

GEORGIA STATE BOARD OF PHYSICAL THERAPY

Minutes of the Board Meeting

May 20, 2008

The Georgia State Board of Physical Therapy met on **May 20, 2008** at the Office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting business. Board President, Lola Rosenbaum, determined that a quorum was present and the meeting was called to order at 9:10 a.m.

Board Members Present:

Lola Rosenbaum, P.T., President

John Cowherd, Vice-President

Charlene Portee, P.T.

George Hamil, P.T.

Donald Walsh, P.T.

Patricia Willis, P.T. (Ms. Willis worked from 10:20 a.m. until 1:30 p.m. with Inez Lockett of the Examination and Testing Unit on the examination.)

Andy Ellis, P.T.

Staff Present:

Daniel Strowe, Attorney

Anita Martin, Executive Director

Dianne Walker, Applications Specialist

David Higdon, Board Secretary

Visitors in Attendance:

Jan Porch, PTAG

AGENDA

1. **L.F.G.** appeared before the Board to discuss the previous denial of her remediation plan. Dr. Portee motioned; Don Walsh seconded, and the Board voted to **deny** the submitted plan as it does not address the specific areas of weakness. The Board advised that L.F.G. should consider going to an educational program (North Georgia College, Emory University, or Georgia State University) and consult with a faculty member who could help address her specific area of deficiency. As a reminder, the Board stressed the importance of passing the exam as this is her fifth attempt.

2. **R.M.** appeared before the Board to appeal the previous denial of his Physical Therapy Assistant license. Bo Hamil motioned; Patti Willis seconded, and the Board voted to **approve** reinstatement under a public consent order once documentation from his probation officer re: the drug treatment program completed has been received and approved. Also, the Board requires submission and approval of documentation of current continuing competency and a passing score on the law exam. The consent order is to include eight years probation, completion of a 1,000 hour traineeship under a Board approved supervisor, monthly drug screens, must provide copies of the order to all employers, report all places of employment to the Board, employer quarterly reports, and if the criminal probation is ever lifted early, the Board's probation shall remain.

3. John Cowherd motioned; Bo Hamil seconded, and the Board voted to **approve** the policy requiring 150 hours and the use of the Retro Tool for foreign-trained graduates. Georgia will now require 60 hours of general education and 90 hours of professional education.

4. Discussion surrounding the updated list of CAPTE accredited foreign Physical Therapy schools was viewed as **informational**.

5. Bo Hamil motioned; Charlene Portee seconded, and the Board voted to **refer** revisions on pending Board Rule 490-2-.03 regarding Foreign Educated Applicants to the rules committee for amendments.

6. Andy Ellis motioned; Charlene Portee seconded, and the Board voted to **approve** the wording previously agreed upon in Board Rule 490-2-.09 regarding licensure by Endorsement. No additional action was taken on this item.

7. John Cowherd motioned; Andy Ellis seconded, and the Board voted to **approve** as amended the posting of Board Rule 490-4-.01 regarding Renewal and Reinstatement of License and Penalties.

490-4-.01 Renewal and Reinstatement of License and Penalties.

(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 December 31st of odd years. Refer to fee schedule and Rule 490-4-.02.

(2) A license that is not renewed on or before December 31st shall be assessed a late fee. Refer to fee schedule for penalty fee.

(3) A license that is not renewed on or before February 28th of the year following the renewal year shall lapse and be of no force and effect and shall by operation of the law be revoked.

(4) A physical therapist or physical therapist assistant who has been previously licensed in this State who has allowed his/her license to become revoked 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 is 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~~ 6 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~~ 6 months with specific stipulations as deemed necessary by the Board and shall be required to take and pass ~~the next licensing examination~~ the following examinations: the licensing examination, and the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy. ~~Any applicant exempted from the requirement of taking the examination pursuant to Rule 490-4-.01(5) 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.~~

(5) Applicants subject to Rule 490-4-.01(4)(a) may at 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. §§43-1-4, 43-1-19, 43-1-25, 43-33-10, and 43-33-14.

8. John Cowherd motioned; Andy Ellis seconded, and the Board voted to **approve** as amended the posting of Board Rule 490-4-.02 regarding Continuing Competency Requirements.

490-4-.02 Continuing Competence Requirements.

(1) The Georgia State Board of Physical Therapy requires each licensed physical therapist and physical therapist assistant to participate in a minimum number of thirty (30) clock hours of experience per licensure period to promote continuing competence. The Board has defined the requirements for competence as planned learning experiences which the licensee can show is intended to increase their present skill level and that the content is beyond the licensees' present level of knowledge and competence, which may be subject to audit by the board. Content of the experience must relate to patient care in physical therapy whether the subject is research, treatment, documentation, education, management, or some other content area. The purpose of this requirement is to assist in assuring safe and effective practices in the provision of physical therapy services to the citizens of Georgia. In the event that a licensee does not meet this requirement, the license will not be renewed.

(a) Continuing competence requirements may be met through the mechanisms identified in the categories, Class I and Class II.

(b) The thirty (30) hours of continuing competence requirements per biennium include a minimum of four (4) contact hours specifically in ethics and jurisprudence as defined in the Georgia Physical Therapy Act or by passage of the Georgia Jurisprudence Examination. Passage of the examination is equivalent to the four (4) hour requirement.

(c) The total hours required biennially for continuing competence may be distributed between Class I and Class II activities. A maximum of 10 hours may be obtained through Class II activities. All required hours may be met through Class I activities. Competence credit is the clock hours spent in an activity except as noted below. Any Class I activity without a stated maximum number of hours may be used to accrue all required hours.

(d) A maximum of ten (10) continuing competence credit hours will be accepted per calendar day.

(2) Class I and Class II acceptable continuing competence credit shall be awarded to programs sponsored by Continuing Competence providers as noted in the board by policy, provided that the content is beyond the licensee's present level of knowledge and competence which may be subject to audit by the Board.

(3) Unacceptable activities for continuing competence include, **but are not limited to:**

(a) Orientation and in-service programs;

(b) Meetings for purposes of policy decisions;

(c) Non-educational meeting at annual association, chapter or organization meetings;

(d) Entertainment or recreational meeting or activities;

(e) Committee meetings, holdings of offices, serving as an organization delegate;

(f) Visiting exhibits;

(g) CPR.

(4) Continuing competence requirements shall apply within the first biennium that a physical therapist/physical therapist assistant is licensed in Georgia. However, licensees who have graduated during the current renewal biennium and who have passed the National Physical Therapy Examination are exempt from the continuing competence

requirement during the biennium in which they have graduated and successfully passed the exam.

(5) Individuals licensed during the last six (6) months of a biennium renewal period will not be required to meet continuing competence requirements for that biennium.

(6) Individuals who have been reinstated within the last six (6) months of a biennium renewal period may use the continuing competence coursework used for reinstatement, thereby making them exempt from the requirement for that biennium renewal period.

(7) Those licensees selected for audit shall submit the Verification of Continuing Competence form and documentation of compliance upon receipt of notice. Acceptable documentation shall include:

(a) An official program or outline of the course attended or taught or a copy of the publication which clearly shows that the objectives and content were related to patient care in physical therapy and shows the number of contact hours, as appropriate. The information also should clearly identify the licensee's responsibility in teaching or authorship; and,

(b) A certificate or verification of completion of home study which identifies the sponsoring entity or maintain a copy of the final grade report in the case of a University credit course(s), or specialization certificate, or proof of attendance with a copy of the program for the other acceptable activities, or documentation of self-instruction or reading professional literature; or,

(c) Verification of a peer review of practice with verification of acceptable practice by a recognized entity. An example of a recognized entity is the American Physical Therapy Association Board Policy (See APTA Policy G03-05-15-40).

(8) Responsibilities of the Licensee:

(a) To maintain the documents identified in number (5) above for no less than three (3) years from the beginning date of the licensure period. These records should be maintained in the licensee's personal files for no less than three (3) years from the beginning date of the licensure period through the even numbered year after the license is renewed.

~~(b) To submit a properly completed and notarized "Verification of Competence Education" form to the Georgia State Board of Physical Therapy, if audited.~~

~~(b) (e)~~ To complete all steps necessary to meet the relicensure requirements on or before December 31st of the odd numbered years.

~~(c) (d)~~ To provide the Board with information requested during an audit.

~~(d) (e)~~ To keep a current mailing address on file with the Licensing Board Office at all times.

Authority O.C. G.A. §§ 43-1-10, 43-1-19, 43-1-24, 43-1-25, 43-33-10, 43-33-14 and 43-33-16.

9. Discussion regarding the generation of a To Do list from each meeting was viewed as **informational**.

10. Discussion surrounding the signing of any letter generated by the Board President was viewed as **informational**.

11. Patti Willis will be the delegate for the 2008 FSBPT Annual Meeting on September 11-15, 2008. Bo Hamil will notify the Board if he can attend as the alternate delegate.

12. Discussion over the FSBPT's removal of the restriction surrounding the amount of times that a Georgia applicant may take the Ethics and Jurisprudence exam was viewed as **informational**.

13. Review of the GSBPT duties and task list which will be reviewed prior to each meeting.

14. Don Walsh motioned; Bo Hamil seconded, and the Board voted to **approve** into policy the FCCPT and IERF as the acceptable agencies for foreign credentials evaluations.

15. Charlene Portee motioned; Don Walsh seconded, and the Board voted to **approve** the policy for acceptance of all Voluntary Cease and Desist Orders upon receipt in the Board office.

It is the policy of the Georgia Board of Physical Therapy to accept all Voluntary Cease & Desist Orders upon receipt in the Board office and authorize the president/chair or his or her designee to authorize Orders to be docketed and served. It is the intent of the Board that Orders will be in effect upon docketing. The Board will ratify the docketed Cease & Desist Orders at its next meeting after the date of docketing and include a list of the approved orders in the board minutes.

16. Bo Hamil motioned; Andy Ellis seconded, and the Board voted to **approve** the Board Minutes from the April 14, 2008 Conference Call.

17. John Cowherd motioned; Charlene Portee seconded, and the Board voted to **approve** the ratification of licenses issued between March 17, 2008 and May 16, 2008.

| License no | Name | License Type | Status | Issue date | Expiration date |
|------------|-------------------------|--------------------|--------|------------|-----------------|
| PT009280 | Guthrie, Kendra Lyn | Physical Therapist | Active | 3/19/2008 | 12/31/2009 |
| PT009281 | Tuttle, Karen Marie | Physical Therapist | Active | 3/20/2008 | 12/31/2009 |
| | Trickett, Katherine | | | | |
| PT009282 | Mathis | Physical Therapist | Active | 3/24/2008 | 12/31/2009 |
| PT009283 | Gray, Camille Marie | Physical Therapist | Active | 4/1/2008 | 12/31/2009 |
| PT009284 | Roper, Moriah Marie | Physical Therapist | Active | 4/1/2008 | 12/31/2009 |
| PT009285 | Walker, Alesha Phillips | Physical Therapist | Active | 4/1/2008 | 12/31/2009 |
| | McNulty, Stephanie | | | | |
| PT009286 | Lisa | Physical Therapist | Active | 4/1/2008 | 12/31/2009 |
| PT009287 | Brockwell, Amy Dallas | Physical Therapist | Active | 4/2/2008 | 12/31/2009 |
| | Hardesty, Bradley | | | | |
| PT009288 | Phillip | Physical Therapist | Active | 4/2/2008 | 12/31/2009 |
| PT009289 | Slovin, Shira Tova | Physical Therapist | Active | 4/2/2008 | 12/31/2009 |
| PT009290 | Tissier, Kimberly Lynn | Physical Therapist | Active | 4/3/2008 | 12/31/2009 |
| PT009291 | Volkert, Wendy Renee | Physical Therapist | Active | 4/3/2008 | 12/31/2009 |
| | Mauro, Richard | | | | |
| PT009292 | Anthony | Physical Therapist | Active | 4/4/2008 | 12/31/2009 |
| | Stenslie, Kathryn | | | | |
| PT009293 | Bishop | Physical Therapist | Active | 4/17/2008 | 12/31/2009 |
| PT009294 | Stenslie, Joel Burton | Physical Therapist | Active | 4/18/2008 | 12/31/2009 |
| PT009295 | Ireland, Sheryl Ann | Physical Therapist | Active | 5/1/2008 | 12/31/2009 |
| PT009296 | Doble, Andres | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009297 | Deaver, Laura G | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009298 | Hinkel, Amy Watson | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009299 | Thompson, Cody Alex | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009300 | Carcone, Amanda | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009301 | Lewis, Jessica Naomi | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009302 | Sipple, Tracie Loriece | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009303 | Day, Jonathan Michael | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |

| | | | | | |
|-----------|------------------------------|---|--------|-----------|------------|
| PT009304 | Tuscano, Cynthia Dawn | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009305 | Holloway, Kristen R | Physical Therapist | Active | 5/6/2008 | 12/31/2009 |
| PT009306 | Harvey, Christine Lynn | Physical Therapist | Active | 5/8/2008 | 12/31/2009 |
| PT009307 | Murphy, Kerri Ann LaToya | Physical Therapist Physical Therapist | Active | 5/8/2008 | 12/31/2009 |
| PTA002453 | Brown, Leah Diane | Assistant Physical Therapist | Active | 3/19/2008 | 12/31/2009 |
| PTA002454 | Jackson, Kellie Lyn | Assistant Physical Therapist | Active | 3/20/2008 | 12/31/2009 |
| PTA002455 | Leblo, Delia Ann | Assistant | Active | 3/25/2008 | 12/31/2009 |
| PTA002456 | Wolfe-Broberg, Brenda E. | Physical Therapist Assistant Physical Therapist | Active | 4/1/2008 | 12/31/2009 |
| PTA002457 | Davis, James | Assistant | Active | 4/2/2008 | 12/31/2009 |
| PTA002458 | Pless, LaQuonna Jacinta | Physical Therapist Assistant Physical Therapist | Active | 4/11/2008 | 12/31/2009 |
| PTA002459 | Bradbury, Lisa Michelle | Assistant Physical Therapist | Active | 4/11/2008 | 12/31/2009 |
| PTA002460 | Daniels, Mina Anne | Assistant Physical Therapist | Active | 4/11/2008 | 12/31/2009 |
| PTA002462 | Spayde, Judith Marie | Assistant Physical Therapist | Active | 4/21/2008 | 12/31/2009 |
| PTA002463 | Malone, Sara Knight | Assistant | Active | 5/6/2008 | 12/31/2009 |
| PTA002464 | Presberry, Anitra Chantal | Physical Therapist Assistant | Active | 5/6/2008 | 12/31/2009 |

7. The next Board meeting will be held via Conference Call and is scheduled for July 15, 2008 at 9:00 a.m.

REPORTS:

(Portions of these reports may be in closed session)

- Anita Martin, Executive Director

1. Will work in conjunction with Lisa Durden to update any rules to address HB1055.

EXECUTIVE SESSION ITEMS:

John Cowherd moved; Charlene Portee seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k), O.C.G.A. 43-1-19(H)(2) & (4), and to deliberate on applications and to receive information on complaint/disciplinary matters. The Board voted in favor of the motion. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

- Daniel Strowe, Attorney General's Office

1. Provided the Board with updates on 9 cases currently in the Attorney General's office.

2. **PT060028** – Board Secretary is compiling all file information to be sent to the Attorney General’s office.

- Lynn Eason, Enforcement

1. Reported **PT070016**

- Cognizant Report

1. **PT070016** – John Cowherd motioned; Charlene Portee seconded, and the Board voted to **close** the case with no violation based on the business closing.
2. **PT080025** – Andy Ellis motioned; John Cowherd seconded, and the Board voted to close the case as the individual does not hold an active license.
3. **PT080005** – John Cowherd motioned; Charlene Portee seconded, and the Board voted to issue a Summary Suspension and file a Notice of Hearing for Revocation based on failure to meet the conditions of the OMPE.
4. **PT080020** – Don Walsh motioned; Charlene Portee seconded, and the Board voted to maintain the previously agreed upon action.

1. **J.C.M.** – Charlene Portee motioned; Andy Ellis seconded, and the Board voted to **approve** the Physical Therapy applicant to sit for the exam based on the resubmitted remediation plan.
2. **E.N.B.** – John Cowherd motioned; Bo Hamil seconded, and the Board voted to require the Physical Therapy Reinstatement applicant to retake and pass the NPTE and law examinations and complete the 1000 hour traineeship.
3. **T.D.E.** – John Cowherd motioned; Charlene Portee seconded, and the Board voted to **approve** licensure upon receipt of a clean GCIC report.
4. **S.R.H.** – Bo Hamil motioned; John Cowherd seconded, and the Board voted to **approve** licensure upon taking and passing the law examination and receipt of a clean GCIC report.
5. **T.C.** – Andy Ellis motioned; Charlene Portee seconded, and the Board voted to **approve** licensure upon receipt of an updated letter from her physician that is to be reviewed and approved by the Board President.
6. **C.J.R.** – Don Walsh motioned; John Cowherd seconded, and the Board voted to **deny** the application based on the Remediation plan submitted.
7. **M.S.F.** – Charlene Portee motioned; Bo Hamil seconded, and the Board voted to **deny** the request to terminate the training period early.
8. **S.K.** – Charlene Portee motioned; John Cowherd seconded, and the Board voted to **deny** the Physical Therapy Endorsement applicant’s variance request to transfer their existing license.
9. **A.K.** – Andy Ellis motioned; John Cowherd seconded, and the Board voted to **deny** the Physical Therapy Foreign Endorsement Applicant’s waiver request regarding the traineeship requirement.
10. **N.K.** – Charlene Portee motioned; Andy Ellis seconded, and the Board voted to **approve** the Foreign Endorsement Physical Therapy applicant for licensure and traineeship upon the re-evaluated coursework from FCCPT meeting the State of Georgia’s requirements and the passing of the law exam.
11. **C.C.C.** – Andy Ellis motioned; Don Walsh seconded, and the Board voted to **deny** the approval for an extension regarding the Continuing Competency requirements. Licensee must take and provide the required hours within 30 days of receiving the letter of concern and must also pass take and pass the law exam.
12. **A.A.D.** – Don Walsh motioned; Bo Hamil seconded, and the Board voted to **deny** the Physical Therapy Foreign Exam applicant’s request to accept North Carolina’s General Education credits. Applicant must make up the 1.5 hours and resubmit the coursework to FCCPT to update the credentials report, and applicant must also complete the 1000 hour traineeship.

OTHER BUSINESS:

1. Don Walsh provided information on the meeting he, Ann Thompson & Barney Poole had with Secretary of State Karen Handel and Deputy Secretary of State Rob Simms last week at the capitol re: HB1055. Mr. Walsh stated that the meeting went well and that the law has been signed. Karen Handel expressed that, going forward, she desires all pertinent feedback on issues from each of her boards in a timelier manner.
2. Andy Ellis motioned; John Cowherd seconded, and the Board voted to add a FAQ section to the website as follows:

An acceptable 4-hour continuing competency Board-approved Ethics and Jurisprudence course must include a review of the Georgia General Provisions and the Rules and Laws governing Physical Therapy in the State of Georgia (specifically Rules 490-1 through 490-11, Georgia Laws 43-33, and Georgia General Provisions 43-1-.19 through 43-1-.27). In addition, the Board recommends a review of the Georgia Code of Ethics as specified in GA Rules 490-9 as well as any recent Law or Rule changes. A current version of the General Provisions, Rules, and Laws may be accessed on the Georgia State Board of Physical Therapy website (<http://sos.georgia.gov/plb/pt/>).

3. Board Chair Lola Rosenbaum is currently working on revising the remediation plan for the Board's consideration as policy.

There being no further business, the meeting adjourned at 2:33 p.m.

Lola Rosenbaum, Chairperson

Anita Martin, Executive Director

Minutes Prepared by: David Higdon, Board Secretary
Reviewed/Edited by: Anita Martin, Executive Director