

**Kansas State Board of Healing Arts – Physical Therapy Council
Meeting Agenda for February 2, 2023 – 12:00 p.m. (noon)**

***** Electronic/Telephone Connection Information
for Members of the Public to Attend *****

Please email: Michael.Sparrow@ks.gov

(At Least One Hour Prior to Start of Meeting)

I. Call to Order (Time): _____

A. Council Members Present – Roll Call:

- i. Sapana Dixit, PT
- ii. Danielle Vequist, PT
- iii. Saumya Singh, PT
- iv. Steven Gould, DC
- v. Sean Wheeler, MD

Quorum Present? Yes/No?

B. Staff Present:

C. Others:

II. Approval of Agenda:

A. Additions.

B. Deletions.

III. Approval of Minutes

A. Approval of Minutes from November 3, 2022, PT Council meeting

IV. New Business:

A. Licensing Department Update – Continuing Education In-Person Waiver Extended to December 31, 2023.

B. Preview - Systematic Five-Year PT Regulation Review Process.

2022 House Bill 2087

In 2022, House Bill 2087 was passed by the Legislature and became law. This bill requires state agencies to systematically review all their regulations on a continuous five-year cycle. Each state agency shall submit a regulation progress report to the Legislature every fifth year on July 15. The first KSBHA report is due July 15, **2026**.

Regulation Review Process

This process starts with KSBHA attorneys reviewing all existing regulations to determine if current regulations meet the standard of:

“An identifiable public purpose to support state law and may not be broader than is necessary to meet such public purpose.”

Over time, the PT Council will be involved in this new process by reviewing, discussing, and proposed amendments to PT regulations. As in the past, the PT Council will send proposed regulation amendments to the Board and the Board will make all final decisions.

Definitions:

Statute: is a law written and passed by the Legislature (K.S.A.).

Regulation: is written by a state agency to supplement a law (K.A.R.).

Regulation Prohibited – A regulation cannot exist unless there is a link to a statute (law) that grants authority for the agency to make the regulation. The last section of **every** regulation must include the authorization link.

Example: see regulation below K.A.R. 100-29-7 (Fees). The last section of this regulation contains the authorization link.

K.A.R. 100-29-7. Fees. The following fees shall be collected by the board:

(a) Application based on certificate of prior examination\$80.00

(Full text of regulation not included to save space).

(Authorized by K.S.A. 65-2865 and 65-2911;
implementing K.S.A. 65-2909, 65-2910, and 65-2911 and K.S.A. 2021 Supp. 65-2925; effective March 21, 1997; amended May 1, 1998; amended Sept. 29, 2000; amended Nov. 15, 2002; amended Nov. 19, 2004; amended March 7, 2008; amended Sept. 16, 2022.)

Below is an example of a statute authorizing the Board to make regulations for PT fees.

K.S.A. 65-2911(b)(1). The board shall charge and collect in advance fees provided for in this PT act as **fixed by the Board by rules and regulations.**

V. Old Business:

- A. Update on PT compact. Waiting on FBI approval regarding KSBHA use of background checks.
- B. Update on CE Broker. Progress continues on implementing online continuing education electronic tracking database.
- C. Update on PT Regulations. No PT regulations currently being amended.
- D. Update on Spine Thrust Manipulation Regulation by Other States.

VI. Application/Disciplinary Review. Yes

“Motion to recess into executive session of _____ minutes to discuss investigative information, which is confidential under K.S.A. 65- 2898a, with an attorney pursuant to K.S.A. 75-4319(b)(2).

Meeting will resume at _____ p.m. in the KSBHA Conference Room.”

VII. Next Meeting Date(s):

May 4, 2023	Noon
August 3, 2023	Noon
November 2, 2023	Noon

VIII. Adjourn Meeting at _____ p.m.: