

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Rules Committee Minutes
Teleconference Meeting
November 13, 2014 - 08:30AM

Board Members Present

Dorothy Gaskin, PT – Committee Chair
Monty Strickland, PT

Administrative Staff Present

Adrienne Price, Executive Director
Tamara Elliott, Board Support Specialist
Wanda Jaffe, Licensing Supervisor

Attorney General's Office

D. Williams-McNeely, Assistant Attorney General

Ms. Gaskin called the committee meeting to order at 8:38 am

OPEN SESSION

1. 490-2-.08 Practical & Oral Examinations

The committee tabling this rule for discussion at the November 18, 2014 meeting in order to present additional information from other schools and FSBPT standardized examinations.

2. HB 828 – “Runner Statute” (Effective July 1, 2014) & Board Rule 490-9-.02

The committee recommends accepting the following changes as amended.

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

(c) 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.

(d) 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.

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

(f) 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.

(g) 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.

4. act as a 'capper,' runner,' or 'steerer' nor utilize these services to generate business or referrals as defined in O.C.G.A. § 33-24-53

(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.

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.

3. Board Policy Review

The committee recommends accepting the following changes as amended.

a) **Policy #7 - Continuing Competence Policy**

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 to promote continuing competence (CC) per licensure period. **The Board recommends the requirements for competence as planned learning experiences which have content beyond the licensee's 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.

The thirty (30) hours of continuing competence requirements per biennium shall 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.

(1)The following are programs which may be considered for approval; however, approval is not limited to these programs:

(a) Programs approved by the American Physical Therapy Association and its affiliate components; or

(b) Programs approved by the Physical Therapy Association of Georgia or any other state chapters; or

(c) Programs approved by the Federation of State Boards of Physical Therapy (Procert); or

(d) Programs provided at CAPTE-Accredited colleges and universities with programs in physical therapy when the continuing competency course is held under the auspices of the school of physical therapy; or

~~(e) Programs provided by the American Academy of Physical Therapy; or~~

~~(f) Programs approved by another state board; or~~

~~(g) Programs provided at JCAHO accredited healthcare organizations; or~~

~~(h) Programs provided by the American Academy of Orthopedic Surgeons; or~~

~~(i) Programs provided by the National Athletic Trainers Association; or~~

~~(j) Programs provided by the American Dental Association; or~~

~~(k) Programs provided by the American Association of Nurses; or~~

(l) Programs provided by the American Occupational Therapy Association; or [Programs offered by similar professional organizations offering experiences that meet the guidelines set forth in paragraph one.](#)

(m) ~~(f)~~ Fifteen (15) hours for undergoing a peer review; or

(n) ~~(g)~~ Ten (10) hours for conducting a peer review when that activity is an adjunct responsibility and not the primary employment; or

(o) ~~(h)~~ Participation as a presenter for continuing education courses, workshops, seminars or symposia which have been approved by the approved list above; Continuing competence credit is based on contact hours and may not exceed 10 hours per topic;

(p) ~~(i)~~ Authorship of a presented scientific poster, scientific platform presentation or published article; Continuing competence credit is 10 hours per event and may not exceed 20 hours;

(q) ~~(j)~~ Teaching a physical therapist or physical therapist assistant credit course when that teaching is an adjunct responsibility and not the primary employment; Continuing competence credit is based on contact hours not to exceed 20 hours;

(r) ~~(k)~~ Certification of clinical specialization by the American Board of Physical Therapy Specialties. Continuing competence credit is 30 hours and is recognized only in the biennium in which certification or recertification is awarded.

(s) ~~(l)~~ Self- instruction from reading professional literature; Continuing competence credit is limited to a maximum of five (5) hours; or

(t) ~~(m)~~ Attendance at a scientific poster session, lecture, panel, symposium or university course ~~that does not meet the criteria for Class I~~; Continuing competency credit is one hour per contact hour of activity; or

(u) ~~(n)~~ Acting as a clinical education instructor for an accredited physical therapist or physical therapist assistant educational program; Continuing competence credit is one (1) hour per eight (8) contact hours with a maximum credit of 10 hours; or

(v) ~~(o)~~ Acting as a clinical instructor or an intern for a formal, nonacademic, advanced clinical internship or as a mentor or a learner for a formal, nonacademic mentorship with a maximum

credit of 10 hours.

(p) Donating time in the role of a Physical Therapist or Physical Therapist Assistant, within the scope of practice, to a charity event; Continuing competence credit is one (1) hour per eight (8) contact hours, limited to a maximum of five (5) hours;

(q) Reference Policy 13

(r) Post professional physical therapist educational programs that award academic credit are counted as one (1) university credit hour equaling ten (10) continuing competence hours. For example, a two (2) credit hour course in which a passing grade is achieved would equal twenty (20) continuing competence hours.

2) 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.

(3) 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.

(4) Beginning the January 1, 2014 through December 31, 2016 biennium and thereafter, persons licensed to practice as a physical therapist or a physical therapy assistant or who shall file an application to practice as such in this state are to maintain a record of completed continuing education courses and experiences by registering with an online recording and reporting system approved by the Board.

(a) For the purposes of this requirement, the Georgia State Board of Physical Therapy adopts the utilization of aPTitude offered by the Federation of State Boards of Physical Therapy (FSBPT).

(b) Licensees and applicants shall incur no additional costs from the FSBPT for this service.

(c) Every licensee or applicant subject to the rules of the Georgia State Board of Physical Therapy shall be deemed to have given such person's consent to the Board and its representatives to access their continuing competence record retained within the online database for the purposes of auditing and verifying completion of the Board's continuing competency requirements. Such person waives all objections to the admissibility of the record in any proceedings or hearings before the board.

(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 (4) 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.

(c) To complete all steps necessary to meet the re-licensure requirements on or before December 31st of the odd numbered years.

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

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

Policy approved at October 31, 2007 meeting.
Policy reaffirmed at the January 2009 meeting.
Policy revised at June 19, 2010 meeting
Policy amended at the November 3, 2009 meeting (addressing on-line courses)
Policy amended at the March 2011 meeting (adding (s))
Policy amended at the May 2011 meeting (amended (s))
Policy revised at the September 18, 2012 meeting.
Policy amended at September 16, 2014 meetin

b) Policy #8

The committee recommends maintaining the policy as presented.

c) Policy #9

The committee recommends maintaining the policy as presented.

d) Policy #10

The committee recommends maintaining the policy as presented.

4. Miscellaneous

The committee recommends accepting the following changes as amended.

Policy #13 – Georgia Jurisprudence

A ~~The Board approved~~ Georgia Jurisprudence Continuing Competency Course must include a review of the Georgia General Provisions (Title 43 Chapter 1 -specifically 43-1-9 and 43-1-19 through 43-1-27), Georgia Physical Therapy Practice Act (Title 43 Chapter 33), Board Rules (Chapter 490), Board Policies and a general review of the Board’s web-site www.sos.ga.gov/plb/pt to include the FAQ’s.

[A review of the Jurisprudence exam will occur when the laws and rules change.](#)

[The requirement of \(4\) contact hours in Ethics & Jurisprudence can be met through coursework or by completion of the Georgia Jurisprudence Exam offered by FSBPT.](#)

Policy approved at the May 8, 2007 meeting.
Policy revised at the January 2009 meeting.
Policy revised at the July 2010 meeting.
Policy revised at the September 18, 2012 meeting.

No more business was discussed and the meeting adjourned at 9:13am

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

Minutes recorded by:	Tamara Elliott, Board Support Specialist
Minutes reviewed and edited by:	Wanda Jaffe, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on:	November 18, 2014

DORORTHY GASKIN
COMMITTEE CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR