

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
July 21, 2015 - 9:00AM

The Georgia State Board of Physical Therapy met on Tuesday, July 21, 2015. The following members were present:

Board Members Present

Stefanie Palma, PT - President
Dorothy Gaskin, PT
Emily Garner, PT
Charles Bass, PT
Monty Strickland, PT
Jesse Crews, Consumer Member
Chad Whitefield, PTA (via teleconference)

Administrative Staff Present

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

Attorney General's Office

D. Williams-McNeely, Senior Assistant Attorney General

Visitors Present

Nick Frady

Call to Order Dr. Palma established that a quorum of the Board was present and called the meeting to order at 9:01a.m.

OPEN SESSION

Agenda The Board accepts the agenda as presented.

Open Session Minutes

- 1) **March 17, 2015 Board Meeting Minutes as amended**
Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the March 17, 2015 open session minutes as amended.
- 2) **May 19, 2015 Board Meeting Minutes**
Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the May 19, 2015 open session minutes as presented.
- 3) **June 2, 2015 Rules Committee Minutes**
Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the June 2, 2015 open session minutes as presented.
- 4) **June 9, 2015 Special Projects Committee Minutes**
Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the June 9, 2015 open session minutes as presented.
- 5) **July 7, 2015 Board Meeting Teleconference Minutes**
Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the July 7, 2015 open session minutes as presented.

Licenses to Ratify **May 6, 2015 – July 14, 2015**

Ms. Garner motioned, Ms. Gaskin 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 May 6, 2015 – July 14, 2015.

9:30 Board Rule Hearing 490-2-.03

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY
RULE FOR CHAPTER 490-2, LICENSURE REQUIREMENTS, RULE 490-2-.03, LICENSURE: FOREIGN-
EDUCATED APPLICANTS.**

Purpose: The purpose of this rule amendment is to update IBT TOEFL requirements to match the required guidelines for IBT TOEFL.

Main Features: Changes the passing score to 89 for IBT TOEFL to include a passing score of 24 on the writing section, a passing score of 21 on the reading section, a passing score of 18 on the listening section and a passing score of 25 on the speaking section.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-2, LICENSURE
REQUIREMENTS, RULE 490-2-.03, LICENSURE: FOREIGN-EDUCATED APPLICANTS.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

490-2-.03 Licensure: Foreign-Educated Applicants

(1) All applicants who are graduates of educational programs conducted in a foreign country that are not accredited by CAPTE and approved by the Board must submit credentials prescribed by the Board in order to be considered for approval to take the licensing examination.

(a) Transcripts must be evaluated by a credential evaluation agency approved by the Board, to determine if the professional instruction is substantially equivalent to that of entry-level United States-educated therapists. The credentialing evaluation agency shall send its evaluation and a copy of the official transcript directly to the Board. A list of credentialing agencies approved by the Board shall be included in each application packet. Additional lists may be obtained from the Board office.

(b) Proof of licensure/certification/registration, that is current and in good standing, to practice physical therapy, or proof of appropriate eligibility to practice physical therapy, in the country of education must be submitted.

(d) Applicants educated in a non-English speaking physical therapy program must take and receive a passing scores of 89 on the three (3) language proficiency examinations to include the Test of Spoken English (TSE) IBT TOEFL to include: a passing score of 24 on the writing section, a passing score of 21 on the reading section, a passing score of 18 on the listening section and a passing score of 26 on the speaking section; passing score of 50; Test of English as a Foreign Language (TOEFL): passing score of 560 pencil & paper/220 computerized; and Test of Written English (TWE): passing score of 4.5, before being allowed to sit for the licensure examination. Official score results must be submitted to the Board.

(e) Applicants educated in an English speaking physical therapy program must have a school official submit an official letter to the Board attesting that the physical therapy curriculum was taught in English.

(f) Once a completed application is on file and prior to initiation of a traineeship, all foreign educated applicants must take and pass the NPTE 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.

(g) All foreign-educated applicants must complete a Board-approved traineeship consisting of a minimum of 480 hours, which must be completed within three (3) months of the issuance of the traineeship permit. *This requirement may be waived at the discretion of the Board if the applicant has demonstrated clinical competency with a minimum of 5 years of continuous active practice and license in good standing. The Pre Examination Traineeship hours may be used toward satisfaction of this requirement (See Board Rule 490-2-.04).*

(2) Applicants educated in a foreign physical therapy program that is accredited by CAPTE and approved by the Board, do not have to submit a credentials evaluation and must meet the conditions of Board Rule 490-2-.02.

Authority: O.C.G.A. §§ 43-1-25, 43-33-3, 43-33-10, 43-33-12, 43-33-15 and 43-33-17

Written Comments Received

No written comments were received or offered during the hearing

Public Comments Received

No public comments were received or offered during the hearing.

Ms. Gaskin motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to adopt the 490-2-.03 proposed amendment as posted.

Ms. Garner motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Ms. Garner motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion that it is legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-24A-19(2), and 43-24A-3(4) to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of physical therapy.

The hearing adjourned at 9:41a.m.

Correspondence – Sandy Eskew Capps – Google Search Results

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to accept the Staff's response to Dr. Capps as presented.

Correspondence – Sandy Eskew Capps – Request to Amend Policy #5

Ms. Garner motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to deny the request to amend policy #5.

Correspondence – Susan B. Widmayer – Website Issues regarding Certificate Uploads

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to allow the Staff to contact the licensee and instruct Ms. Widmayer that she must load her continuing education documentation into aPTitude.

Discussion – APTA Master List of Accredited PT Programs

The Board accepts the correspondence as information.

Discussion – CAPTE Accreditation Actions Spring 2015

The Board accepts the correspondence as information.

Discussion – CAPTE Actions Notice Summer 2015

The Board accepts the correspondence as information.

Discussion – Delaware Regulates Telemedicine and Requires Insurance to Pay for Telemedicine

Ms. Gaskin will determine how her facility codes and bills for telemedicine and report at the next scheduled Board Meeting. The Board accepts the correspondence as information.

Discussion – Foreign Credentialing Commission on Physical Therapy Newsletter

The Board accepts the correspondence as information.

Discussion – FSBPT 2nd Response to CWT Inquiry

Ms. Garner motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to maintain the requirement for sixty (60) general education hours at this time and review each incidence on a case by case basis.

Discussion – FSBPT News Brief

The Board accepts the correspondence as information.

Discussion – FSBPT NPTE Quarterly Faculty Newsletter

The Board accepts the correspondence as information.

Discussion – FSBPT Physical Therapy Licensure Compact Draft

The Board accepts the correspondence as information.

Discussion - FSBPT Recent PEAT Copyright Violations

The Board accepts the correspondence as information.

Discussion – INPTRA Network News

The Board accepts the correspondence as information.

Discussion – Is the NPTE Re-Examination Application Needed

Mr. Crews motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to eliminate the application for re-examination as it is no longer required.

Notification – BR 490-5-.01 now updated on the website

The Board accepts the correspondence as information.

Petition for Rule Variance –Fitzpatrick, Rebecca

Mr. Crews motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to deny the petition for waiver of Board Rule 490-4-.02 due to insufficient demonstration of a substantial hardship.

Petition for Rule Waiver Request – Deviredy, Parvathi

Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to grant the petition for Board Rule 490-2-.03(g).

Petition for Rule Waiver Request – Patel, Bhavinbhai Naranbhai

Ms. Garner motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to grant the petition for Board Rule 490-2-.03(g).

Rules Committee Discussion

1) 490-12-.01 Practice of Physical Therapy During A Declared Natural Disaster

1) Pursuant to O.C.G.A. § 43-33-11, a person currently licensed in another state who is present in the state of Georgia to provide physical therapy services during a declared local, jurisdictional, or national disaster or emergency may do so without penalty for a period not to exceed a total of 60 days during any 12 month period provided that the practice of physical therapy is not contrary to the laws, rules and regulations governing of this state.

2) Upon discovering that a physical therapist has violated any laws, rules and regulations of this state or continued to practice in the state of Georgia beyond 60 days during any 12 month period, the Board shall have the authority issue cease and desist order prohibiting the practice of physical therapy without a license.

Authority: O.C.G.A. Secs. 43-1-19, 43-1-20.1, 43-33-10, 43-33-11, 43-33-18;

Mr. Strickland motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-12-.01 to the Attorney General’s Office for a memorandum of authority and if no objections noted, vote to post.

Mr. Strickland motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

2) 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.

(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 are eligible to take the national licensing examination, have not failed the national licensing examination and have taken and passed 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.
6. graduates of entry-level programs for physical therapists or physical therapist assistants from either a CAPTE or a non-CAPTE-accredited school may apply and may be granted a one-time (1) post graduation sixty (60) day traineeship for purposes of application and passage of the national licensing exam.
- (i) the effective date of the sixty (60) days starts the date of graduation and terminates sixty (60) days later.
 - (ii) failure to take the examination or to pass the examination requires immediate forfeiture of the traineeship.
 - (iii) an examination on the laws and rules governing the practice of physical therapy in Georgia must also be passed prior to initiation of the training permit.
 - (iv) this special training permit may not be renewed or applied for again.
 - (v) all other rules and policies regulating CAPTE and non-CAPTE applicants are in effect.
 - (vi) Hours from this special traineeship can be used towards satisfaction of other required traineeship hours.

(b) Initial Applications and Reinstatement Applications.

1. A notarized training permit application form must be submitted by the trainee’s Primary 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 supervisors 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 take or pass the licensing examination is not considered a good and exceptional reason and requires immediate forfeiture of the traineeship. 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:

- (i) Able to be initiated in the State of Georgia within one month 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 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 Primary supervisor.
 - (III) the trainee takes and does not pass the national licensing examination.

(e) Supervision.

1. The Primary supervisor or alternate 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 a new supervisor must be approved by the Board. The trainee may not participate in direct patient care until a new supervisor is approved by the Board. The new supervisor will assure compliance with all terms and obligations outlined in this rule.
3. The supervisor and 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 to include cosigning any documentation provided by the trainee. 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 Primary 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.
7. The supervisor must notify the Board within ten (10) business days when the trainee satisfactorily completes the traineeship.

History. Original Rule entitled "Temporary Registration" adopted. F. and eff. June 30, 1965. **Repealed:** F.

Mar. 8, 1971; eff. Mar. 28, 1971. **Amended:** New Rule entitled "Temporary Registration" adopted. F. May

1, 1973; eff. May 21, 1973. **Repealed:** New Rule of same title adopted. F. May 31, 1974; eff. June 20,

1974. **Repealed:** New Rule of same title adopted. F. Nov. 27, 1984; eff. Dec. 17, 1984. **Repealed:** New

Rule entitled "Temporary License" adopted. F. Feb. 28, 1986; eff. Mar. 20, 1986. **Amended:** F. Jan. 28,

1987; eff. Feb. 17, 1987. **Amended:** F. Dec. 30, 1987; eff. Jan. 19, 1988. **Repealed:** New Rule entitled

"Training Permits" adopted. F. May 26, 1993; eff. June 15, 1993. **Repealed:** New Rule of same title

adopted. F. Nov. 22, 1996; eff. Dec. 12, 1996. **Repealed:** New Rule of same title adopted. F. June 19,

1998; eff. July 9, 1998. **Repealed:** New Rule of same title adopted. F. May 26, 2005; eff. June 15, 2005.

Repealed: New Rule of the same title adopted. F. Sept. 24, 2010; eff. Oct. 14, 2010. **Repealed:** New Rule of the

same title adopted. F. May 25, 2012; eff. Jun. 14, 2012.

Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-2-.04 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Ms. Garner motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

3) 490-2-.09 Licensure: Endorsement.

(1) The Board may, in its discretion register a physical therapist or physical therapist assistant without an examination as set forth in Official Code of Georgia Annotated Section 43-33-15 upon payment of applicable fees. (Refer to fee schedule)

(2) Any applicant applying for licensure pursuant to O.C.G.A. 43-33-15 and who is a graduate of a physical therapy or physical therapist assistant program accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE) and approved by the Board, must provide:

(a) a list of all states where the applicant holds an active license; and

(b) verification of licensure in good standing from the state board of all states in which the applicant has actively practiced in the two years immediately preceding the date of this application; and

(c) official transcript from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation; and

(d) scores from the national licensing examination and/or cause a lawful licensing authority to provide evidence of passing scores on the national licensing examination.

(e) a passing score on the Georgia Jurisprudence Examination.

(3) Any applicant applying for licensure pursuant to O.C.G.A. 43-33-15 who is a graduate of a physical therapy or physical therapist assistant program not accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE) or approved by the Board, must provide:

(a) a list of all states where the applicant holds an active license; and

(b) verification of licensure in good standing from the state board of all states in which the applicant has actively practiced in the two years immediately preceding the date of this application; and

(c) official evaluation and transcript from a credential evaluation organization approved by the State of Georgia; and

(d) scores from the national licensing examination.

(e) a passing score on the Georgia Jurisprudence Examination.

(4) Proper proof of licensure in good standing from the state(s) where the applicant practiced in the two years immediately preceding this application, proof of graduation from an accredited physical therapy or physical therapist assistant program or credential evaluations deemed substantially equivalent to the professional degree, and satisfactory completion of the licensing examination shall be deemed to be prima facie evidence of compliance with Code Section 43-33-15. The Board, however, may request further verification of any credential submitted if deemed necessary to evaluate the application.

(5) Any applicant for licensure by endorsement who has not passed the national physical therapy examination by the fourth (4th) attempt will be required to submit proof of satisfactory completion of a Board approved 480 hour traineeship upon passing the examination prior and to issuance of a license.

(a) The traineeship must be completed within three (3) months of the issuance of the traineeship permit.

(b) This requirement may be waived at the discretion of the Board if the applicant has demonstrated clinical competency by submitting documentation which reflects a minimum of five (5) years of continuous active practice and a license in good standing.

(6) Any applicant for licensure by endorsement who has not passed the Georgia Jurisprudence Examination after the third (3rd) attempt will be required to complete a Board approved course on Georgia Jurisprudence prior to being granted approval to take the exam a fourth (4th) time.

(7) Any applicant for licensure by endorsement who has not passed the Georgia Jurisprudence Examination after the fourth (4th) attempt will not be allowed to sit for the examination for a fifth (5th) time without additional coursework as deemed necessary by the Board.

Authority O.C.G.A. Sec. 43-33-15. **History.** Original Rule entitled "Examination Proctors" adopted. F. and eff. June 30, 1965. **Repealed:** F. May 1, 1973; eff. May 21, 1973. **Amended:** New Rule entitled "Licensure: Endorsement" adopted. F. June 27, 1995; eff. July 17, 1995.

Mr. Bass motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-2-.09 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Mr. Bass motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

4) 490-9-.02 Code of Ethics for Physical Therapists.

Any individual who is licensed as a physical therapist shall abide by O.C.G.A. § 43-33-18 to include but not limited to 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.

Documentation is to be generated in accordance with federal and state guidelines at the time of service or shortly thereafter. (b)(c) When performing wellness and preventative services, physical therapists shall assume responsibility for providing optimal patient care.

(c)(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.

(d)(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.

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

(f)(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.

(g)(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.

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.

Mr. Strickland motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-9-.02 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Mr. Strickland motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

5) 490-9-.03 Code of Ethics for Physical Therapist Assistants.

Any individual who is licensed as a physical therapist assistant shall abide by O.C.G.A. §43-33-18 to include but not limited to 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 judgment.

(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 judgment 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.

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.

Ms. Gaskin motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-9-.03 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Ms. Gaskin motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

6) 490-9-.06 Telehealth

(1) The purpose of this rule is to define and establish guidelines for the practice of telehealth by the spectrum of technologies involving interactive physical therapy services.

(2) Telehealth has been defined as the use of electronic communications to provide and deliver a host of health related information and health care services including, but not limited to physical therapy related information and services, over large and small distances. Telehealth encompasses a variety of health care and health promotion activities including, but not limited to, education, advice, reminders, interventions, and monitoring of interventions. All provisions of Physical Therapy utilizing telehealth mechanisms must:

(a) conform to all statutes, rules and policies governing the practice of physical therapy in the State of Georgia.

(b) With the exception of practices and services identified in O.C.G.A. § 43-33-11(d), individuals providing physical therapy via telehealth to a patient/client in the State of Georgia must be licensed in the State of Georgia.

(c) A physical therapist that is licensed in another jurisdiction of the United States may provide a consultation via telehealth to a physical therapist in the state of Georgia.

Authority: O.C.G.A. Secs. 43-33-10; 43-33-11(d)

Ms. Gaskin motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-9-.03 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Ms. Gaskin motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

7) Frequently Asked Questions Regarding Petition Variances or Waivers

"If I feel a board rule should not apply to my situation, how do I ask the Board to vary or waive the rule or portion of the rule?"

O.C.G.A. § 50-13-9.1 Allows for an applicant and/or entity to petition the Georgia State Board of Physical Therapy to vary (modify) or waive (not apply) all or part of a rule requirement in their particular situation. In order for a rule or portion thereof to be varied or waived, the petitioner must be able to demonstrate strict application of rule can lead to unreasonable, uneconomical, and unintended results in the petitioner's particular instance. The statute also allows for the the Board to grant a variance or waiver when the petitioner is able to demonstrates that the purpose of the underlying statute upon which the rule is based can be or has been achieved by other specific means which are agreeable to the person seeking the variance or waiver and that strict application of the rule would create a substantial hardship to such person.

If an applicant and/or entity desires to make such a petition, you must download and complete a Petition for Rule Variance or Waiver form and submit it along with any supporting documentation to the Board for consideration. You may download the instructions and form by visiting the Application/Form Downloads section on the home page of the Board website.

Please be aware that a failure to properly complete the form and submit the documentation supporting your statements within the petition may result in the denial of the request based on insufficient evidence to substantiate that the application of the rule in your circumstance will cause a hardship.

The petition will be posted for a minimum of fifteen (15 days) on the GeorgiaNet Public Registry and petitioners may conduct a search for their petition on <http://services.georgia.gov/sos/sosrw/searchHome.do> . Please note that

any member of the public, including interested parties, shall have the opportunity to submit written comments in support of or against proposed variances or waivers prior to the Board decision. The Board has up to sixty (60) days from receipt of the petition to render a decision to either grant or deny the petition. The petitioner will be notified in writing of the Board's decision and the written statement will include relevant facts and the reasons for the Board's action.

Ms. Gaskin motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to accept and post the Frequently Asked Question regarding petition variances or waivers as presented.

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

(A) Effective November 21, 2011, the Board will make eligible, applicants for licensure by examination upon receipt of proof from either the College / University Registrar, Dean, PT or PTA Program Director at the applicant's CAPTE-accredited PT / PTA program stating that the applicant has successfully completed the Physical Therapist or Physical Therapist Assistant program but is awaiting degree conferment. The Board has provided, as part of the application, a form that must be completed by the appropriate school representative and submitted to the Board.

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

(C) An applicant that has not passed the national physical therapy examination [or the Georgia Jurisprudence examination](#) by the fourth (4th) time will not be allowed to sit for the examination for a 5th time without extensive further study, which may include completing a physical therapy educational program approved by CAPTE [or additional coursework as deemed necessary by the Board](#).

(D) Applicants for initial licensure by exam must take and pass the electronic Georgia Jurisprudence Exam the Federation of State Boards of Physical Therapy (FSBPT).

Policy approved at the March 16, 2004 meeting.

Policy reaffirmed at the January 2009 meeting.

Policy amended at the November 15, 2011 meeting.

Policy revised at the September 18, 2012 meeting.

(as recommended by the Rules Committee on June 2, 2015)

Ms. Gaskin motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to accept Policy 2 as amended and post it in the Board policy manual.

9) Policy #3 - Endorsement applications

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

(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.

(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). [An applicant who has not passed the Georgia Jurisprudence exam by the 4th time will not be allowed to sit for the exam a 5th time without evidence of completion of additional Jurisprudence coursework as deemed necessary 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.

Policy revised at November 18, 2014 meeting.

(as recommended by the Rules Committee June 2, 2015)

Ms. Garner motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to accept Policy 3 as amended and post it in the Board policy manual.

Special Projects Committee Discussion

1) 490-9-.04 Disciplinary Sanctions.

When providing physical therapy treatment following appropriate consultation, unprofessional and unethical conduct shall include but is not limited to the following:

- (a) Failing to adhere to the Code of Ethics for Physical Therapists and Physical Therapists Assistants, as codified in Rules 490-9-.01 through 490-9-.03.
- (b) Delegating to an aide or unlicensed person any physical therapy task other than those codified in Chapter 490-8.
- (c) Failing to provide continuous, immediate and physically present supervision of the aide or unlicensed person when designated tasks are performed.
- (d) Performing the technique of dry needling without having met the training and competency requirements as codified in Rule 490-9-.05.

(e) Failing to adhere to the 'Consumer Information and Awareness Act' as codified in O.C.G.A. §43-1-33 in relation to conspicuously posting and affirmatively communicating your type of regulatory designator (PT, PTA), level of education, and training to all current and prospective patients by way of a name badge, facility notices and advertisements.

(f) Failing to provide an evaluation on each patient and establishing a physical therapy diagnosis. (g) Failing to formulate and record in the patient's record a treatment program based upon the evaluation and any other information available.

(h) Failing to perform periodic evaluation of the patient and documenting the evaluations in the patient's record and to make adjustments to the patient's treatment program as progress warrants.

(i) Failing to formulate and record a patient's discharge plan.

(j) Directly or indirectly requesting, receiving or participating in the division, transferring, assigning, rebating or refunding of fees or remuneration earned, in cash or kind, for bringing or referring a patient. For purposes of this Rule:

1. No physical therapist, physical therapy assistant, employee or agent thereof acting on his behalf, shall enter into or engage in any agreement or arrangement with any individual, entity, or an employee or agent thereof acting on his behalf, for the payment or acceptance or compensation in any form for the referral or recommending of the professional services of either. This prohibition includes any form of fee division or charging of fees solely for referral of a patient.

2. This prohibition shall include a rebate or percentage of rental agreement or any arrangement or agreement whereby the amount received in payment for furnishing space, facilities, equipment or personnel services.

3. Provided further, that this Rule shall not preclude a discount, waiver of co-payment or other reduction in price of services by a physical therapist if the reduction in price is properly disclosed to the consumer and third party payers and appropriately reflected in the costs claimed or charges made.

(k) Should it be determined that a licensee is in violation of this rule and the statutes referenced herein, the Board may impose any disciplinary or corrective measure allowed by law.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-11, 43-33-18. **History.** Original Rule entitled "Disciplinary Sanctions" adopted. F. Jan. 25, 2007; eff. Feb. 14, 2007. **Repealed:** Rule entitled "Disciplinary Sanctions." adopted. F. Mar. 21, 2012; eff. Apr. 10, 2012.

Mr. Crews motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-9-.04 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Mr. Crews motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

2) Policy #7 - Continuing Competence Policy

(A) 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, not exceed ten (10) credit hours per calendar day, to promote continuing competence (CC) per licensure period.

(B) 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.

(C) 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 provided that the individual has not already received credit for examination when licensure was obtained.

(D) Continuing competence hours obtained from, but not limited to, the following programs or organizations are generally accepted by the Board provided that the experience meets the requirements of Board Rule 490-4-.02 and is related to the practice of physical therapy:

(a) The American Physical Therapy Association (APTA) and its affiliate components;

- (b) The Physical Therapy Association of Georgia (PTAG) or any other state
 - (c) The Federation of State Boards of Physical Therapy (FSBPT)(Procert);
 - (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;
 - (e) The American Occupational Therapy Association (AOTA);
 - (f) The American Academy of Physical Therapy (AAPT)
 - (g) Programs approved by another state board
 - (h) JCAHO-accredited healthcare organizations
 - (i) The American Academy of Orthopedic Surgeons (AAOS)
 - (j) The National Athletic Trainers Association (NATA)
 - (k) The American Dental Association (ADA)
 - (l) The American Nurses Association (ANA)
 - (m) The American Association of Veterinary State Boards (AAVSB)
The Federation of Chiropractic Licensing Boards (FCLB)
- 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 meeting (removing class designation.)
Policy amended at the November 18, 2014 meeting.
Policy amended at the March 17, 2015 meeting.

Ms. Gaskin motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to accept Policy 7 as amended and post it in the Board policy manual.

3) 490-4-.03 Reporting and Auditing of Continuing Competence.

- (1) At the time of license renewal, each licensee shall certify to the Georgia State Board of Physical Therapy that he/she has completed the continuing competency (CC) hours required within the two year licensure period for license renewal.
- (2) The staff of the State Examining Boards shall randomly select licenses, at a percentage determined by the Board, for the purpose of auditing compliance with the CC requirements.
- (3) A licensee shall be subject to disciplinary action to include a Public Reprimand, consisting of but not limited to, a fine of \$500 per violation and a requirement that any deficient CC hours be obtained within two (2) months of the effective date of the Public Reprimand, should it be determined that the licensee:
 - (A) Failed to obtain the required CC hours within the two (2) year licensure period; or,
 - (B) Falsely certifies that he/she has completed the continuing education requirement for renewal in accordance with Board rules; or,
 - (C) Failed to register and ensure all CC hours are recorded within the online recording and reporting system approved by the Board.
- (4) The CC hours used to satisfy the terms of a Public Reprimand may NOT be used to satisfy the CC requirement of any subsequent renewal cycle. A violation of this provision of the rule may subject the licensee to a fine up to \$500.
- (5) Any future violations of this or any other statute or rule may result in progressive disciplinary action up to, and possibly including, revocation of a license to practice as a physical therapist or physical therapist assistant in Georgia.
- (6) In addition to recording CC hours within the online recording and reporting system approved by the Board, each licensed physical therapist or physical therapist assistant shall be responsible for maintaining records of attendance and supporting documents for continuing competence for a period of four (4) years (two renewal cycles). The Board reserves the right to audit the records maintained by the licensee.
- (7) A licensee who fails to certify on the renewal application that he/she has completed the CC hours required for license renewal will be audited and subject to the disciplinary action as outlined in this rule.

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, 43-33-19. History. Original Rule entitled "Disciplinary Sanctions" adopted. F. Jan. 28, 1987; eff. Feb. 17, 1987. Amended: F. Mar. 22, 1989; eff. Apr. 11, 1989. Amended: F. Feb. 26, 1990; eff. Mar. 18, 1990. Amended: F. Dec. 6, 1990; eff. Dec. 26, 1990. Amended: F. Mar. 28, 1994; eff. Apr. 17, 1994. Amended: F. Mar. 7, 2002; eff. Mar. 27, 2002. Repealed: New Rule of same title adopted. F. Mar. 16, 2005; eff. Apr. 5, 2005. Repealed: Rule reserved. F. Jan. 25, 2007; eff. Feb. 14, 2007.

Ms. Gaskins motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-4-.03 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Ms. Gaskins motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

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 presented the Board with an update on the current number of Georgia licensees registered in the aPTitude CE tracking system. Ms. Price notified the Board that the Executive Directors were asked to notify the Secretary of State's Attorney for Elections and Legislation of any potential legislation that may be under consideration for each Board, no matter what stage in the process. Ms. Price shared that the majority of the healthcare boards have shown an interest in requiring all applicants to complete a Fingerprint Criminal Background Check. The consensus of the Board was that this matter is of concern. Mr. Crews motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to accept the report as presented and notify Secretary Kemp's Elections and Legislation Attorney that they are in support of all healthcare boards having the ability to require a national criminal background check

Board's Chairperson Report – S. Palma

Dr. Palma expressed sincere gratitude to the Board and its Staff for their work and thanked Ms. Gaskin for her willingness to attend the FSBPT Leadership Issues Forum in August on behalf of the Board. The Board accepts the verbal report as presented.

Miscellaneous Discussions

Mr. Frady addressed the Board in reference to his application for licensure, offered his apologies for any poor behavior on his part and offered to remain for the length of the Executive Session if the Board had any questions regarding his application.

The Board Chair requested for Staff to invite Secretary of State Brian P. Kemp to the November 17, 2015 Board meeting.

Ms. Gaskin made the motion, Ms. Garner 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 Stefanie Palma, Dorothy Gaskin, Chad Whitefield, Charles Bass, Jesse Crews, Monty Strickland, and Emily Garner.

At the conclusion of Executive Session on Tuesday, July 21, 2015 Dr. Palma 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

1) May 19, 2015 Board Meeting Executive Minutes

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the May 19, 2015 executive session minutes as amended.

2) July 7, 2015 Board Meeting Teleconference Executive Minutes

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the July 7, 2015 executive session minutes as amended.

Attorney General's Report- D. Williams-McNeely

Mr. Strickland 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

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

- 1) PT150011 Close the case with a letter of concern to the respondent regarding Board Rule 490-9-.03(1) (e).
- 2) PT150020 Refer the case to Attorney General's office for Order of Mental Physical Evaluation.
- 3) PT150018 Refer the case to Attorney General's office for Revocation of License.
- 4) PT150012 Close the case with no further action.

- 5) PT150004 Refer the case back to investigations to obtain additional evidence as indicated and schedule for an investigative interview.

Executive Discussions

- 1) Kinesiology Taping Mr. Crews motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to refer the Georgia Board of Massage Therapy to the statutes and send a no legal advice letter regarding kinesiology taping.

Applications

- Ms. Gaskin motioned, Ms. Garner seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:
- 1) N.R.F. Issue the license with a letter of concern regarding criminal history. Dr. Palma abstained from voting.
 - 2) J.J.G. Issue the license.
 - 3) M.D.P. Issue the license with a letter of concern regarding conduct.
 - 4) K.E.W. Issue the license with a letter of concern regarding alcohol.
 - 5) J.A.W. Issue the license.
 - 6) W.M.W. The applicant must complete a 480 hour traineeship to be eligible for licensure.
 - 7) A.C.H. Deny for licensure, applicant must undergo extensive further study to be considered a candidate for re-examination and/or licensure.
 - 8) C.L.N. Issue the license.
 - 9) B.A.F. Issue the license with a letter of concern regarding ethics.
 - 10) J.C.G. The applicant must complete a 480 hour traineeship to be eligible for licensure.
 - 11) M.A.P. Recommend applicant withdraws application due to failure to meet educational requirements of O.C.G.A. § 43-33-13.

Miscellaneous

- 1) The Board directs Staff to contact FSBPT to determine which states require direct access and which insurance companies appear to be reimbursing for it.

Adjournment- With no additional business to be discussed, the meeting was adjourned at 1:37pm

Minutes recorded by:

Tamara Elliott, Board Support Specialist

Minutes reviewed and edited by:

Kathy Osier, Licensing Supervisor and Adrienne Price, Executive Director

Minutes approved on:

September 22, 2015

STEFANIE PALMA

BOARD PRESIDENT

ADRIENNE PRICE

EXECUTIVE DIRECTOR