

**GEORGIA STATE BOARD OF PHYSICAL THERAPY  
MINUTES OF BOARD MEETING  
NOVEMBER 28, 2006**

The Georgia State Board of Physical Therapy met on **November 28, 2006** at Georgia State University, Urban Life Building, Room 1240, 140 Decatur Street, Atlanta, GA for the purpose of conducting business.

**Members Present:**

- Charlene D. Portee, P. T., President
- Lola Rosenbaum, P.T., Vice President (arrived at 9:30am)
- Andy Ellis, P.T.
- George Hamil, P.T.
- Donald Walsh, P.T.

**Others Present:**

- Lisa Durden. Executive Director
- Calandra Paschal, Board Secretary
- Patricia Downing, Board Attorney

President Charlene D. Portee established that a quorum was present, and called the meeting to order at 9:32am.

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**AGENDA**

**Considered for approval of minutes from September 6, 2006 C.C.**

- Board response: Mr. Hamil motioned, Ms. Rosenbaum seconded and the board voted to **approve**.

**Considered for approval of minutes from October 31, 2006**

- Board response: Mr. Hamil motioned, Ms. Rosenbaum seconded and the board voted to **approve as amended**.

**Request from Robin Bone petitioning for variance regarding Board rule 490-2-.03 (1) (a)**

- Board response: Ms. Rosenbaum motioned, Mr. Walsh seconded and the Board voted to **deny** request for variance. Asked that she resubmit documents to FCCPT to reevaluate. If FCCPT does not approve, applicant must meet the requirements to be licensed in Georgia.

**Request from Santoshkumar Gandhi petitioning for waiver regarding Board rule 420-2-.03**

- Board response: Ms. Rosenbaum motioned, Mr. Walsh seconded and the Board voted to **deny** request for waiver. Applicant must pass GA Law exam to obtain traineeship upon investigate report and findings from Enforcement.

## **Licenses to Ratify**

- Board response: Mr. Walsh motioned, Mr. Ellis seconded and the Board voted to **ratify**.

Ms. Rosenbaum made a motion and Mr. Hamil seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A §43-1-19(h)(2) and §43-1-2(k) to deliberate on applications and enforcement matters and to receive information on applications, investigative reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Ms. Rosenbaum, Mr. Ellis, Mr. Hamil and Mr. Walsh. The Board concluded **Executive Session** in order to vote on these matters and continue with the public session.

## **Executive Session**

### **Melanie Wentworth, PT007008**

- Ms. Rosenbaum motioned, Mr. Hamil seconded and the Board voted to send a letter to the complainant asking for billing errors and audit reports and a letter to Ms. Wentworth asking for Mental and Physical Evaluation Report from Ridgeview and current psychiatrist.

### **F. O.**

- Ms. Rosenbaum motioned, Mr. Hamil seconded and the Board voted to **approve** the extension of the traineeship for ninety days retroactive from expiration date.

## **Tricia Downing, Attorney General's Office**

### **Advice on Proposed Rules:**

#### **Rule 490-4-.02 (Continuing Competence Requirements)**

- The proposed amendment is reasonable and is authorized by O.C.G.A. §§43-1-25 and 43-33-10 and 43-33-16.

#### **Rule 490-4-.03 (Disciplinary Sanctions)**

- The proposed amendment is reasonable and is authorized by O.C.G.A. §§43-1-25 and 43-33-10.

#### **Rule 490-6-.01 (Procedural Rules)**

- The proposed Rule is reasonable and is authorized by O.C.G.A. §§43-1-19 and 43-33-10 and 43-33-18.

#### **Rule 490-9-.04 (Disciplinary Sanctions)**

- The proposed Rule is reasonable and is authorized by O.C.G.A. §§43-1-19, 43-1-24, 43-1-25, 43-33-10, and 43-33-18.

#### **Rule 490-9(Code of Ethics)**

- The proposed Rule is reasonable and is authorized by O.C.G.A. §§43-1-19, 43-1-24, 43-1-25, 43-33-10, and 43-33-18.

#### **Rule 490-11 (Consultation)**

- The proposed amendment is reasonable and is authorized by O.C.G.A. §§43-1-19 and 43-1-24, and 43-33-18.

Ms. Rosenbaum motioned, Mr. Walsh seconded and the board voted to **accept** the Attorney General's Report.

**Enforcement Report given by Lisa Durden**

- **PT040003** – Refer back to Enforcement for further investigation. Board requests investigator to get a sworn statement from employer.
- **PT060002** – Refer back to get Enforcement to get sworn statement from practitioner.
- **PT070004** – Refer back to enforcement for further investigations. Board requests investigator to find out if applicant was actually working between 9/13/06 and 11/28/06, if so then issue a Cease and Desist Order.

Ms. Rosenbaum motioned, Mr. Walsh seconded and the board voted to **accept** the Enforcement Report.

**Lisa Durden, Executive Director**

- Issues were covered during other part of the meeting. Drafts of proposed rules' amendments have been posted on the web.

**Other Business**

- The Board may discuss other business items not on the agenda.
- **Items to put on January agenda:**
  - a) How to address repeated failure of examinations / Remediation
  - b) Exams rules

The Board recessed its Board meeting for the Annual Public Meeting as follows:

**ANNUAL PUBLIC MEETING – 1:00p.m. – 2:35p.m.  
AGENDA TOPICS**

- Introduction of Board
- Rule Revisions since November 2005
- House Bill 801
- Overview of Cognizant's role
- Continuing Competence
- Consumer Protection/Role of Consumer Member
- Role of Board Staff and Call Center
- Public Input from Licensees
- Credentialing Follow-up

Public Meeting started at 1:00. The topics listed above were discussed at the Public Meeting. 24 people were in attendance. The public meeting was adjourned at 2:35p.m. At the conclusion of the Public Meeting, the Board reconvened its Board meeting at 3:00 p.m.

Ms. Rosenbaum made a motion and Mr. Ellis seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A §43-1-19(h) (2) and §43-1-2(k) to deliberate on the Assistant Attorney General's report. Voting in favor of the motion were those present who included Mr. Walsh, Mr. Ellis, Ms. Rosenbaum, and

Mr. Hamil. The Board concluded **Executive Session** in order to vote on these matters and continue with the public session.

- **Y.T.J.** – Approved license with Letter of Concern. The Board recommends licensee to work under direct supervision, have the supervisor co-sign all of the documents for treatment that are provided and to attend didactic Continuing Competency Courses for the 2007 renewal (no on-line courses).
- **H.H.M.** – Will go forward with original Consent Order
- **Jennifer Privette** - Request Reinstatement by Consent Order

Ms. Rosenbaum motioned, Mr. Walsh seconded and the board voted to **accept** the Attorney General's Report.

**Election of Officers**

- Mr. Hamil motioned, Mr. Walsh seconded and the Board voted to allow the current officers to maintain their offices for next term.

There being no further business to come before the Board, the meeting was adjourned at 3:00 P.M.

**Minutes prepared by:** Calandra Paschal

**Minutes reviewed by:** Lisa Durden

These minutes were signed and approved on January 16, 2007 .

**Physical Therapy Board Minutes for November 28, 2006, Board Meeting.  
Georgia State University, Atlanta, Georgia**

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**Charlene Portee  
President**

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**Lisa Durden  
Executive Director**

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**Mollie L. Fleeman  
Division Director**