

The Georgia State Board of Physical Therapy met on **August 16, 2005** at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting business.

Members Present:

- Sandra Eskew Capps, P.T., President
- John L. Cowherd, Consumer Member
- Anthony F. Ellis, P.T. (Left at 10:45 A.M.)
- Brad Freemyer, P.T.
- Lola Rosenbaum, P.T.
- Patricia Willis, P.T.

Others Present:

- Anita O. Martin, Executive Director
- Lea F. Williams, Applications Specialist/Board Secretary
- Patricia Downing, Asst. Attorney General (Arrived at 10:10 A.M.; Left at 3:30 P.M.)
- Kameron M. Faircloth, P.T. (observer)

President Eskew Capps established that a quorum was present, and called the Public Hearing to order at 9:11 A.M. No comments were received regarding the proposed rule amendments. The Public Hearing was adjourned at 9:13 A.M. and the Board meeting was called to order in **OPEN SESSION**.

490-4-.01, Renewal of License and Penalties. Amended.: Ms. Rosenbaum made a motion to **adopt** the amendments as proposed. Ms. Willis seconded the motion and it was approved by the Board. (Attachment #1)

The Board voted that the formulation and adoption of the rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of the rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Physical Therapy.

May 24, 2005 Meeting Minutes: Mr. Freemyer motioned, Ms. Rosenbaum seconded, and the Board voted to **approve** the minutes as presented.

July 26, 2005 Conference Call Minutes: Mr. Ellis motioned, Ms. Willis seconded, and the Board voted to **approve** the minutes as amended.

Roster of New Licensees: Mr. Freemyer made a motion to **approve** the roster of the 107 newly licensed PT's, and the 27 newly licensed PTA's, issued May 14, 2005 through August 5, 2005. The motion was seconded by Mr. Cowherd and approved by the Board.

<i>License #</i>	<i>Name</i>	<i>Issue Date</i>
PT008359	Holtze, Jessica Jones	5/16/2005 0:00
PT008360	Green, Amy Rebecca	5/16/2005 0:00
PT008361	Vela, Jamie Lynn	5/17/2005 0:00
PT008362	Oxenford, Melinda Marie	5/17/2005 0:00
PT008363	Faircloth, Melonie Deanna	5/17/2005 0:00
PT008364	Adley, Jennifer Lynne	5/19/2005 0:00
PT008365	Favor, Arsenio Eugenio, III	5/20/2005 0:00
PT008366	Stuart, John Charles	5/20/2005 0:00
PT008367	Hicks, Carol Colburn	5/23/2005 0:00
PT008368	Steinmann, Jennifer Lynn	5/25/2005 0:00
PT008369	Lenander, Annette Marie	5/25/2005 0:00
PT008370	Reid, Violet Elizabeth	5/31/2005 0:00
PT008371	Alocilja, Karen Jo Merin	6/2/2005 0:00
PT008372	Gabriel, Crispin Esquivel, Jr	6/3/2005 0:00
PT008373	Schroeder, Elizabeth Ann	6/3/2005 0:00
PT008374	Jefferson, Gregory Oshae	6/6/2005 0:00
PT008375	Walker, Mary Ann	6/6/2005 0:00
PT008376	Lupkey, Danyelle Denise	6/7/2005 0:00
PT008377	Borum, Curtis Glenn	6/8/2005 0:00
PT008378	Warlick, Bryan Nelson	6/8/2005 0:00
PT008379	Delaune, Jennifer Barbara	6/8/2005 0:00
PT008380	Faircloth, Kameron McKinley	6/9/2005 0:00
PT008381	Stanzilis, Natasha	6/9/2005 0:00
PT008382	Patel, Rajesh Dinesh	6/10/2005 0:00
PT008383	Hoctor, Karen Marie	6/10/2005 0:00
PT008384	Lutz, Andrew George	6/13/2005 0:00
PT008385	Laidler, Graham Alexander	6/13/2005 0:00
PT008386	Spear, Andrea Jill	6/13/2005 0:00
PT008387	Brown, Arnita Davis	6/13/2005 0:00
PT008388	Vaughn, Cayla Ashley	6/14/2005 0:00
PT008389	Hester, Dana Leigh	6/14/2005 0:00
PT008390	Romero, Leon Constantine	6/15/2005 0:00
PT008391	Akers, John Douglas	6/16/2005 0:00
PT008392	Griffis, Elizabeth Marie	6/17/2005 0:00
PT008393	Reyes, Jill McJunkin	6/17/2005 0:00

PT008394	Cesare, Brent Anthony	6/17/2005 0:00
PT008395	Scannell, Therese Cecilia	6/17/2005 0:00
PT008396	Erens, Vanessa Jean	6/17/2005 0:00
PT008397	Charles, Larry Grayson	6/20/2005 0:00
PT008398	Fuentes, Monique Felicia	6/20/2005 0:00
PT008399	Bondurant, Rose Marie	6/22/2005 0:00
PT008400	Noble, Kelly Ann	6/22/2005 0:00
PT008401	Blackmon, Amanda Marie	6/24/2005 0:00
PT008402	Nelson, Rebecca Carol	6/24/2005 0:00
PT008403	Sinclair, Kristine Elise	6/27/2005 0:00
PT008404	Gattis, Angela Nicole	6/27/2005 0:00
PT008405	Blair, Carolyn Rhea	6/27/2005 0:00
PT008406	Leising, Wayne Eric	6/27/2005 0:00
PT008407	Yee, Brian Arthur	6/27/2005 0:00
PT008408	Mastrodicasa, Rebecca Catherine	6/28/2005 0:00
PT008409	Bradford, Lisa Ann	6/29/2005 0:00
PT008410	Wyatt, Kendra Lynne	6/29/2005 0:00
PT008411	Ruccio, Stephanie Jeanne	6/29/2005 0:00
PT008412	Kim, Zenia Sang	6/29/2005 0:00
PT008413	Dickens, Elizabeth L	6/30/2005 0:00
PT008414	Golden, Holly Elizabeth	6/30/2005 0:00
PT008415	Massey, Lauren Leane	6/30/2005 0:00
PT008416	Lhotsky, Janna Aileen	6/30/2005 0:00
PT008417	Cortez-Cooper, Miriam Yvette	7/1/2005 0:00
PT008418	Cooper, Craig Robert	7/1/2005 0:00
PT008419	Gavin, Kathryn Anne	7/5/2005 0:00
PT008420	Stell, Julia Cristina	7/5/2005 0:00
PT008421	Hassell, Charlena Donna	7/6/2005 0:00
PT008422	Scott, Jennifer Sue	7/6/2005 0:00
PT008423	Leighty, Margaret Ellen	7/6/2005 0:00
PT008424	Beary, Joel Matthew	7/7/2005 0:00
PT008425	Economy, Matthew Thomas	7/7/2005 0:00
PT008426	Welpott, Bobbie Lynn	7/7/2005 0:00
PT008427	Sipponen, Kristi Lee	7/8/2005 0:00
PT008428	Cochrane, Linnet Susan	7/8/2005 0:00
PT008429	Brown, Megan Thomas	7/11/2005 0:00
PT008430	Kazemi, Ramin	7/11/2005 0:00

PT008431	Wilson, Katherine Anne	7/11/2005 0:00
PT008432	Cornell, Amy R.	7/12/2005 0:00
PT008433	Mitchell, Tyra Niceta	7/12/2005 0:00
PT008434	Brown, Lauren Elise	7/15/2005 0:00
PT008435	Henderson, Charles Montgomery	7/15/2005 0:00
PT008436	Billings, Kelly Marie	7/25/2005 0:00
PT008437	Shiver, Pauline Mary	7/25/2005 0:00
PT008438	Stevens, Amanda Lynn	7/25/2005 0:00
PT008439	Koontz, Jonathan Edward	7/25/2005 0:00
PT008440	Okoli, Ogechukwu Charles	7/25/2005 0:00
PT008441	Heins, Amanda Leigh	7/25/2005 0:00
PT008442	Saddler, Kamilah Nadine	7/25/2005 0:00
PT008443	Ruchin, Bryan Jacob	7/25/2005 0:00
PT008444	Stewart, David Herrington	7/26/2005 0:00
PT008445	Phillips, Cherryanne Marie	7/26/2005 0:00
PT008446	Simon, Lauren E.	7/26/2005 0:00
PT008447	Deveras, Rachele Esteban	7/26/2005 0:00
PT008448	Ingram, Eric Michael	7/26/2005 0:00
PT008449	Leffel, Keith Douglas	7/26/2005 0:00
PT008450	Blakely, Benjamin Glenn	7/27/2005 0:00
PT008451	Loyer, Carmen Nancy	7/28/2005 0:00
PT008452	Jinks, William Jared	7/29/2005 0:00
PT008453	Merritt, Chaka Monique	7/29/2005 0:00
PT008454	Cruz, Glen Gomez	7/29/2005 0:00
PT008455	Gunn, David	8/1/2005 0:00
PT008456	Chimezie, Marihe Ijeoma	8/1/2005 0:00
PT008457	Wilson, Kristen Jean	8/2/2005 0:00
PT008458	Rice, Heather Jo	8/3/2005 0:00
PT008459	Strupp, Linda Susan	8/3/2005 0:00
PT008460	Wilson, Wallace Ross	8/3/2005 0:00
PT008461	Hill, Monica	8/5/2005 0:00
PT008462	Garner, Jennifer Bowers	8/5/2005 0:00
PT008463	Wright, Nolan Edward	8/5/2005 0:00
PT008464	Reid, Markita Lashay	8/5/2005 0:00
PT008465	Walsh, Colleen Kennedy	8/5/2005 0:00
<i>License #</i>	<i>Name</i>	<i>Issue Date</i>
PTA002155	Ahrens, Tina Marie	5/17/2005 0:00
PTA002156	Hyatt, Ryuzo J.	5/26/2005 0:00

PTA002157	North, Melanie Rae	6/7/2005 0:00
PTA002158	Lange, Jennifer Marie	6/7/2005 0:00
PTA002159	Milholin, Terri Lisa	6/8/2005 0:00
PTA002160	Vaughn, Joy Ann	6/10/2005 0:00
PTA002161	Goodan, Debra Lea	6/13/2005 0:00
PTA002162	Johnson, Patrick Brooks	6/14/2005 0:00
PTA002163	Bumgarner, Shelly Ann	6/14/2005 0:00
PTA002164	O'Hara, Kimberly Ann	6/17/2005 0:00
PTA002165	Powers, Tracy Jill	6/27/2005 0:00
PTA002166	Middleton, Theanphilus Vrim	6/27/2005 0:00
PTA002167	Beckett, James Elliott	7/11/2005 0:00
PTA002168	Hikes, Melissa Brooke	7/11/2005 0:00
PTA002169	Harding, Trevor Jolyon	7/11/2005 0:00
PTA002170	Hall, Leah Marie	7/13/2005 0:00
PTA002171	Watkins, Erin Lee Ann	7/13/2005 0:00
PTA002172	Perry, Clayton Guy	7/15/2005 0:00
PTA002173	Childs, Cassie Melinda	7/25/2005 0:00
PTA002174	Jones, Keosha Naketa	7/25/2005 0:00
PTA002175	Davidson, Katherine Leigh	7/25/2005 0:00
PTA002176	Christian, Brandy Lyn	7/25/2005 0:00
PTA002177	Salter, Alfreda L.	7/25/2005 0:00
PTA002178	Hunt, Marquisha Lynette	8/1/2005 0:00
PTA002179	Eavenson, Kelley Leigh	8/5/2005 0:00
PTA002180	Constantin, Cristian Nicolae	8/5/2005 0:00
PTA002181	Feanny, Theresa A.	8/5/2005 0:00

HB 166 and draft Rule 490-2-.10, Volunteers in Physical Therapy: The Board voted to have the suggested revisions placed on the October agenda.

E-mail submitted by Ruth Maher, P.T. re: Fine wire nerve conduction velocity studies: Mr. Freemyer motioned, Ms. Rosenbaum seconded, and the Board voted to send Ms. Maher the "No Legal Advice Letter". The Board further voted to add to the letter that the Board considers EMG/Nerve Conduction Studies to be within the scope of practice as long as the licensee has received proper training.

Request for release of investigative files upon request: Ms. Willis motioned, Mr. Cowherd seconded, and the Board voted to add a new policy stating that requests submitted by other state agencies and law enforcement agencies for copies of investigative files be approved upon receipt, with no vote from the Board required.

Question: How should PT/PTA Trainees sign their notes?: Ms. Rosenbaum motioned, Mr. Ellis seconded, and the Board voted that trainees under a Traineeship Permit or students should sign their notes and wear name tags with designations as follows:

- PT Trainee or PTA Trainee
- Student PT or Student PTA

Revised Letter of Agreement Form for Traineeship Permits: Ms. Willis motioned, Mr. Freemyer seconded, and the Board voted to **approve** the form with the suggested additions.

Letter from Kay Nelson, OTR, Amie LoCicero, PT, & Brenda Troup, SLP re.: Babies Can't Wait Program: The Board voted to send the standard "Babies Can't Wait Letter", advising to submit a complaint if a specific violation(s) has occurred.

Draft amendment to Rule 490-2-.09, Licensure: Endorsement: Mr. Freemyer motioned, Ms. Rosenbaum seconded, and the Board voted to **table** the item until the next meeting.

Summaries from the June 13 and August 8, 2005 Continuing Competency Committee meetings: Mr. Freemyer motioned, Mr. Cowherd seconded, and the Board voted to **table** the item until the next meeting.

Ms. Willis motioned, Ms. Rosenbaum seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-2(k) and §43-1-19(h)(2) to deliberate on applications, disciplinary matters, and to receive information on enforcement, cognizant, and Attorney General reports. Voting in favor of the motion were those present who included Board members Eskew Capps, Cowherd, Freemyer and Ellis. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

Cognizant Report: Anthony Ellis

- **Case # 04-003:** Per the cognizant's recommendation, Ms. Rosenbaum motioned, Mr. Freemyer seconded, and the Board voted to **refer** the case to the Board's Attorney for a Public Consent Order, to include 90 days suspension, and then 5 years probation, supervisor quarterly reports, a \$2000.00 fine, and must obtain 5 extra hours of continuing education in recordkeeping. The Board also voted to send a copy of the case to the Insurance Commissioner's office.
- **Case #04-007:** Per the cognizant's recommendation, Ms. Willis motioned, Mr. Cowherd seconded, and the Board voted to **dismiss** the case.
- **Case #03-017:** Per the cognizant's recommendation based, Mr. Freemyer motioned, Ms. Rosenbaum seconded, and the Board voted to **refer** the case to the Board's Attorney for a Public Consent Order, to include 90 days suspension, \$2000.00 fine, 4 extra hours of continuing competency in Ethics: the course must be pre-approved by the Board and cannot take it on-line, must take and pass the GA Jurisprudence Exam within one year of docket, and indefinite restriction of supervising trainees.
- **Case #04-013:** Per the cognizant's recommendation, Ms. Rosenbaum motioned, Mr. Cowherd seconded, and the Board voted to **dismiss** the case.

- **Case #05-039:** Per the cognizant's recommendation, Ms. Willis motioned, Mr. Freemyer seconded, and the Board voted to **dismiss** the case.

Executive Director's Report: Anita O. Martin

- Provided additional information regarding K.M.F. and requested the Board to reconsider their previous vote. *Ms. Rosenbaum motioned, Ms. Willis seconded, and the Board voted to validate K.M.F.'s second exam attempt score, reversing the previous vote made in the July 26, 2005 Conference Call.*
- Announced Ms. Williams' resignation.
- Advised that the on-line renewal is now available and post cards will be mailed by the end of week.
- Announced she will attend the September FSBPT meeting.
- Announced the exam contract has been signed.
- Requested the Board to consider having the November Public Meeting in Macon. *The Board voted to schedule the November meeting in Macon at the PLB's Examination Building.*
- Provided an overview of status of complaint files.

PTA Exam Application submitted by W.A.W.: Mr. Freemyer motioned, Ms. Rosenbaum seconded, and the Board voted to **refer** the file to the Board's attorney for an Order for a Mental and Physical Evaluation.

PT Reinstatement Application submitted by C.W.B.: Ms. Rosenbaum motioned, Mr. Cowherd seconded, and the Board voted to **reinstate** the license under a Public Consent Order: \$4500.00 fine, and must take and pass the GA Jurisprudence Exam within one year of docket.

PT Endorsement Application, submitted by B.P.M.: Mr. Freemyer motioned, Ms. Willis seconded, and the Board voted to **approve** the application.

OTHER BUSINESS:

- **E-mail from D. Moll, P.T. re: physical therapy on animals:** Mr. Freemyer motioned, Ms. Rosenbaum seconded, and the Board voted to send D. Moll the "No Legal Advice Letter", citing O.C.G.A. §§ 43-50-44 and 43-33-3(7). The Board further voted to submit an inquiry to the Board's Attorney: Does § 43-33-3(7) prohibit the practice of physical therapy on animals?
- **Letter from Stephanie Ellis, P.T.:** Ms. Willis motioned, Mr. Cowherd seconded, and the Board voted to send Ms. Ellis the "No Legal Advice Letter".
- The Board requested that the draft Wellness and Prevention rule be placed on the October agenda.
- The Board requested that Wanda Jackson of the Exam Dept. provide a status of the Jurisprudence Exam, as well as the practical exam.

- Ms. Rosenbaum motioned; Ms. Willis seconded and the Board voted that assistance be requested from Senator Ross Tolleson with the revisions of O.C.G.A. §§ 43-33-12 and 43-13-13 to allow the Board to limit the number of times an applicant can sit for the national licensing exam.
- The Board requested that the topic of Service Learning be added to the October agenda.

There being no further business to come before the Board, the meeting was adjourned at 4:45 P.M. on August 16, 2005.

Minutes prepared by: Lea Williams, Board Secretary

Reviewed/Edited by: Anita O. Martin, Executive Director

**490-4-.01 Renewal and Reinstatement of License and Penalties., Amended.
Effective September 6, 2005**

- (1) Every licensed physical therapist and physical therapist assistant shall biennially apply to the Board for renewal of his/her license, submit proof of continuing competency requirements and pay a renewal fee by October 31st of odd years. Refer to fee schedule and 490-4-.02.
- (2) A license that is not renewed on or before October 31st shall be assessed a late fee. Refer to fee schedule for penalty fee.
- (3) A license that is not renewed on or before December 31st of the renewal year shall lapse and be of no force and effect and shall by operation of the law be lapsed.
- (4) Any service member as defined in O.C.G.A. § 15-12-1 whose license to practice as physical therapy or as a physical therapist assistant expired while serving on active duty outside the state shall be permitted to practice physical therapy or as a physical therapist assistant in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of her or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of her or her discharge from active duty or reassignment to a location with the state. The service member must present to the board a copy of the official military orders or a written verification signed by the service member's commanding officer to waive any charges.
- (5) A physical therapist or physical therapist assistant who has been previously licensed in this State who has allowed his/her license to become lapsed due to failure to renew, shall be required to submit an application for reinstatement, pay appropriate fee (refer to fee schedule), and shall also be required to meet requirements as provided below:
 - (a) An applicant who is able to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years shall be required to submit proof of continuing competence requirements as established by the Board;
 - (b) An applicant, who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years but able to document such practice within 5 years, shall be required to submit proof of continuing competence (Refer to 490-4-.02), and shall be required to work under the supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no more than 1 year and no less than 4 months with specific stipulations as deemed necessary by the Board; or
 - (c) An applicant who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 5 years shall be required to work under the supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no more than 1 year and no less than 4 months with specific stipulations as deemed necessary by the Board and shall be required to take and pass the next licensing examination. Any applicant exempted from the requirement of taking the examination pursuant to Rule 490-4-.01(6) shall be required to submit proof of continuing competence unless such person holds a current license in good standing in another state or such person is currently employed as a physical therapist or physical therapist assistant by the United States Government if such person provides physical therapy services under the direction or control of the employing organization.

(6) Applicants subject to Rule [490-4-.01](#)(5)(a) may in the discretion of the Board be exempted from continuing competence requirements if such person holds a current license in good standing in another state or if such person is currently employed as a physical therapist or physical therapist assistant by the United States Government if such person provides physical therapy services under the direction or control of the employing organization.

Authority O.C.G.A. §§ 43-1-24, 43-1-25, 43-1-31, 43-33-10, and 43-33-16.