

The Florida  
**Board of Physical Therapy Practice**

**Draft Minutes  
August 28, 2020  
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**Dr. Kay Tasso, PT, PhD, PCS  
Chair**

**Dr. Patrick Pabian, PT, DPT, SCS, OCS, CSCS  
Vice Chair**

**DEPARTMENT OF HEALTH  
MEDICAL QUALITY ASSURANCE  
BOARD OF PHYSICAL THERAPY  
GENERAL BUSINESS MEETING  
GENERAL RULES REVIEW  
August 28, 2020  
DRAFT MINUTES**

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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.

**August 28, 2020 – 8:00 A.M. EST**

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

**Call the Meeting to Order and Roll Call:**

Dr. Kay Tasso, Chair, called the general business meeting to order at approximately 8:01 a.m. Those present for all or part of the meeting, included the following:

**MEMBERS PRESENT**

Dr. Kay Tasso, Chair, PT, PhD, PCS  
Dr. Patrick Pabian, PT, DPT, SCS, OCS, CSCS  
Mr. Steve Chenoweth, PT  
Dr. Ellen K. Donald, PT, PhD

**BOARD COUNSEL**

Lynette Norr, Board Counsel,  
Assistant Attorney General

**PROSECUTING ATTORNEY**

Christina Shideler, Prosecuting Attorney,  
DOH Prosecution Services

**STAFF PRESENT**

Allen Hall, Executive Board Director  
Kayla Karpp, Program Operations  
Administrator  
Michael Sarvis, RSII

**Court Reporter:**

Mr. Ray Convery  
For the Record  
850-222-5491

## **DISCIPLINARY PROCEEDINGS**

### **MOTION FOR BOARD'S FINAL ORDER BY HEARING NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT**

- 1. Miguel Salvat, PTA 23607  
(Case No. 2018-13086)  
(PCP- Pabian, Candela and Watson)**

Respondent was present and represented by Lauren Leiaam, ESQ.

Dr. Pabian was recused due to participation in the Probable Cause Panel.

Ms. Shideler summarized the case for the Board. Respondent was charged with the following violation: **Count I:** 486.125 (1)(b) Florida Statutes (2017), committing fraud in the practice of physical therapy or deceit in obtaining a license as a physical therapist or as a physical therapist assistant. Signing and submitting notes to employer without providing service to patient. **Count II:** 486.125(1)(i), Florida Statutes (2017), by filing a report of record which the licensee knows to be false.

**MOTION:** Dr. Kay Tasso made a motion to accept the investigative report into evidence. The motion was seconded by Dr. Ellen Donald and carried 3/0.

**MOTION:** Dr. Tasso made a motion to find that the Respondent was properly served and waived the right to a formal hearing. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Dr. Tasso made a motion to adopt the findings of fact as set forth in the Administrative Complaint. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Dr. Tasso made a motion to adopt the conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the Chapters 486 and 456, Florida Statutes. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** After discussion, Dr. Tasso made a motion to impose the following penalties:

- Six (6) months' suspension
- Fine of \$5,000 to be made payable in two (2) years.
- Completion of PROBE ethics course within six (6) months.

The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Dr. Tasso made a motion to assess and accept costs of \$929.55 to be made payable in two (2) years. The motion was seconded by Dr. Donald and carried 3/0.

- 2. Vivian Y. Maldonado  
(Case No. 2018-06452)  
(PCP- Pabian, Candela and Watson)**

Respondent was present.

Dr. Pabian was recused due to participation in the Probable Cause Panel.

Ms. Shideler summarized the case for the Board. Respondent was charged with the following violation: **Count I:** 456.072 (1)(c) Florida Statutes (2017), Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession. **Count II:** 456.072(1)(II), Florida Statutes (2017), subjects a physical therapist to discipline for being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime that relates to healthcare fraud.

**MOTION:** Dr. Tasso made a motion to accept the investigative report into evidence. The motion was seconded by Mr. Steven Chenoweth and carried 3/0.

**MOTION:** Dr. Tasso made a motion to find that the Respondent was properly served and waived the right to a formal hearing. The motion was seconded by Mr. Chenoweth and carried 3/0.

**MOTION:** Dr. Tasso made a motion to adopt the findings of fact as set forth in the Administrative Complaint. The motion was seconded by Mr. Chenoweth and carried 3/0.

**MOTION:** Dr. Tasso made a motion to adopt the conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the Chapters 486 and 456, Florida Statutes. The motion was seconded by Mr. Chenoweth and carried 3/0.

**MOTION:** After discussion, Dr. Tasso made a motion to impose the following penalties:

- Revocation
- Fines of \$10,000 payable in one (1) year.

The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Dr. Tasso made a motion to assess and accept costs of \$103.76 payable within one (1) year. The motion was seconded by Dr. Donald and carried 3/0.

### **MOTION FOR BOARD'S FINAL ORDER BY SETTLEMENT AGREEMENT**

**3. Bryan Koudim, PTA 25964  
(Case No. 2017-10971)  
(PCP- Chenoweth, Kuhns, Bumgarner)**

Respondent was present and represented by counsel Rickey Strong, Esq.

Mr. Chenoweth was recused due to participation in the Probable Cause Panel.

Ms. Shideler summarized the case for the Board. Respondent was charged with the following violation: **Count I:** 456.072 (1)(c) Florida Statutes (2017), Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession.

The case was presented as a Settlement Agreement that would impose the following:

- \$5,000 Fine to be made payable in 18 months
- Completion of an 8 hour in person anger management course to be completed within one (1) year.
- Cost of \$1,666.75 to be paid within 18 months of the filing of the Final Order.

**MOTION:** After discussion, Dr. Tasso made a motion to reject the Settlement Agreement. The motion was seconded by Dr. Donald and carried 3/0.

The Board made a counteroffer of a Professional Resource Network (PRN) evaluation and a two (2) year restriction of license with a restriction to practice in a home health and pediatric setting.

**4. Anthony Paul Pribila, PT 21113  
(Case No. 2016-00119)  
(PCP- Tasso, Candela, Watson)**

Respondent was present and represented by counsel Kirk Davis, Esq.

Dr. Tasso was recused due to participation in the Probable Cause Panel.

Ms. Shideler summarized the case for the Board. Respondent was charged with the following violation: **Count I:** 486.125 (1)(e) Florida Statutes (2015), Failing to maintain acceptable standards of physical therapy practice as set forth by the board in rules adopted pursuant to this chapter.

The case was presented as a Settlement Agreement that would impose the following:

- \$1,500 Fine
- Complete 17 hours of Continuing Education as listed in Settlement Agreement within one (1) year
- Cost of \$2,500 to be paid within one (1) year of the filing of the Final Order.

**MOTION:** After discussion, Dr. Patrick Pabian made a motion to accept the Settle Agreement. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION FOR BOARD'S FINAL ORDER BY DETERMINATION OF WAIVER**

**5. Daniel Sanchez, PT 3586  
(Case No. 2019-39274)  
(PCP-Tasso and Candela)**

Respondent was not present nor represented by counsel.

Dr. Tasso was recused due to participation in the Probable Cause Panel.

Ms. Shideler summarized the case for the Board. Respondent was charged with the following violation: **Count I:** 456.072 (1)(II), Florida Statutes (2018) being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.

**MOTION:** Mr. Chenoweth made a motion to accept the investigative report into evidence. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Mr. Chenoweth made a motion to find that the Respondent was properly served and waived the right to a formal hearing. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Mr. Chenoweth made a motion to adopt the findings of fact as set forth in the Administrative Complaint. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Mr. Chenoweth made a motion to adopt the conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the Chapters 486 and 456, Florida Statutes. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** After discussion, Dr. Pabian made a motion to impose the following penalties:

- Revocation
- \$10,000 in Fines to be paid with one (1) year.

The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Dr. Pabian made a motion to assess and waive costs. The motion was seconded by Dr. Donald and carried 3/0.

**6. Travis Grimes, PTA 25716  
(Case No. 2019-16828)  
(PCP-Pabian, Candela, Watson)**

Respondent was not present nor represented by counsel.

Dr. Pabian was recused due to participation in the Probable Cause Panel.

Ms. Shideler summarized the case for the Board. Respondent was charged with the following violation: **Count I:** 486.125 (1)(b), Florida Statutes (2018) Having committed fraud in the practice of physical therapy or deceit in obtaining a license as a physical therapist or as a physical therapist assistant. **Count I:** 486.125 (1)(i), Florida Statutes (2018) Making or filing a report or record which the licensee knows to be false. Such reports or records shall include only those which are signed in the capacity of a physical therapist.

**MOTION:** Mr. Chenoweth made a motion to accept the investigative report into evidence. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Mr. Chenoweth made a motion to find that the Respondent was properly served and waived the right to a formal hearing. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Mr. Chenoweth made a motion to adopt the findings of fact as set forth in the Administrative Complaint. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** Mr. Chenoweth made a motion to adopt the conclusions of law as set forth in the Administrative Complaint and find that this constitutes a violation of the Chapters 486 and 456, Florida Statutes. The motion was seconded by Dr. Donald and carried 3/0.

**MOTION:** After discussion, Mr. Chenoweth made a motion to impose the following penalties:

- Revocation
- \$10,000 in fines to be paid within one (1) year.

The motion was seconded by Dr. Tasso and carried 3/0.

**MOTION:** Mr. Chenoweth made a motion to assess and accept costs of \$874.46 to be payable within one (1) year. The motion was seconded by Dr. Donald and carried 3/0.

**PROSECUTOR’S REPORT**

**4. Christina Shideler, Prosecuting Attorney**

- **PSU Inventory Reports**

**DOH PROSECUTOR’S REPORT:**  
**BOARD OF PHYSICAL THERAPY PRACTICE**  
**Meeting Date: August 28, 2020**

TO: Allen Hall, Executive Director  
 FROM: Christina Arzillo Shideler, Assistant General Counsel  
 DATE: July 16, 2020  
 RE: Current Open / Pending Physical Therapy cases

<u>Legal Case Status</u>	<u>Report Date</u> 7/9/19	<u>Report Date</u> 10/28/19	<u>Report Date</u> 1/15/20	<u>Report Date</u> 3/30/20	<u>Report Date</u> 7/16/20
Total Cases open/active:	<b>89</b>	<b>89</b>	<b>87</b>	<b>80</b>	<b>58</b>
Cases in holding status:	0	0	0	0	0
Cases in EAU:	7	5	4	4	2
Cases under legal review:	58	58	46	36	22
Cases where PC Recom made:	5	9	17	19	6

Total cases where PC has been found:	18	7	18	17	22
Cases pending before DOAH:	0	1	0	0	0
Cases agendaed for Board	7	8	5	8	7
Cases on appeal:	0	0	0	0	0
Year Old Cases:	59	58	61	55	40

**MOTION:** Dr. Tasso made a motion to allow prosecution to continue processing any cases over one year old. The motion was seconded by Mr. Chenoweth and carried 4/0.

**ADMINISTRATIVE PROCEEDINGS:**

**PERSONAL APPEARANCE PURSUANT TO §456.013(3)(c), F.S.**

**8. Rafat Hamdan, PT by Examination**

Mr. Hamdan was present.

Mr. Hamdan appeared for Educational Issues.

Mr. Hamdan was required to appear during this meeting, August 28, 2020. Subsequently Board staff received a FCCPT evaluation that deemed Mr. Hamdan's education is equivalent, per the Board Chair's approval Mr. Hamdan was submitted for testing for the NPTE and FLLAW exam.

This tab was listed for informational purposes only.

**9. Arel Goldstein, PT by Examination**

Mr. Goldstein was not present.

Mr. Goldstein did not appear at the May 15, 2020 meeting and has subsequently received a notice requiring appearance on July 16, 2020.

Mr. Goldstein submitted a request to withdraw his application on May 18, 2020.

**MOTION:** After discussion, Dr. Tasso made a motion to approve Mr. Goldstein's request to withdraw his application. The motion was seconded by Dr. Donald and carried 4/0.

**10. Ryan Redfern, PTA by Examination**

Mr. Redfern was present.

Mr. Redfern appeared for Criminal History

Applicant was required to appear per Board Chair.

**MOTION:** After discussion, Dr. Tasso made a motion to approve Mr. Redfern's application for licensure and to certify him to sit for the Florida Laws and Rules Exam and the National Physical Therapy, and upon a passing score on the exams shall be licensed. The motion was seconded by Dr. Pabian and carried 4/0.

**11. Erolina Matthews, PT by Endorsement**

Ms. Matthews was present and sworn in by the court reporter.

Ms. Matthews appeared for Discipline History

Applicant was required to appear per Board Chair.

**MOTION:** After discussion, Dr. Tasso made a motion to approve Ms. Matthews' application for licensure and to certify her to sit for the Florida Laws and Rules Exam, and upon a passing score on the exams shall be licensed. The motion was seconded by Dr. Pabian and carried 4/0.

**12. Elva Santana, PTA by Examination**

Ms. Santana was present and sworn in by the court reporter.

Ms. Santana appeared for Criminal History.

Applicant was required to appear per Board Chair.

**MOTION:** After discussion, Dr. Tasso made a motion to approve Ms. Santana's application for licensure and to certify her to sit for the Florida Laws and Rules Exam and the National Physical Therapy, and upon a passing score on the exams shall be licensed. The motion was seconded by Dr. Pabian and carried 4/0.

**37. Anja Penly, PT by Examination**

Ms. Penly was present and represented by Parker Easton, ESQ.

Ms. Penly appeared regarding her academic probation.

Dr. Donald recused herself.

Ms. Penly notified Board Staff regarding an issue related to the integrity of the PEAT exam at Florida Gulf Coast University. She was placed on academic probation, required to complete remediation and was reported to FSBPT. She has completed all terms of her professional behavior probation. The Board chair required her appearance.

**MOTION:** After discussion, Dr. Tasso made a motion to approve Ms. Penly's application for licensure and to certify her to sit for the Florida Laws and Rules Exam and the National Physical Therapy, and upon a passing score on the exams shall be licensed. The motion was seconded by Dr. Pabian and carried 3/0.

**PETITION FOR WAIVER OF RULE & CONSIDERATION OF APPLICATION FOR LICENSURE BY ENDORSEMENT AS A PHYSICAL THERAPIST**

**13. Patricia Rocco, PT by Endorsement**

Ms. Rocco was present.

Ms. Rocco petitioned the Board for variance and waiver of Rule 64B17-3.001, F.A.C. Ms. Rocco is requested a waiver from the education requirement(s) and provided the Board with her copy of the educational documents that were submitted to FCCPT for her evaluation. On July 29, 2020 Board staff received a 120-page document attached with the petition of educational documents. Ms. Rocco recognizes that the documents are not on a CWT format, however she states that they are certified and accessed by FCCPT.

Board staff notes that the New York license was issued on 08/22/2018.

Ms. Rocco requested to waive her 90 days on her application for licensure and requested to withdraw her petition.

**MOTION:** After discussion, Dr. Tasso made a motion to allow the withdraw Ms. Rocco's petition for waiver of rule 64B17-3.001, F.A.C. The motion was seconded Dr. Pabian and carried 4/0.

**14. Cielo Ramirez, PT by Endorsment**

Ms. Ramirez was present.

Ms. Ramirez petitioned the Board for variance and waiver of Rule 64B17-3.001, F.A.C. Ms. Ramirez requested a waiver from the education requirement(s) as the documents with Texas are not on the appropriate Coursework tool as defined in rule.

Board staff received proof of practice hours and documents from Texas on July 17, 2020.

The Board directed Ms. Ramirez in the items needed prior to her reappearing before the Board with her petition to include: a letter from her educational intuition regarding her records not being available and a letter from an approved credentialing agency that no syllabus is on record within their agency to assist her with completing a credential evaluation.

Ms. Ramirez requested to waive her 90 days on her application for licensure.

Ms. Ramirez requested to waive her 90 days on her petition for variance and waiver of 64B17-3.001, F.A.C for licensure.

**PETITION FOR DECLARATORY STATEMENT**

**15. Stephanie Bush, PT 22712**

Ms. Bush was present and represented by Cynthia Mikos, Esq.

Ms. Bush has requested clarification of the language in Senate Bill 698 regarding pelvic examinations.

After discussion, Ms. Mikos requested to withdraw the petition for declaratory statement for Ms. Bush.

**MOTION:** After discussion, Dr. Tasso made a motion to accept the withdraw of the petition of Ms. Bush's requests. The motion was seconded Dr. Donald and carried 3/1 Dr. Pabian opposed.

**16. Jamie Dyson PT 8358**

Mr. Dyson was present and represented by Cynthia Mikos, Esq.

Mr. Dyson has requested clarification of the language in Senate bill 698 regarding pelvic examinations.

After discussion, Ms. Mikos requested to withdraw the petition for declaratory statement for Mr. Dyson.

Dr. Eberle spoke with the Board.

**MOTION:** After discussion, Dr. Tasso made a motion to allow the withdraw of the petition of Mr. Dyson's requests. The motion was seconded Dr. Donald and carried 4/0.

**REQUEST FOR CONSIDERATION OF EXEMPTION FROM EMPLOYMENT DISQUALIFICATION**

**17. Erin Smith, PTA 29609**

Ms. Smith was present.

Ms. Smith applied for Exemption from Disqualification to seek employment in a health care setting.

**MOTION:** After discussion, Dr. Tasso made a motion to approve Ms. Smith's exemption for disqualification from employment. The motion was seconded Dr. Pabian and carried 4/0.

**18. Alex Lage, PTA 16296**

Mr. Lage was present and represented by Thomas Buchan, Esq.

Mr. Lage applied for Exemption from Disqualification to seek employment in a health care setting.

**MOTION:** After discussion, Mr. Chenoweth made a motion to approve Mr. Lage's exemption for disqualification from employment. The motion was seconded Dr. Donald and carried 3/1. Dr. Tasso opposed.

## **RULE DISCUSSION AND/OR DEVELOPMENT**

### **19. 64B17-3.001, F.A.C., Licensure**

#### **Proposed New Health History Questions**

In 2020, the Bureau Chief for Health Care Practitioner Regulation, in conjunction with the Chief Assistant Attorney General, have analyzed state and federal law, reviewed case law and developed new health history questions to propose to all 22 regulatory boards/councils.

The Purpose of the newly revised health history questions was to objectively focus on current impairment as well as modified look-back periods and to allow individuals to seek treatment for conditions without fear that past treatment will be a barrier to licensure. As well as focus on the ability of the practitioner to practice their profession with reasonable skill and safety and not require practitioners to provide extensive records regarding diagnosis or past treatment.

Board staff made an oral amendment to the title on the application and notated corrections to the attestation language.

**MOTION:** Dr. Tasso made a motion to approve the rule language and application as amended directed counsel to proceed with rule making procedures. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find that a violation of this rule or any part of this rule will not designate as a minor violation. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion that this would not constitute a sunset provision. The motion was seconded by Dr. Pabian and carried 4/0.

### **20. 64B17-5.001, F.A.C., Requirements for Reactivation of Inactive or Retired License**

The Board was requested to review the criteria to reactivate an inactive or retired license and determine if rule changes are needed to clarify/simplify the requirements and address the lack of a laws and rules course.

These are the noted issues with the rule:

- The rule limits the amount of “home study” to six hours per year. Limiting the amount of home study or “online” CE is being questioned by the Legislature.

- As an approved Florida Laws and Rules course continues to be unavailable, a licensee's only option is to pass the laws and rules exam.
- The rule requires documentation of a license in good standing in another state and for the licensee to have actively engaged in the practice of physical therapy for the four years immediately preceding application for reactivation. Some individuals will not be able to meet this criteria. For example, a Florida licensee, who has never been licensed in another state, but chose to place their license in an inactive status, would be unable to demonstrate the needed licensure or practice in another state.

Board discussed the option of an "or" statement to be added and directed staff to add revised language by the Board Counsel to the December meeting agenda.

## **21. 64B17-6.001, F.A.C., Minimum Standards of Physical Therapy Practice**

At the June 26, 2020, meeting the Board directed staff to place rule 64B17-6.001, F.A.C., on the meeting agenda to discuss the definition of direct supervision relating to section (g) of the rule.

Dr. Pabian posed the possible issues that could be presented relating to telehealth and clinical training for students due to the current pandemic.

### **RULE TEXT:**

#### **64B17-6.001 Minimum Standards of Physical Therapy Practice.**

(1) Definitions – For purposes of this rule only, the words and phrases listed below are defined in the following manner:

(a) Acute Care – The stage of illness or injury characterized by actual or reasonable potential for a rapid change in medical status that would affect the physical therapy plan of care.

(b) Consultation – The offering of information aimed at the resolution of perceived problem.

(c) Direction – The physical therapist's authorization and empowerment of a physical therapist assistant or unlicensed personnel, as authorized by Rule 64B17-6.007, F.A.C., to carry out actions requiring licensure under Chapter 486, F.S.

(d) Assessment – Observational, verbal, or manual determinations of the function of the musculoskeletal or neuromuscular system relative to physical therapy, including, but not limited to, range of motion of a joint, motor power, postural attitudes, biomechanical function, locomotion, or functional abilities, for the purpose of making recommendations for treatment.

(e) Direct Supervision – Supervision of subordinate personnel performing directed actions, while the licensed supervisor is immediately physically available.

(f) General supervision – Supervision of a physical therapist assistant, other than by direct supervision, whereby the physical therapist is accessible at all times by two-way communication, available, to respond to an inquiry when made and readily available for consultation during the delivery of care, and is within the same geographic location as the physical therapist assistant.

(g) Program Plan – The establishment of objectives (goals) and specific remediation techniques.

(h) Standards – Conditions and performances which are essential for quality physical therapy service and patient care.

(i) Unlicensed personnel – Any individual, working or volunteering in a physical therapy setting, not holding a current license as a physical therapist or physical therapist assistant.

(2) Physical Therapy Personnel Responsibilities In General. Physical therapy is a profession involving skilled practice of patient care. The primary concern of the physical therapist and physical therapist assistant is always the safety, well being, and best interest of the patient who must therefore recognize and carry out services consistent with legal rights and personal dignity of the patient. Accordingly, it is the responsibility of all physical therapists and physical therapist assistants to:

(a) Communicate effectively to the patient the treatment evaluation process and techniques to be used in any procedures before beginning treatment and anytime during the course of the treatment process.

(b) Safeguard the confidentiality of information and require written consent from the patient or legally authorized representative prior to releasing information to a third party not involved in the actual care.

(c) Avoid acts which ~~blatantly~~ disregard a patient's modesty by intentionally viewing a completely or partially disrobed patient if the viewing is not related to the patient diagnosis or treatment under current practice standards and neither suggest nor engage in sexual activities with patients under their care.

(d) Refrain from engaging in sexual misconduct, which is prohibited by ss. 486.123 and 456.063(1).

~~(e)~~ Neither use nor participate in the use of any form of communication containing false, fraudulent, misleading, deceptive, unfair or sensational statement or claim, nor use bribery in any form, nor use false advertising, nor misrepresentation of services or self, nor engage in other unprofessional conduct, including, but not limited to:

1. Inaccurately recorded, falsified, or altered patient records,
2. Falsely representing or misrepresenting facts on an application for employment,
3. Impersonating or acting as a proxy for an applicant in any examination for certification or registration,
4. Impersonating another certified or registered practitioner or permitting another to use his or her license for the purpose of practicing physical therapy or receiving compensation,
5. Providing false or incorrect information regarding the status of licensure.

~~(f)~~ Not exploit the patient or client for the financial gain of the licensee or a third party.

~~(g)~~ Practice physical therapy with that level of care, skill, and treatment which is recognized by a reasonably prudent similar physical therapy practitioner as being acceptable under similar conditions and circumstances.

(3) Physical Therapist Responsibilities. Physical therapists shall:

(a) Be professionally responsible for providing a referring practitioner, or a practitioner of record, with any information which will assist in the determination of an accurate medical diagnosis.

(b) Not implement any plan of care that, in the physical therapist's judgment, is contraindicated. If the plan of care was requested by a referring practitioner, the physical therapist shall immediately notify the referring practitioner that he is not going to follow the request and the reasons for such refusal.

(c) Not direct any function or task which requires the skill, knowledge, and judgment of the physical therapist.

(d) Assume the responsibility for assessing the patient, identifying the level of acuity of illness, planning the patient's treatment program, and implementing and directing the program.

(e) Hold primary responsibility for physical therapy care rendered under the therapist's direction and shall be available for consultation at all times.

(f) Physical therapist's professional responsibilities include, but are not limited to:

1. Interpretation of the practitioner's referral.
2. Provision of the initial physical therapy assessment of the patient.
3. Initial identification and documentation of precautions, special problems, contraindications.
4. Development of a treatment plan including the long and short term goals.
5. Implementation of or directing implementation of the treatment plan.
6. Direction of appropriate tasks.
7. Reassessment of the patient in reference to goals and, when necessary, modification of the treatment plan.

(g) When participating in student programs, ensure that the academic programs are accredited or in candidacy by the appropriate accrediting agency recognized by statute, and that the physical therapist provides **direct supervision** when students are performing patient care activities. Direct Supervision of a student in telehealth occurs when the supervising physical therapist is immediately physically available to visualize, hear, and speak with the patient and the student during the encounter in a synchronous fashion.

(h) ~~Keep~~ Complete accurate written medical records justifying the course of treatment of the patient, including, but not limited to, initial physical therapy assessment, plan of treatment, treatment notes, progress notes, examination results, test results, and discharge summary.

(4) Physical Therapist Assistant Responsibilities. Physical therapist assistants shall:

(a) Not initiate or change treatment without the prior assessment and approval of the physical therapist.

(b) Not provide services to a patient who is an inpatient in a hospital or who is in the acute phase of injury or illness unless the physical therapist is readily and physically available to provide consultation.

(c) Not carry out treatment procedures detrimental to the patient or for which the assistant is not qualified.

(d) Report all untoward patient responses or change in medical status to the physical therapist.

(e) Refer inquiries regarding patient prognosis to the physical therapist.

(f) Discontinue immediately any treatment procedures which in the assistant's judgment appear to be harmful to the patient and shall report them to the physical therapist.

(g) When participating in student programs, ensure that the academic programs are accredited or in candidacy by the appropriate accrediting agency recognized by statute, and that the physical therapist assistant provides direct supervision when students are performing patient care activities. Supervision of a student in telehealth occurs when the supervising physical therapist assistant is immediately physically available to visualize, hear, and speak with the patient and the student during the encounter in a synchronous fashion.

(h) Complete accurate written medical records documenting the course of treatment for each patient.

(5) Physical Therapist – Physical Therapist Assistant Responsibilities and Supervisory Relationships.

(a) Regardless of the setting, physical therapists and physical therapist assistants shall abide by all Federal and State Laws and regulations related to the particular site of practice.

(b) During an acute phase of injury or illness, or while the patient is an inpatient in a hospital, the physical therapist shall be readily and physically available for consultation to the physical therapist assistant.

(c) Delivery of Care:

1. During the delivery of physical therapy care by the physical therapist assistant to patients who are not inpatients in a hospital, or who are not in the acute phase of injury or illness, the physical therapist shall be accessible at all times by telecommunication and shall be within the same geographic location as the assistant.

2. The physical therapist shall be readily available to the physical therapist assistant with emphasis placed on directing the assistant through frequent reporting, both verbal and written and frequent observations of the care rendered to the patient.

(d) The physical therapist shall not delegate portions of the skilled physical therapy functions or tasks to any lesser trained health personnel than the physical therapist assistant.

(6) The school setting. The physical therapist shall keep abreast of special knowledge and skills implicit in school settings and shall practice in accordance with the previous stated standards.

(7) Unlicensed Supportive Personnel may be utilized to help in the treatment being provided by a licensed physical therapist or licensed physical therapist assistant. Such personnel shall perform such acts only under the direct supervision of a physical therapist or physical therapist assistant.

*Rulemaking Authority 486.025 FS. Law Implemented 456.063, 486.021(5), (6), (9), (10), (11), 486.031, 486.102, 486.123, 486.125(1), 486.161(3) FS. History—New 8-6-84, Formerly 21M-9.30, Amended 9-22-87, Formerly 21M-9.030, Amended 9-5-90, 3-5-92, 3-24-93, Formerly 21MM-6.001, 61F11-6.001, Amended 8-16-95, Formerly 59Y-6.001, Amended 1-8-98, 1-11-99, 4-18-04, 6-1-09, 2-18-16, 7-4-17, \_\_\_\_\_.*

**MOTION:** Dr. Tasso made a motion to approve the amended rule language presented directed counsel to proceed with rule making procedures. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find that a violation of this rule or any part of this rule will not designate as a minor violation. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion that this would not constitute a sunset provision. The motion was seconded by Dr. Pabian and carried 4/0.

## **22. 64B17-6.008, F.A.C., Minimum Standards of Practice for the Performance of Dry Needling**

At the June 26, 2020, meeting the Board directed staff to place the revised adverse incident and attestation form on the agenda for final review.

Pursuant to discussions at the June 26, 2020, meeting, revised draft language for Rule 64B17-6.008 was presented below for Board review and discussion.

**64B17-6.008 Minimum Standards of Practice for the Performance of Dry Needling.**

(1) For purposes of this rule only, the words and phrases listed below are defined in the following manner:

(a) “Adverse medical incident” means an event over which the physical therapist could exercise control and which is associated in whole or in part with the performance of dry needling, rather than the condition for which dry needling occurred, and which results in any of the following:

1. A limitation of neurological, pulmonary, vascular, or musculoskeletal function; or
2. Any prolonged and/or emergent condition that required the transfer of the patient to a hospital and/or referred to a physician for treatment of the resulting condition.

(b) “Supervision” means observation by a qualified physical therapist of the patient sessions of dry needling, which observation may be in person or via synchronous telehealth as defined in s. 456.47, F.S.

(2) The minimum standards of practice for the performance of dry needling by a physical therapist include the following:

(a) Completion of two years of practice as a physical therapist licensed in any state or the District of Columbia;

(b) Completion of 50 hours of face-to-face continuing education on the topic of dry needling from an entity accredited in accordance with s. 486.109, F.S.

1. The continuing education must include instruction in the following subject areas:

- a. Theory of dry needling;
- b. Selection and safe handling of needles and other apparatus or equipment used in dry needling, including instruction on the proper handling of biohazardous waste;
- c. Indications and contraindications for dry needling, to include special considerations for dry needling of the head, neck, and torso;
- d. Psychomotor skills needed to perform dry needling; and
- e. Postintervention care, including adverse responses, adverse event recordkeeping, and any reporting obligations.

2. The continuing education must include a determination by the instructor, who is a licensed physical therapist, that the physical therapist demonstrates the requisite psychomotor skills to safely perform dry needling; and

(c) Completion of 25 patient sessions of dry needling under one of the following circumstances:

1. While licensed as a physical therapist in another state or while serving as a physical therapist in the United States Armed Services; or
2. Under the supervision of a physical therapist who has actively practiced dry needling for at least 1 year and holds an active license to practiced physical therapy in any state or the District of Columbia. Such supervisor must document that the supervised therapist has met the supervision and competency requirements and needs no additional supervised sessions to perform dry needling.

(3) A physical therapist shall not delegate performance of dry needling to a physical therapist assistant, unlicensed personnel, or any other person who is not a licensed physical therapist who is qualified under this rule.

(4) A physical therapist shall not perform dry needling without patient consent documented in the patient’s medical record.

(5) An adverse medical incident that is a direct result of physical therapy treatment involving dry needling shall be reported to the Board within 15 days of the incident using Form DH5053-MQA, Physical Therapy Dry Needling Adverse Medical Incident Report, effective 08/2020, which is hereby incorporated by reference and is available through <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or [www.floridasphysicaltherapy.gov/resources](http://www.floridasphysicaltherapy.gov/resources).

(6) Within 60 days of the effective date of this rule, or within 60 days of the intent to perform dry needling in the state of Florida, the licensed and qualified physical therapist shall submit to the Board Form DH5057-MQA, Physical Therapy Dry Needling Attestation, effective 08/2020, which is hereby incorporated by reference and is available through <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or [www.floridasphysicaltherapy.gov/resources](http://www.floridasphysicaltherapy.gov/resources).

The Board made an oral amendment to the DH5053- MQA Physical Therapy Dry Needling Adverse Medical Incident Report to remove section (F).

**MOTION:** Dr. Tasso made a motion to approve the rule language, attestation form, and revised adverse incident form as presented directed counsel to proceed with rule making procedures. The motion was seconded by Dr. Donald and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find that a violation of this rule or any part of this rule will not designate as a minor violation. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion that this would not constitute a sunset provision. The motion was seconded by Dr. Pabian and carried 4/0.

### **23. 64B17-7.001, F.A.C., Disciplinary Guidelines**

Effective July 1, 2019, the Florida legislature established standards of practice for out-of-state telehealth services, authorizing out-of-state health care practitioners to perform telehealth services for patients in Florida.

Section 456.47 F.S. (2019) sets forth Florida's telehealth practice. Subsection (7) gives the Board authority to adopt disciplinary guidelines for violations by telehealth providers.

Paragraph (4)(i) of the statute is very specific as to the kinds of actions that may be taken by a Board against an out-of-state registrant. These are the Board's **only** disciplinary options for out-of-state telehealth registrants:

- Letter of Concern, • Reprimand, • Suspension with a Corrective Action Plan, • Suspension, • Revocation

The Board is not limited in this review to adding telehealth guidelines and may review and modify any existing Florida license disciplinary guidelines.

Board discussed items they wished to see revised with the Board Council and directed staff to add revised language by the Board Counsel to the December meeting agenda.

### **24. 64B17-7.0027, F.A.C., Procedure for Compliance with Board Ordered Laws and Rules**

The Florida Department of Health has developed a standard format to be used for all profession applications. The following features are being implemented:

- Custom designed cover pages;
- Directions are in the individual application sections rather than the beginning of the application to encourage applicants to read the instructions;

- The applications are text fillable and tab-able;
- If applicants answer both “Yes” and “No”, the fields will reset and only keep the last answer;
- Once an applicant provides his or her name, it is populated in the remainder of the application;
- Board logos are included on documents that will be mailed to the board, to ensure proper routing;
- The “License Verification” form will no longer be fillable and will require other boards to send it on their letterhead, to help prevent fraud;
- Formatting standards were implemented for specific fields such as: SSN, dates, and phone numbers to reduce input errors by applicants; and
- Possible drop-down menus to help limit the types of answers that can be given.

The Board was requested to review and consider approval of the revised application and the application rule.

Board staff made an oral amendment to corrections with the attestation language.

**MOTION:** Dr. Tasso made a motion to approve the rule language and application as orally amended and directed counsel to proceed with rule making procedures. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Mr. Chenoweth made a motion to find that a violation of this rule or any part of this rule will not designate as a minor violation. The motion was seconded by Dr. Donald and carried 4/0.

**MOTION:** Dr. Tasso made a motion that this would not constitute a sunset provision. The motion was seconded by Dr. Pabian and carried 4/0.

## **25. 64B17-9.001, F.A.C., Continuing Education**

The 64B17-9.001 rule language approved by the Board May 15, 2020, was presented below for discussion of Subsection (4), which pertains to the number of hours permitted for home study during a biennium.

Pertinent to this topic, and perhaps also informative for PT, are letters from the House Speaker and Senate President to the Board of Chiropractic Medicine Chair that discourage a requirement specifying a maximum number of online continuing education courses.

### **RULE TEXT**

#### **64B17-9.001 Continuing Education.**

- (1) Every person licensed pursuant to chapter 486, F.S., shall be required to complete twenty-four contact

hours of continuing education courses approved by the Board in the twenty-four months preceding each biennial renewal period as established by the Department. With the exception of the required courses in the prevention of medical errors and HIV/AIDS, applicants who become licensed in the second half of the biennium are exempt from this continuing education requirement for their first renewal.

(2) A contact hour shall consist of fifty clock minutes. One half contact hour shall consist of twenty-five clock minutes. One continuing educational unit (CEU) shall be considered equivalent to ten (10) contact hours.

(3) Acceptable subject areas for physical therapy continuing education include professional ethics, clinical education, clinical practice, clinical research, clinical management, clinical science, Florida law relating to physical therapy, basic sciences, risk management, and HIV/AIDS. No more than five contact hours of courses in risk management shall be accepted within a biennium. Up to three contact hours in HIV/AIDS education pursuant to rule chapter 64B17-8, F.A.C., may be included in the 24 contact hours. Up to three contact hours in prevention of medical errors education pursuant to rule chapter 64B17-8, F.A.C., may be included in the 24 contact hours.

(4) The Board will accept up to twelve contact hours for home study during a biennium. For the biennium ending November 2021 all 24 contact hours of continuing education may be obtained online or through home study.

(5) Course instructors providing continuing education to licensees under this chapter shall receive up to six contact hours credit per biennium. This shall be awarded on a contact hour for each contact hour presented. However, instructors teaching their normal course of instruction shall not be granted contact hours toward their continuing education.

(6) Clinical Instructors shall receive 1 contact hour for every 160 hours of clinical internship limited to a maximum of 6 contact hours per instructor per biennium. Clinical instructors must be credentialed by the American Physical Therapy Association (APTA) to receive clinical continuing education credits.

(7) The Board ~~recognizes, approves for~~ continuing education credit for the following:

(a) Courses sponsored by a program in physical therapy at a college or university which provides a curriculum for training physical therapists or physical therapist assistants, when approved by the physical therapy or physical therapist assistants program, which is accredited by, or has status with an accrediting agency approved by the United States Department of Education. One credit hour is the equivalent of one contact hour.

(b) Courses sponsored or approved by the American Physical Therapy Association.

(c) Courses sponsored or approved by the Florida Physical Therapy Association, so long as they meet the criteria set forth in subsection 64B17-9.001(3), F.A.C.

(d) Attendance at Florida Board meetings where disciplinary cases are being heard if the licensee is not on the agenda or appearing for another purpose. The number of risk management contact hours for such attendance is based on the definition of contact hour as set forth in subsection (2).

(e) Former Board members who serve on the Board's Probable Cause Panel shall receive five contact hours of continuing education risk management credit per biennium for their service on the Panel.

(f) Licensees who file DOH form #DH-MQA 1144, "Final Order / Continuing Education Credit Florida Laws and Rules Application" ~~"Application Materials For The Florida Laws and Rules Examination,"~~ (revised 8/2020 5/15), incorporated herein by reference, which is available through [www.floridasphysicaltherapy.gov/resources](http://www.floridasphysicaltherapy.gov/resources), or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05841>, and take and pass the Florida laws and rules examination shall receive two (2) hours of continuing education per biennium. The continuing education credit shall be awarded only for the biennium in which the examination was taken and passed. Continuing education credit shall not be awarded to licensees who take and pass the examination as a result of a disciplinary proceeding or as a board ordered condition of initial licensure or reinstatement.

(8) The Board shall make exceptions for licensees from the continuing education requirements including waiver of all or a portion of these requirements or the granting of an extension of time in which to complete these requirements upon a finding of good cause by majority vote of the Board at a public meeting following receipt of a written request for exception based upon emergency or hardship. Emergency or hardship cases

are those: (1) involving long term personal illness or illness involving a close relative or person for whom the licensee has care-giving responsibilities; (2) where the licensee can demonstrate that the required course(s) are not reasonably available; and (3) other demonstrated economic, technological or legal hardships that substantially relate to the ability to perform or complete the continuing education requirements. Licensees requesting an exception from continuing education requirements must provide the Board with documentation supporting the claim of emergency or hardship that is the basis of the request.

(9) The licensee must retain such receipts, vouchers, certificates, or other papers as may be necessary to document completion of the appropriate continuing education offerings listed on the renewal form for a period of not less than four years from the date the offering was taken.

*Rulemaking Authority 456.013(6), 486.025, 486.109(5) FS. Law Implemented 456.013(6), 486.109 FS. History--New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, 6-28-04, 4-9-06, 5-28-06, 2-17-08, 5-21-09, 8-10-09, 6-30-10, 9-23-10, 12-24-13, 11-23-14, 9-20-15, 10-23-17.*

**MOTION:** Dr. Tasso made a motion to approve the rule language and application presented directed counsel to proceed with rule making procedures. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. The motion was seconded by Mr. Chenoweth and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find that a violation of this rule or any part of this rule will not designate as a minor violation. The motion was seconded by Dr. Donald and carried 4/0.

**MOTION:** Dr. Tasso made a motion that this would not constitute a sunset provision. The motion was seconded by Dr. Donald and carried 4/0.

## **RULE STATUS REPORT**

### **26. Lynette Norr, Assistant Attorney General**

Ms. Norr discussed the 24 hours for Continuing Education to be online that needed revision in 64B17-5.001, F.A.C and presented the language orally below:

#### **RULE TEXT**

##### **64B17-5.001 Requirements for Reactivation of an Inactive or Retired License.**

An inactive or retired license shall be reactivated upon receipt by the Board office of the following:

(1) Payment of all applicable fees, including:

- (a) The biennial renewal fee as specified by subsection 64B17-2.001(5), F.A.C.;
- (b) The unlicensed activity fee as specified by Section 456.065(3), F.S.;
- (c) The reactivation fee as specified by subsection 64B17-2.001(9), F.A.C.;
- (d) The change of status fee as specified by subsection 64B17-2.001(10), F.A.C.;

(2) Documentation of compliance with all continuing education requirements as provided in Rule 64B17-9.001, F.A.C., including prevention of medical errors, for the biennium during which the licensee last

held an active license; and,

(3)(a) Documentation of completion of ten (10) hours of continuing education for each year the license was inactive, including two (2) hours on the prevention of medical errors. No more than six (6) hours of continuing education may be completed by home study per year of inactive status. For the biennium ending November 2021 all 24 contact hours of continuing education may be obtained online or through home study.

As part of the ten (10) hours of continuing education, the applicant must document completion of two (2) hours of continuing education specifically on Florida Physical Therapy Laws and Rules within the twelve (12) months immediately preceding application for reactivation. In lieu of two (2) hours of continuing education specifically on Florida Physical Therapy Laws and Rules, the applicant may receive two (2) hours of continuing education for taking and passing, within twelve (12) months immediately preceding application for reactivation, the Florida laws and rules examination developed by the FSBPT;

(b) Documentation that the applicant is licensed and in good standing in another state and has actively engaged in the practice of physical therapy for the four (4) years immediately preceding application for reactivation. For purposes of this paragraph, “actively engaged in the practice of physical therapy” means the applicant practiced at least four hundred (400) hours per year in a state or states where the applicant maintained licensure, or

(c) Documentation of application for and successful passage of the National Physical Therapy Examination, including payment of all associated fees.

*Rulemaking Authority 486.025, 486.085(3), (4)(a), 486.108(3), 456.036 FS. Law Implemented 486.085, 486.108, 456.036 FS. History—New 8-6-84, Formerly 21M-8.11, Amended 9-22-87, 12-30-87, 6-20-89, Formerly 21M-8.011, Amended 3-24-93, Formerly 21MM-5.001, 61F11-5.001, Amended 12-22-94, 4-4-95, 8-16-95, 7-1-97, Formerly 59Y-5.001, Amended 8-9-04, 7-19-06, 1-8-08, 8-18-08, 9-30-15, 10-16-17.*

**MOTION:** Dr. Tasso made a motion to approve the rule language and application presented directed counsel to proceed with rule making procedures. The motion was seconded by Dr. Donald and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find the proposed revisions do not have an adverse impact on small businesses and will not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the rule. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion to find that a violation of this rule or any part of this rule will not designate as a minor violation. The motion was seconded by Dr. Pabian and carried 4/0.

**MOTION:** Dr. Tasso made a motion that this would not constitute a sunset provision. The motion was seconded by Dr. Pabian and carried 4/0.

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Proposed Rule Published, JAPC Letters, Notices of Change, etc.	Certified for Adoption	Effective 20 days after Certification
64B17-3.001	Licensure. <i>Adds certificate of completion (rule text only)</i>	11/14/2019	01/03/2020	01/13/2020	01/28/2020 Vol.46/No.18 02/03/2020 JAPC Letter 02/24/2020 JAPC Response 04/01/2020 Vol.46/No.64 Notice of Change	04/24/2020	<b>05/14/2020</b>
64B17-8.003	Requirements for Human Trafficking Education. <i>NEW</i>	11/14/2019	01/03/2020	01/13/2020	01/28/2020 Vol.46/No.18 02/03/2020 JAPC Letter 02/24/2020 JAPC Response 03/25/2020 Vol.46/No.59 Notice of Change	04/24/2020	<b>05/14/2020</b>
64B17-3.001	Licensure. <i>Adds certificate of completion to Application; Addresses student loans on Application</i>  <i>On hold for review of standardized health history questions 08/27/2020</i>	05/15/2020	07/17/2020 Development	07/30/2020			
64B17-3.002	Licensure Examination and Passing Score; Laws and Rules Examination; Additional Requirements After Third Failure.	05/15/2020	07/17/2020 Development  08/06/2020 Proposed	07/30/2020			
64B17-6.008 (NEW)	Minimum Standards for Practice for the Performance of Dry Needling.		07/17/2020 Development	07/30/2020			
64B17-7.001	Disciplinary Guidelines						

	<i>Telehealth</i>						
64B17-9.001	Continuing Education <i>Definition of Credits</i>  <i>Online CE Credits</i>	05/15/2020  _____					

The above reports were presented as informational only.

**27. Annual Regulatory Plan**

**MOTION:** Dr Tasso made a motion to approve the Annual Regulatory Plan as presented. The motion was seconded by Dr. Donald and carried 4/0.

**REPORTS, IF ANY**

**28. Board Member Reports, if any**

- Dr. Kay Tasso, Chair
- Dr. Patrick Pabian, Vice Chair
- Other Board Members

No reports

**29. Executive Director, Allen Hall**

- Expenditures by Function Report
- Cash Balance Report

The reports were presented as informational only.

**30. FSBPT Updates, if any**

**31. FPTA Updates, if any**

**APPLICANT RATIFICATION LISTS**

**32. Ratification Lists for Approved Applicants**

- Physical Therapist Applicants

**MOTION:** Dr. Tasso made a motion to ratify the list of physical therapists for licensure by examination/endorsement (Exhibit A), 285 in number starting with PT 35691 and ending with PT 35997. Upon successful completion of the National Physical Therapy Exam

and/or the Florida Laws and Rules Exam, shall be licensed. The motion was seconded by Dr. Pabian and carried 4/0.

- Physical Therapist Assistant Applicants

**MOTION:** Dr. Tasso made a motion to ratify the list of physical therapist assistants for licensure by examination/endorsement (Exhibit B), 324 in number starting with PTA 30160 and ending with PTA 30472. Upon successful completion of the National Physical Therapy Exam and/or the Florida Laws and Rules Exam, shall be licensed. The motion was seconded by Dr. Donald and carried 4/0.

## **OLD BUSINESS**

### **33. Board of Physical Therapy Minutes**

- May 15, 2020 General Business Meeting

**MOTION:** Dr. Tasso made a motion to approve the May 15, 2020 as amended the General Business Meeting minutes as amended. The motion was seconded by Mr. Chenoweth and carried 4/0.

- June 26, 2020 General Business Meeting

**MOTION:** Dr. Tasso made a motion to approve the June 26, 2020 as amended the General Business Meeting minutes as amended. The motion was seconded by Mr. Chenoweth and carried 4/0.

## **OTHER BUSINESS AND INFORMATION**

### **34. Exam Statistics**

This was provided for information purposes only.

### **35. Staff Recognition**

This was provided for information purposes only.

## **ADDENDUM**

### **36. Exemption from Disqualification from Employment Ratification List**

**MOTION:** Dr. Tasso made a motion to ratify the list of physical therapists who administratively approved exemptions, Jacob Spinka, PT 28919, The motion was seconded by Dr. Donald and carried 4/0.

Former Board Member, Dr. Gina Petraglia spoke with the Board briefly.

With there being no further business meeting adjourned at 4:36 p.m.