

## 2019 FSBPT Delegate Assembly Motions



Here are the 2019 Delegate Assembly motions for physical therapy licensing board members' and delegates' review.

This year's Annual Meeting is October 24-26 in Oklahoma City, OK.

### **DEL-19-01**

#### **Areas of Focus**

##### **Motion:**

To adopt the Areas of Focus as they currently read.

1. Examinations: Ensure the ongoing excellence, reliability, defensibility, security and validity of the NPTE and related examinations.
2. Membership: Enhance the Federation's value to its membership by developing and maintaining programs and services responsive to membership needs.
3. States' Rights, States' Responsibilities and Professional Standards: Identify and promote effective regulation in physical therapy that ensures the delivery of safe and competent physical therapy care, while respecting states' rights and responsibilities.
4. Education: Provide and promote education programs and products for board members, administrators, the public and other stakeholders.
5. Leadership: Broaden the Federation's leadership role and recognition within regulatory, professional and related communities.
6. Organizational and Financial Stability: Ensure the long-term organizational and financial stability and viability of the Federation.

##### **Rationale:**

The Areas of Focus represent the activities required to achieve the mission of the Federation. In accordance with 2002 Delegate Assembly motion DEL-02-26, the Board of Directors must complete an annual review of the focus areas and present them to the Delegate Assembly for review and adoption.

The board has reviewed the Areas of Focus and has determined that they accurately reflect the Federation's current areas of focus.

##### **Reference Area of Focus:**

Leadership

##### **Fiscal Impact:**

The adoption of this motion has no specific fiscal impact. However, the Board of Directors and committees use these areas of focus as the basis for long-term strategic planning and as the basis for funding Federation activities in each annual budget.

**DEL-19-02****Proposed Changes to Credentialing in Bylaws - Standing Rules****Motion:**

To make the following changes regarding credentialing processes to the Bylaws and Standing Rules.

*Note:* If adopted subsequent sections will be renumbered.

BYLAWS CHANGES	RATIONALE	WITH PROPOSED CHANGES
<b>Article VI. Delegate Assembly</b>		
<b>Section 3. Delegates</b>		
<p>A. Delegate means the member of, or administrator to, a Member Board selected by the Member Board to be its representative to meetings of the Delegate Assembly. In addition, the <del>Board of Directors</del><u>Member Board</u>, <del>on a case-by-case basis</del>, may <del>credential</del><u>select as Delegate an delegate who is an officer, administrator, director or regulator individual</u> employed by the jurisdiction <u>in the regulation of physical therapy</u>. <del>regulation and defined by statute as having the power and authority to conduct all aspects of the administration of the physical therapy law of the jurisdiction including the exercise of independent decision-making in all areas of the law's administrative interpretation or implementation and promulgation of rules—or such person's chosen representative.</del></p>	<p><u>These changes allow the Member Board to select their Delegate without Federation involvement.</u></p>	<p>Delegate means the member of, or administrator to, a Member Board selected by the Member Board to be its representative to meetings of the Delegate Assembly. In addition, the Member may select as Delegate an individual employed by the jurisdiction in the regulation of physical therapy.</p>
<p>B. Alternate Delegate(s) means the member of, or administrator to, a Member Board selected by the Member Board to be its representative to meetings of the Delegate Assembly in the event that the Member Board's Delegate cannot or does not attend the meeting. In addition, the <del>Board of Directors</del><u>Member Board</u>, <del>on a case-by-case basis</del>, may <del>credential</del> select as Alternate Delegate an <del>alternate delegate who is an officer, administrator, director or regulator individual</del> employed by the jurisdiction <u>in the regulation of physical therapy</u> and defined by statute as having the power and authority to conduct all aspects of the administration of the physical therapy law of the jurisdiction including the exercise of independent decision-making in all areas of the law's administrative interpretation or implementation and promulgation of rules—or such person's chosen representative.</p>	<p><u>These changes allow the Member Board to select their Alternate without Federation involvement.</u></p>	<p>Alternate Delegate(s) means the member of, or administrator to, a Member Board selected by the Member Board to be its representative to meetings of the Delegate Assembly in the event that the Member Board's Delegate cannot or does not attend the meeting. In addition, the Member may select as Alternate Delegate an individual employed by the jurisdiction in the regulation of physical therapy.</p>
C. Delegates and Alternate Delegates will serve a	There is no longer a	Delegates and Alternate Delegates

term of one year which commences when the Member Board submits the delegate <del>credentials-names</del> for the upcoming Delegate Assembly and continues until delegate <del>credentials-names</del> are submitted for the next Delegate Assembly. <del>Credentialing for</del> Delegates and Alternate Delegate <del>s</del> -names will be submitted to Federation offices as specified in the Standing Rules.	need for a credentialing process – a simple notification is all that is necessary with the new definition of Delegates.	will serve a term of one year which commences when the Member Board submits the delegate names for the upcoming Delegate Assembly and continues until delegate names are submitted for the next Delegate Assembly. Delegate and Alternate Delegate names will be submitted to Federation offices as specified in the Standing Rules.
<b>Article X. Dissolution</b>		
<b>Standing Rules</b>		
<b>1. Definitions</b>		
<del>B. _____ “Delegate Credentials”</del>		
<del>means a document signifying official representation of a Member Board issued by the Federation and verified by an appropriate officer of a Member Board. Delegate Credentials are required of Delegates and Alternate Delegates.</del>	<u>There is no longer a need for a credentialing process with the simplified definition of choosing Delegates.</u>	Content removed.
<b>4. Delegate Assembly</b>		
<b>E. Conduct of Business by Mail or Electronically</b>		
<b>ii. Delegate Assembly</b>		
The ballot information will be mailed to each Delegate by certified or registered first-class mail to the Member Board office unless being done electronically. The ballot will clearly state the question(s) to be decided and the date by which the ballot must be received at Federation offices. A majority of ballots must be received at Federation offices by the deadline to constitute a valid vote. In the event that a Delegate no longer holds that position for any reason, an Alternate Delegate will assume the duties of the Delegate. If the Alternate Delegate(s) no longer holds that position for any reason, a new Delegate may be <u>selected by the Member Board and their name will be submitted to Federation offices</u> <del>and credentialed</del> in a manner not inconsistent with these bylaws and standing rules.		The ballot information will be mailed to each Delegate by certified or registered first-class mail to the Member Board office unless being done electronically. The ballot will clearly state the question(s) to be decided and the date by which the ballot must be received at Federation offices. A majority of ballots must be received at Federation offices by the deadline to constitute a valid vote. In the event that a Delegate no longer holds that position for any reason, an Alternate Delegate will assume the duties of the Delegate. If the Alternate Delegate(s) no longer holds that position for any reason, a new Delegate may be selected by the Member Board and their name will be submitted to Federation

		offices in a manner not inconsistent with these bylaws and standing rules.
<b>5. Delegate <del>Credentials</del>-Notification Procedures</b>		<b>5. Delegate Notification Procedures</b>
A. Each Member Board shall <del>send-submit</del> delegate <del>credentials-names</del> to the Federation offices no <del>less-later</del> than <del>90 days prior to the Annual Meeting</del> May 1. The deadline will be <u>extended to June 1<sup>st</sup> if the Member Board requests an extension from Federation offices by April 15.</u> <del>Credentials for Delegates and Alternate Delegates will include demographic data, verification of election from the Member Board (submission of a credentials form, which is signed by the chair or administrator of the Member Board or as otherwise provided in Bylaws Article VI Sections 3A &amp; 3B), and a disclaimer relevant to a potential Conflict of Interest.</del>	<u>Since the selection of the Delegates is the responsibility of the Member Board, there is no need for verification of election or conflict of interest. We've simplified the deadline and provided a process for requesting an extension.</u>	Each Member Board shall submit delegate names to the Federation offices no later than May 1. The deadline will be extended to June 1 <sup>st</sup> if the Member Board requests an extension from Federation offices by April 15.
B. Member Boards should consider whether there might be a Conflict of Interest when electing their Delegate <u>using the definition found in Standing Rule 1J.</u>	<u>Points jurisdictions to the definition of Conflict of Interest.</u>	Member Boards should consider whether there might be a Conflict of Interest when electing their Delegate using the definition found in Standing Rule 1J.
C. <del>If a Member Board elects a Delegate whose role could be considered a Conflict of Interest:</del>	<u>There is no longer a need for a process to remedy Conflict of Interest of Delegates. It is now the Member Board's sole responsibility.</u>	Content removed.
i. <del>Within ten working days of notification, the Board of Directors will appoint a Credentials Committee of three current Member Board members, preferably already-credentialed Delegates, to review whether a Conflict of Interest exists.</del>		Content removed.
ii. <del>The Credentials Committee's term will end once the current Delegate Assembly concludes.</del>		Content removed.
iii. <del>The Credentials Committee will report their recommendation to the Board of Directors, who will report their decision to the Member Board within ten working days of being notified.</del>		Content removed.
iv. <del>If the Delegate is considered to have a Conflict of Interest, their credentials</del>		Content removed.

<del>will be withdrawn and the Member Board will be asked to provide another Delegate to replace the original Delegate.</del>		
v. <del>The new Delegate will have all the rights held by the original Delegate.</del>		Content removed.
<b>9. Special Meetings</b>		
Upon receipt of signed requests for a special meeting for a specific purpose from a majority of Member Boards, the President or three quarters of the membership of the Board of Directors, the Chief Executive Officer of the Federation will schedule a special meeting of the Delegate Assembly. The notice of the special meeting, including a statement of the specific purpose of the meeting will be sent to all <del>credentialed-current</del> Delegates and Alternate Delegates and the members of the Board of Directors not less than 14 days prior to the meeting.		Upon receipt of signed requests for a special meeting for a specific purpose from a majority of Member Boards, the President or three quarters of the membership of the Board of Directors, the Chief Executive Officer of the Federation will schedule a special meeting of the Delegate Assembly. The notice of the special meeting, including a statement of the specific purpose of the meeting will be sent to all current Delegates and Alternate Delegates and the members of the Board of Directors not less than 14 days prior to the meeting.

**Rationale:**

Simplify credentialing process for state licensing boards and FSBPT.

**Reference Area of Focus:**

Leadership

**Fiscal Impact:**

None

*Distribution: FSBPT Jurisdiction Board Members, Administrators, Delegates*

*Cc: Committees and Task Forces*