

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Special Projects Minutes**  
**Teleconference Meeting**  
**November 6, 2014 \* 08:30AM**

**Board Members Present**

Bo Hamil, PT - Committee Chair  
Stefanie Palma, PT

**Administrative Staff Present**

Adrienne Price, Executive Director  
Wanda Jaffe, Licensing Supervisor

**Attorney General's Office**

D. Williams-McNeely, Assistant Attorney General

**OPEN SESSION**

1. **Call to Order** - Mr. Hamil called the committee meeting to order at 8:34 AM.

2. **Board Rule 490-5-.01 PTA Supervision Requirements**

The committee recommends including language which requires a supervision ratio of two (2) physical therapist assistants per physical therapists as presented.

**490-5-.01 Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapy Assistant. Amended.**

(1) A licensed physical therapist shall at all time be responsible for providing adequate supervision of the assistant supervised by him, as defined in Rule 490-5-.02.

(2) The licensed physical therapist shall be present in the same institutional setting, as defined in paragraph (3) of this section, ~~50-25~~ percent of any work week ~~or portion thereof that the assistant is on duty,~~ and shall be readily available to the assistant at all other times, including weekend coverage, for advice, assistance and instruction.

(a) A physical therapist may provide supervision for no more than two physical therapist assistants at any point in time during the physical therapist's work day

(3) "Institutional setting" means any nursing home, acute hospital, convalescent hospital, rehabilitation center, other in-patient facility by any other name and out-patient clinic which would include private office.

(4) The licensed physical therapist in the home health setting responsible for the patient shall supervise the physical therapist assistant working with the patient and shall:

(a) perform the initial patient evaluation to establish a physical therapy diagnosis, treatment goals, frequency, duration, and plan of care;

(b) meet with the assistant no less than once weekly to review all patients being treated;

(c) document all meetings with the assistant and subsequent decisions;

~~(d) make an on-site visit to each patient being treated by the assistant as appropriate based on the need to alter the treatment plan and no less than every sixth visit;~~  
~~(e) document the on-site visit, changes in the treatment plan, and communication to the assistant;~~

~~(d)~~ be available to the assistant at all times for advice, assistance, and instructions.

(5) A licensed physical therapist shall be designated as the physical therapist assistant's supervisor in the school setting and shall:

(a) perform all physical therapy evaluations to develop or amend physical therapy interventions stated on the student's Individual Educational Plan (IEP) for the purpose of assisting with the achievement of educational goals and objectives, including frequency and duration of physical therapy services.

(b) make an on-site visit to each student scheduled for direct weekly services from the physical therapist assistant no less than every ~~fourth scheduled week~~ two (2) months, and no less than once every ~~three-five (5)~~ months for students who are scheduled with the physical therapist assistant once monthly or less. The on-site visit shall include, but not be limited to, a case review, reassessment of the program and physical therapy services and review of documentation prepared by the physical therapist assistant.

(c) document the on-site visit including status of case(s), program or services status or change and indicate instructions given to the physical therapist assistant.

(d) interact with the physical therapist assistant in appropriate ways specific to the goals and objectives stated in the IEP of the student who is scheduled for sessions with the physical therapist assistant.

(e) be available to the physical therapist assistant at all times for advice, assistance and instructions.

Authority O.C.G.A. Secs. 43-33-3(6); 43-33-10(9). **History.** Original Rule entitled "Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapy Assistant" was filed on April 7, 1978; effective April 27, 1978. **Amended:** Filed November 27, 1984; effective December 17,

1984. **Amended:** F. May 26, 1993; eff. Jun. 15, 1993. **Amended:** F. Nov. 22, 1996; eff. Dec. 12, 1996. **Amended:** F. Feb. 27, 1998; eff. Mar. 19, 1998.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-13.1, 43-33-18. **History.** Original Rule entitled "Principles of Conduct for Licensed Physical Therapists" adopted. F. Jan. 29, 1997; eff. Feb. 18, 1997. **Repealed:** New Rule of same title adopted. F. Jan. 19, 2005; eff. Feb. 8, 2005. **Repealed:** New Rule title "Principles of Conduct for Physical Therapists" adopted. No change in Rule text. F. Jan. 25, 2007; eff. Feb. 14, 2007.

## **2. Board Rule 490-9-.02(1)(d) & (3)(a) Regarding Timely Documentation**

The committee recommends including language within the rule which further defines timeliness and the maintenance of adequate records to reflect compliance with state and federal guidelines as presented. The committee further recommends adding similar language to Board Rule 490-9-.03(d)(f)(4) as presented.

### **490-9-.02 Principles of Conduct for Physical Therapists.**

Any individual who is licensed as a physical therapist shall abide by the following ethical standard:

(1) Act with consideration, within the scope of physical therapy, for the rights and dignity of all individuals.

(a) The physical therapist shall hold as confidential information obtained while acting in a professional capacity.

(b) The physical therapist shall provide optimal physical therapy care for all patients regardless of patient race, gender, age, religion, disability or sexual preference.

(c) The physical therapist should balance considerations of the patient's physical, psychological and socioeconomic welfare in professional decisions and actions and document these considerations in the patient's record of care.

(d) The physical therapist shall communicate and interact with patients and all persons encountered in a professional capacity with courteous regard and timeliness.

(e) The physical therapist shall not engage in any behavior that constitutes harassment or abuse of a patient, professional colleague or associate.

(2) Comply with the laws and regulations governing the practice of physical therapy in the State of Georgia.

(a) Physical therapists are to practice (consultation, evaluations, treatment, research, education, administration and preventive care) in accordance with the state practice act.

(3) Accept responsibility for the exercise of sound judgment.

(a) When implementing treatment, physical therapists shall assume the responsibility for evaluating that individual; planning, implementing, and supervising the therapeutic program; reevaluating and changing the program; and maintaining adequate records of the case, including progress reports.

(b) Documentation is to be generated in accordance with federal and state guidelines at the time of service or shortly thereafter on that date. Delayed entries within a reasonable time frame (24 to 48 hours) are acceptable for purposes of clarification, error correction, the addition of information not initially available. If certain unusual circumstances prevented the generation of the note at the time of service, such circumstance must be documented within the record.

~~(c)~~ (c) When performing wellness and preventative services, physical therapists shall assume responsibility for providing optimal patient care.

~~(d)~~ (d) When the individual's needs are beyond the scope of the physical therapist's expertise, the physical therapist shall so inform and assist the individual in identifying a qualified person to provide the necessary services.

~~(e)~~ (e) When the physical therapists judge that benefit can no longer be obtained from their services, they shall so inform the individual receiving the services. It is unethical to initiate or continue services that, in the therapist's judgment, either cannot result in beneficial outcome or are contraindicated.

~~(f)~~ (f) The physical therapist's ability to make independent judgment must not be limited or compromised by professional affiliations, including employment relationships.

~~(g)~~ (g) Physical therapists are not to delegate to a less qualified person any activity which requires the unique skills, knowledge, and judgment of a physical therapist.

~~(h)~~ (h) The primary responsibility for physical therapy care assisted by supportive personnel rests with the supervising physical therapist. Adequate supervision requires, at a minimum, that a supervising physical therapist perform the following activities:

1. Establish effective channels of written and oral communication;
2. Interpret and communicate critical information about the patient to the supportive personnel;
3. Perform an initial evaluation of the patient;
4. Develop a plan of care, including short and long-term goals;
5. Delegate appropriate tasks to supportive personnel;
6. Assess the supportive personnel's competence to perform assigned tasks;
7. Provide supervision in accordance with the law, the patient's condition, and the specific situation;
8. Identify and document precautions, special programs, contraindications, goals, anticipated progress, and plans for re-evaluation;
9. Re-evaluate the patient, modify the plan of care when necessary, perform the final evaluation, and establish a follow-up plan.

(h) Physical therapists are obligated to advise their employer(s) of any practice which causes a physical therapist to be in conflict with the ethical principles of this section. Physical therapists are to attempt to rectify any aspect(s) of their employment which is in conflict with the principles of this section.

(4) Seek remuneration for their services that is deserved and reasonable.

(a) Fees for physical therapy services should be reasonable for the service performed, considering the setting in which it is provided, practice costs in the geographic area, judgment of other organizations, and other relevant factors.

(b) Physical therapists shall not:

1. directly or indirectly request, receive, or participate in the dividing, transferring, assigning, or rebating of an unearned fee;
2. profit by means of a credit or other valuable consideration, such as an unearned commission, discount, or gratuity in connection with furnishing of physical therapy services;
3. use influence upon individuals, or families of individuals under their care for utilization of any product or service based upon the direct or indirect financial interest of the physical therapist.

(5) Provide accurate information to the consumer about the profession and the services provided.

(a) Physical therapists are not to use, or participate in the use of, any form of communication containing false, plagiarized, fraudulent, misleading, deceptive, or unfair statements.

(6) Accept the responsibility to protect the public and the profession from unethical, incompetent, or illegal acts.

(a) Physical therapists shall report any activity which appears to be unethical, incompetent, or illegal to the proper authorities.

(b) Physical therapists shall not participate in any arrangement in which patients are exploited due to the referring sources enhancing their personal incomes as a result of referring, prescribing, or recommending physical therapy or a specific physical therapy practice.

(c) If a physical therapist is involved in an arrangement with a referring source in which income is derived from the services, the physical therapist has an obligation to disclose to the patient, within the scope of the state law, the nature of the income.

### **490-9-.03 Principles of Conduct for Physical Therapist Assistants.**

Any individual who is licensed as a physical therapist assistant shall abide by the following ethical standards:

(1) Act with consideration, within the scope of physical therapy, for the rights and dignity of all individuals.

(a) The physical therapist assistant shall hold as confidential information obtained while functioning as a physical therapist assistant.

(b) The physical therapist assistant shall provide optimal physical therapy care for all patients delegated by the physical therapist regardless of patient race, gender, age, religion, disability or sexual preference.

(c) The physical therapist assistant should be aware of the patient's physical, psychological and socioeconomic welfare in decisions and actions taken while rendering treatment.

(d) The physical therapist assistant shall communicate and interact with patients and all persons encountered with courteous regard and timeliness.

(e) The physical therapist assistant shall not engage in any behavior that constitutes harassment or abuse of a patient, professional colleague or associate.

(2) Comply with the laws and regulations governing the practice of physical therapy in the State of Georgia.

(a) Physical therapist assistants are to practice only under the supervision of a licensed physical therapist.

(3) Accept responsibility for the exercise of sound judgement.

(a) Upon accepting delegation from a physical therapist, the physical therapist assistant shall provide services within the plan of care established by the physical therapist.

(b) When the individual's needs are beyond the scope of the physical therapist assistant's expertise, the physical therapist assistant shall inform the supervising physical therapist.

(c) When the physical therapist assistant determines that a change in the plan of care is needed, the assistant will contact the supervising physical therapist and request reevaluation of the patient's status.

(d) When the physical therapist assistant determines that the patient has received maximum benefits from physical therapy, he/she shall so inform the supervising physical therapist.

(e) Physical therapist assistants are not to delegate to a less qualified person any activity which requires the unique skills, knowledge, and judgement of a physical therapist assistant.

(f) The primary responsibility for physical therapy care assisted by supportive personnel rests with the supervising physical therapist. Adequate supervision is the responsibility of both the physical therapist and the physical therapist assistant. To insure appropriate supervision, the physical therapist assistant is expected to:

1. Maintain effective channels of written and oral communication.

2. Communicate critical information about the patient to the supervising physical therapist in a timely manner.

3. Function within the established plan of care.

4. Identify and document treatment activities and all special occurrences in accordance to federal and state guidelines at the time of service or shortly thereafter on that date. Delayed entries within a reasonable time frame (24 to 48 hours) are acceptable for purposes of clarification, error

correction, the addition of information not initially available. If certain unusual circumstances prevented the generation of the note at the time of service, such circumstance must be documented within the record.

5. Request re-evaluation of the patient and/or modification of the plan of care when necessary.

(g) Physical therapist assistants are obligated to advise their employer(s) of any practice which causes a physical therapist or a physical therapist assistant to be in conflict with the ethical principles of this section. Physical therapist assistants are to attempt to rectify any aspect(s) of their employment which is in conflict with the principles of this section.

4. Seek remuneration for their services that is deserved and reasonable.

(a) Physical therapist assistants shall not:

1. Directly or indirectly request, receive, or participate in the dividing, transferring, assigning, or rebating of an unearned fee;

2. Profit by means of a credit or other valuable consideration, such as an unearned commission, discount, or gratuity in connection with furnishing of physical therapy services;

3. Use influence upon individuals, or families of individuals under their care for utilization of any product or service based upon the direct or indirect financial interest of the physical therapist assistant;

(5) Provide accurate information to the consumer about the profession and the services provided.

(a) Physical therapist assistants are not to use, or participate in the use of, any form of communication containing false, plagiarized, fraudulent, misleading, deceptive, or unfair statements.

(6) Accept the responsibility to protect the public and the profession from unethical, incompetent, or illegal acts.

(a) Physical therapist assistants shall report any activity which appears to be unethical, incompetent, or illegal to the proper authorities.

(b) Physical therapist assistants shall not participate in any arrangement in which patients are exploited due to the referring sources enhancing their personal incomes as a result of referring, prescribing, or recommending physical therapy or a specific physical therapy practice.

(c) If a physical therapist assistant is involved in an arrangement with a referring source in which income is derived from the services, the physical therapist assistant has an obligation to disclose to the patient, within the scope of the State Law, the nature of the income.

Authority O.C.G.A. Section 43-33-10. **History.** Original Rule entitled "Principles of Conduct for Licensed Physical Therapists Assistants" adopted. F. Feb. 27, 1998; eff. Mar. 19, 1998. **Repealed:** New Rule title "Principles of Conduct for Physical Therapist Assistants" adopted. No change in Rule text. F. Jan. 25, 2007; eff. Feb. 14, 2007.

### 3. **Board Policy Review**

#### a) **Policy #3 - The committee recommends accepting the amendments as presented.**

##### **Policy #3 - Endorsement applications**~~Applications~~

~~3-(a)(A)~~ The Board has designated a board member to review all non-CAPTE and all foreign educated examination applications for approval.

~~3-(b)(B)~~ Endorsement applicants who have passed the examination within one (1) year of graduation may apply by examination instead of endorsement and must submit verification of licensure from every state in which they have held a license.

~~3-(c)(C)~~ All endorsement applicants must take and pass the electronic Georgia Jurisprudence exam. Candidates must register for the exam through the Federation of State Boards of Physical Therapy (FSBPT).

~~3-(d)~~ An applicant who has taken the NPTE four or more times before receiving a passing score on the exam will be required to submit further evidence of competency or stipulations as determined by the Board.

*Policy approved at the September 18, 2007 meeting.  
Policy reaffirmed at the January 2009 meeting. Policy  
revised at June 19, 2010 meeting*

#### b) **Policy #4 - The committee recommends accepting the amendments as presented.**

##### **Policy #4 - Renewal Applications**

~~4-(a)~~ A renewal applicant who answers “no” to the continuing competency question must provide proof of completion of the continuing competency requirement. A failure to submit proof will subject the applicant to disciplinary action as determined by the Board.

*Policy approved at the March 16, 2004 meeting.  
Policy reaffirmed at the January 2009 meeting.  
Policy reaffirmed at the June 19, 2010 meeting.*

#### c) **Policy #5 - The committee recommends accepting the amendments as presented.**

##### **Policy #5 - Traineeship**

~~5-(a)(A)~~ The Board has designated a board member to review all non-CAPTE and all foreign educated examination applications for approval.

~~5-(b)(B)~~ Once Traineeship Supervision is approved, a letter will be sent to the physical therapist approved as the primary supervisor and alternate supervisor that all supervision must be in compliance with board rule 490-2-.04.

~~5-(c)(C)~~ Board voted to allow for early exit from traineeships once the individual passes the NPTE. ~~And~~ and the supervisor's has submission submitted of documentation showing successful practice under the traineeship.

*Policy approved at the March 16, 2004 meeting.  
Policy reaffirmed at the January 2009 meeting.  
Policy reaffirmed at the June 19, 2010 meeting.  
Policy revised added 5(c) May 17, 2011 meeting.  
Policy revised at the January 28, 2014 meeting.*

**d) Policy #6 - The committee recommends accepting the amendments as presented.**

**Policy #6 – Reinstatement**

~~6.(a)~~ All licensees who fail to renew their license by the established deadline are placed in “lapsed” status and must apply to reinstate his/her license. ~~Reinstatement applicants who state on the reinstatement application that they have~~ Upon discovering that a reinstatement applicant has practiced without a current license, ~~are considered for~~ reinstatement may be considered under the following conditions: upon the issuance and docketing of a Public Consent Agreement or Public Reprimand to including but not limited to the following:

~~Public Consent Order with Public Reprimand~~

~~(A) A \$25 fine for each day of unlicensed practice;~~

~~(B) Must take & pass the Jurisprudence exam within 6 months of the docket date of the consent ~~order~~ agreement or reprimand;~~

~~(C) Must report period of unlicensed practice to employer.~~

*Policy approved at the August 17, 2004 meeting. Policy revised at September 2008 meeting  
Policy reaffirmed at January 2009 meeting*

**4. Miscellaneous**

**Georgia Jurisprudence Examination** - Ms. Palma indicated that her work with FSBPT on the Georgia Jurisprudence Examination is complete and the examination is ready to roll out pending adoption of proposed amendments to the rules.

No more business was discussed and the meeting adjourned at 9:21 AM.

The next Georgia State Board of Physical Therapy meeting will be on Tuesday, November 18, 2014 at 9:00 a.m.

**Minutes recorded by:**

**Minutes reviewed and edited by:**

**Minutes approved on:**

Wanda Jaffe, Licensing Supervisor

Adrienne Price, Executive Director

November 18, 2014

BO HAMIL  
**COMMITTEE CHAIR**

ADRIENNE PRICE  
**EXECUTIVE DIRECTOR**