

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
July 23, 2013 * 9:00 a.m.

Board Members Present:

Bo Hamil, PT- President
Charlene Portee, PT-Vice-President
Stefanie Palma, PT
Dorothy Gaskin, PT
Emily Garner, PT
Chad Whitefield, PTA
Monty Strickland, PT
John Cowherd, Consumer Member

Administrative Staff Present:

Josh Waters, Executive Director
Tamara Elliott, Board Support Specialist

D. Williams-McNeely, Assistant Attorney General

Visitors

Katherine Sylvester
Laurie Wallace

Mr. Hamil established that a quorum was present and called the meeting to order at 9:14 a.m.

OPEN SESSION

Approval of Minutes:

Dr. Palma motioned, Mr. Cowherd seconded and the Board voted unanimously in favor of the motion to approve the following board meeting minutes with amendments.

- May 21, 2013 Board Meeting
- July 11, 2013 Rules Committee Teleconference

Licenses to Ratify May 15, 2013-July 15, 2013

Mrs. Garner made a motion to approve the list of licenses to be ratified. Dr. Palma seconded and the Board voted unanimously in favor of the motion.

Correspondence from S. Doss

Mrs. Garner made a motion to send a no legal letter citing Rule 490-5-.01 Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapy Assistant. Dr. Portee seconded and the Board voted unanimously in favor of the motion.

Discussion: Foreign Trained Endorsement

- 490-2-.03 Licensure: Foreign-Educated Applicants
- 490-2-.09 Licensure: Endorsement

The Board refers to Rules Committee.

Robert Major: Request to Terminate Probation

Dr. Portee made a motion to approve the request to terminate probation. Dr. Palma seconded and the Board voted unanimously in favor of the motion.

*Mr. Hamil expresses a need for the Board to develop a process for tracking applicants to evaluate and follow-up on to make sure they have completed all requirements requested by the Board.

Nipa Patel: Rule Variance Request: 490-2-.04 Training Permits

Dr. Portee made a motion to deny rule variance request and direct Ms. Patel to apply for extension if she desires to. Mr. Cowherd seconded and the Board voted unanimously in favor of the motion.

Correspondence from Tracy Collins

Dr. Palma made a motion to send a no legal letter in reference to fitness, legal, and prevention. Mr. Whitefield seconded and the Board voted unanimously in favor of the motion.

Discussion: Definition of Practitioner of the Healing Arts

Dr. Palma discussed her findings and was suggested to make a rule change. Dr. Portee mentioned that a rule cannot supersede a GA Law and Assistant Attorney General D. Williams-McNeely explained that the Definition of Healing Arts in Law does not list Physical Therapists and the Board will be limited by the statute. Mr. Hamil mentions Board is not trying to change the statute just update their Rule. Table for further discussion

The Board discussed a possible rule revision below:

490-11-.01 Consultation.

(1) For purposes of Official Code of Georgia Annotated, Section 43-33-18(a)(1):

(a) "Consultation" shall mean provision of professional advice;

(b) A "licensed practitioner of the healing arts" "licensed healthcare provider" means any health practitioner who is licensed in the State to diagnose and treat individuals with the physical or mental disability or functional limitations at issue, and operating within the scope of practice defined in Title 43 Chapter 33.

(c) For purposes of determining whether a licensed practitioner is appropriate, the physical therapist shall consider, but not be limited to, the following factors:

1. Physical condition of the patient;
2. Nature of ailment;
3. Extent to which the consulting practitioner has knowledge of the patient’s history and condition such that an informed judgment can be made concerning course of treatment.

(d) Physical therapists shall document the consultation with the appropriate licensed practitioner of the healing arts prior to implementing a program of physical therapy treatment.

Authority O.C.G.A. Secs. 43-1-19, 43-1-24, 43-33-18. **History.** Original Rule entitled “Consultation” adopted. F. Jan. 26, 2007; eff. Feb. 15, 2007. **Repealed:** New Rule with same title adopted. F. May 25, 2012; eff. Jun. 14, 2012.

Rules Committee Report- Charlene Portee

- Rule 490-2-.04 Training Permits

Discussed in minutes

Attorney General’s Report- D. Williams-McNeely

No Report

Board Chair Report –Bo Hamil

Mr. Hamil mentions that he is attending a conference as a delegate in August 2013.

Executive Director’s Report –Josh Waters

No Report

Miscellaneous

Visitor asked the Board if MT and OT can directly treat does that mean PT can accept referrals from MT and OT?

Visitor explained to the Board concerns involved the Training Permit rule and explained that it’s becoming a supervisor issue to be there during traineeship since the trainee can only have one supervisor and must be there at all times.

Mr. Hamil directed her to submit questions to the Board for Agenda discussion.

Dr. Palma made the motion, Mrs. Gaskin 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, John Cowherd, Stefanie Palma, Dorothy Gaskin, Charlene Portee, Chad Whitefield, Monty Strickland, and Emily Garner.

Mr. Hamil declared open session

OPEN SESSION

Executive Minutes:

Dr. Palma motioned, Mrs. Gaskin seconded and the Board voted unanimously in favor of the motion to approve the following executive board meeting minutes:

- May 21, 2013 Board Meeting

Applications:

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

- | | | | |
|----|--------|------------------------------|---|
| 1. | S.L.H. | PTA Endorsement | Approve |
| 2. | T. P. | 4 th NPTE Attempt | Approve |
| 3. | F.M. | 4 th NPTE Attempt | Approve |
| 4. | N.L. | PTA & PT Apps | Deny PTA app Needs proof of PTA transcripts; Deny PT app needs remediation plan; Refer to Cognizant |
| 5. | M.N. | PTA Reinstatement | Approve |

Cognizant’s Report – Chad Whitefield

Mrs. Garner motioned, Mrs. Gaskin seconded and the Board voted unanimously in favor of the motion to accept the following Cognizant’s report:

- PT130005 Accept C&D (red flag for 3 month follow-up by investigator)
- PT130015 Send LOC and recommend applicant complete CE course in Jurisprudence, Legal and Ethics Training in person. Send updates to AT Board.

Attorney General’s Report- D. Williams-McNeely

Dr. Palma made a motion to accept the Attorney General’s Report. Mrs. Gaskin seconded and the Board voted unanimously in favor of the motion.

- No open cases

Miscellaneous

Reminder: Board will not hold open public meeting in November 2013.

No more business was discussed and the meeting adjourned at 12:08 p.m. The next Georgia State Board of Physical Therapy meeting will be on Tuesday September 10, 2013, at 9:00 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

Bo Hamil, President
The Georgia State Board of Physical Therapy

Date

Josh Waters, Executive Director
The Georgia State Board of Physical Therapy

Date