

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Rules Committee Minutes
Teleconference Meeting
February 16, 2016 - 08:30AM

Board Members Present

Dorothy Gaskin, PT, Committee Chair
Monty Strickland, 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, Senior Assistant Attorney General

Visitors Present

No visitors present

Call to Order: Ms. Gaskin established that a quorum was present and called the meeting to order at 8:32a.m.

OPEN SESSION

1) Discussion – Amendments to BR 490-4-.02

The Committee recommends that the Board refer the proposed amendment to BR 490-4-.02 the Attorney General's office for a memorandum of authority and if no objections, vote to post.

Rule 490-4-.02. Continuing Competence Requirements

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 per licensure period to promote continuing competence. The Board recommends the requirements for competence as planned learning experiences which have content beyond the licensee's present level of knowledge and competence which may be subject to audit by the board. Content of the experience must relate to patient care in physical therapy whether the subject is research, treatment, documentation, education, management, or some other content area. The purpose of this requirement is to assist in assuring safe and effective practices in the provision of physical therapy services to the citizens of Georgia. In the event that a licensee does not meet this requirement, the license will not be renewed.

The thirty (30) hours of continuing competence requirements per biennium shall include a minimum of four (4) contact hours specifically in ethics and jurisprudence as defined in the Georgia Physical Therapy Act or by passage of the Georgia Jurisprudence Examination. Passage of the examination is equivalent to the four (4) hour requirement.

- (1) The following programs may be considered for approval, but are not limited to:
- (a) Programs approved by the American Physical Therapy Association and its affiliate components;
or
 - (b) Programs approved by the Physical Therapy Association of Georgia or any other state chapters; or
 - (c) Programs approved by the Federation of State boards of Physical Therapy (Procert);
or
 - (d) Programs provided at CAPTE-Accredited colleges and universities with programs in physical therapy when the continuing competency course is held under the auspices of the school of physical therapy; or
 - (e) Programs offered by similar professional organizations offering experiences that meet the guidelines set forth in paragraph one.

- (f) Fifteen (15) hours for undergoing a peer review; or
 - (g) Ten (10) hours for conducting a peer review when that activity is an adjunct responsibility and not the primary employment; or
 - (h) Participation as a presenter for continuing education courses, workshops, seminars or symposia which have been approved by the approved list above; Continuing competence credit is based on contact hours and may not exceed 10 hours per topic;
 - (i) Authorship of a presented scientific poster, scientific platform presentation or published article; Continuing competence credit is 10 hours per even and may not exceed 20 hours;
 - (j) Teaching a physical therapist or physical therapist assistant credit course when that teaching is an adjunct responsibility and not the primary employment; Continuing competence credit is based on contact hours not to exceed 20 hours;
 - (k) Certification of clinical specialization by the American Board of Physical therapy Specialties. Continuing competence credit is 30 hours and is recognized only in the biennium in which certification or recertification is awarded.
 - (l) Self - instruction from reading professional literature; Continuing competence credit is limited to a maximum of three (3) hours; or
 - (m) Attendance at a scientific poster session, lecture, panel, symposium or university course Continuing competence credit is one hour per contact hour of activity; or
 - (n) Acting as a clinical education instructor for an accredited physical therapist or physical therapist assistant educational program; Continuing competence credit is one (1) hour per eight (8) contact hours with a maximum credit of 10 hours; or
 - (o) Acting as a clinical instructor or an intern for a formal, nonacademic, advanced clinical internship or as a mentor or a learner for a formal, nonacademic mentorship with a maximum credit of 10 hours.
 - (p) Donating time in the role of a Physical Therapist or Physical Therapist Assistant, within the scope of practice, to a charity event or volunteer clinic; Continuing competence credit is one (1) hour per eight (8) contact hours, limited to a maximum of ~~five-three~~ (53) hours;
 - (q) Reference Policy 13
 - (r) Post professional physical therapist educational programs that award academic credit are counted as one (1) university credit hour equaling ten (10) continuing competence hours. For example, a two (2) credit hour course in which a passing grade is achieved would equal twenty (20) continuing competence hours.
- (2) Unacceptable activities for continuing competence include, but are not limited to: (a) Orientation and in-service programs;
- (b) Meetings for purposes of policy decisions;
 - (c) Non-educational meeting at annual association, chapter or organization meetings; (d) Entertainment or recreational meeting or activities;
 - (e) Committee meetings, holdings of offices, serving as an organization delegate; (f) Visiting exhibits;
 - (g) CPR.
- (3) Continuing competence requirements shall apply within the first biennium that a physical therapist/physical therapist assistant is licensed in Georgia. However, licensees who have graduated during the current renewal

biennium and who have passed the National Physical Therapy Examination are exempt from the continuing competence requirement during the biennium in which they have graduated and successfully passed the exam.

- (4) Beginning the January 1, 2014 through December 31, 2016 biennium and thereafter, persons licensed to practice as a physical therapist or a physical therapy assistant or who shall file an application to practice as such in this state are to maintain a record of completed continuing education courses and experiences by registering with an online recording and reporting system approved by the Board.
 - (a) For the purposes of this requirement, the Georgia State Board of Physical Therapy adopts the utilization of aPTitude offered by the Federation of State Boards of Physical Therapy (FSBPT).
 - (b) Licensees and applicants shall incur no additional costs from the FSBPT for this service.
 - (c) Every licensee or applicant subject to the rules of the Georgia State Board of Physical Therapy shall be deemed to have given such person's consent to the Board and its representatives to access their continuing competence record retained within the online database for the purposes of auditing and verifying completion of the Board's continuing competency requirements. Such person waives all objections to the admissibility of the record in any proceedings or hearings before the board.
- (5) Individuals licensed during the last six (6) months of a biennium renewal period will not be required to meet continuing competence requirements for that biennium.
- (6) Individuals who have been reinstated within the last six (6) months of a biennium renewal period may use the continuing competence coursework used for reinstatement, thereby making them exempt from the requirement for that biennium renewal period.
- (7) Those licensees selected for audit shall ensure that a record of completed continuing education courses and experiences ~~submit the Verification of Continuing Competence form and documentation of compliance upon receipt of notice~~ is entered within the online reporting system approved by the Board. Acceptable documentation shall include:
 - (a) An official program or outline of the course attended or taught or a copy of the publication which clearly shows that the objectives and content were related to patient care in physical therapy and shows the number of contact hours, as appropriate. The information also should clearly identify the licensee's responsibility in teaching or authorship; and
 - (b) A certificate or verification of completion of home study which identifies the sponsoring entity or maintain a copy of the final grade report in the case of a University credit course(s), or specialization certificate, or proof of attendance with a copy of the program for the other acceptable activities, or documentation of self- instruction or reading professional literature; or
 - (c) Verification of a peer review of practice with verification of acceptable practice by a recognized entity. An example of a recognized entity is the American Physical Therapy Association Board Policy (See APTA Policy G03-05-15-40).
- (8) Responsibilities of the Licensee:
 - (a) To maintain the documents identified in number (4) above for no less than three (3) years from the beginning date of the licensure period. These records should be maintained in the licensee's personal files for no less than three (3) years from the beginning date of the licensure period through the even numbered year after the license is renewed.
 - (b) ~~To submit a properly completed and notarized "Verification of Competence Education" form to the Georgia State Board of Physical Therapy, if audited.~~
 - (be) To complete all steps necessary to meet the re-licensure requirements on or before December 31st of the odd numbered years.
 - (cd) To provide the Board with information requested during an audit.

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

Cite as Ga. Comp. R. & Regs. R. 490-4-.02

Authority: O.C.G.A. §§ [43-1-24](#), [43-1-25](#), [43-33-10](#), [43-33-11](#) and [43-33-16](#). **History.** Original Rule entitled "Revocation, Refusal to Renew" was filed and effective on June 30, 1965.

Amended: Rule repealed and a new Rule of the same title adopted. Filed April 20, 1973; effective May 10, 1973.

Amended: Rule repealed and a new Rule entitled "Disciplinary Sanctions" adopted. Filed December 15, 1982; effective January 4, 1983.

Amended: Rule repealed and a new Rule of the same title adopted. Filed February 4, 1985; effective February 24, 1985.

Amended: Filed February 28, 1986; effective March 20, 1986.

Amended: Rule renumbered as Rule [490-4-.03](#) and a new Rule entitled "Continuing Education Requirements" adopted. Filed January 28, 1987; effective February 17, 1987. **Amended:** Filed June 26, 1987; effective July 16, 1987.

Repealed: New Rule of same title adopted. F. Mar. 22, 1989; eff. Apr. 11, 1989.

Amended: F. Aug. 24, 1989; eff. Sept. 13, 1989.

Repealed: New Rule of same title adopted. F. Jul. 22, 1999; eff. Aug. 11, 1999.

Amended: F. May 9, 2000; eff. May 29, 2000.

Amended: F. May 19, 2004; eff. June 8, 2004.

Repealed: New Rule of same title adopted. F. June 22, 2007; eff. July 12, 2007. **Repealed:** New Rule of the same title adopted. F. May 12, 2010; eff. June 1, 2010. **Amended:** F. May 17, 2011; eff. June 6, 2011.

Repealed: New Rule of same title adopted. F. May 25, 2012; eff. Jun. 14, 2012.

Amended: F. May 23, 2013; eff. Jun. 12, 2013.

Amended: F. Jan. 16, 2015; eff. Feb. 5, 2015.

2) Discussion – Amendment to Policy #4 Renewal Audit or Develop a New BR 490-4-.03

The Committee recommends that the Board refer the proposed amendment to BR 490-4-.03 the Attorney General's office for a memorandum of authority and if no objections, vote to post.

[Rule 490-4-.03 Continuing Competency Audit](#)

(1) Each licensee is responsible for completing all steps necessary to meet the renewal application requirements on or before December 31st of the odd numbered years to include recording proof of completion of the continuing competency (CC) requirements, within the online recording and reporting system approved by the Board, prior to the expiration date of the license.

(2) A renewal applicant may be subject to audit if the applicant:

(a) is randomly selected for CC audit BEFORE the license expiration date;

(b) answers "no" to the continuing competency question;

(c) has been disciplined by any state or regulatory board; and/or,

(d) has been convicted, or entered a plea of guilty, nolo contendere, or been sentenced under the "First Offender Act" for any felony, misdemeanor or any offense other than a minor traffic violation? DWI a DUI are not minor traffic violations.

(3) Licensees whose renewal applications are randomly selected for CC audit must submit records of attendance and proof of completion in accordance with BR 490-4-.02 before the renewal application is considered complete. The license will not be renewed until satisfactory documentation of completion is submitted.

(4) If satisfactory documentation of completion of all CC requirements is not submitted before the end of the established late renewal period, the license will be administratively lapsed for failure to meet the CC requirements to renew the license.

(5) The Board may opt to conduct an audit of CC hours submitted in connection with a license renewal application AFTER a license is renewed.

(6) If an audit of CC hours for renewal shows that the CC hours or documentation was submitted into the online recording system before the end of the late renewal period AND the hours are deficient, incorrect, false, or fraudulent:

- (a) The Board may take disciplinary action against a licensee and may require, as a condition of granting renewal, that the licensee enter into an agreement with terms and conditions that include, but are not limited to, the following:
- (1) pay a fine of \$500.00 per violation;
 - (2) submit proof satisfactory to the Board of completion of all deficient CC hours, none of which may be used to satisfy the CC requirement of any subsequent renewal cycle; and,
 - (3) failure to comply with all the Board's terms and conditions by the end of the late renewal period may result in additional sanctions and penalties based upon the facts and circumstances as determined by the Board.

Cite as Ga. Comp. R. & Regs. R. 490-4-.01

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-33-10, 43-33-11 and 43-33-16.

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.

3) Discussion – Failure to Comply with BR 490-4-.02

The Committee recommends that the Board vote to direct staff to send deficiency notices to all licensees who have not completed the continuing competency requirements for license renewal at this time and inform them that they must complete the requirements as indicated in BR 490-4-.02 and submit proof of completion by July 1, 2016 or the Board may proceed with disciplinary action as determined by the Board.

4) Miscellaneous Discussions

There were no miscellaneous discussions.

Adjournment: With no additional business to be discussed, the meeting was adjourned at 9:06a.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:

March 22, 2016

DOROTHY GASKIN
COMMITTEE CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR