



**Physical Therapy Compact Commission Rules and Bylaws Committee Meeting Minutes**

**September 4, 2019**

3:00 – 4:00 p.m. (ET)

Via WebEx

**MEMBERS PRESENT:** Kathy Arney, North Carolina, Committee Chair  
Scott D. Majors, Kentucky  
Joseph Shanley, New Hampshire  
Andrew Wodka, Washington

**MEMBERS ABSENT:** Barbara Behrens, New Jersey  
Charlotte Martin, Louisiana

**COMMISSION STAFF PRESENT:** T.J. Cantwell, Compact Administrator

Call to Order

T.J. Cantwell called roll and determined a quorum was present. The meeting was called to order at 3:02 PM, ET.

Approve Minutes (Action Required)

**Motion:** Joseph Shanley moved to approve the June 26, 2019 minutes as submitted. Scott Majors seconded the motion. The motion carried without objection.

Discussion of Draft Rules Amendments and Vote on Recommendation to Executive Board

The Committee reviewed draft amendments to the Rules and made additional revisions as suggested (attached).

**Motion:** Joseph Shanley moved that the Rules and Bylaws Committee recommend the draft Rules amendments for consideration by the Executive Board. Andrew Wodka seconded the motion. The motion carried without objection.

Discussion of Potential Procedure and Policy Changes

The Committee reviewed draft amendments to Policies and Procedures and no revisions were made (attached).

**Motion:** Andrew Wodka moved that the Rules and Bylaws Committee recommend the draft Policy and Procedures amendments for consideration by the Executive Board. Scott Majors seconded the motion. The motion carried without objection.

### Next Steps

The Executive Board will consider and vote on the amendments at its September 16 meeting. If approved, the Rules amendments will be published for public comment, and amendments for both Rules and Policies and Procedures will be considered and voted on at the Physical Therapy Compact Commission annual meeting October 27 in Oklahoma City, Oklahoma.

### Adjournment

The meeting was adjourned at 3:14 PM, ET.

## 2019 DRAFT Compact Rules, Bylaws, and Policy and Procedures Amendments Recommended by the Rules and Bylaws Committee

Please note that additions are indicated by red underlined text. Deletions are indicated by ~~red strikethrough~~ text. Black text is existing unchanged text.

### Recommended Bylaws Changes

NONE

### Recommended Rules Changes

- 1) Rule 1.1 – Definitions  
Reason: To improve clarity of the rules by adding new definitions for key words and reorder accordingly based on alphabetical order.

#### Proposed Change:

Add new paragraph to Rule 1.1

(G) “Denied” means a decision of a licensing board to refuse to issue, reinstate, or renew a physical therapist or physical therapist assistant license that is reported to the National Practitioner Data Bank (NPDB).

(NOTE: Adoption of proposed amendment would reorder other definitions based on alphabetical order)

- 2) Rule 3.3 – Eligibility for Compact Privileges after an Adverse Action or Encumbrance  
Reason: To move paragraph C in Rule 3.5 to a more appropriate section, reorder the current paragraphs, and to clarify the eligibility of someone who has a denied license.

#### Proposed Change #1:

Move Rule 3.5 (C) to Rule 3.3 (E)

If an individual’s license is revoked, the individual is deemed to have an encumbrance until the revoked license is reinstated/restored without restrictions, conditions, or terms.

#### Proposed Change #2:

Add new paragraph to Rule 3.3

(F) If an individual is denied a license, as defined in Rule 1.1, the individual is deemed to have an encumbrance until the license is approved without restrictions, conditions, or terms.

(NOTE: Adoption of proposed amendments would reorder paragraphs making current paragraph 3.3(E) the new 3.3(G))

### Recommended Procedures and Policy Changes

- 1) Policy Number 1.3 – To facilitate an effective and efficient system for communications within the compact, to state boards, and to other groups.

Reason: To address how the Commission should handle request for information from the public, outside entities, and member states.

Proposed Change:

Add new paragraph to Section 1.3

3. All requests for information regarding the PTCC from the public, an agency, an organization, governmental entity, or other body will be evaluated based on their merit, rules and laws governing the PTCC.

(NOTE: Adoption of proposed amendment would reorder the paragraphs making current paragraph 3, 4, and 5, new paragraphs 4, 5, and 6)

- 2) Policy number 1.6 – To establish a process by which member states can submit and change state fees required to purchase compact privileges.

Reason: To correct a grammatical error.

Proposed Change:

Amend bullet 1

1. A member state may set the state fee to purchase a compact privilege ~~fee~~ in that state at any amount.

- 3) Policy Number 1.16 – To establish financial processes of the Physical Therapy Compact Commission (PTCC).

Reason: To clarify that fees remitted to states are the net of the total fees charged after the processing fee is deducted.

Proposed Change:

Amend bullet 1 under Remittal of State Compact Privilege Fees

1. No later than fourteen (14) business days following the conclusion of each month, the CFO will remit back to the appropriate state, in the form of a check, the ~~total amount of compact privilege fees collected on behalf of each state, less 3.5% in banking and processing fees, net of the gross compact privilege fees collected on behalf of the state minus a 3.5% processing charge for each compact privilege purchased rounded up to the nearest dollar.~~

- 4) Policy Number 3.1 – To assist party state in obtaining evidence for investigative and disciplinary purposes when an incident occurs in another party state

Reason: To clarify the process by which Compact member states should request and share investigatory information

Proposed Change:

Add new paragraph 1 and reorder as necessary

1. The party state requesting investigatory information shall communicate directly with the physical therapy licensing authority of the state making the notification of available investigatory information. The designated staff of each state shall come to a mutual agreement

on what information will then be formally requested in writing and shared between the states based on their respective state laws.

- 5) Policy Number 3.5 – To establish the process by which compact privileges will be terminated.  
Reason: To further clarify the process for termination.

Proposed Change #1:

Edit Policy language

The Physical Therapy Compact Commission (PTCC) will terminate compact privileges, ~~as required by law, if an individual is found to have violated PT Compact Law, Rules, Bylaws, or Policies or if~~ when notified by a party state that in accordance with due process the state has taken disciplinary action against an individual's license or compact privilege. ~~and that state's laws an individual has violated the state's laws, rules, bylaws or policies.~~

Proposed Change #2:

Add new paragraph 1 and reorder as necessary

1. The Compact Administrator will report any possible violation of PT Compact Law, Rules, Bylaws, or Policies by a compact privilege holder to the appropriate state board(s) to determine what disciplinary action should be taken, if any.