



**New Mexico Regulation and Licensing Department**  
**BOARDS AND COMMISSIONS DIVISION**  
**Physical Therapy Board**

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**REGULAR BOARD MEETING**

Online Via Cisco Webex Events

July 22, 2020

12:00 P.M.

**MINUTES**

**I. CONVENE AND ROLL CALL**

Chair Robert Pattillo called the New Mexico Physical Therapy Board Regular meeting to order at 12:07 p.m. Board Administrator E. Wren Propp took roll and it was determined a quorum was present.

**MEMBERS PRESENT:**

Robert Pattillo, Chair, Professional Member  
Robert Romero, Vice Chair, Professional Member  
Wendy Bircher, Treasurer/Secretary, Professional Member  
Alfred Cata, Public Member

**STAFF PRESENT:**

E. Wren Propp, Board Administrator  
Valerie Joe, Board Counsel (Assistant Attorney General)  
Amanda Lewis, BCD Team Leader  
Ben Arimoto, Compliance Officer

**II. APPROVAL OF AGENDA**

Vice Chair Romero made a **MOTION** to approve the agenda. Member Cata **SECONDED** the motion.

**Roll Call**

<u>BOARD MEMBERS</u>	<u>VOTE</u>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Yes

Motion **PASSED** by **UNANIMOUS APPROVAL**

**III. APPROVAL OF MINUTES**

**October 17, 2019**

**Board Administrator Propp said the minutes were not available**

**June 24, 2020**

**Board Administrator Propp said the minutes were not available**

**IV. REPORTS**

**a) Chair Report**

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Nothing to report.

**b) Rules Committee Report**

Nothing to report.

**c) Application Committee Report**

Nothing to report.

**d) Board Administrator Report**

Board Administrator Propp reported that the Physical Therapy Practice Act would sunset in 2021. Materials were prepared for the legislative committee related to the Physical Therapy Act expiring due to the sunset provision and had provided information related to committee related to the possibility of the Physical Therapy Board entering the Physical Therapy Licensure Compact.

**e) Compliance Officer Report**

Compliance Officer Arimoto said he had a total of eleven cases and two will be discussed today.

**V. NEW BUSINESS**

**a) Continuing Education Requirements for Renewal 2021**

Board Counsel Valerie Joe said Boards and Commissions can allow extensions as specified by the procedure set out by the Regulation and Licensing Department(<http://www.rld.state.nm.us/uploads/files/Podiatry%20Boards%20and%20Commissions%20Notice%20RE%20COVID%2019%20-%202003%2016%202020%20-%20FINAL.pdf>) and information provided by the Office of the Attorney General (<https://www.nmag.gov/uploads/Files/COVID-19/OpenGovernmentDivisionAdviceCOVID-19.pdf>) due to the Governor's emergency orders in relation to the COVID-19 pandemic. Chair Pattillo said he would hear a motion to extend the Continuing Education requirements to six months if it is needed.

Secretary/Treasurer Bircher made a **MOTION** to allow licensees an additional six months to complete continuing education requirements following the deadline of renewal without penalty, Member Cata, **SECONDED** the **MOTION**.

**Roll Call**

<u>BOARD MEMBERS</u>	<u>VOTE</u>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Yes

Motion **PASSED** by **UNANIMOUS APPROVAL**

**b) Federation of State Boards of Physical Therapy Appoint Delegates**

Board members discussed who would attend the upcoming virtual meetings. Chair Pattillo said he would hear a motion to appoint Member Cata as the alternative voting delegate who would attend the virtual meeting to be held July 22 and to appoint Secretary/Treasurer Bircher to be the voting delegate to attend the virtual meeting in October. Vice Chair Romero made a **MOTION** to appoint Member Cata as the alternative voting delegate who would attend the virtual meeting to be held July 22 and to appoint Secretary/Treasurer Bircher as the voting delegate to attend the virtual meeting in October; Bircher **SECONDED** the **MOTION**.

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**Roll Call**

<u>BOARD MEMBERS</u>	<u>VOTE</u>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Yes

Motion **PASSED** by **UNANIMOUS APPROVAL**

**VI. OLD BUSINESS**

**a) Physical Therapy Compact**

American Physical Therapy Association-New Mexico Therapists (APTA-NM) Representative Janet Popp introduced the Physical Therapy Compact Commission Administrator, T.J. Cantwell. Mr. Cantwell said adoption of the Physical Therapy Compact would mean greater access to physical therapy services to New Mexicans and benefit practitioners by giving them rapid access to practice in New Mexico. Board Chair Pattillo questioned Mr. Cantwell on several areas, including funding, discipline of compact privilege holders, liability and organizational structure of the Compact Commission, and data security. Other board members asked questions regarding changes to the Board rules and statutes. Secretary/Treasurer Bircher said she has supported efforts to adopt the Physical Therapy Compact in New Mexico on three other occasions in the past. Ms. Popp recommended the Board vote on supporting statutory changes in the upcoming legislative session that would provide the framework to adopt the Physical Therapy Compact in New Mexico. Chair Pattillo said he would hear a motion. Secretary/Treasurer Bircher made a **MOTION** to support the compact and support it during the upcoming legislative session; Vice Chair Romero **SECONDED** the motion.

**Roll Call**

<u>BOARD MEMBERS</u>	<u>VOTE</u>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Yes

Motion **PASSED** by **UNANIMOUS APPROVAL**

**b) Telehealth**

Secretary/Treasurer Bircher stated the Board supported a rule change to include telehealth in its rules, but with changes in board administration, it may have fallen by the wayside. AAG Joe said many board rules from other health-related licensing boards do not specifically mention telehealth. Adding it to the Physical Therapy Act would provide more information about telehealth in physical therapy. Chair Pattillo inquired about a memo he wrote along with AAG Joe in regards to telehealth and physical therapy several weeks ago. He asked that the memo be posted on the website. Secretary/Treasurer Bircher asked if Board Administrator Propp, had access to the website. Propp said she works with her team leader on posting items on the website. Amanda Lewis, Team Leader, said the Board Administrator's supervisors post items on the website when the Board Administrator communicates those needs. Secretary/Treasurer said Board Administrator Propp should have access to it and made a **MOTION** to allow the Board Administrator access to the website; Vice Chair Romero **SECONDED** the **MOTION**.

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**Roll Call**

<u>BOARD MEMBERS</u>	<u>VOTE</u>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Yes

Motion **PASSED** by **UNANIMOUS APPROVAL**

c) **Workforce Data Health Survey**

APTA-New Mexico had asked for creating a data set specific for physical therapy. Board members discussed the necessity of the survey. Ms. Lewis, Team Leader, said the survey has been discussed with Board Administrator Propp at length. Attempts by other boards to amend the survey, which is legislatively mandated and overseen by the UNM Health Science Center, have failed, said Ms. Lewis, Team Leader. Further, the Board Administrator's supervisors post items on the website when Board Administrators communicate those needs. Chair Pattillo suggested that the Board Administrator request a link to the Telehealth Act on the Physical Therapy website.

**VII. PUBLIC COMMENT**

**Janet Popp**, APTA-NM health data workforce survey. The chapter is trying to get a copy of the survey. Team Leader Lewis said the survey is available attached to the renewal statement on the website. Ms. Popp said the data sets for the physical therapy profession are minimal from the electronically collected surveys. Surveys are also completed on paper and maintained for pick-up by the health science center, said Team Leader Lewis.

**Karen Lucero**, co-chair of the legislature committee, APTA-NM thanked the Board for its support of the Physical Therapy Compact in New Mexico.

**Janet Popp**, of APTA-NM said the organization was offering a virtual conference for continuing education in September.

**VIII. EXECUTIVE SESSION**

Chair Pattillo made a **MOTION** for the Physical Therapy Board to enter into Executive Session to discuss the items listed on the agenda, pursuant to Section 10-15-1-H(1) of the Open Meetings Act authorizing closed session for matters related to issuance, suspension, renewal, or revocation of a license. Secretary/Treasurer Bircher made a **MOTION** to go into executive session as described by the chair; Vice Chair Romero **SECONDED** the **MOTION**.

**Roll Call**

<u>BOARD MEMBERS</u>	<u>VOTE</u>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Yes

Motion **PASSED** by **UNANIMOUS APPROVAL**. The Board entered into Executive Session at 1:34 p.m. The recorder was turned off.

**Back in Open Session**

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The Board returned to open session at 2:10 p.m. The matters discussed in the closed meeting were limited only to the items listed on the agenda.

a) **Complaints**

1. **PT-18-5-COM**

Chair Pattillo said he would hear motion in this case. Vice Chair Romero made a **MOTION** to issue a default order in Case PT-18-5-COM for permanent revocation of the license; Secretary/Treasurer Bircher **SECONDED** the MOTION.

**Roll Call**

<b><u>BOARD MEMBERS</u></b>	<b><u>VOTE</u></b>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Recused

The motion **PASSED**.

2. **PT-19-06-INC**

Chair Pattillo said he would hear a motion in the case. Vice Chair Romero made a **MOTION** to dismiss Case # PT-19-06-INC; Secretary/Treasurer Bircher **SECONDED** the MOTION.

**Roll Call**

<b><u>BOARD MEMBERS</u></b>	<b><u>VOTE</u></b>
Pattillo, Chair	Yes
Romero, Vice Chair	Yes
Bircher, Secretary/Treasurer	Yes
Cata, Board Member	Recused

The motion **PASSED**.

**IX. NEXT MEETING DATE & LOCATION**

Chair Pattillo said he would discuss in October the next date and time with Board Administrator Propp.

**X. ADJOURN**

There being no further board business, the meeting adjourned at time 2:13 p.m.

**APPROVED BY:** \_\_\_\_\_  
**Robert Pattillo, Board Chair**