

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

The Georgia State Board of Physical Therapy met on **March 20, 2012** for the purpose of conducting business.

**Board Members Present:**

Bo Hamil, P.T. - President  
Charlene Portee, P.T., PhD- Vice-President  
John Cowherd  
Emily Garner, P.T.  
Dorothy Gaskin, P.T.  
Stefanie Palma, P.T.  
Monty Strickland, P.T.

**Staff Present:**

Anita O. Martin, Executive Director  
Eric Lacefield, Assistant Division Director  
Amy Morelli, Assistant Attorney General  
Carol White, Board Support Specialist

**Others Present:**

Jennifer Cline, GSU  
Jonathan Fleming, MCCG  
Casey Thomas, NGCSU  
Katherine Sylvester, MCCG  
Wayne Burkholtz  
Barney Poole, PTAG  
Matthew Hanks,GSU  
Jeremy Holbrook, GSU  
Kori Williams, GSU  
Lauren Haws, GSU  
Ben Anderson, GSU  
Jhamna Bueno

**Rules Hearing**

Mr. Hamel called the hearing for Board Rule 490-9-.05 Dry Needling to order at 9:13 a.m. There were no written or public comments received on this rule. The hearing adjourned at 9:18 a.m.

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

**Open Session**

**Mr. Hamil established** that a quorum was present and the meeting that was scheduled to begin at 9:00 a.m., was called to order at 9:18 a.m.

Mr. Hamil welcomed new Board Member, Ms. Stephanie Palmer, P.T. to the Board. Mr. Hamil welcomed Mr. Eric Lacefield, new Executive Director to the Board.

**Consideration of minutes from the January 17, 2012 board meeting.**

Mr. Cowherd made a motion to approve the minutes as amended. Ms. Gaskin seconded the motion and it carried unanimously.

**Consider for ratification licenses that have been administratively issued.**

Dr. Portee motioned, Mr. Cowherd seconded and the Board voted to ratify the newly issued licenses.

**Consideration of adoption Board Rule 490-9-.05 – Dry Needling.**

Ms. Garner made a motion to approve the adoption of Board Rule 490-9-.05 Dry Needling. Mr. Strickland seconded the motion and it carried unanimously.

**Correspondence from Francois Prizinski.**

Ms. Garner made a motion to approve the fellowship program. The Board states that Georgia law O.C.G.A. §43-33-11 allows for a fellowship without a Georgia license. Ms. Gaskin seconded the motion and it carried unanimously.

**Correspondence from Richard T. Brantley, MPT, requesting removal of public reprimand from his record.**

Ms. Morelli advised the board that it does not have the legal authority to expunge disciplinary action from a record. Dr. Portee made a motion to deny the request, Ms. Garner seconded and the motion carried.

**Approval of minutes from the February 14, 2012 Conference Call Board meeting.**

Approved as amended.

**Rule Variance Request from Jhamna Reis Bueno re Board Rule 490-2-.03 – Licensure: Foreign Educated Applicant.**

Mr. Cowherd made a motion to deny the rule request. Ms. Palma seconded the motion and it carried unanimously.

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

**Correspondence from W. Bryant Miller.**

The Board states that Georgia law O.C.G.A. §43-33-11(4) does not require board approval; therefore, Georgia licensure is not required.

**Rules Committee Report**

The committee provided amendments to the following rules for the Board's consideration:

Board Rule 490-11-.01 – Consultation.

Board Rule 490-4-.01 – Renewal and Reinstatement of License and Penalties.

Board Rule 490-2-.04 – Training Permits.

Board Rule 490-4-.04 – Inactive License.

490-11-.01 Consultation.

(1) For purposes of Official Code of Georgia Annotated, Section 43-33-18(a)(1):

(a) "Consultation" shall mean provision of professional advice;

(b) ~~"Appropriate Licensed Practitioner of the Healing Arts" shall include properly licensed practitioners in this or another state, whose consultation falls within the practitioner's legally authorize d scope of practice;~~ A "licensed practitioner of the healing arts" "means any health practitioner who is licensed in the State to diagnose and treat individuals with the physical or mental disability or functional limitations at issue, and operating within the scope of practice defined in Title 43 Chapter 33".

(c) For purposes of determining whether a licensed practitioner is appropriate, the physical therapist shall consider, but not be limited to, the following factors:

1. Physical condition of the patient;
2. Nature of ailment;
3. Extent to which the consulting practitioner has knowledge of the patient's history and condition such that an informed judgment can be made concerning course of treatment.

(d) Physical therapists shall document the consultation with the appropriate licensed practitioner of the healing arts prior to implementing a program of physical therapy treatment.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-33-18.

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.

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

(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 that 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 480 hours of continuous supervised practice to be completed within 3 months with specific stipulations as deemed necessary by the Board, and shall be required to take and pass the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy;

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 6 months~~ less than 6 months or no more than 1 year if approved by the Board with specific stipulations as deemed necessary by the Board and shall be required to take and pass 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.

(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. Secs. 43-1-4, 43-1-7, 43-1-10, 43-1-19, 43-1-24 43-1-25, 43-1-31, 43-33-10, 43-33-14, 43-33-16, 43-33-17, 43-33-18.

#### 490-2-.04 Training Permits.

A training permit may be issued pursuant to O.C.G.A. §§ 43-33-10 and 43-33-17 of the Georgia Physical Therapy Act to a qualified applicant following Board-approval of a properly submitted application.

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

(a) Qualified applicants are:

1. graduates of entry-level programs for physical therapists or physical therapist assistants from either a CAPTE or a non-CAPTE-accredited school who have taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia; or
2. applicants for reinstatement, who have not practiced for two (2) and up to five (5) years; or
3. applicants for reinstatement who have not practiced for more than five (5) years and who have successfully taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia; or
4. applicants for endorsement, who have not practiced for two (2) and up to five (5) years; or
5. applicants for endorsement who have not practiced for more than five (5) years and who have successfully taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia.

(b) Initial Applications and Reinstatement Applications.

1. A notarized training permit application form must be submitted by the trainee's supervisor specifying:
  - (i) the name and license number of the trainee supervisor who will be responsible for the conduct of the traineeship as defined under section (e) of this rule; and
  - (ii) the name, address, phone, fax number and e-mail address of all sites where the trainee and supervisor may be working during the course of the traineeship; and
  - (iii) the effective dates of the traineeship; and
  - (iv) acceptance of responsibility for trainee supervision and completion of the performance evaluation; and
  - (v) termination of the traineeship as defined herein; and
  - (vi) type of facility.

(c) Renewal.

1. A training permit may be renewed one time, for no more than six (6) months, upon written request and with approval of the Board, and only for one good and exceptional reason as determined by the Board. Failure to pass the licensing examination is not considered a good and exceptional reason. For purposes of this rule, good and exceptional reasons include but are not limited to:
  - (i) Death of an immediate family member; or
  - (ii) Illness or incapacitation of the applicant or immediate family member (a physician's statement is required); or
  - (iii) Jury duty (proof required).

(d) Validity of Permit.

1. Training permits are subject to the following conditions:

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

- (i) Able to be initiated in the State of Georgia within three months of issuance of such permit.
  - (ii) Must be returned to the Board by the trainee with a brief explanation of why it was not used.
  - (iii) A 480 hour traineeship must be completed within three (3) months of initiation. A 1000 hour traineeship must be completed ~~within six (6) months of initiation.~~ in no less than 6 months or no more than 1 year if approved by the Board
  - (iv) A training permit shall become invalid and must be immediately returned to the Board office by the trainee if:
    - (I) the trainee fails to complete the traineeship within the above prescribed time frames;
    - or
    - (II) if the trainee does not exhibit performance satisfactory to the supervisor.
  - (e) Supervision.
    - 1. The supervisor named on the training permit application holds full responsibility under their license for direct, continuous, on-site supervision of the trainee at all times. The supervisor must assure that the trainee does not perform any patient care activities in his/her absence.
    - 2. If for some reason the primary supervisor cannot fulfill their duties as supervisor, a new application requesting an alternate supervisor must be approved by the Board. The trainee may not participate in direct patient care until an alternate supervisor is approved by the Board. The alternate supervisor will assure compliance with all terms and obligations outlined in this rule.
    - 3. The supervisor or approved alternate supervisor must hold a Georgia license in good standing under O.C.G.A. Title 43, Chapter 33, and have practiced full time for not less than one continuous year.
    - 4. The supervisor must regularly evaluate trainee performance in all areas as specified by the Board. At the end of the traineeship period, the supervisor must submit a performance evaluation on the board approved traineeship performance evaluation reporting form
    - 5. The supervisor must notify the Board of unsatisfactory performance at which time the training permit becomes null and void.
    - 6. The supervising therapist will supervise no more than two (2) trainees at one time.
- Authority O.C.G.A. Secs. 43-1-25, 43-33-10, 43-33-12, 43-33-13, 43-33-16, 43-33-17, 43-33-18, 43-18-24.

490-4-.04 Inactive License.

- (a) Any licensee who is no longer practicing as a physical therapist or physical therapist assistant in the State of Georgia may request an Inactive License status by filing an application for inactive status and paying the appropriate fee. Refer to fee schedule.
  - (1) An individual holding inactive status may not practice as a physical therapist or work as a physical therapist assistant within the State of Georgia.

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

(2) Any individual holding inactive status is not subject to the biennial renewal fees or continuing competence requirements.

(3) An individual whose license is under any sanction may not transfer to inactive status while sanctions are in effect.

(4) Any individual holding inactive status may return to active status by meeting all requirements for reinstatement as outlined herein.

(b) A physical therapist or physical therapist assistant who has been granted an Inactive license may reinstate the license by submitting an application for reinstatement, pay appropriate fee (refer to fee schedule), and shall also be required to meet requirements as provided below:

(1) 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;

(2) 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 480 hours of continuous supervised practice to be completed within three (3) months with specific stipulations as deemed necessary by the Board, and shall be required to take and pass the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy; or

(3) 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 than 1 year and no less than 6 months less than 6 months or no more than 1 year if approved by the Board with specific stipulations as deemed necessary by the Board and shall be required to take and pass the next licensing examination.

(c) Applicants subject to Rule 490-4-.04(b) may in the discretion of the Board be exempted from continuing competence and supervision 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. Secs. 43-1-25, 43-33-10, 43-33-16.

### **Special Projects Committee Report**

- Discussion of SB 445 – Mr. John Cowherd provided a brief overview of this proposed legislation to the Board. Mr. Hamil advised on the meeting he had with a representative from Secretary of State Brian Kemp’s office concerning this

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

proposed legislation. The Board is aware that the legislation as drafted has been withdrawn from consideration for the 2012 legislative session.

**Executive Director's Report** – Ms. Anita Martin

- Ms. Martin introduced Mr. Eric Lacefield to the Board as the new Executive Director.
- Ms. Martin introduced Ms. Morgan Bennett to the Board as the new Licensing Analyst.

**Miscellaneous**

- Dr. Portee provided information on the FSBPT's administration of the on line Georgia jurisprudence examination to the Board. The FSBPT will provide an amended contract to implement this program.
- Ms. Martin presented to the Board an email from Tara Okon concerning the scope of practice of a PTA. The Board requested additional information from Ms. Okon. Upon receipt of requested information a complaint can be opened.
- Mr. John Cowherd asked to go on the record in the minutes that he has never met with Mr. Erdmanky at Houston Medical Center as stated in a letter to the Board.
- The Board discussed requesting the November Board meeting be held at the State Archives building in Morrow.

**Executive Session**

Mr. Cowherd made a motion, Ms. Garner 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 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 Dr. Portee, Ms. Palma, Ms. Gaskin, and Mr. Strickland. The Board concluded Executive Session in order to vote on these matters and to continue with the Public Session.

**Applications/Licensure:**

1. W.E.B. – Physical Therapist Endorsement Applicant – The Board recommended approval.
2. F.M. – Physical Therapist Assistant Renewal Applicant – The Board recommended requesting CE for 2010 and 2011 to be sent to Ms. Garner for review. If approved the Board recommends approval; if not approved application needs to come back to the board.

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**

3. F.R. – Physical Therapist Assistant Endorsement Applicant – The Board recommended approval.
4. C.D.P. – Physical Therapist Assistant Applicant – The Board recommended a GCIC be conducted on this applicant. Once a clear GCIC report is received the Board recommends approval.
5. A.A. –Physical Therapist Assistant Applicant – The Board recommended approval.

**Cognizant Report – Mr. Chad Whitefield**

**PT110005** - Table

**PT120002** – The Board recommended referring the case to the Insurance Commissioner’s Office.

**PT120003** – The Board recommended referring to the OIG’s office to serve a Cease and Desist and to refer to the Chiropractic Board.

**PT120009** – Table

**PT120010** – The Board recommended closing with no violation.

**Open Session**

Mr. Hamil declared the Board back into open session. Mr. Cowherd made a motion, Dr. Portee seconded the motion and the Board voted to approve the recommendations made during the executive session, concerning complaints, applications, and the Attorney General’s report.

There being no further business, Mr. Cowherd motioned; Dr. Portee seconded and the Board meeting adjourned at 11:24 a.m.

Minutes Prepared by: Carol White, Board Secretary

Reviewed/Edited by: Anita Martin, Executive Director

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Meeting**  
**March 20, 2012**  
**Professional Licensing Board**  
**237 Coliseum Drive**  
**Macon, GA 31217**  
**9:00 a.m.**