

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Tuesday, January 23, 2018 - 9:00 a.m.

The Georgia State Board of Physical Therapy met on Tuesday, January 23, 2018. The following members were present:

Board Members Present

Dr. Stefanie Palma, PhD, PT, Chairperson
Dorothy Gaskin, PT, Vice Chair
Reid Lawson, PT, Board Member
Monty Strickland, PT, Board Member
Dr. Anne Thompson, EdD, PT, Board Member
Chad Whitefield, PTA, Board Member
Jesse Crews, Consumer Member
Charles Bass, PT, Board Member

Board Members Absent

No members absent.

Visitors Present

Amy Martin
Natalia Busuttill, SPT
Sandra Eskew Capps, PT

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Foster, Board Support Specialist
Josh Waters, Assistant Division Director

Administrative Staff Absent

Kathy Osier, Licensing Supervisor

Attorney General's Office

D. Williams-McNeely, Senior Assistant Attorney
General (via teleconference)

Call to Order: Dr. Palma established that a quorum of the Board was present and called the meeting to order at 9:06 a.m.

OPEN SESSION

Agenda The Board accepts the agenda as amended.

Open Session Minutes

1. December 15, 2017 Board Teleconference Minutes

Dr. Thompson motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to approve the December 15, 2017 open session Board teleconference minutes as presented.

Licenses to Ratify November 7, 2017 – January 16, 2018

Mr. Crews motioned, Mr. Strickland 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.

Discussion – Federation of State Boards of Physical Therapy (FSBPT)

1. Final Framework for Considering nonCAPTE (Commission on Accreditation in Physical Therapy Education) Postgrad Experience

Mr. Crews motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to send a response to Susan Lindeblad, Managing Director of the Federal Credentialing Commission of Physical Therapy (FCCPT), that the Board approves the final framework for considering nonCAPTE postgrad experience on the basis that the federal government United States Citizenship and Immigration Services (USCIS) includes some of the same requirements.

2. November 2017 News Briefs

3. **December 2017 News Briefs**
4. **Federation Forum Winter 2017**
5. **Faculty Newsletter 4th Quarter 2017**
6. **2018 Organizational Budget**
7. **Notification**
8. **2018 Board Delegate Selections**

Mr. Crews motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to appoint Dr. Palma and Ms. Gaskin as the FSBPT Primary and Alternate Delegates respectively for the AY 2018.

9. NPTE - Comment Summary and Candidate Satisfaction Survey Report October - December 2017

The Board accepts the correspondence regarding FSBPT as information.

Discussion – Commission on Accreditation in Physical Therapy Education (CAPTE)

1. **October 2017 CAPTE Actions – Programs Scheduled for Review**
2. **Fall 2017 Master List of Accredited Programs**

The Board accepts the correspondence regarding CAPTE as information.

Discussion – Notification Now on Website – Board Rule 490-2-.10 Licensure Endorsement Reciprocity for Military – Effective 11-02-17

The Board accepts the notification that Board Rule 490-2-.10 Licensure Endorsement Reciprocity for Military is now on the Board website as information.

9:30 a.m. Public Rule Hearing

1. Board Rule 490-2-.02 Licensure Examination

Dr. Palma called the hearing in the matter of Board Rule 490-2-.02 Licensure Examination hearing to order at 9:36 a.m. Members of the Board introduced themselves for the record and Dr. Palma established that there were members of the general public present.

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-2, LICENSURE REQUIREMENTS, RULE 490-2-.02, LICENSURE: EXAMINATION.

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

Main Features: The amendments further clarify that applicants who graduated from a non-CAPTE accredited school shall also meet the requirements of Board Rule 490-2-.03.

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-.02, LICENSURE: EXAMINATION.

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

Rule 490-2-.02. Licensure: Examination

(1) All physical therapists and physical therapist assistants are required to submit a completed application, the appropriate fee, and pass an examination for licensure to practice the profession in Georgia except as provided for in O.C.G.A. Sec. 43-33-15. The Board may at its discretion grant a license to an applicant who has previously taken and completed, within the requirements as set by the Board, the examination required.

(a) All applicants who are graduates of Commission on Accreditation in Physical Therapy Education (CAPTE) accredited schools and are applying for licensure must submit:

1. ~~p~~Passing scores from the national licensing examination; and

2. ~~p~~Passing scores from examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy; and

3. ~~e~~Official proof of graduation directly from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation.

(b) All applicants who graduated from a non-CAPTE accredited school shall provide all of the above information. Additionally, the applicant shall meet the requirements of Board Rule 490-2-.03.

~~(b)~~(c) Verification of licensure in all states in which the licensure candidate holds a license or has ever held a license may be conducted by board staff.

Authority: O.C.G.A. §§ 43-1-25, 43-33-3, 43-33-10, 43-33-12, 43-33-13, 43-33-14, 43-33-15 and 43-33-17.

Written Comments Received

No written comments were received or offered during the hearing.

Verbal Comments Received

No verbal comments were received or offered from the general public during the hearing.

Ms. Gaskin motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to adopt the Board Rule 490-2-.02 Licensure Examination proposed amendment as posted.

The Board discussed the economic impact of Board Rule 490-2-.02 Licensure Examination upon licensees. Dr. Thompson motioned, Mr. Whitefield 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.

Dr. Thompson motioned, Mr. Whitefield seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-33-3, 43-33-10, 43-33-12, 43-33-13, 43-33-14, 43-33-15 and 43-33-17 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.

2. Board Rule 490-2-.09 Licensure Endorsement Reciprocity

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/RECIPROCITY.

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

Main Features: The proposed amendments add additional language to further clarify that official evaluation and transcript from a credential evaluation organization approved by the State of Georgia which shall meet the standards of the Federation of State Boards of Physical Therapy Coursework Tool (CWT) that was in effect at the time the applicant graduated from their physical therapy or physical therapist assistant educational program.

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/RECIPROCITY.

[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) ~~V~~erification of an active license in good standing from another state board; 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; and,
- (c) ~~V~~erification of active practice in the two years immediately preceding the date of application; and,
- (d) ~~O~~fficial transcript from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation; and,
- (e) ~~S~~cores 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) ~~V~~erification of an active license in good standing from another state board; 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; and,
- (c) ~~V~~erification of active practice in the two years immediately preceding the date of this application; and,
- (d) ~~O~~fficial evaluation and transcript from a credential evaluation organization approved by the State of Georgia which shall meet the standards of the Federation of State Boards of Physical Therapy Coursework Tool (CWT) that was in effect at the time the applicant graduated from their physical therapy or physical therapist assistant educational program; and
- (e) ~~S~~cores from the national licensing examination.

(4) 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.

Authority: O.C.G.A. §§ 43-1-25, 43-33-3, 43-33-10, 43-33-12, 43-33-13, 43-33-14, 43-33-15 and 43-33-17.

Written Comments Received

No written comments were received or offered during the hearing.

Verbal Comments Received

No verbal comments were received or offered from the general public during the hearing.

Ms. Gaskin motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to adopt the Board Rule 490-2-.09. Licensure: Endorsement/Reciprocity proposed amendment as posted.

The Board discussed the economic impact of Board Rule 490-2-.09. Licensure: Endorsement/Reciprocity upon licensees. Mr. Whitefield 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.

Mr. Whitefield motioned, Mr. Bass seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-33-3, 43-33-10, 43-33-12, 43-33-13, 43-33-14, 43-33-15 and 43-33-17 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.

3. Board Rule 490-9-.05 Dry Needling

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-9, CODE OF ETHICS, RULE 490-9-.05, DRY NEEDLING.

Purpose: The purpose of this rule amendment is to further clarify the requirements for a physical therapist to perform the technique of dry needling.

Main Features: The proposed amendments will further clarify the specific documentation required from a physical therapist in order to determine that they have been specifically trained and competent by virtue of education and training to perform dry needling. Additional language was inserted to clarify that physical therapists must submit documentation of dry needling education and training into the online recording and reporting system approved by the Board. 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).

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-9, CODE OF ETHICS, RULE 490-9.05, DRY NEEDLING.

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

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~~documented, 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 July 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.

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.

Written Comments Received

No written comments were received or offered during the hearing.

Verbal Comments Received

No verbal comments were received or offered from the general public during the hearing.

Mr. Lawson motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to adopt the Board Rule 490-9-.05 Dry Needling proposed amendment as posted.

The Board discussed the economic impact of Board Rule 490-9-.05 Dry Needling upon licensees. Ms. Gaskin motioned, Mr. Whitefield 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. Gaskin motioned, Mr. Whitefield seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-11

and 43-33-18 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 9:55 a.m.

Discussion – Georgia Ethics and Jurisprudence Course Checklist (01-23-18)

Mr. Strickland motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to accept the Georgia Ethics and Jurisprudence Course Checklist as amended.

Petition for Rule Waiver Requests

1. Rule Waiver – BR 490-2-.09(2)(c) – Nicole Turvey

Dr. Thompson motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to deny the petition for waiver of BR 490-2-.09(2)(c) based on insufficient evidence to substantiate a hardship.

2. Rule Waiver – BR 490-4-.02 – Michael Johnson

Mr. Whitefield motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to deny the petition for waiver of BR 490-4-.02 on the basis that the petition was not warranted in order for the petitioner to meet the requirements of the rule.

3. Rule Waiver – BR 490-2-.03(1)(g) & BR 490-2-.04(a)(4)(5) – Jigneshkumar Rajani

Ms. Gaskin motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of BR 490-2-.03(1)(g) & BR 490-2-.04(a)(4)(5) based on based upon the petitioner demonstrating clinical competency and continuous active practice with a license in good standing that is acceptable to the Board to meet the requirements of a traineeship.

Open Records Request – Patricia Ingrid Williams – PT002350

Dr. Thompson motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the release of any public records as requested to FSBPT.

Executive Director Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications, the number of licensees, complaints/compliance matters and the status of renewal applications, to include the number of licenses that were lapsed.

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

Board's Chairperson Report – S. Palma

Dr. Palma reminded the Board that it is time to review the Georgia JAM (Georgia Jurisprudence Assessment Module). The full board indicated they are interested and an executive session meeting will be scheduled this summer after all of the current rules pending approval have gone through the Governor's Office. She also reported that the FSBPT Model Practice Act is available for review.

Mr. Strickland motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to accept the Board Chairperson Report as presented.

Miscellaneous Discussion

Ms. Price made the Board aware that according to discussions with representatives of FSBPT, the Physical Therapy Licensure Compact will not be presented to the Georgia legislature this year due to an extensive amount of language review and revisions that may need to take place in order for Georgia to participate in the compact.

Mr. Crews motioned, Mr. Whitefield 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. Stefanie Palma, Dorothy Gaskin, Charles Bass, Monte Strickland, Chad Whitefield, Reid Lawson, Dr. Anne Thompson and Jesse Crews.

At the conclusion of the Executive Session of Tuesday, January 23, 2018, 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

Executive Session Minutes

1. December 15, 2017 Executive Teleconference Minutes

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to approve the December 15, 2017 executive session Board teleconference minutes as presented.

Attorney General’s Report - D. Williams-McNeely

Ms. Gaskin motioned, Mr. Lawson seconded and the Board voted unanimously in favor of the motion to accept the Attorney General’s report as presented.

Memos of Authority

Ms. Gaskin motioned, Mr. Lawson seconded and the Board voted unanimously in favor of the motion to accept the friendly amendment to BR 490-4-.02 Continuing Competence Requirements as presented and to post for a Public Rules Hearing.

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 July 1, 2018, ~~The thirty~~ (30) hours of continuing competence ~~requirements~~ per biennium shall include a minimum of four (4) contact hours specifically in Georgia eEthics and jJurisprudence as defined in the Georgia Physical Therapy Act or by passage of the Georgia Ethics and Jurisprudence Examination.

- (a) ~~A~~ Georgia 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 for the course.

(b) Passage of the [Georgia Ethics and Jurisprudence eExamination](#) is equivalent to the four (4)

hour [continuing competence requirement for Georgia Ethics and Jurisprudence 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.](#)

(+3) 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 (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; 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 original continuing competence 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.~~
- (eb) To complete all steps necessary to meet the re-licensure requirements on or before December 31st of the odd numbered years.
- (ec) To provide the Board with information requested during an audit.
- (ed) 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.

Ms. Gaskin motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to refer BR 490-3-.02 Re-examination, BR 490-9-.02 Principles of Conduct for Physical Therapists and BR 490-9-.03 Principles of Conduct for Physical Therapist Assistants to the Rules Committee for clarification.

The Board discussed the economic impact of Board Rule 490-4-.02 Continuing Competence Requirements upon licensees. Ms. Gaskin motioned, Dr. Thompson 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. Gaskin motioned, Dr. Thompson seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-24, 43-1-25, 43-33-10, 43-33-11 and 43-33-16 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.

Legal Services

1. Legal Memo – 16 cases

Ms. Gaskin motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to rescind previous motion and renew the license with a Letter of Concern regarding accurate and timely recording of continuing competency activities and certificates of competition into aPTitude for the following cases.

- a) PT170217
- b) PT170232
- c) PT170264
- d) PT170265
- e) PT180008
- f) PT180010
- g) PT180011
- h) PT180016
- i) PT180014
- j) PT180017
- k) PT180020
- l) PT180021
- m) PT180024
- n) PT180027
- o) PT180028
- p) PT180029

2. Legal Memo – PT170242

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to uphold the previous motion.

3. Legal Memo – PT180019

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to uphold the previous motion.

4. Legal Memo – PT180030

Ms. Gaskin motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to rescind the previous motion with a Letter of Concern regarding accurate and timely recording of continuing competency activities and certificates of competition into aPTitude.

5. Legal Memo – PT170123

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to uphold the previous motion.

6. Legal Memo – PT170202

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to uphold the previous motion.

7. Legal Memo – PT170239

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to uphold the previous motion.

8. Legal Memo – PT180018

Ms. Gaskin motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to rescind the previous motion with a Letter of Concern regarding accurate and timely recording of continuing competency activities and certificates of competition into aPTitude.

9. Legal Memo – PT180007

Ms. Gaskin motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to rescind the previous motion with a Letter of Concern regarding accurate and timely recording of continuing competency activities and certificates of competition into aPTitude.

10. Legal Memo – Request to Close Cases for Lack of Responsiveness Chad/Jesse

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to allow the following licenses to lapse and close the cases. If the individuals attempt to reinstate the Board will reconsider the cases.

- a) PT170193
- b) PT180005
- c) PT170150
- d) PT170158

Cognizant’s Report – C. Whitefield

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.

PT160014	Table pending additional information.
PT170191	Table pending additional information.
PT170235	Table pending additional information.
PT180003	Table pending additional information.
PT180036	Table pending additional information.
PT180037	Refer to the Board Chair for review.

Ratification List for Board Orders

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to ratify the list of Private Consent Agreements issued in accordance with Board rules and policies between meetings as presented.

Ratification List for Referrals to Legal Services for Disciplinary Action List for CC Audi - 2015-2017

Mr. Crews motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to refer each case to Legal Services for a Private Consent Order to include a fine of \$500 per violation to be paid within 90 days of docket date, licensees must submit the completed CE hours to satisfy the requirements for the biennium within 60 days, CEs submitted to satisfy the terms of the order and/or the biennium may not be applied towards the requirements of the current or future biennia and flag for CE audit.

Miscellaneous Executive Discussions

1. PT150020 Request to Terminate Suspension and Return to Active Practice

Mr. Whitefield motioned, Mr. Crews seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General’s Office for a Public Consent Order to lift the suspension and restore the license to the status of probation under the following terms and conditions: probation for one (1) year to include practice under the direct supervision of a licensed physical therapist and quarterly employer, self-reports and aftercare reports with Board ability to require random drug screens at the expense of the licensee. May petition to terminate probation after one (1) year.

2. PT150003 Executive Session Compliance file

Mr. Crews motioned, Mr. Strickland seconded and the Board voted unanimously in favor of the motion to terminate probation and return license to active status with a Letter of Concern regarding false attestation and professional conduct.

3. Request to Ratify Cognizant Decisions for Letter of Concern

Ms. Gaskin motioned, Mr. Lawson seconded and the Board voted unanimously in favor of the motion to close the cases listed with a Letter of Concern regarding compliance with BR 490-4-.02 and Board Policies with accurate and timely recording of continuing competency activities and certificates of competition into aPTitude.

Applications

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

- Application 2674459** Issue the license with a Letter of Concern regarding false attestation on application.
Application 2693662 Approve Remediation Plan with start and finish dates and recommend finishing the plan prior to taking test.
Application 2697484 Issue the license with a Letter of Concern regarding DUI and action in another jurisdiction.
Application 2698610 Issue the license.
Application 2702022 Issue the license.
Application 2702423 Issue the license.
Application 2704261 Applicant must fulfill 26 hours of CE requirements to be eligible for licensure by endorsement.

CE Audit

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

- PT170125 & PT180074** Refer to Legal Services for a Public Consent Order with a fine of \$1000 to be paid within 90 days of docket date for failure to meet continuing education requirements. Must submit proof of completion of 30 hours of CE, four (4) of which must be in Georgia E&J within 60 days of the docket date of the order. All CE must be entered into aPTitude within ten (10) days of taking the course and the licensee will be audited for the next two (2) renewal cycles.
PT180048 Close the case with a Letter of Concern regarding accurate and timely recording of continuing competency activities and certificates of completion into aPTitude.
PT180056 Renew the license with a Letter of Concern regarding violation of Policy #7 and arrest history. Licensee must notify the Board of the outcome of the criminal case within ten (10) days of adjudication and the Board reserves the right to take action pending the outcome of the case.
PT180006 & PT180061 Close the case and renew the license with a strong Letter of Concern regarding false attestation to include language that if any further violations in relation to CE are made in the future, additional sanctions may be issued.

Renewals

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

- Application 1238577** Renew the license with a Letter of Concern regarding criminal history and violation of Policy 7.
Application 2457626 Renew the license with a Letter of Concern regarding criminal history and encourage compliance with BR 490-4-.02 which requires a licensee to take planned learning experiences which have content beyond the licensees present level of knowledge and competence and prohibits submission of orientation and in-service programs.

Traineeship Agreements

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

- Application 2691010** Approve traineeship agreement.

Adjournment: There being no further business to discuss, the meeting adjourned at 1:06 p.m.

Minutes recorded by: Michelle Foster, Board Support Specialist
Minutes reviewed and edited by: Adrienne Price, Executive Director
Minutes approved on: March 20, 2018

DR. STEFANIE PALMA, DPT
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR