



State of Idaho  
Division of Occupational and Professional Licenses  
Physical Therapy Licensure Board

**BRAD LITTLE**  
Governor  
**RUSSELL BARRON**  
Administrator

11341 W Chinden Blvd.  
P.O. Box 83720  
Boise, ID 83720-0063  
(208) 334-3233  
dopl.idaho.gov

**Board Meeting Minutes of 2/23/2023**

<b>Board Members Present:</b>	Craig L Esplin - Chair Jonathan Bird Mendee Henkey Deanna Dye	<b>Division Staff:</b>	Katie Stuart, Executive Officer Nicki Chopski, Bureau Chief Russell Spencer, General Counsel Berk Fraser, Chief Investigator Mike Celeste, Investigations Supervisor Keith Aamodt, Investigator Pam Rebolo, Board Support Supervisor
<b>Board Members Absent:</b>	Glady Schroeder	<b>Others Present:</b>	Josh Scholar, Division of Financial Management Joan Callahan, Board Prosecutor

The meeting was called to order at 9:03 AM by Craig L. Esplin.

**Approval of Minutes**

A motion was made and seconded to approve 11/18/2022 minutes. The motion carried unanimously.

**DIVISION BUSINESS**

**Division Update- DOPL Strategic Plan:** Ms. Stuart guided the Board through the Division of Occupational and Professional Licenses (DOPL) Strategic Plan 2022 – 2026; the plan is geared towards the Division as a whole rather than for individual Boards.

**Confidentiality, Conflict of Interest, and Honoria Policy:** Mr. Spencer reviewed the Confidentiality, Conflict of Interest, and Honoria policies with the Board.

**Legislative Session Overview:** The 2023 Legislative session began on January 9, 2023. Ms. Stuart stated that House Bill 28 was held for fourteen (14) days however, it will not move forward this year and may be presented again in future legislative sessions.

The Board briefly discussed House Bill 74 regarding a pathway for licensure for military and other licensees from other states. Ms. Stuart reminded the Board that the pathway could not be more restrictive than current rules and would be for licensees of all occupations, not just individual Boards.

**Financial Update:** Ms. Stuart presented the financial report as of 01/10/2023.

**HPRP Update:** Ms. Stuart provided the Board with an update on the Health Professional Recovery Program (HPRP).

## **BOARD BUSINESS**

**Zero-Based Regulation (ZBR):** Ms. Stuart presented an outline of recommended changes in the following rules:

**Rule 010 Definitions:** The Board agreed to remove Non-treatment Patient Related Tasks and Routine Physical Therapy Tasks from their rules as they are common terms. The Board agreed that the definition of Testing, Functional Mobility Training, Manual Therapy, and Physical Agents of Modalities can be removed due to being duplicative of the statute.

**Rule 016 Supervision:** The Board reviewed the four definitions for supervision along with rule 16 regarding the different levels of supervision. Ms. Stuart presented a new definition of supervision and recommended striking the other four definitions. The board asked Ms. Stuart to update Rule 016 and bring it back to the Board for review.

**Rule 176 Inactive Status:** The Board agreed to remove Rule 176 in its entirety due to being duplicative of Title 67 Chapter 27.

**Rule 180-181 Dry Needling Certification:** The Board agreed to remove Rules 180-181 in its entirety as it is in their scope of practice and statute.

**Conference Attendance Requests:** A motion was made and seconded to approve travel and expenses for two Board members and one staff member to attend the Leadership Issues Forum July 15-16 in Arlington, Virginia, and for two Board members and one staff member to attend the Annual Education Meeting October 19-21 in Jacksonville, Florida.

## **Executive Session**

A motion was made and seconded to enter 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 the fitness of a licensee to obtain or retain a license or registration. The vote was: Jonathan Bird, aye; Mendee Henkey, aye; Deanna Dye, aye; and Craig Esplin, aye. The motion carried unanimously.

A motion was made and seconded to exit executive session. The motion carried unanimously.

## **Discipline**

A motion was made and seconded to authorize a Stipulation and Order in case numbers I-PHT-2022-02 and I-PHT-2020-1. The motion carried unanimously.

A motion was made to authorize a Corrective Action Plan in case number I-PHT-2022-05. The motion carried unanimously.

A motion was made and seconded to release from probation case number PHT-2020-4. The motion carried unanimously.

**Adjourn**

There being no further business, the meeting was adjourned at 12:05 PM.

The next meeting is 05/04/2023.