



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

**June 26, 2019**

11:00 – 12:00 p.m. (ET)

Via WebEx

- MEMBERS PRESENT:** Kathy Arney, North Carolina, Committee Chair  
Barbara Behrens, New Jersey  
Scott D. Majors, Kentucky  
Charlotte Martin, Louisiana  
Joseph Shanley, New Hampshire  
Andrew Wodka, Washington
- LEGAL COUNSEL PRESENT:** Rick Masters
- COMMISSION STAFF PRESENT:** T.J. Cantwell, Compact Administrator
- FSBPT STAFF PRESENT:** Jeff Rosa, Managing Director, Post-Licensure Services

Call to Order

T.J. Cantwell called roll and determined a quorum was present. The meeting was called to order at 11:02 AM, ET. T.J. informed the Committee that Cheris Frailey is no longer the Colorado Compact Delegate and therefore is no longer a member of the Committee.

Approve Minutes (Action Required)

Motion: Barbara Behrens moved to approve the September 13, 2018 and May 22, 2019 minutes as submitted. Joe Shanley seconded the motion. The motion carried without objection.

Discussion of Potential Rules Changes

The Committee reviewed draft amendments to the Rules (attached) and provided suggestions for revisions.

Discussion of Potential Procedure and Policy Changes

The Committee reviewed draft amendments to Procedures and Policies (attached) and provided suggestions for revisions.

Next Steps

The Committee requested staff to make the suggested revisions to the draft amendments and share them with the Committee before sharing with the Executive Board for initial review at its July 30 meeting.

Next Meeting

The Committee will meet in August only if necessary after the initial review by the Executive Board, otherwise a meeting will be scheduled for early September to finalize the amendments.

Adjournment

The meeting was adjourned at 11:50 AM, ET.

## 2019 DRAFT Compact Rules, Bylaws and Policy Changes

As of 6/26/19

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

### Suggested Bylaws Changes

NONE

### Suggested Rules Changes

1) Rule 1.1 – Definitions

Reason: To improve clarity of the rules by adding new definitions for key words.

Proposed Change:

Add new paragraph to Rule 1.1

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

(ALPHA 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 and to clarify the eligibility of someone who has a denied license.

Proposed Change #1:

Move Rule 3.5 (C) to Rule 3.3 (F) (Make it E and the current one to F)

(F) 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

(G) 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.

3) Rule 3.5 – Expiration or Termination of a Compact Privilege

Reason: To clarify the ability of the Commission to terminate compact privileges if eligibility requirements are not met.

Proposed Change #1:

Add new paragraph to Rule 3.5

(C) If it is determined by the Compact Administrator that an individual does not meet one or more of the requirements to obtain or hold compact privileges, the Compact Administrator, on behalf of the Physical Therapy Compact Commission, shall report it to the appropriate state licensing board.

Proposed Change #2:

Add new paragraph to Rule 3.5

(D) If an individual with an active compact privilege fails to provide proof of residence pursuant to an audit by the Physical Therapy Compact Commission, as provided for in Rule 3.1, the Compact Administrator, on behalf of the Physical Therapy Compact Commission, shall report it to the appropriate state licensing board.

4) Rule 6.7 – Indicating Availability of Investigatory Information

Reason: To clarify how investigatory information shared between Compact member states should be handled.

Proposed Change:

Add new paragraph to Rule 6.7

(B) A member state providing investigatory information to another member state may designate information that may not be shared with the public without the express permission of the providing state.

(Need to draft policy to provide guidance on states communicating with each other and determining between themselves what documentation to share based on legal requirements of each individual state.)

5) Change the Rules language to Commission in place of Physical Therapy Compact Commission

**Suggested 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 PT Compact Commission from the public, an agency, an organization, governmental entity, or other body will be evaluated based on their merit, applicable law, and rules and laws governing the PT Compact Commission.

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 clarify that fees remitted to states are the net of the total fees charged after the processing fee is deducted and 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. The actual amount remitted to the state per compact privilege will be the net of the gross state fee minus a 3.5% processing charge per compact privilege rounded up to the nearest dollar.

3) Policy Number 3.2 – To establish the process by which member states will report adverse actions to the Physical Therapy Compact Commission (PTCC)

Reason: To clarify the process based on potential amendments to Rule 3. 3 or 3.5.

Proposed Change:

TBD