

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Meeting
May 22, 2012
Professional Licensing Board
237 Coliseum Drive
Macon, GA 31217
9:00 a.m.

The Georgia State Board of Physical Therapy met on **May 22, 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.
Chad Whitefield, P.T.A.

Staff Present:

Lisa W. Durden, Division Director
Tanja D. Battle, Executive Director
Amy Morelli, Assistant Attorney General
Carol White, Board Support Specialist

Others Present:

Katherine Slyvester, PTAG
Gloria Perng, Mercer University
Payal Desai

Rules Hearing

Mr. Hamil called the hearing for Board Rule Hearing to order at 9:05 on:
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
Board Rule 490-4-.02 - Continuing Competence Requirements Notice of Public Hearing

There were no written or public comments received on these rules. The hearing adjourned at 9:08 a.m.

Open Session

Mr. Hamil established that a quorum was present and the meeting that was called to order at 9:09 a.m.

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Consideration of minutes from the March 20, 2012 board meeting.

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

Consider for ratification licenses that have been administratively issued.

Ms. Garner motioned, Mr. Whitefield seconded and the Board voted to ratify the newly issued licenses.

Consideration of adoption of Board Rule 490-11-.01 -Consultation - Mr. Hamil stated this was coming from the rules committee to make the same editorial changes from Board minutes. The Board voted unanimously in favor of the motion.

Consideration to adopt 490-2-.04 -Training Permits Mr. Hamil stated this was coming from the rules committee to make the same editorial changes from the Board minutes. The Board voted unanimously in favor of the motion.

Consideration to adopt 490-4-.04 - Inactive License - Mr. Hamil stated this was coming from the rules committee to make the same editorial changes from the Board minutes. The Board voted unanimously in favor of the motion.

Consideration to adopt amended Board policy #2 - Continuing Competence

Requirements Notice of Public Hearing. Dr. Portee made a motion to amend Board Policy #2. Dr. Palma seconded the motion and the Board voted unanimously in favor of the motion.

Consideration to adopt Board rule 490-4-.02 -Continuing Competence

Requirements Notice of Public Hearing.Dr. Portee made a motion to adopt. Mr. Cowherd seconded the motion and it carried unanimously. Dr. Portee stated this will cause a change to the Board policy #13 as it relates to Ethics and Jurisprudence and motioned to refer to the rules committee. Mr. Cowherd seconded the motion and the Board voted unanimously in favor of the motion.

Correspondence from Pauline Millhouse -The Board discussed the correspondence from Ms. Millhouse and voted to have the Board meeting at the Archives Division in Morrow, Georgia on November 13, 2012 at 1:00 p.m.

Discussion of "Active Practice" -

The Board held a discussion on "Active Practice" that had been assigned to the rules committee. Ms. Gaskin provided information on the issue and Dr. Portee provided she had on the issue. The committee had two definitions to offer to the Board and posted both

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definitions on the epiware site to give the Board an opportunity to review them. Dr. Portee, Chair of the committee, recommended approving the definition from the Virginia Board. Attorney General, Amy Morelli, discussed with the Board the question of what defines active practice and whether or not the Board wanted it included in the rule under the reinstatement application. Dr. Portee recommends for active practice to be included in the reinstatement rule 490-4-.01. Ms. Morelli stated it will have to be exactly prepared and presented at the next board meeting.

Conference call minutes from April 17, 2012 - Dr. Portee motion to approve the minutes. Mr. Strickland seconded the motion and it carried unanimously.

Special Projects Committee Report

- Mr. Hamil and Mr. Cowherd discussed with the Board the issue of ACO's and our Board rules. The State boards are being challenged on ACO's reform act of 2009 that was implemented on 1-1-12. In order to protect our citizens the Board needs to look at this situation and have a brief overview discussion on the concerns the Board has on this issue.

Miscellaneous

- Ms. Morelli discussed with the Board the changes effective on April 17, 2012 to Georgia's Open Records and Open Meetings Acts.
- Ms. Palma informed the Board of that a lot of calls have been received regarding not being able to see the Dry Needling Rule. Executive Directors will put the posted rule on the main website and the effective date. Mr. Whitefield also request for the Dry Needling Rule to be posted to the PTAG website also.

The Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-119 (h)(2), §43-33-10 and §43-1-2(k) to deliberate and to receive information on applications, investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were Bo Hamil, Charlene Portee, John Cowherd, Emily Garner, Dorothy Gaskin, Stefanie Palma, Monty Strickland and Chad Whitefield.

Executive Session

Applications

1. C.M.W. - PT Applicant-discussion
2. C.D.P., PTA Applicant-discussion
3. R.M. - PTA Applicant-discussion
4. M.G. - PT Applicant-discussion
5. J.P.B. - PTA Applicant-discussion

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6. K.G.D. - PT Reinstatement Applicant-discussion
7. D.E.S. - PT Endorsement Applicant-discussion
8. K.A.H. - PTA Applicant-discussion
9. P.K.D. - PT Applicant-discussion
10. Y.M.O. - PTA Applicant-discussion
- 11.S.N.R. - PTA Applicant-discussion

Cognizant Report-

PT090018/PT110004/PT120012- discussion
PT120002-discussion
PT120006-discussion
PT120013-discussion

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. The motion was unanimous. There were no opposed votes. These recommendations were as follows:

1. C.M.W. – Approve to sit for NPTE
2. C.D.P., PTA Applicant-Pending additional information
3. R.M. - PTA Applicant-Deny
4. M.G. - PT Applicant-Approve to sit for NPTE
5. J.P.B. - PTA Applicant-Pending review of remediation plan
6. K.G.D. - PT Reinstatement Applicant-Deny
7. D.E.S. - PT Endorsement Applicant-Deny
8. K.A.H. - PTA Applicant-Pending the passing of exam and completion of training hours
9. P.K.D. - PT Applicant-Pending completion of training hours
10. Y.M.O. - PTA Applicant-Deny
- 11.S.N.R. - PTA Applicant-Approved to sit for exam. Required letter regarding whether or not applicant would be safe to practice.

PT090018/PT110004/PT120012- refer to AG's office for disciplinary action.
PT120002-get status on C & D and refer to local DA.
PT120006-Close with Letter of Concern.
PT120013-Close with no action.

There being no further business, Mr. Cowherd motioned; Dr. Portee seconded and the

Board meeting adjourned at 12:33 p.m.

The next Physical Therapy Board meeting will be on July 17, 2012.

Minutes Prepared by: Carol White, Board Secretary

Reviewed/Edited by: Tanja D. Battle, Executive Director