

Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 5/6/2022

BOARD MEMBERS PRESENT: Craig L Esplin, PT - Chair
Mendee Henkey, PTA
Deanna Dye, PT
Jonathan Bird, PT
Glady Schroeder- Public Member

DIVISION STAFF: Katie Stuart, Executive Officer
Nicki Chopski, Health Professions Bureau Chief
Stephanie Lotridge, Licensing and Registration
Program Manager
Yvonne Dunbar, General Counsel
Lea Kear, General Counsel
Jan Arrasmith, Education and Practice Specialist
Mike Celeste, Investigation Supervisor
Keith Aamodt, Investigator
Pam Rebolo, Board Support Supervisor
Susan Cassell, Board Support Specialist
Susan Villanueva, Board Support Specialist

OTHERS PRESENT: Eric Nelson, Prosecuting Attorney
Members of the Public

CONVENED: The meeting was called to order at 9:00 MT by Craig Esplin.

APPROVAL OF MINUTES

Ms. Henkey moved to approve the minutes of February 4, 2022, as amended, Ms. Schroeder seconded. All approved, motion carried.

DIVISION BUSINESS

Ms. Stuart informed the Board that the Division of Occupational and Professional Licenses (DOPL) staff will be moving into Building 4 at the Chinden Campus starting on June 13 and continuing through July.

The 2022 Legislative session closed *sine die* on March 31st, however, the legislature did not pass a concurrent resolution, so all non-fee rules are temporary while all fee rules are now enacted. The May Bulletin will likely publish the Rules with an effective date of March 31, 2022. Twenty-five statutes passed that impact Health Professions.

Ms. Stuart stated that S1368 removes any "moral character" requirements, including letters of reference for physical therapy license applications.

H612 creates a pathway for disciplinary expungement. A licensee will have to request expungement in writing. Expungement of most matters is discretionary for Boards. However, the bill creates mandatory expungement of discipline related to timely license renewal and continuing education.

Ms. Stuart informed the Board that there will be a financial report at the August Board Meeting.

BOARD BUSINESS

Ms. Stuart initiated a discussion about the PT Compact, which currently consists of 23 states with two more considering legislation. The compact would increase licensure baseline requirements and encompass applicant fingerprinting. Dr. Chopski referenced Idaho Statute 67-9409, the Occupational Licensing Reform Act, which promotes uniform licensure and aligns with licensure by endorsement. The Board is uncertain if there is a demand for the PT Compact and would like to gather more information, possibly with input from professional associations.

Ms. Stuart offered an opportunity for board members to attend the FSBPT mid-year and annual conference. Mr. Esplin will attend both sessions as the voting delegate, with Ms. Stuart attending the mid-year if her schedule allows, otherwise Dr. Bird will attend both the Leadership Forum and the Annual Conference. Dr. Bird made a Motion to accept the conference attendance, Ms. Schroeder seconded. Motion carried.

Ms. Stuart stated that the Board will undergo Zero Based Regulation (ZBR) in fiscal year 2024 in accordance with Governor Little's Executive Order 2020-01. This is a full repeal and replace of Board Rules, scheduled for every five years.

INVESTIGATIONS AND DISCIPLINE

Dr. Dye moved to remove probationary status in Case No. PHT-2019-3, Ms. Schroeder seconded. Motion carried.

Ms. Schroeder made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to determining if a licensee is to retain a license or registration. It was seconded by Dr. Bird. Roll call: Mendee Henkey-aye, Deanna Dye-aye, Jonathan Bird-aye, Gladys Schroeder-aye, Craig Esplin-aye. Motion carried unanimously. The Board entered Executive Session at 9:55 AM.

Dr. Dye moved to exit executive session at 10:02 AM. It was seconded by Ms. Schroeder. Motion carried. Dr. Dye moved to enter into a Stipulation and Order in Case No. PHT-2020-5, Ms. Schroeder seconded. Motion carried unanimously.

NEXT MEETING DATE: August 26, 2022

ADJOURNMENT

There being no further business, Mr. Esplin adjourned the meeting at 10:04 AM, MT.