



STATE OF MICHIGAN

RICK SNYDER  
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER  
DIRECTOR

## MICHIGAN BOARD OF PHYSICAL THERAPY MEETING JANUARY 13, 2015 APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Physical Therapy met in regular session January 13, 2015, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

### **CALL TO ORDER**

Vijay Kumar, D.P.T., Ph.D., M.D., Chairperson, called the meeting to order at 1:34 p.m.

### **ROLL CALL**

**Members Present:** Vijay Kumar, DPT, Ph.D, MD  
Brian Gilbert, PT  
Ajay Middha, DPT  
Barbara Simmons, PTA  
Sarah McAllister, PT  
Renee Przystas, PT  
Adam Swain, PT, AT  
Linda Minter, Public Member  
Jeff Munford, Public Member

**Members Absent:** John Poronto, Public Member  
Mark Epolito, Public Member

**Staff Present:** Shellayne Grimes, Secretary, Policy, Rules and Board Support  
Norene Lind, Board Manager, Policy, Rules and Board Support  
Elaine Barr, Policy Analyst, Policy, Rules & Board Support  
Pamela Millben, Analyst, Enforcement Division  
Virginia Abdo, Manager, Enforcement Division  
M. Catherine Wilcox, Assistant Attorney General

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**Others Present:** Susan Talley, President, Michigan Physical Therapy Association  
Jake Jakubiak Kovacek, Michigan Physical Therapy Association  
John Timothy Zipple, Michigan Physical Therapy Association  
Nancy Short, Governor Snyder's Office

## **APPROVAL OF MINUTES**

*MOTION* by Minter, seconded by Simmons, to approve the minutes of the October 14, 2014 meeting, as presented.

A voice vote was held.

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

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

A voice vote was held.

*MOTION PREVAILED*

## **MASTER RESOLUTION**

Lind noted that the last Master Resolution was approved by this Board when the Bureau was part of the Department of Community Health. Hence, a new Master Resolution is necessary.

*MOTION* by Simmons, seconded by McAllister, to approve the updated Board of Physical Therapy Master Resolution, as presented.

A voice vote was held.

*MOTION PREVAILED*

## **REGULATORY CONSIDERATIONS**

None

## **OLD BUSINESS**

None

## ***NEW BUSINESS***

### **A. Election for Chairperson**

Lind ran the election for Chairperson.

*MOTION* by Simmons, seconded by Middha, to re-elect Vijay Kumar, DPT, Ph.D, MD, as Chairperson.

A voice vote was held.

*MOTION PREVAILED*

### **Election for Vice-Chairperson**

Kumar ran the election for Vice-Chairperson.

*MOTION* by Kumar, seconded by Minter, to re-elect Brian Gilbert, PT, as Vice Chairperson.

A voice vote was held.

*MOTION PREVAILED*

### **B. Committee Assignments**

Przystas resigned from being a Primary member of the Disciplinary Subcommittee (DSC) and agreed to be an Alternate member, effective at the conclusion of today's meeting.

Kumar appointed Primary members of the DSC as follows:

- Minter, Public Chair
- Epolito, Public
- Gilbert, Professional
- Simmons, Professional
- Middha, Professional

Alternates members were appointed as follows:

- Munford, Public
- Przystas, Professional

The Rules Subcommittee was appointed as follows:

- Gilbert, Chair
- McAllister
- Simmons
- Swain

### **C. Review of Public Hearing Comments relating to Draft Administrative Rules**

Barr and Lind reviewed the Public Hearing Comments relating to the Draft Administrative Rules page by page. Barr described the types of changes that can be made after a Public Hearing.

*MOTION* by Minter, seconded by Gilbert, to approve the Draft Administrative Rules with amendments.

A voice vote was held.

*MOTION PREVAILED*

During the discussion of the Draft Administrative Rules Comments section, a question arose inquiring if a letter is received from an approved institution informing the Department that a student has completed all requirements and is graduating, is it an acceptable communication or does the Department require a transcript. Barr will check with Lucinda Clark, Manager of the Licensing Section and report back to the Board.

### **D. Direct Access Laws**

Middha clarified that the new direct access laws allows the insurance companies to determine whether or not they will reimburse physical therapists for direct access services.

Board members discussed the various ways updated laws and rules are communicated to licensees.

Kumar added that the Michigan Physical Therapy Association (MPTA) has done a tremendous job of publicizing information on Direct Access. The information has been well publicized and is the talk of the country.

### **E. Michigan Physical Therapy Association (MPTA) Fall Conference Recap**

McAllister, Gilbert and Simmons attended the MPTA Fall Conference on October 24-25, 2014 at the Radisson Plaza in Kalamazoo, Michigan. McAllister reported that the Board of Physical Therapy had a table set up with handouts. She noted that former Board Chair, Jill Marlan, presented an enlightening overview on proposed rule changes.

Lind reminded Board members that the Department must review any presentations prior to board members presenting.

Gilbert added that the conference was good. There was a Direct Access session where questions were answered regarding insurance and how to implement it.

## **F. CHAIRPERSON'S REPORT**

Kumar reported that since the last meeting, he has received some allegation files that he shared with Gilbert and Swain. There were also four (4) files that needed recommendations from the Attorney General's office, and one (1) conferee file to review.

Kumar will be attending the Jurisprudence Exam item workshop in Alexandria, Virginia January 23-25, 2015. He will also be attending the MPTA Spring Conference in Bay City, Michigan, March 27-28, 2015, and the Foreign Education Committee Meeting in Alexandria, Virginia, April 16-17, 2015. Lastly, he will be attending the World Confederation of Physical Therapy (WCPT) in Singapore, May 1-4, 2015. While in Singapore, he will be attending the INPTRA Network of regulatory authority.

Kumar expressed his appreciation to the Board for re-electing him as Chair today.

## **DEPARTMENT UPDATE**

None

## ***PUBLIC COMMENT***

Susan Talley, President of the Michigan Physical Therapy Association (MPTA), commended the Board members for their hard work on the proposed Administrative Rules. Talley also assured the Board that letters from approved institutions regarding a student's academic status and anticipated graduation date are just as valid as transcripts and that transcripts are no more secure than letters. Talley wondered whether the Jurisprudence Exam would need to be amended to cover the new Direct Access laws. Talley asked for clarification of the implementation timeframe of the proposed rules. She also noted that the MPTA is working on a professional development storage database similar to one used by the FSBPT.

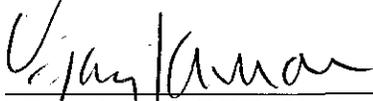
Jake Jakubiak Kovacek expressed appreciation for the 2009 law that added the professional development requirement.

## ***ANNOUNCEMENTS***

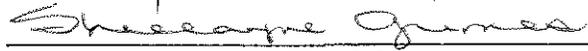
The next regularly scheduled meeting will be held April 14, 2015 at 1:30 p.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 4, and Lansing, Michigan.

## **ADJOURNMENT**

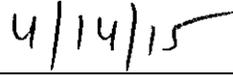
*MOTION* by Simmons, seconded by Przystas, to adjourn the meeting at 3:30 p.m.



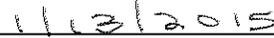
Vijay Kumar, DPT, Chairperson



Shellayne Grimes, Board Secretary



Date Minutes Approved



Date Minutes Prepared