

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Special Projects Committee Minutes
Teleconference Meeting
January 12, 2016 - 08:30AM

Board Members Present

Stefanie Palma, PT, Committee Chair
Charles Bass, PT, Board Member

Administrative Staff Present

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

Attorney General's Office

D. Williams-McNeely, Assistant Attorney General

Visitors Present

No visitors present

Call to Order: Dr. Palma established that a quorum was present and called the meeting to order at 8:34a.m.

OPEN SESSION

Discussion – Board Rule 490-9-.02 Code of Ethics for Physical Therapists

The Committee recommended the Board 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.

490-9-.02 ~~Principles of Conduct~~ 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 ~~S~~standards:

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

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

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

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

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

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

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

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

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

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

~~(b)~~ [Documentation is to be generated in accordance with federal and state guidelines at the time of service or shortly thereafter.](#)

(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) Upon initiation of a physical therapy plan of intervention, physical therapists may, at their discretion, allow physical therapy treatments to be performed by physical therapist assistants to include the period of 21 days or eight (8) visits, whichever comes first, prior to discharge or receipt of a referral from the patient's provider.

(i) 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)(j) 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.

(d) Physical therapists shall not commit any act of sexual intimacy, abuse, misconduct, or exploitation of any individual related to the licensee's practice of physical therapy regardless of consent.

1. This subsection of the rule shall apply to former patients where the licensee did not terminate in writing the physical therapist/patient relationship and supportive clinicians under the supervision of the licensee. For the purposes of this rule, supportive clinicians are defined as physical therapist assistants, trainees, and students.

2. The Board will consider the physical therapist/patient relationship terminated if:

(a) the physical therapists is able to document that he/she has not provided any of the care and services codified in O.C.G.A. § 43-33-3(7) for the patient for period of at least two (2) years;

(b) the physical therapist has not supervised the supportive clinician for a period of two (2) years.

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.

Discussion – Board Rule 490-9-.03 Code of Ethics for Physical Therapist Assistants

The Committee recommended the Board 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.

490-9-.03 ~~Principles of Conduct~~ 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](#).

[\(d\) Physical therapist assistants shall not commit any act of sexual intimacy, abuse, misconduct, or exploitation of any individual related to the licensee's practice of physical therapy regardless of consent.](#)

[1. This subsection of the rule shall apply to former patients, supportive clinicians, and students under the supervision of the licensee. For the purposes of this rule, supportive clinicians are defined as physical therapist assistants, trainees, and students.](#)

[2. The Board will consider the individual to no longer be a patient or supportive clinician if:](#)

[\(a\) the physical therapist assistant is able to document that he/she has not provided any of the care and services codified in O.C.G.A. § 43-33-3\(7\) for the patient for period of at least two \(2\) years;](#)

[\(b\) the physical therapist assistant has not supervised the supportive clinician for a period of two \(2\) years.](#)

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.

Discussion – Continuing Competence Activities Documentation Requirements for aPTitude

The Committee recommended tabling the discussion regarding continuing competence activities documentation requirements for aPTitude until the Board Meeting schedule for January 26, 2016.

Discussion – Traineeship Competency Evaluation

The Committee recommended the Board accept the traineeship competency evaluation form as presented.

Discussion – Traineeship Competency Evaluation Instruction Form

The Committee recommended the Board accept the competency evaluation instruction form as presented.

Adjournment: With no additional business to be discussed, the meeting was adjourned at 9:01a.m.

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:

January 26, 2016

STEFANIE PALMA

COMMITTEE CHAIR

ADRIENNE PRICE

EXECUTIVE DIRECTOR