have had several contacts from nurse practitioners about who can prescribe physical therapy. Statute clearly states that Dentistry (Part 166), Medicine (MDs and Pas, Part 170), Osteopathic Medicine and Surgery (Part 175) and Podiatric Medicine and Surgery (Part 180) are the only ones who are allowed to prescribe physical therapy.



- b. An MPTA member was recently asked if he were able to accept a prescription for physical therapy from a Nurse Practitioner. When he told physician practice manager that we could not, the practice manager requested information about whether NPs can prescribe physical therapy from LARA. The response indicated that only MD, DO, DDS, and DPM could prescribe PT. However, the response continued, stating that the general delegation and supervision provisions might apply – i.e. NPs might be able to “delegate and acts, tasks or functions to a licensed or unlicensed individual who is otherwise qualified by education, training, or experience the performance of selected acts, tasks, or functions where the acts, tasks, of functions fall within the scope of practice of the licensee’s profession and will be performed under the licensee’s supervision...” It seems to the MPTA that the implication is that an NP might be able to delegate and supervise physical therapy. We believe that this is a misrepresentation, as a “prescription” is still required. We further believe, that this section of the code is referencing the acts, tasks and functions within the scope of practice of the delegating health professional. In Michigan, physical therapy can only be done by physical therapists, and by physical therapist assistants under the direction and supervision of a physical therapist.

3. Communication about the Administrative Code, Physical Therapy General Rules

- a. Prior to the most recent revision of the PT General rules, a link to the rules was available on the LARA Physical Therapy webpage. This link is no longer available and is difficult to find by searching the LARA website. Access to these rules is important for both licensees and the public. There is a live link to the rules on the last page of the *Physical Therapy by Examination Application...* but I only know that as I look through the application regularly in my role as Associate Director for Professional Education at the University of Michigan-Flint.
  - i. The MPTA respectfully requests that a live link be added to the LARA Physical Therapy webpage following the links “Public Health Code – Article 15, Part 161 General Provisions” and “Public Health Code – Physical Therapy Section” which are under the “Board Information Section” of the webpage.

Thank you very much for hearing my comments today on behalf of the MPTA. Please remember that we are happy to serve as a resource for you and are willing to meet with LARA and/or Board Members at any time.