

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
March 17, 2015 - 9:00AM

The Georgia State Board of Physical Therapy met on Tuesday, March 17, 2015. The following members were present:

Board Members Present

Bo Hamil, PT- President
Reid Lawson, PT
Chad Whitefield, PTA
Monty Strickland, PT
Stefanie Palma, PT
Emily Garner, PT (via teleconference)
Jesse Crews, Consumer Member

Administrative Staff Present

Adrienne Price, Executive Director
Tamara Elliott, Board Support Specialist
Kathy Osier, Licensing Supervisor

Attorney General's Office

D. Williams-McNeely, Assistant Attorney General

Visitors Present

Lauri Wallace, PTAG
Katherine Sylvester, PTAG

Call to Order: Mr. Hamil established that a quorum was present and called the meeting to order at 9:08a.m.

OPEN SESSION

Open Session Minutes – January 27, 2015 Board Meeting

Dr. Palma motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the January 27, 2015 open session minutes as amended.

Licenses to Ratify – January 21, 2015 – March 10, 2015

Ms. Garner motioned, Dr. Palma seconded and the Board voted unanimously in favor of the motion to ratify the list of licenses issued in accordance with Board rules and policies from January 21, 2015 – March 10, 2015.

Correspondence – Susan Swoope – CE Approval Request

Dr. Palma motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to send a no legal advice letter and direct Ms. Swoope to the review Board Rules Chapter 490-4 and policy 7 regarding continuing education requirements.

Discussion – BR490-4-.02 Board Notification Status

The Board accepts the correspondence notification status as information.

Discussion – BR 490-5-.01 Board Notification Status

The Board accepts the correspondence notification status as information.

Discussion – CBT Comment Summary & Satisfaction Survey for NPTE Test Takers

The Board accepts the correspondence as information.

Discussion – Christopher Covert – Thank You Letter

The Board accepts the correspondence as information.

Discussion – GA Jurisprudence

The Board tabled this discussion as it has been assigned to the Georgia State Board of Physical Therapy Rules Committee for discussion.

Petition for Rule Variance – Shelly Peller

Dr. Palma motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of Board Rule 490-4-.02 giving credit for 26 hours continuing education hours pending receipt of schedule of course schedule, outline, description and proof of completion and notify the licensee that the Ethics and Jurisprudence requirement must be met.

Petition for Rule Waiver – Satyam Shah

Mr. Whitefield motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of Board Rule 490-2-.03 and 490-2-.04.

Rules Committee-February 17, 2015 Minutes

Mr. Crews motioned, Dr. Palma seconded and the Board voted unanimously in favor of the motion to accept the Rules Committee minutes as presented.

- 1) **Policy 17:** Mr. Crews motioned, Dr. Palma seconded and the Board voted unanimously in favor of the motion to accept the amendment to Policy 17 as follows:

Ultimately the responsibility for the quality of care provided by supportive personnel resides with the Physical Therapist. While technology allows for supervision in new and expanded methods, the PTAs, Trainees, and Students should know who and how to contact the supervising PT.

- (a) It is recommended that the PT supervise no more than three (3) other supportive clinicians or three (3) FTE equivalents at any given time. For the purposes of this policy, supportive clinicians are defined as PTAs, Trainees, and PT/PTA students.
- (b) Care coordination discussions are expected in all settings. Such communication should be documented in the patients' medical record. The frequency of the communication should be based on the patient condition, progression and setting.

2) **Discussion – Board Rule 490-2-.09 Licensure: Endorsement & 490-3-.02 Re-examination**

The Board tabled review of the Rules Committee recommendations and referred the rules back to the Rules Committee to further discuss the number of attempts one should be allowed to pass the NPTE.

3) **Discussion – Board Rules Chapter 490-9 and O.C.G.A. § 43-33-10(9)**

The Rules Committee motioned, Dr. Palma seconded and the Board voted unanimously in favor of the motion to accept the the Rules Committee's recommendation to change the title of the rules from "Principles of Conduct for Physical Therapists" and "Principles of Conduct for Physical Therapist Assistants" to "Code of Conduct for Physical Therapists" and "Code of Conduct for Physical Therapist Assistants" and refer to the AG Office for a memorandum of authority to proceed to a hearing if necessary.

4) **Discussion – Whether or not to limit the number of attempts on the Jurisprudence Examination**

The Rules Committee motioned, Mr. Hamil seconded and the Board voted unanimously in favor of the motion to accept the Rules Committee's recommendation as presented in the Rules Committee Minutes.

5) **Policy #2 - Examination applications (Board Rule 490-2-.02)**

Policy #3 - Endorsement applications

The Board tabled review of the Rules Committee recommendations and referred the policies back to the Rules Committee to make amendments which reflect any amendments made to Board Rules 490-2-.09 and 490-3-.02.

Special Projects Committee

The Special Projects Committee did not convene between board meetings and no report was presented.

Board's Chairperson Report – B. Hamil

1) **Discussion – HB505 and the Implications for Current Rules**

Mr. Crews motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to appoint Mr. Hamil to speak with the Physical Therapy Association of Georgia (PTAG) the task of referring portions of the statute to the Rules and Special Projects Committees to review the rules and policies for the purpose of proposing amendments that will align to the amended statute should the governor sign it into law.

2) **Discussion – APTitude**

Mr. Hamil and Ms. Price attended a WebEx Meeting with representatives from aPTitude and the Georgia Model on the site is now up to date. Mr. Hamil suggests that the Board begin thinking about how to handle those who do not register with aPTitude as the rule requires.

3) **Discussion – Insurance Denying Payment for PTAs in the home health environment**

Mr. Hamil indicated that he contacted the American Physical Therapy Association's (APTA) attorney, Carmen Elliott, in reference to this issue as he was uncertain if this was a trend in all states. He indicated that Ms. Elliott stated she was not aware of the issue but will continue to monitor for other incidences. Mr. Hamil encouraged Laurri and Catherine to alert PTAG.

4) Policy #7- Continuing Competence Policy

Mr. Hamil motioned, Dr. Palma seconded and the Board voted unanimously in favor of the motion to accept the amendments to Policy #7 as follows:

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 not to exceed 10 hours per calendar day. **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.

5) Administrative Approval of Remediation Plans

Mr. Whitefield motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to appoint Dr. Palma as the Cognizant designated to review remediation plans in between Board Meetings.

Executive Director Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications, renewals and complaints/compliance. Ms. Price provided an update on the Supreme Court's decision in the North Carolina Board of Dental Examiners vs. Federal Trade Commission case, recapped the status of the bills in the Georgia General Assembly which have an effect on the work of the Physical Therapy Board and an update on the PT and PTA programs which responded to the Board's inquiry regarding alternative options for administering a practical and/or oral examination. The Board accepts the report as presented.

Dr. Palma made the motion, Mr. Whitefield seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2) 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, Reid Lawson, Stefanie Palma, Jesse Crews, Chad Whitefield, Monty Strickland, Emily Garner.

At the conclusion of Executive Session on Tuesday, March 17, 2015 Mr. Hamil declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

OPEN SESSION

Executive Session Minutes January 27, 2015 Board Meeting

Dr. Palma motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to approve the January 27, 2015 executive session minutes as amended.

Attorney General's Report- D. Williams-McNeely

Dr. Palma motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's report as presented.

Cognizant's Report – C. Whitefield

Dr. Palma motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to accept the Cognizant's report as presented.

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| PT150004 | Close case with letter of concern regarding conduct and citing BR 490-9-.02 Principles of Conduct for Physical Therapists |
| PT140001 | Close case with letter of concern regarding adequate supervision citing BR 490-8-.02 Supervision |
| PT150007 | Accept Cease and Desist Order and close the case. |
| PT150018 | Dr. Palma motioned, Mr. Lawson seconded and the Board voted unanimously in favor of the motion to refer the case to the Attorney General's office for revocation or voluntary surrender of licensure upon receipt of evidence from investigations. |

Executive Discussions

Correspondence - Page Law Firm Regarding Applicants - Dr. Palma motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to refer the writer to the Georgia Physical Therapy Act (Title 43, Chapter 33 of the Official Code of Georgia Annotated), O.C.G.A. §50-36-2 and O.C.G.A. § 50-36-1(f)(1)(B) as well as the Board rules and policies regarding the requirements for licensure a physical therapist in the state of Georgia, no further

interpretation of the law is required and notify the writer of the deficiencies specific to the individual applications submitted by or on behalf of the applicants identified within the correspondence.

Applications

Mr. Crews motioned, Dr. Palma seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

1. S.P. Approve to sit for the examination upon receipt of a copy of the presented remediation plan that has been signed by the licensed mentor.
2. A.R.G. Incomplete Application, no action required at this time.
3. I.J.A. Incomplete Application, no action required at this time.
4. Z.D. Incomplete Application, no action required at this time.
5. N.P.N.C. Approve to sit for the NPTE., and if applicant passes must complete 1000 hour traineeship prior to the issuance of a license.
6. T.S. Issue the license and notify the applicant that continuing education courses must be planned learning experiences which have content beyond the licensee's present level of knowledge and competence beyond entry level in order to satisfy the requirements for renewal.

Adjournment- With no additional business to be discussed, the meeting was adjourned at 11:43am.

Minutes recorded by:	Tamara Elliott, Board Support Specialist
Minutes reviewed and edited by:	Adrienne Price, Executive Director
Minutes approved on:	May 19, 2015

BO HAMIL
BOARD PRESIDENT

ADRIENNE PRICE
EXECUTIVE DIRECTOR