

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Tuesday, November 15, 2016 - 9:00 a.m.

The Georgia State Board of Physical Therapy met on Tuesday, November 15, 2016. The following members were present:

Board Members Present

Stefanie Palma, PT, - Chairperson
Dorothy Gaskin, PT – Vice Chair
Charles Bass, PT
Monty Strickland, PT (via teleconference)
Chad Whitefield, PTA
Reid Lawson, PT
Jesse Crews, Consumer Member
Anne Thompson, PT

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Foster, Board Support Specialist
Kathy Osier, Licensing Supervisor

Attorney General's Office

D. Williams-McNeely, Senior Assistant Attorney General

Board Members Absent

No Board members absent.

Visitors Present

Emily Garner, PT (via teleconference)
Katherine Sylvester, Physical Therapy Association of Georgia (PTAG)
Sandy Eskew Capps, PT
Holby Holmes
James Erdmanczyk

Call to Order: Dr. Palma established that a quorum of the Board was present and called the meeting to order at 9:11 a.m.

OPEN SESSION

Agenda The Board accepts the agenda as presented.

Oath of Public Officer – Anne Thompson, New Board Member

Ms. Thompson was sworn in by Lisa Durden, Division Director. The Board welcomed her and expressed excitement about what her contributions will be.

Board Expressions – Service of Emily Garner, PT

Dr. Palma expressed immense gratitude for Ms. Garner's service stating it was an honor and privilege to work with her. The full Board expressed similar sentiments saying she will be greatly missed. Dr. Palma read the wording on a plaque which is to be mailed to Ms. Garner from the Board. Ms. Garner, former Board Member, addressed the Board stating that she has had a wonderful experience during the time that she has served on the Board. She shared that she enjoyed getting to know each member as well as the staff and that she is thankful for all of the sweet words from the members and for the plaque honoring her service to the Board.

Open Session Minutes

1. September 20, 2016 Open Session Board Meeting Minutes

Mr. Crews motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to approve the September 20, 2016 open session board meeting minutes as amended to correct grammatical errors.

2. October 25, 2016 Teleconference Open Session Minutes

Ms. Gaskin motioned, Mr. Lawson seconded, and the Board voted unanimously in favor of the motion to approve the October 25, 2016 open session teleconference minutes as amended to correct grammatical errors.

3. November 8, 2016 Rules Committee Teleconference Minutes

Mr. Crews motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to approve the November 8, 2016 open session rules committee teleconference minutes.

4. November 9, 2016 Special Projects Committee Teleconference Minutes

Mr. Crews motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to approve the November 9, 2016 open session special projects committee teleconference minutes.

Licenses to Ratify - September 13, 2016 – November 8, 2016

Ms. Gaskin motioned, Mr. Whitefield seconded, and the Board voted unanimously in favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with the Board Rules and Policies between Board meetings.

09:30 a.m. Board Rule Hearing - BR 490-2-.09 Licensure: Endorsement

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-2, LICENSURE REQUIREMENTS, RULE 490-2-.09, LICENSURE: ENDORSEMENT.

Purpose: The purpose of this rule amendment is to further clarify the requirements for an applicant seeking licensure by endorsement.

Main Features: The amendments further clarify that applicants by endorsement must submit verification of an active license in good standing, not just a list of states where the applicant holds a license. Additional language was inserted to clarify that the endorsement applicant must also verify active practice and not just attest to having actively practiced in two years immediately preceding the date of the application.

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-.09, LICENSURE: ENDORSEMENT.

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

Rule 490-2-.09. Licensure: Endorsement/Reciprocity

(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) verification of an active license in good standing from another state board ~~a list of all states where the applicant holds an active license~~; and,

(b) a verification of licensure in good standing from the state board of all states in which the applicant has held a license to actively practice~~d~~; and,

(c) verification of active practice in the two years immediately preceding the date of ~~this~~ application; and,
(~~e~~d) official transcript from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation; and,

(~~e~~) scores from the national licensing 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) verification of an active license in good standing from another state board ~~a list of all states where the applicant holds an active license~~; and,

(b) a verification of licensure in good standing from the state board of all states in which the applicant has held a license to actively practice~~d~~; and,

(c) verification of active practice in the two years immediately preceding the date of this application; and,

(ed) official evaluation and transcript from a credential evaluation organization approved by the State of Georgia; and
(de) scores from the national licensing 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.

O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-33-10, 43-33-14 and 43-33-15.

Written Comments Received and Reviewed

1. Sandy Eskew Capps

Public Comments Received

No public comments were received or offered during the hearing.

Mr. Whitefield motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to adopt the proposed amendment to Board Rule 345-4-.02 Licensure: Endorsement/Reciprocity as presented.

Ms. Gaskin 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, business or corporation and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Correspondence – Roel Fung-A-Wing - Suggestion For Board Members To Consider

Mr. Whitefield motioned, Mr. Crews seconded and the board voted unanimously in favor of the motion to thank the writer for his comments and notify the writer that it is not financially feasible for the Board to resume the mailing of reminders and it is the licensee's professional obligation and responsibility to renew on time.

Discussion – Emily Tse, Director of Evaluations of IERF - Will the Board Adopt FSBPT's New CWT-6

Mr. Crews motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to table the discussion regarding whether or not the Board will adopt FSBPT's New CWT-6 for further review during the next Board meeting. The Board requested that Ms. Price obtain a copy of the CWT 6 to forward to the Board Members who will in turn forward any questions that they may have regarding the new tool so that Ms. Price can forward them to FSBPT.

Discussion - NPTE Comment Summary and Candidate Satisfaction Survey Report

The Board accepted the NPTE Summary and Candidate Satisfaction Survey Report as information.

Discussion – FSBPT News Brief October 2016

The Board accepted the FSBPT News Brief October 2016 as information.

Petition for Rule Waiver Requests

1. Ancilla Walker #2636685 BR 490-2-.03(g) & 490-2-.04

Mr. Whitefield motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of Board Rules 490-2-.03(g) & 490-2-.04 based upon evidence of significant work history since 2008 and her completion of a master's degree program which was taught in English in the United States.

2. Ancilla Walker #2636685 BR 490-2-.03(d)(e)

Mr. Whitefield motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of Board Rule 490-2-.03(d)(e) based upon evidence of completion of a master's degree program in the United States which was taught in English.

3. Lewis, Brandon #2639776 BR 490-4-.01(4)(a)

Mr. Crews motioned, Mr. Lawson seconded and the Board voted unanimously in favor of the motion to deny the petition for waiver of Board Rule 490-4-.01(4)(a) due to insufficient evidence to substantiate a hardship.

4. Lisa Pinson #2628946 BR 490-2-.03(d)(e)

Mr. Whitefield motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of Board Rule 490-2-.03(d)(e) based on sufficient evidence that the petitioner received her primary and secondary education in English in the United States and her native language is English.

5. **Lisa Pinson #2628946 BR 490-2-.03(g)**

Mr. Whitefield motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to grant the petition for the waiver of Board Rule 490-2-.03(g) based on sufficient evidence that the petitioner has demonstrated clinical competency with a minimum of 5 years of continuous active practice and license in good standing.

6. **Gemmarie Loja-Ramiscal #2613701 BR 490-2-.03(a), BR 490-2-.03(g) and BR 490-2-.03(b)**

Mr. Crews motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to deny the petition for waiver of Board Rules 490-2-.03(a), 490-2-.03(g) and 490-2-.03(b) due to insufficient evidence to substantiate a hardship.

7. **Susan Lutz #2637782 BR 490-4-.02**

Mr. Crews motioned, Mr. Whitefield 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 evidence to substantiate hardship.

Petition for Rule Variance Requests

Nidhi Trehan #2639495 BR 490-2-.03(1)(a)(d)(g)

Ms. Thompson motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of Board Rule 490-2-.03(1)(a)(d)(g) due to insufficient evidence to substantiate a hardship.

Rules Committee Discussion

1) November 8, 2016 Rules Committee Meeting Minutes

The Board voted unanimously in favor of the motion to approve the November 8, 2016 committee minutes as presented.

2) Board Rule 490-9-.05 Dry Needling as amended by committee

Rule 490-9-.05. Dry Needling

(1) Dry needling is a skilled technique performed by a physical therapist using filiform needles to penetrate the skin and underlying tissues to affect change in body structures and functions for the evaluation and management of neuromusculoskeletal conditions, pain, movement impairments, and disability for preventative and therapeutic purposes.

(2) Dry needling must be ~~directly~~ performed by a licensed physical therapist who:

(a) Has consulted with an individual licensed pursuant to Article 2 or 4 of Chapter 34 of Title 43; and.

(b) ~~that is~~ specifically trained and competent by virtue of education and training to perform dry needling. **Online study for dry needling instruction, with the exception of OSHA Blood Borne Pathogens Standards, is will not be accepted as a demonstration of competence and training, considered appropriate training.**

(3) A physical therapist has demonstrated specific and competent education and training when the licensee has submitted the following documentation to the Board:

(a) ~~Effective September 1, 2012, physical therapists must meet the following requirements in order to perform dry needling: p~~Proof of education in the OSHA Blood Borne Pathogens Standard; and.

(b) ~~a~~At least one of the following:

1. ~~Proof of G~~graduation from an entry-level physical therapy program that included dry needling instruction consisting of a minimum of 50 hours total and a competency assessment ~~and of~~ achievement in its curriculum; or
2. ~~Proof of G~~graduation from a post-graduate credentialed residency or fellowship program of study that included dry needling instruction consisting of a minimum of 50 hours total and a competency assessment ~~and of~~ achievement in its curriculum; or
3. ~~Proof of D~~ocumented, successful completion of a didactic dry needling course of study consisting of a minimum of 50 hours total and a competency assessment ~~and of~~ achievement in its curriculum.

(b) ~~Provided, however, that physical therapists who have at least two years of experience in the clinical practice of dry needling as of September 1, 2012, have until the end of the current biennium on December 31, 2013, to meet the requirements in subsection (a)(1)-(3), in order to perform dry needling.~~(4) Effective January 1, 2018, to perform dry needling in the state of Georgia licensed physical therapists and physical therapists applying for licensure must submit

documentation of dry needling education and training into the 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 record retained within the online database for the purposes of auditing and verifying completion of the requirements for dry needling. Such person waives all objections to the admissibility of the record in any proceedings or hearings before the board.

(5) At the time of license renewal, each licensed physical therapist approved to perform dry needling shall attest that he or she is practicing dry needling in the state of Georgia in accordance to the rules and regulations of the Georgia State Board of Physical Therapy.

(6) A violation of the provisions outlined in this Board rule or a false attestation on the renewal application is grounds for disciplinary action as determined by the Board.

Cite as Ga. Comp. R. & Regs. R. 490-9-.05

Authority: O.C.G.A. Secs. 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-11 and 43-33-18.

History. Original Rule entitled "Dry Needling" adopted. F. Mar. 21, 2012; eff. Apr. 10, 2012.

3) Public Comments in Response to Proposed Dry Needling Changes

Ms. Gaskin provided the Board and members of the public a synopsis of the discussions which took place within the committee meeting as it relates to the public comments that were received on the proposed amendments to the endorsement and dry needling rules as well as the Board's desire be diligent as it relates to protecting the public.

Ms. Gaskin stated that amid opposition and public comments from licensed acupuncturists about proposed changes to Board Rule 490-9-.05 and the Committed started reworking the language to include tracking of dry needling hours in aPTitude, removing the language that allowed limited practice after a PT achieved 20 hours of dry needling coursework, and leaving it as 50 hours which is the standard. Ms. Thompson commented that 50 hours appears to be the standard, but traditionally it has been difficult to get the courses consecutively. She stated that now most providers are trying to provide the training in consecutive weekends or in 5-day courses.

Mr. Whitehead agreed that tracking the requirements through aPTitude is a good idea; that it is prudent for the Board to know how to best track Dry Needling education. He also commented that the committee did not feel it necessary to define "consult" because a consult can be done in many ways so it is important that the consult be documented but it is left up to the individual Physical Therapist as to how to do this.

Mr. Strickland questioned whether or not it is necessary to include the consult language since it is already in the statute. D. William McNeely, Assistant Attorney General, recommended that the Board restate it in the rule as documentation of a consult should be reflected in the plan of care and that it be clear as it is in the statute that it is to be physical therapists who perform dry needling.

Ms. Capps echoes Mr. Whitehead's assertion that the role of the rule is to protect the public and wonders if there is any merit to the safety concerns. She questioned what it would take for the Board to be comfortable and confident in what the Physical Therapists are doing with their training.

Ms. Thompson added that taking out parts #5 and #6 shows good faith in showing concern for our other health care practitioners.

Mr. Crews motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to accept the recommendations made from the Rules Committee as well as the recommendations made from the full Board today and to refer the rule to the Attorney General's office for a memorandum of authority. If accepted, vote to post.

Mr. Crews motioned, Ms. Gaskin seconded and the Board voted in 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.

Discussion - Petition to Waive Policy 17 for Brenau University and University of North Georgia

The Board voted unanimously in favor of the Committee's recommendation to deny the petition for waiver of Board Policy 17 based upon the reasons referenced in the November 8, 2016 Rules Committee Teleconference Meeting Minutes.

Special Projects Committee Discussion

Dr. Palma provided the Board and members of the public a synopsis of the discussions which took place within the Special Projects committee meeting as it relates to the continuing competence rule and the development of a checklist for the approval of Georgia Ethics and Jurisprudence Courses as reflected in the November 9, 2016 Special Projects Committee Meeting Minutes.

1. November 9, 2016 Special Projects Committee Meeting Minutes

The Board voted unanimously in favor of the motion to approve the November 9, 2016 Special Projects Committee Minutes as presented.

2. Board Rule 490-4-.02 Continuing Competence Requirements as amended by committee

Rule 490-4-.02. Continuing Competence Requirements

(1) 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 which is not to exceed ten (10) credit hours per calendar day. 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.

(a) 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.

(b) 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.~~

(c) In the event that a licensee does not meet the ~~is~~ continuing competence

requirement, the license will not be renewed.

(2) Effective January 1, 2018, ~~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.

(a) An ethics and jurisprudence course must be obtained from a Georgia college or university with an accredited physical therapy education program or a provider which holds a current Physical Therapy Association of Georgia (PTAG) Approval Certificate.

(b) Passage of the Georgia jurisprudence examination is equivalent to the four (4) hour continuing competence requirement provided that the same test result has not been previously submitted to the Board as part of an application for licensure or to satisfy the requirements of an order of the Board.

(13) The following programs and activities 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 (Procort); 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; Continuing competence credit is one (1) hour per eight (8) contact hours, limited to a maximum of five (5) 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.

(24) 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.

- (35) 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.
- (46) 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.
- (57) 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.
- (68) 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.
- (79) Those licensees selected for audit shall submit the Verification of Continuing Competence form and documentation of compliance upon receipt of notice. 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).
- (810) 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.
 - (c) To complete all steps necessary to meet the re-licensure requirements on or before December 31st of the odd numbered years.
 - (d) To provide the Board with information requested during an audit.
 - (e) 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.

The Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 490-4-.02 to the Attorney General's Office for a Memorandum of Authority and if there are no objections noted, vote to post.

Mr. Crews motioned, Ms. Gaskin seconded and the Board voted in 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. Georgia Ethics and Jurisprudence Course Checklist

Dr. Palma reviewed the Georgia Ethics and Jurisprudence Course Checklist with those present noting that all of the Schools and the PTAG Education Committee will have to abide by this checklist if it is approved by the Board. She indicated that an important addition to the checklist would be the information that the Board desires to see on the continuing education certificate such as the location of the course, who approved it and an approval code or letter. After further discussion, the Board opted to remove a post-test requirement or any information relevant to reviewing the instructor's credential.

The Board voted unanimously in favor of accepting the Georgia Ethics and Jurisprudence Course Checklist as amended and established that January 1, 2018 will be the effective date for the use of the review tool.

4. PTAG Application for CE Approval

The Board accepted the PTAG Application for CE Approval as information.

Executive Director Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications, complaints/compliance matters and the renewal applications. Additionally, Ms. Price reminded the Board members to submit their Ethics Commission affidavit by the January 31, 2017 deadline.

Mr. Crews motioned, Ms. Gaskin seconded and the Board voted in unanimously in favor of the motion to accept the Executive Director's Report as presented.

Board's Chairperson Report – S. Palma

1. FSBPT Annual Meeting Updates

Dr. Palma, Board Chair, was an alternate delegate for the FSBPT Annual Meeting and she reported Tele-Health was back in discussion. She thinks that a rule for this topic may be in order instead of just referencing it in board policy.

Dr. Palma stated that Ms. Gaskin was the primary delegate and Mrs. Price, Executive Director, also attended the annual meeting. She reported that there is a new process for registering for NPTE. Schools will need to be aware of new registration process in order to make sure the students are ready and this Board will eventually go to the Alternative Pathway process which means that staff would no longer have to make candidates for the exam eligible.

Ms. Price reported that she was nominated to be the Chair for a Task Force to develop guidelines for the re-entry of Physical Therapists and Physical Therapist Assistants based upon the data she collected when attempting to locate programs that could provide standard oral and physical exams to a therapist returning to practice if the Board determined that the individual is lacking some skills., Ms. Price reminded the Board that she reported to them that there is no uniform way for Physical Therapists and Physical Therapist Assistants to re-enter the profession and this is an issue across all states. The purpose of the task force would be to find out what is happening across the nation and establish a more uniform idea of what is necessary to show that practitioners are competent enough to practice after being out of work for some length of time. Traineeships and some additional CEs have been suggested.

Dr. Palma indicated that the Licensure Compact was a topic of concern and in Georgia a national fingerprint background check is not in the statutes. The Board needs to educate our legislators as to why this needs to happen and a subcommittee might be in order. Currently Arizona, Tennessee, Missouri and Oregon have all passed the compact. She also reported that there was a lot of discussion about competence. Many states expressed an interest in obtaining the link to our Board's new competency form for traineeship and Ms. Price thanked Ms. Capps for questioning the measures of competence because her questions led to the revision.

2. Cognizant Board Member Assignments

Mr. Lawson motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to table discussion of Cognizant Board Member Assignments. Dr. Palma and Ms. Gaskin will act as the Cognizant Board Members for Applications and Continuing Education until the role has been assigned to one of the Board members.

Board Meeting Dates 2017

Physical Therapy 9:00 a.m.

Macon, GA	Tuesday, January 24
Macon, GA	Tuesday, March 21
Macon, GA	Tuesday, May 16
Macon, GA	Tuesday, July 18
Macon, GA	Tuesday, September 19
Macon, GA	Tuesday, November 14

Mr. Crews motioned, Ms. Thompson seconded and the Board voted unanimously in favor of the motion to accept the Georgia State Board of Physical Therapy Meeting Dates as posted.

Miscellaneous Discussions

Visitor James Erdmancyk commented that he appreciated the Board discussing ethics and jurisprudence in Continuing Education.

Ms. Gaskin motioned, Mr. Crews seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 50-14-2(1). O.C.G.A. § 43-1-2(k) (4), O.C.G.A. § 43-1-19(h)(2) & (4) to receive and review information pertaining to Applications. Voting in favor of the motion were those present who included the Board members: Dr. Palma, Ms. Gaskin, Mr. Bass, Mr. Strickland, Mr. Whitefield, Mr. Lawson, Ms. Thompson and Mr. Crews.

At the conclusion of the Executive Session of Tuesday, November 15, 2016, 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 taken during Executive Session.

OPEN SESSION

Cognizant's Report – C. Whitefield

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

1. **160012** – Table a decision pending receipt of additional information.
2. **170072** – Close case with no action.
3. **170019** – Close case with no action.
4. **170137** – Close case with no action.

Chad Whitfield left the meeting at 1:17 p.m. with a quorum still present.

Executive Session Minutes

1. **September 9, 2016 Executive Teleconference Minutes**

Mr. Crews motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to approve the September 9, 2016 executive session teleconference minutes as amended to correct grammatical errors.

2. September 20, 2016 Executive Minutes

Mr. Crews motioned, Ms. Gaskin seconded and the Board voted unanimously in favor of the motion to approve the September 20, 2016 executive session minutes as amended to correct grammatical errors.

3. October 25, 2016 Teleconference Executive Minutes

Ms. Gaskin motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to accept the October 25, 2016 executive session teleconference minutes as amended to correct grammatical errors.

4. November 8, 2016 Rules Committee Teleconference Executive Minutes

Ms. Gaskin motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to accept the November 8, 2016 executive session rules committee teleconference minutes as presented.

5. November 9, 2016 Special Projects Teleconference Executive Minutes

Mr. Crews motioned, Mr. Lawson seconded and the Board voted unanimously in favor of the motion to accept the November 9, 2016 executive session special projects teleconference minutes as presented.

Attorney General's Report- D. Williams-McNeely

Mr. Crews motioned, Ms. Gaskin seconded and the board voted unanimously in favor of the motion to accept the Attorney General's report as presented.

- 1) **D.C.B.** Mr. Crews motioned, Ms. Gaskin seconded and the board voted unanimously in favor of the motion to uphold the previous motion. Mr. Lawson recused himself from the vote.

Legal Services – Requests for Reconsideration

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

1. **E.M.** Rescind the previous motion and renew license. Send a letter of concern to the CE provider Informed and to PTAG.
2. **Y. A.** Rescind the previous motion and renew license.
3. **N.W.A.** Rescind the previous motion and renew license.
4. **G.E.G.** Rescind the previous motion and renew license with a letter of concern regarding Ethics and Jurisprudence and request a letter from the licensee's treating physician regarding the licensee's ability to practice with reasonable skill and safety.
5. **C.R.O.** Rescind the previous motion and extend the signature of the consent order and payment of the fine until February 28, 2017.

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

1. **W.P.** Uphold the previous motion.
2. **J.J.D.** Rescind the previous motion and renew license.
3. **M.J.D.** Rescind the previous motion and renew license.
4. **C.L.A.** Rescind the previous motion and renew license with a letter of concern regarding obtaining Ethics and Jurisprudence CE specific to Georgia laws and rules.

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. **J.H.H** Rescind the previous motion and renew license.
2. **M.R.B.** Rescind the previous motion and renew license.
3. **D.E.B.** Rescind the previous motion and renew license.

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

1. **M.R.B.** Uphold the previous motion.

PT PTA Ratification List for Referrals to Legal Services for Disciplinary Action for CC Audit 20161115

Ms. Thompson motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to approve the ratification list of referrals and grant the Attorney General's Office and Legal Services the authority to negotiate the fines to no less than \$500 if necessary to settle the case.

Monty Strickland left the meeting at 2:27 p.m. with a quorum still present.

Executive Discussions

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

- 1. CE Audit – PT170140** Issue a strong letter of concern cautioning the licensee to review the rules and her courses carefully to ensure that she is completing the required four hours of Georgia Ethics and Jurisprudence CE.

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

- 1. CE Audit – PT170158** Refer to Legal Services to issue a Private Consent Order with a fine of \$1000 (\$500 per violation) for failure to complete the C.E. requirements as outlined in BR 490-4-.02. Licensee must submit an additional (4) hours of C.E.s to include the Georgia Ethics and Jurisprudence Exam to satisfy the requirements of the 2013-2015 biennium, and the CEs submitted to satisfy the terms of order may not be used for the current biennium. Flag for audit.
- 2. Request to Terminate Probation – PT140010** Approve request to terminate probation and restore licensure to an active status.

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:

- 3. Correspondence – J.W. (NPTE)** Deny the request to assist the writer with appellate process to take the NPTE.

Applications

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

- 1. E.C.B.** Deny the request for extension of application and require submission of new application with appropriate fee.
- 2. J.E.C.** Issue the license with a letter of concern regarding criminal history.
- 3. J.C.L.** Applicant must submit official evaluation and transcript from a credential evaluation organization approved by the State of Georgia for programs not accredited by CAPTE.
- 4. T.A.R.** Issue the license with a letter of concern regarding criminal history.
- 5. N.E.S.** Issue the license with a letter of concern regarding criminal history.
- 6. N.D.W.** Require 480-hour traineeship.

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

- 7. H.R.F.** Issue the license with a letter of concern regarding BR 490-4-.02 if the Texas Physical Therapy license is still active.
- 8. A.G.H.** Issue the license with a letter of concern regarding criminal history.
- 9. P.R.D.** Issue the license.

Chuck Bass left the meeting at 3:09 p.m. with a quorum still present.

Dry Needling

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

- 1. K.M.P.** Approve eligibility to perform dry needling in the state of Georgia.
- 2. A.A.S.** Approve eligibility to perform dry needling in the state of Georgia.

Reinstatement

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

- 1. **L.T.** Refer to legal services for a issuance of a Private Consent Agreement for Reinstatement of Licensure to include a \$25.00 fine for each day of unlicensed practice and applicant must report the period of unlicensed practice to their employer.

Traineeship Agreement

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

- 1. **D.A.G.** Approve Traineeship.

Traineeship Competency Evaluation

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

- 1. **K.A.P.** Approve the traineeship competency evaluation.
- 2. **S.R.** Approve the traineeship competency evaluation.

No further business was discussed and the meeting adjourned at 3:32 p.m.

Minutes recorded by:	Michelle Foster, Board Support Specialist
Minutes reviewed and edited by:	Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on:	January 24, 2017

DR. STEFANIE PALMA, DPT
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR