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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF PHYSICAL THERAPY

TIME: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

July 25, 2024

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State Board of Physical Therapy
July 25, 2024

BOARD MEMBERS:

Krista Wolfe, DPT, ATC, Secretary
Matthew Eaton, Director of Operations, Bureau of
Professional and Occupational Affairs, on behalf of
Arion R. Claggett, Acting Commissioner
Geraldine M. Grzybek, PT, GCS
Lisa Mackell, PT
Sirisha Reddy, Secretary of Health designee
Jeremy Robb, Attorney General's Office designee
Craig Ruby, PT, DEd, MPT
Ian S. Steele, MSPT
William Werner, PT - Absent

BUREAU PERSONNEL:

Sean C. Barrett, Esquire, Board Counsel
Thomas M. Davis, Esquire, Regulatory Board Counsel
J. Karl Geschwindt, Esquire, Senior Board Prosecutor
Michelle Roberts, Board Administrator
Stephanie Dunkerley, Legal Analyst, Office of General
Counsel

ALSO PRESENT:

Melissa Dehoff, Director, Rehabilitation Services
Divisions, Rehabilitation and Community Providers
Association
Rachel Wilbur-Adams, Sargent's Court Reporting
Service, Inc.

1 ***

2 State Board of Physical Therapy

3 July 25, 2024

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:30 a.m. the Board entered into Executive Session
7 with Sean C. Barrett, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations on
9 a number of matters currently pending before the
10 Board and to receive advice of counsel. The Board
11 returned to open session at 10:30 a.m.]

12 ***

13 [Sean C. Barrett, Esquire, Board Counsel, noted the
14 meeting was being recorded, and those who continued
15 to participate were giving their consent to be
16 recorded.

17 Mr. Barrett also noted the Board entered into
18 Executive Session for the purpose of conducting
19 quasi-judicial deliberations on a number of matters
20 currently pending before the Board and to receive
21 advice of counsel.]

22 ***

23 The regularly scheduled meeting of the State
24 Board of Physical Therapy was held on Thursday, July
25 25, 2024.

1

2 Official Call to Order

3 [Krista Wolfe, DPT, ATC, Secretary, officially called
4 the meeting to order at 10:30 a.m.]

5

6 Election of Officers

7 MR. BARRETT:

8 Are there any nominations for the
9 position of Chair of the Board?

10 SECRETARY WOLFE:

11 I would like to nominate Gerri Grzybek
12 for Chair of the Board, please, if she
13 would accept.

14 MR. BARRETT:

15 Board member Grzybek, would you accept
16 the nomination for Chair of the Board,
17 if offered?

18 MS. GRZYBEK:

19 Yes, I would, thank you.

20 MR. BARRETT:

21 Roll call vote to elect Geraldine
22 Grzybek as Chair of the Board.

23 MS. ROBERTS:

24 Krista Wolfe, yes; Geraldine Grzybek,
25 yes; Lisa Mackell, yes; Siri Reddy,

1 yes; Jeremy Robb, yes; Craig Ruby, yes;
2 Ian Steele, abstain; Matt Eaton, yes.

3 [The motion carried. Ian Steele abstained from
4 voting on the motion.]

5 ***

6 MR. BARRETT:

7 Are there any nominations for Vice
8 Chair of the Board?

9 CHAIR GRZYBEK:

10 I nominate Krista Wolfe for Vice Chair
11 of our Board.

12 MR. BARRETT:

13 Current Secretary Wolfe, if elected to
14 that position, would you wish to serve?

15 SECRETARY WOLFE:

16 Yes, I would.

17 MR. BARRETT:

18 Roll call vote to elect Krista Wolfe as
19 the Vice Chair of the Board.

20 MS. ROBERTS:

21 Krista Wolfe, yes; Matt Eaton, yes;
22 Gerri Grzybek, yes; Lisa Mackell, yes;
23 Siri Reddy, yes; Jeremy Robb, yes;
24 Craig Ruby, yes; Ian Steele, abstain.

25 [The motion carried. Ian Steele abstained from

1 voting on the motion.]

2

3 MR. BARRETT:

4 Are there any nominations for Secretary
5 of the Board?

6 CHAIR GRZYBEK:

7 I nominate Craig Ruby for Secretary of
8 our state Board.

9 MR. BARRETT:

10 Board member Ruby, if you were elected
11 to that position, would you wish to
12 serve?

13 DR. RUBY:

14 I agree.

15 MR. BARRETT:

16 Could we do a roll call vote for Craig
17 Ruby as Secretary of the Board?

18 MS. ROBERTS:

19 Krista Wolfe, yes; Matt Eaton, yes;
20 Gerri Grzybek, yes; Lisa Mackell, yes;
21 Siri Reddy, yes; Jeremy Robb, yes;
22 Craig Ruby, yes; Ian Steele, abstain.

23 [The motion carried. Ian Steele abstained from
24 voting on the motion.]

25

1 Introduction of Attendees

2 [Michelle Roberts, Board Administrator, provided an
3 introduction of attendees.]

4 ***

5 Approval of minutes of the March 21, 2024 meeting

6 CHAIR GRZYBEK:

7 I'm sure you had the opportunity to
8 review the minutes of our March
9 meeting. Are there any additions or
10 corrections to the draft minutes of the
11 March 21, 2024 meeting? Hearing none.

12 Is there a motion to approve the
13 minutes as presented?

14 DR. WOLFE:

15 So moved.

16 CHAIR GRZYBEK:

17 Is there a second?

18 MS. MACKELL:

19 Second.

20 CHAIR GRZYBEK:

21 It has been moved and seconded to
22 approve the minutes as presented. We
23 will do a roll call vote.

24

25 Mr. Eaton, abstain; Gerri Grzybek, yes;

1 Lisa Mackell, yes; Siri Reddy, yes;
2 Jeremy Robb, abstain; Craig Ruby, yes;
3 Ian Steele, abstain; Krista Wolfe, yes.
4 [The motion carried. Matthew Eaton, Jeremy Robb, and
5 Ian Steele abstained from voting on the motion.]

6 ***

7 Roll Call of Board Members

8 [Michelle Roberts, Board Administrator, provided a
9 roll call of Board members. A quorum was present.]

10 ***

11 Report of Board Prosecution - No Report

12 ***

13 Report of Board Counsel - Legislative Updates

14 [Sean C. Barrett, Esquire, Board Counsel, informed
15 Board members that House Bill 2200 is now Act 79 of
16 2024. He noted the bill was passed by the General
17 Assembly and signed by Governor Shapiro, which will
18 hopefully be a fix for the criminal background checks
19 for the Physical Therapy Compact.

20 Mr. Barrett also mentioned Senate Bill 559 and
21 Senate Bill 560 are now Act 83 of 2024 and Act 84 of
22 2024. He stated the bills updated the definitions of
23 duties of athletic trainers under the Medical and
24 Osteopathic Medical Practice Acts. He mentioned that
25 they are not directly bearing on the Board, but the

1 scope of activities sometimes align. He noted the
2 bills can be found on the General Assembly's website.

3 Mr. Barrett also mentioned House Bill 1633
4 prohibits noncompete covenants entered into by
5 healthcare practitioners. He noted physical
6 therapists and physical therapy assistants are not on
7 the list of people defined as healthcare
8 practitioners and does not have any impact on the
9 Board or the licensees.]

10

11 Report of Regulatory Counsel - Status of Regulations
12 [Thomas M. Davis, Esquire, Board Regulatory Counsel,
13 addressed House Bill 2200, noting it is the
14 fingerprint background check issue that will affect
15 13 different boards at the Bureau of Professional and
16 Occupational Affairs (BPOA). He stated it will
17 require healthcare practitioners and PT applicants
18 under this bill to submit full fingerprints to the
19 Pennsylvania State Police.

20 Mr. Davis explained that the Pennsylvania State
21 Police will send it to the Federal Bureau of
22 Investigation (FBI) and then the FBI will provide the
23 state police with the results who will then provide
24 BPOA with the results. He mentioned that BPOA shall
25 not disseminate the criminal record history

1 information to any other entity, and it should
2 fulfill requirements of the compact.

3 Mr. Davis stated it gives BPOA six months to put
4 policies and procedures in place, and their Board
5 will be getting together with the other boards to
6 come up with a global solution. He noted the Act
7 will take effect in 180 days.

8 Mr. Davis provided a Status of Regulations
9 Report, noting one update to 16A-6522 regarding the
10 PT Early Exam and CE for Clinical Education. He
11 reported it has received final-form rulemaking and
12 internal review. He explained that it could be moved
13 over to the Office of General Counsel (OGC) if the
14 Board approves and then hopefully be published as
15 final.

16 Mr. Davis reported a change between the proposed
17 stage and this stage based one of the Independent
18 Regulatory Review Commission comments. He referred
19 to Section 1306(c) of the Act, where it reads, in
20 cases of failure of the first examination, the
21 application for licensure shall have, after the
22 expiration of 60 days and within one year from the
23 first failure, the privilege of a second examination.

24 Mr. Davis noted the same language was and is in
25 the regulations, but when he drafted the new one to

1 essentially bring about the AAP and early exam, he
2 deleted that, because it did not seem necessary based
3 on the fact that FSBPT has a set schedule that falls
4 within those parameters.

5 Mr. Davis informed Board members that IRRC said
6 that they acknowledge that as of this date the
7 National Physical Therapy Examination (NPTE) schedule
8 currently fulfills the statutory 60-day waiting
9 period, because exams are naturally separated by more
10 than 60 days; however, if the NPTE changes the exam
11 schedule to allow for more frequent testing
12 opportunities, it could be possible for an applicant
13 to take an exam prior to the expiration of the
14 statutorily required 60 days.

15 Mr. Davis noted IRRC asked the Board to retain
16 the time frame regarding the second examination from
17 Section 1306(c) of the Act in the final regulation to
18 ensure the test requirements from the Act are clear
19 and easily acceptable to the regulated community.

20 Mr. Davis explained that the only change between
21 the published version and the final version is that
22 he reintroduced language that is already in the
23 regulations and their act, so there really is not any
24 functional change whatsoever between the proposed and
25 the final and asked for Board approval.]

1 MR. DAVIS:

2 Based on the Board's discussions in
3 open session, I believe the Chair would
4 accept a motion approving the final-
5 form rulemaking in 16A-6522, also known
6 as the PT Early Exam and CE for
7 Clinical Instruction and AAP and
8 directing regulatory counsel to
9 promulgate this final-form rulemaking
10 through the regulatory process.

11 CHAIR GRZYBEK:

12 Is there a motion to approve as read?

13 DR. WOLFE:

14 So moved.

15 CHAIR GRZYBEK:

16 Second?

17 MR. ROBB:

18 Second.

19 CHAIR GRZYBEK:

20 It has been moved and seconded. Does
21 anyone have any questions or comments?
22 Hearing none. We'll do a roll call
23 vote.

24

25 Mr. Eaton, yes; Gerri Grzybek, yes;

1 Lisa Mackell, yes; Siri Reddy, yes;
2 Jeremy Robb, yes; Craig Ruby, yes; Ian
3 Steele, abstain; Krista Wolfe, yes.

4 [The motion carried. Ian Steele abstained from
5 voting on the motion.]

6 ***

7 [Geraldine M. Grzybek, PT, GCS, Chairperson, asked
8 Mr. Davis to review the next steps of the regulation.

9 Mr. Davis explained that it has to go through the
10 Office of General Counsel and Independent Regulatory
11 Review Commission. He further explained that the
12 Independent Regulatory Review Commission reviews
13 regulations on behalf of the legislature and will
14 have the opportunity to ask questions, voice
15 concerns, and then decide whether or not the
16 regulation is in the public interest.

17 Mr. Davis noted the regulation, if approved,
18 would then go to the Office of Attorney General for a
19 final form and legality review, Legislative Reference
20 Bureau, and then be published in the *Pennsylvania*
21 *Bulletin*.

22 Mr. Davis mentioned that the Office of Attorney
23 General is given 30 days by statute to review the
24 regulation and is deemed approved if they fail to
25 review it within 30 days. He noted it may take up to

1 a few months but is hoping to have it published
2 sometime this fall.

3 Mr. Barrett addressed general regulations, noting
4 the Board mentioned that they wanted to discuss
5 future regulations or improvements at a prior Board
6 meeting in March. He noted the Board discussed
7 changes to the Act, but it is something that would be
8 up to the General Assembly.

9 Chair Grzybek did not note anything that needed
10 immediate attention but encouraged Board members
11 review FSBPT's Model Practice Act and their Practice
12 Act between now and the September 2024 meeting to see
13 if any areas could benefit from some improvement.

14 Chair Grzybek noted that their professional
15 association would probably be spearheading the
16 legislative effort and have some very specific ideas
17 on where to make some changes to the Practice Act.

18 Mr. Davis mentioned that BPOA does not discuss
19 regulations behind closed doors or outside of
20 meetings and asked Board members to review everything
21 individually and have all discussions in an open
22 forum at Board meetings.]

23

24 Report of Board Chairperson

25 [Geraldine M. Grzybek, PT, GCS, Chairperson,

1 recognized former Chair, Cindy Potter, and former
2 Board member, Sandy Campbell, for their service to
3 the State Board of Physical Therapy and their
4 valuable contributions.

5 Chair Grzybek asked for a moment of silence for
6 former Board member, Timothy Schell, who passed on
7 June 4, 2024.]

8 ***

9 Report of Acting Commissioner

10 [Matthew Eaton, Director of Operations, Bureau of
11 Professional and Occupational Affairs, on behalf of
12 Arion Claggett, Acting Commissioner, announced that
13 the State Board of Physical Therapy's website has
14 been updated to be in line with the rest of the state
15 boards and Commonwealth websites. He encouraged
16 Board members to notify Ms. Roberts of any kind of
17 feedback regarding the website.

18 Chair Grzybek asked whether there was any
19 progress or information on the request for proposal
20 (RFP) to revise the Pennsylvania Licensing System
21 (PALS).

22 Mr. Eaton stated the RFP process has concluded,
23 and a vendor has been chosen. He mentioned that they
24 are moving forward with that information but is not
25 able to share the name of the vendor at this time

1 because the contracts are not fully signed. He
2 reported having a timeline in place and will begin
3 meeting with the vendor and discussing the transition
4 after Labor Day.]

5

6 Report of Committees - Education Committee

7 MR. BARRETT:

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16 CHAIR GRZYBEK:

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18 DR. WOLFE:

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20 CHAIR GRZYBEK:

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22 MS. MACKELL:

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24 CHAIR GRZYBEK:

25

Based on discussions, I believe the
board Chair would entertain a Motion to
Ratify the Education Committee's
Approval for Third Attempts of the NPTE
of Kate Thomas, Tyler Countess, Emilie
Gniewkowski, Daniel Jiang, Chua Khang,
Rachael Neatrour, Laura Stokes, and
Kiersten Gregory.

Is there a motion to approve as read?

So moved.

Is there a second?

Second.

It has been moved and seconded. Are

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there any questions or comments?

Hearing none. We'll move to the vote.

Mr. Eaton, yes; Gerri Grzybek, yes;
Lisa Mackell, yes; Siri Reddy, yes;
Jeremy Robb, yes; Craig Ruby, yes; Ian
Steele, abstain; Krista Wolfe, yes.

[The motion carried. Ian Steele abstained from
voting on the motion.]

Report of Board Administrator
[Michelle Roberts, Board Administrator, addressed her
attendance, along with Krista Wolfe, at the
Leadership Issues Forum in Alexandria, VA. She noted
the seminars included information on implicit bias,
cross-profession minimum data set, an update on dry
needling, and foreign-trained applicants.

Ms. Roberts reported that some states are dealing
with prescriptive authority for PTs regarding X-rays
and ultrasounds. She noted a discussion regarding
digital health and artificial intelligence (AI),
along with informed consent.

Ms. Roberts noted regulatory resources, including
infographics, could be found on FSBPT's website under
member services.

1 Ms. Roberts noted the proposed 2025 and 2026
2 Board meeting dates are on the calendar but to notify
3 her of any conflicts with those dates.]

4 ***
5 [Geraldine M. Grzybek, PT, GCS, Chairperson, noted
6 the next upcoming meeting date is October 3 and then
7 November 14 for the remainder of this calendar year.]

8 ***
9 Adjournment

10 CHAIR GRZYBEK:

11 May I have a motion to adjourn this
12 meeting?

13 DR. WOLFE:

14 So moved.

15 CHAIR GRZYBEK:

16 Is there a second?

17 MS. MACKELL:

18 I'll second.

19 CHAIR GRZYBEK:

20 The meeting is adjourned at 10:59.

21 Thank you all for your hard work.

22 ***
23 [There being no further business, the State Board of
24 Physical Therapy Meeting adjourned at 10:59 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Physical Therapy meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Physical Therapy meeting.



Rachel Wilbur-Adams,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF PHYSICAL THERAPY
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TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:31	Election of Officers
10:34	Introduction of Attendees
10:35	Approval of Minutes
10:36	Roll Call
10:37	Report of Board Counsel
10:40	Report of Board Regulatory Counsel
10:51	Report of Board Chairperson
10:53	Report of Acting Commissioner
10:55	Report of Committees
10:57	Report of Board Administrator
10:59	Adjournment