

Maryland Higher Education Commission
Meeting Minutes

September 7, 2023
1:00 p.m.

The Maryland Higher Education Commission (MHEC) met on Thursday, September 7, 2023 via video teleconference (Google Meet).

Commission members present:

Catherine J. “Cassie” Motz, Chair	Ray Serrano, Ph.D.
Chike Aguh	Sheila D. Thompson, Ph.D.
Mickey L. Burnim, Ph.D.	Janet E. Wormack, Ed.D.
Charlene Mickens Dukes, Ed.D.	Cierra M. Robinson, Student Commissioner
Barbara Kerr Howe	

Commission members not present:

Rebecca Taber Staehelin	Craig A. Williams, Ph.D.
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Staff members present:

Sanjay Rai, Ph.D.	Emily A. A. Dow, Ph.D.
Rhonda Wardlaw	Geoffrey Newman
Soma Kedia	Trish Gordon McCown
Lyndsay Bates	Deborah Ing

Call to Order

The meeting was called to order by **Chair Motz** at approximately 1:04 p.m. A meeting quorum was established with nine (9) of the eleven (11) members present.

Chair’s Remarks

Chair Motz welcomed and thanked everyone for attending today’s meeting. She noted that the purpose of the special Commission meeting was to review the decision of Acting Secretary Rai to recommend for implementation the proposal of Johns Hopkins University (JHU) for a Doctor of Physical Therapy (DPT) program. The review was requested by the University of Maryland Eastern Shore (UMES) and the University of Maryland Baltimore (UMB), both of whom objected to JHU’s proposed program. She explained that the Commission would hear presentations from all parties and make a decision to either affirm or overturn the Acting Secretary’s decision. She stated that there are currently 11 Commissioners (Student Commissioner Cierra Robinson was appointed recently) and eight (8) Commissioners would be in attendance at the review meeting. Commissioner Taber Staehelin had a scheduling conflict,

and both Commissioners Williams and Howe recused themselves, due to their associations with JHU. She noted that Commissioner Howe was in attendance to hear the presentations, but would leave the meeting early. **Chair Motz** added that all individual votes would be made public, along with the rationale behind the Commission's decision.

Review Meeting – Proposal of Johns Hopkins University for a Doctor of Physical Therapy (DPT) Degree Program

Chair Motz recognized Acting Secretary Rai who thanked the institutions present for the part they play in higher education in Maryland, as well as the agency staff for their work. Dr. Emily Dow, Assistant Secretary for Academic Affairs, explained that there were three basic reasons that led to the decision to recommend JHU's proposed program for implementation:

- 1) The market demand for DPT programs in Maryland is high.
- 2) There is unmet market demand for physical therapists.
- 3) JHU's role in Maryland higher education is distinct. It is a private institution.

In analyzing JHU's proposed program, they had to determine if there was duplication of existing programs. Although there is duplication, the duplication is reasonable for the reasons mentioned. Furthermore, the reasonable duplication would not cause demonstrable harm to the two (2) existing programs. In fact, JHU's program will increase the available pool of faculty long-term. JHU will also be utilizing clinical placements within the Johns Hopkins Medicine System. The Commissioners asked questions of Dr. Dow.

Chair Motz recognized Dr. Alison Wrynn, Senior Vice Chancellor for Academic and Student Affairs of the University System of Maryland, for initial remarks. Dr. Heidi Anderson, President of the University of Maryland Eastern Shore, then urged the Commission to overturn the Acting Secretary's decision. Dr. Michael Rabel, Professor and Chair of the Department of Physical Therapy, stated that JHU's proposed program is unreasonably duplicative and would cause demonstrable harm to the existing programs. Among other things, UMES believes that a new DPT program would increase the difficulty faced by their students to secure the clinical hours needed to complete their degree. He also disputes the claim that JHU's DPT program would positively assist with the national faculty shortage issue, citing lack of evidence. The Commissioners asked questions about UMES's presentation.

Chair Motz recognized Dr. Bruce Jarrell, President of the University of Maryland, Baltimore, who stated his opposition to the program proposed by Johns Hopkins University. Dr. Roger Ward, UMB's Provost, remarked that JHU's proposed program would cause harm to UMB's program. If implemented, JHU would be competing for already scarce resources, such as clinical site placements and faculty, with UMB. Dr. Victoria Marchese, Chair of the Department of Physical Therapy and Rehabilitative Science, added that there is actually an overall decline in applications. Currently, UMES and UMB are meeting the need for physical therapists in the state. The Commissioners asked questions about UMB's presentation.

Chair Motz recognized Dr. Dow, on behalf of MHEC, for responsive remarks. Dr. Dow noted several things, including the fact that JHU would still have to seek final approval for their

program from the accrediting body, and Johns Hopkins has clearly stated that they are in need of physical therapists.

Dr. Marchese, for UMB, cautioned that JHU cannot guarantee that it will supply all of its students' clinical site placements. There is still likely to be competition for these already scarce resources. Dr. Ward remarked that he is not aware of any attempts by JHU to reach out to UMB or UMES for assistance in filling their need for physical therapists.

Dr. Rabel, for UMES, remarked that there is no guarantee that future graduates of JHU's DPT program would stay and work within the Johns Hopkins Medicine System.

Chair Motz recognized Dr. Stephen Gange, Interim Provost at Johns Hopkins University, who remarked that they are in support of the Acting Secretary's decision. Dr. Gange reiterated that there is market demand for physical therapists in Maryland and the nation. Regarding any possible faculty shortage, they have not experienced any challenges in hiring faculty. (Among those who applied, there were no current UMB and UMES faculty.) Additionally, JHU would continue to make field experiences within their system available to UMB and UMES.

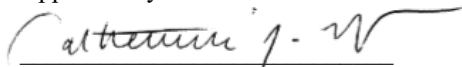
Commissioner Burnim made a motion to enter into a closed session to perform an administrative function and receive legal advice. **Commissioner Serrano** seconded the motion. **Chair Motz** called the roll:

Aguh – Yes
Burnim – Yes
Dukes – Yes
Robinson – Yes
Serrano – Yes
Thompson – Yes
Wormack – Yes
Motz – Yes

Adjournment

The meeting adjourned at approximately 3:23 p.m.

Approved by the Commission:

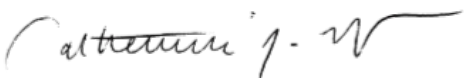

Catherine J. "Cassie" Motz, Chair

Attachment to the Open Session Minutes of the Commission's September 7, 2023 Meeting

CLOSED SESSION: Pursuant to §§ 3-301(a) and 3-305(b)(7) of the General Provisions Article, Annotated Code of Maryland, and upon motion of Commissioner Burnim, seconded by Commissioner Serrano, and with unanimous agreement of the Commissioners present, the Maryland Higher Education Commission met in closed session on Thursday, September 7, 2023, virtually, by video, using Google Meet, for the purpose of reviewing an academic program proposal pursuant to Title 11 of the Education Article, Annotated Code of Maryland and to receive legal advice from counsel regarding academic program review. The following Commission members were not present for the vote: Barbara Howe, Craig Williams, and Rebecca Taber.

The Executive Session commenced at approximately 3:30 p.m. In attendance at closed session were Commissioners Cassie Motz, Chike Aguh, Mickey Burnim, Charlene Dukes, Ray Serrano, Sheila Thompson, Janet Wormack, and Cierra Robinson; and Assistant Attorney General Soma Kedia. The topic of discussion at the closed session was the Acting Secretary's decision to recommend for implementation Johns Hopkins University's proposed Doctorate in Physical Therapy program under COMAR 13B.02.03.28. The Commission also received legal advice on the criteria for program review in COMAR 13B.02.03. The action taken during the closed session was to overturn the Acting Secretary's decision to recommend the proposed degree program. The motion to overturn the Acting Secretary's decision was made by Commissioner Burnim and seconded by Commissioner Aguh. The following Commissioners voted in favor of the motion: Mickey Burnim, Chike Aguh, Sheila Thompson, Ray Serrano, Cierra Robinson, and Charlene Dukes. The following Commissioners voted against the motion: Cassie Motz and Janet Wormack. The Closed Session ended at approximately 4:30 p.m.

Approved by the Commission:

A handwritten signature in cursive script, appearing to read "Catherine J. Motz", written in dark ink.

Catherine J. "Cassie" Motz, Chair