

**DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE
BOARD OF PHYSICAL THERAPY**

RULE DEVELOPMENT WORKSHOP

**February 13, 2014
MINUTES**

**DoubleTree by Hilton Deerfield Beach
100 Fairway Drive
Deerfield Beach, FL 33441
(954)427-7700**

Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the Board's website.

February 13, 2014 – 4:00 p.m.

The minutes reflect the actual sequence of events rather than the original agenda order.

Call the Meeting to Order and Roll Call:

Mr. Clint Lohr, Chair, called the general business meeting to order at approximately 4:00 p.m. Those present for all or part of the meeting, included the following:

MEMBERS PRESENT

Clint Lohr, PT, Chair, Cert. MDT
Dr. Gina Petraglia, Vice Chair, PT
Dr. William S. Quillen, PT, DPT, Ph.D., FACSM
Dr. Kay Tasso, PT, Ph.D., PCS
Christina L. Pettie, PT, MHA

BOARD COUNSEL

Larry Harris, Board Counsel,
Assistant Attorney General Office

STAFF PRESENT

Allen Hall, Executive Board Director
Jessica Sapp, Program Administrator

COURT REPORTER

Apex Reporting Group
Alexandra Ramirez
12 S.E. 7th Street, Suite 702
Fort Lauderdale, Florida 33301
(954) 467-8204

Mr. Lohr welcomed the Physical Therapist Assistant students from South University and Miami Dade College.

Mr. Harris provided opening remarks and explained the purpose of the rule workshop.

The board identified the members of the public who wished to express their opinion concerning Rule 64B17-4.001, F.A.C.

For the purpose of the meeting minutes the Commission on Accreditation in Physical Therapy Education is referred to CAPTE.

Tab 1 Licensure as a Physical Therapist Assistant by Examination

- **Section 486.102, F.S.**
- **Current Rule 64B17-4.001, F.A.C**
- **Withdrawn Rule Proposal, 64B17-4.001, F.A.C**
- **Rule Proposal**
- **November 2013 Meeting Minutes**
- **August 2013 Meeting Minutes**
- **Florida Administrative Register Workshop Notice**
- **Comments of the American Physical Therapy Association**

Joe Rusinowski, PT, addressed the board and identified himself as an employer of a corporation that employs approximately forty Physical Therapist Assistants (PTA). With the changes to the PTA accreditation requirements he considers the students and public to be at risk. He suspect's graduates from non-CAPTE programs will have difficulty finding employment. As an employer he may consider revising hiring policies and qualifications to identify the requirement of a CAPTE degree.

Paul Hawks, representative for Southernmost University, addressed the Board. He submitted proposed rule language as noted below:

64B17-4.001 Licensure as a Physical Therapist Assistant by Examination

Every physical therapist assistant who applies for licensure by examination shall file DOH Form #DH-MQA 1142 Application for Licensure, Revised 08/13 08/12, which is hereby incorporated by reference, which is available through <http://www.flrules.org/Gateway/reference.asp?No=Ref-02042> or www.doh.state.fl.us/mqa, and demonstrate to the Board that the applicant:

- (1) - (2) No change.
- (3) Education, satisfies the conditions in paragraph (a) or (b) below.
 - (a) Has received a degree as a physical therapist assistants from an institution that, at the time of graduation, has been approved for the training of physical therapist assistants by: the Commission on Accreditation for Physical Therapy Education (CAPTE), at the time of graduation, or 1.The Commission on Accreditation in Physical therapy Education (CAPTE), or 2.Any one of the regional or national institutional accrediting agencies recognized by the United States Department of Education (USDE).
 - (b) No change.

Mr. Hawks believes the intent of the legislature is to make healthcare more accessible. Without a rule, the position of his client is that an institution would be accredited and the PTA program would be included in the accreditation package. He believes the institutional accreditation would allow students to be eligible for licensure. Mr. Hawks believes a rule is necessary to clarify the intent of the legislature. He is unsure if Southernmost University has a current class enrolled at this time. He is also unaware if

Southernmost University has sought out CAPTE accreditation. Mr. Hawks has confirmed that Southernmost University is accredited as an institution.

Dr. Tasso expressed her concerns with what responsibility Southernmost University has to ensure that the students are safe and effective practitioners as well as their ability to find employment if they are accredited by anyone other than CAPTE.

Mr. Abe Massa addressed the board and identified himself as a Physical Therapist and former employer of Dade Medical College; he believes Dade Medical College is associated with Southernmost University. He inquired about the current accrediting body of Southernmost University. Mr. Hawks stated he believes the Southernmost University is accredited by Accrediting Council for Independent Colleges and Schools (ACICS). Mr. Massa is concerned with who is overseeing the program since it does not hold programmatic accreditation.

Dr. Quillen asked Mr. Rusinowski if graduates of a non-CAPTE programs would fall into the category of "first hired, first fired". Mr. Rusinowski stated those graduates may be at risk of not being hired to begin with. Dr. Quillen agreed due to non-CAPTE graduates being unable to bill for Medicare and Medicaid services.

Dr. Tasso gave her opinion that as a physical therapist, she would not want a non-CAPTE PTA working under her as she feels it would place her license at risk. Also as a Center Coordinator of Clinical Education (CCCE), she would not accept non-CAPTE students.

Mr. Thomas Eberle identified himself as a Physical Therapist at Holy Cross Hospital, Professor at Florida International University, and the Southeast Director of the Florida Physical Therapy Association, and addressed the board with his concerns. He previously inquired with the Directors at Baptist Health Systems, Jackson Health Systems, Memorial Health Systems, Broward Health Systems, Tenet Health System, Holy Cross Hospital/Catholic Health East (9 hospitals in Florida), Florida Physical Therapy Private Practice Section (representing over 120 private practice clinics), and CORA Outpatient Rehab. He stated that 100% of the contacted entities stated they will not hire non-CAPTE graduates. Also he does not anticipate any other hospital or entity will hire non-CAPTE graduates. Mr. Eberle addressed Mr. Hawks comment about barriers, and reported that there are currently twenty CAPTE accredited PTA programs in Florida. He stated that the inability to bill Medicare and Medicaid will be very problematic. He also stated Holy Cross Hospital is moving forward with revising job descriptions to include the requirement of a CAPTE degree. Mr. Eberle stated his concerns with how students of non-CAPTE programs will complete internships. Holy Cross Hospital and the hospitals he has spoken with will not take on non-CAPTE students for an internship. He also stated his concerns for the safety of the public. Data from the American Physical Therapy Association shows a 33% National Physical Therapy Exam pass rate for foreign trained physical therapists and an 88% pass rate for CAPTE graduates. He also inquired about how the loans of non-CAPTE students will be re-paid if they cannot find employment. He posed the question if schools will be required to disclose to their students their inability to bill Medicare and Medicaid. He suggests that there should be full disclosure or it be disclosed within the rule. He also suggested the rule include one of the fifteen United States Department of Education accrediting bodies and that the rule should be set to a high standard.

Dr. Tasso suggested that an informational document be put together with the help of the Florida Physical Therapy Association (FPTA) so that students are aware of the potential difficulties they may face.

Ms. Pettie expressed her concerns with the inability to seek internships and employment in other states.

The president of the Florida Physical Therapy Association (FPTA), Kathy Swanick addressed the board on behalf of the FPTA. She stated she would prefer the rule to be written so that the public is protected. She is in favor of the rule development that was proposed by the American Physical Therapy Association (APTA) to ensure the quality of education. She stated it is unknown what the curriculum consists of for the non-CAPTE program(s) in question. She also reiterated the many other licensing boards that specify CAPTE requirements for licensure.

Mr. Harris explained that it is the applicants responsibility to prove their entitlement to licensure. He suggested that effected applicants may consider filing a Petition for Declaratory Statement of the rule, or submitting an application to be considered by the Board. Mr. Harris explained the benefit of not having a rule would place the burden of proof on the applicant.

Mr. Kenneth Lee, identified himself as a PTA educator, and addressed the board with his concerns. He expressed that PTA's are valuable to the community so their education is important. He explained the importance of maintaining CAPTE's "gold" standard. He also suggested the rule to include a high education standard that mimics CATPE's standards. He stated nothing less should be accepted.

Ms. Rebecca Kramer identified herself as a PTA Director at St. Petersburg College and Chair of the Florida Consortium and expressed her concerns. She provided a position statement which included maintaining CAPTE standards. She stated there is no ability to ensure safe practice of non-CAPTE PTA's.

Dr. Gina Musolino spoke about the differences in institutional and programmatic accreditation. She questioned how the equivalency would be determined if non-CAPTE students do not have clinical internships.

Dr. Karen Cascardi, PTA, Ph.D., from South University, addressed the Board and inquired, how the United States Department of Education will hold programs accountable without standards in place.

Ms. Kelly Krenkel, PT, addressed the Board with concerns discussed at the American Physical Therapy Association Combined Sections Meeting. She shared that this change has received nationwide attention so other states and entities are making changes to their requirements to ensure applicants and licensees hold a CAPTE degree.

Dr. Debra Stern, PT, Director of Clinical Education at Nova Southeastern University, addressed the Board. She discussed the potential challenges students of non-CAPTE programs may face. She also wonders what the motive behind the legislation is when CAPTE programs have a long standing reputation.

There being no further business, the rule workshop adjourned at 6:00 p.m.

During the rules report tab on the general business meeting agenda, the board agreed to not promulgate a rule at this time.