

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Teleconference Minutes
Tuesday, May 12, 2020 - 9:00 a.m.

The Georgia State Board of Physical Therapy met via teleconference on Tuesday, May 12, 2020. The following members were present:

Board Members Present

Dorothy Gaskin, Board Chair
Anne Thompson, Vice Chair
Charles Bass, Board Member
Chad Whitefield, Board Member
Laurri Wallace, Board Member
Destiny Hebert, Board Member
Terri Burner, Board Member
Dr. Norma Nunez-Cortes, Consumer Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Charlotte Mason, Licensing Supervisor
Pat Hodges, Court Reporter

Attorney General's Office

Melissa Tracy, Assistant Attorney General

Board Members Absent

No members absent.

Visitors Present

Dr. Sandra Eskew-Capps, PT, DPT
Dr. Daniel Dale, PT, DPT, President, Physical Therapy Association of Georgia (PTAG)

Call to Order: Ms. Gaskin established that a quorum of the Board was present and called the meeting to order at 9:05 a.m.

OPEN SESSION

Agenda Dr. Cortes motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to accept the agenda as presented.

Open Session Minutes

1. April 15, 2019 Board Teleconference Minutes

Dr. Cortes motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to approve the April 15, 2020 open session Board teleconference minutes as amended.

Licenses to Ratify March 3, 2020 – May 5, 2020

Dr. Wallace motioned, Dr. Thompson 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.

Correspondence – USCIS Temporarily Closing Offices to the Public March 18-April 1

The Board accepts the correspondence in reference to the announcement from the USCIS as information.

Discussion – Recommendations for Instructor Qualifications for GA Ethics & Jurisprudence Courses – Daniel Dale, PTAG President

Mr. Bass motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to notify the writer that the Board approves the recommendations for instructor qualifications for Georgia Ethics & Jurisprudence courses presented by PTAG, as the association is an approved CE provider for the Georgia State Board of Physical Therapy.

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

1. Coronavirus Update
2. April NPTE for PTAs Cancelled
3. COVID-19 Response
4. 1st Quarter 2020 Faculty Newsletter
5. U.S. Healthcare Licensing and Regulatory Organizations Issue Joint Statement on COVID-19 Pandemic
6. March 2020 News Brief
7. Possible Roles for PTs and PTAs
8. Select Your Delegates
9. April 28 PT Exam Deadline
10. Cancels In-Person Meetings through June 30
11. April PT and PTA Exam Update
12. May Testing Update
13. Additional Capacity in May
14. April News Brief
15. Board Assessment Resource – Raising the BAR for Board Performance
16. Scheduling Challenges will continue throughout May
17. Webcast – Impact of COVID-19 on the NPTE
18. July Exam Update

Ms. Gaskin requested that each Board Member take the BAR to rate their views of the Board’s performance and be prepared to discuss it during the next meeting. She requested that Ms. Price forward each Board Member instructions on how to access the assessment.

The Board accepts the correspondence in reference to FSBPT as information.

Discussion – Georgia Jurisprudence Assessment Module 2019 Annual Report

The Board accepts the correspondence in reference to Georgia Jurisprudence Assessment Module 2019 Annual Report as information.

Discussion – International Network of Physiotherapy Regulatory Authorities (INPTRA)

1. 1st Quarter 2020 Network News
2. Telehealth Clinical Education Considerations
3. Webinar: Telehealth Discussion in Spanish

The Board accepts the correspondence in reference to INPTRA as information.

Discussion – Foreign Credentialing Commission on Physical Therapy (FCCPT) Jurisdiction Newsletter April 2020

The Board accepts the correspondence in reference to FCCPT as information.

Discussion – National Association for Support of Long Term Care Petition to Suspend Supervision Requirements 27:00 rec

The Board accepts the correspondence in reference to NASL as information.

9:30 a.m. Public Rules Hearing

- a) Board Rule 490-2-.01. Application for Licensure and Examination
- b) Board Rule 490-2-.03. Licensure: Foreign-Educated Applicants

- c) **Board Rule 490-2-.09. Licensure: Endorsement/Reciprocity**
- d) **Board Rule 490-2-.10. Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members**
- e) **Board Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant**
- f) **Board Rule 490-13-.01. Licensure Compact**

Ms. Gaskin called the hearing in the matter of Board Rule 490-2-.01. Application for Licensure and Examination; Board Rule 490-2-.03. Licensure: Foreign-Educated Applicants; Board Rule 490-2-.09. Licensure: Endorsement/Reciprocity; Board Rule 490-2-.10. Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members; Board Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant; and Board Rule 490-13-.01. Licensure Compact hearing to order at 9:30 a.m. Members of the Board introduced themselves for the record and Ms. Gaskin established that there were members of the general public present.

1. Board Rule 490-2-.01. Application for Licensure and Examination

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY
RULES CHAPTERS 490-2,
APPLICATION FOR LICENSURE AND EXAMINATION, RULE 490-2-.01.**

Purpose/Main Features: To fulfilling the Board’s mandate to begin issuing and accepting individuals who apply for a Compact privilege in the state of Georgia in accordance with House Bill 39, the Physical Therapy Licensure Compact. It clarifies that physical therapist and physical therapist applicants must hold either a Georgia license or a Georgia Compact privilege used by the Physical Therapy Compact Commission before the applicant can practice in Georgia. Paragraph two (2) of the rule includes a reference to the Compact privilege and the Physical Therapy Compact Commission.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-2, APPLICATION
FOR LICENSURE AND EXAMINATION, RULE 490-2-.01.**

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

Rule 490-2-.01. Application ~~f~~For Licensure ~~a~~And Examination

- (1) A completed application for examination must be submitted and approved prior to taking the examination.
- (2) Any physical therapist or physical therapist assistant who plans to practice as a physical therapist or physical therapist assistant in the State of Georgia must be licensed by the Board or hold a Georgia Compact Privilege issued by the Physical Therapy Compact Commission prior to beginning said practice.
- (3) Any applicant who does not submit required documentation within one year of initial filing date will not be given further consideration by the Board until submission of new application and payment of appropriate fees.
- (4) All applicants for licensure and examination are also subject to the provisions of O.C.G.A. §§ 43-1-19 and 43-33-18.

Authority: O.C.G.A. §§ 43-1-25; 43-33-10(11), (12); 43-33-14; and 43-33-31.

Written Comments Received

No written comments received.

Verbal Comments Received

No verbal comments received.

2. Board Rule 490-2-.03. Licensure: Foreign-Educated Applicants

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULES CHAPTERS 490-2, LICENSURE: FOREIGN-EDUCATED APPLICANTS, RULE 490-2-.03.

Purpose/Main Features: To enhance the Board's ability to protect the health, safety and welfare of the public through the use of current national professional standards to evaluate the English proficiency, education and coursework of foreign educated applicants as developed by the Commission on Accreditation in Physical Therapy (CAPTE) and the Federation of State Boards of Physical Therapy (FSBPT). The amendments further ensure that the level of education required of foreign educated applicants is substantially equivalent to the level of education required of applicants educated in the United States. The amendments clarify which tools the credentialing evaluation agencies are to use to evaluate the education of foreign trained applicants and adjust the criteria for passing the Test of English as a Foreign Language (TOEFL) to the current standard in each content area.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-2, LICENSURE: FOREIGN-EDUCATED APPLICANTS, RULE 490-2-.03.

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

Rule 490-2-.03. Licensure: Foreign-Educated Applicants

- (1) All applicants who are graduates of educational programs conducted in a foreign country that are not accredited by CAPTE and approved by the Board must submit credentials prescribed by the Board in order to be considered for approval to take the licensing examination.
 - (a) Transcripts must be evaluated by a credential evaluation agency approved by the Board to determine if the professional instruction is substantially equivalent to that of entry-level United States-educated therapists. The credentialing evaluation agency shall evaluate the transcripts and professional instruction using the most recent Coursework Tool (CWT) adopted by the Federation of State Boards of Physical Therapy and send its evaluation and a copy of the official transcript directly to the Board. A list of credentialing agencies approved by the Board shall be included in each application packet. ~~Additional lists may be obtained from the Board office.~~
 - (b) Proof of licensure/certification/registration, that is current and in good standing, to practice physical therapy, or proof of appropriate eligibility to practice physical therapy, in the country of education must be submitted.
 - (c) Verification of licensure/certification/registration in all jurisdictions in which the candidate holds or has ever held a license/certification/registration must be submitted.
 - (d) Applicants educated in a non-English speaking physical therapy program must take and receive a passing score of 89 on the IBT TOEFL to include: a passing score of ~~24~~22 on the writing section, a passing score of ~~21~~22 on the reading section, a passing score of ~~18~~21 on the listening section and a passing score of ~~26~~24 on the speaking section before being allowed to sit for the licensure examination. Official score results must be submitted to the Board.

- (e) Applicants educated in an English speaking physical therapy program must have a school official submit an official letter to the Board attesting that the physical therapy curriculum was taught in English.
 - (f) Once a completed application is on file and prior to initiation of a traineeship, all foreign educated applicants must take and pass the NPTE and the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy.
 - (g) All foreign-educated applicants must complete a Board-approved traineeship consisting of a minimum of 480 hours, which must be completed within three (3) months of the issuance of the traineeship permit. *This requirement may be waived at the discretion of the Board if the applicant has demonstrated clinical competency with a minimum of 5 years of continuous active practice and license in good standing. ~~The Pre Examination Traineeship hours may be used toward the satisfaction this requirement (See Board Rule 490-2-.04).~~*
- (2) Applicants educated in a foreign physical therapy program that is accredited by CAPTE and approved by the Board, do not have to submit a credentials evaluation ~~and~~ but they must meet the conditions of Board Rule 490-2-.02.

Authority: §§ 43-1-25; 43-33-10(1),(2),(3),(10),(11); 43-33-12(1); 43-33-13(1); and 43-33-14.

Written Comments Received

No written comments received.

Verbal Comments Received

No verbal comments received.

3. Board Rule 490-2-.09. Licensure: Reciprocity

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY
RULES CHAPTERS 490-2,
LICENSURE: ENDORSEMENT/RECIPROCITY, RULE 490-2-.09.**

Purpose/ Main Features: To amend the title of the rule to more closely align with the statute, provide for an alternative method for demonstrating competence and to clarify that applicants for reciprocity not only have to take the national and Georgia Ethics and Jurisprudence exams, but they must also achieve a passing score.

The amendments clarify that the education of military spouses and transitioning service members is evaluated in the same manner as non-military applicants.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-2, LICENSURE:
ENDORSEMENT/RECIPROCITY, RULE 490-2-.09.**

[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; 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) Verification of active practice in the two years immediately preceding the date of application; [or proof of completion of 26 hours of acceptable continuing education coursework pursuant to the requirements in Board Rule 490-4-.02\(1\)\(2\)\(4\)\(7\) and \(8\)](#) and,

(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) [Passing S](#)cores from the national licensing examination; [and](#).

(f) Passing scores from the ~~examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy~~ [Georgia Ethics and Jurisprudence 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; 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) Verification of active practice in the two years immediately preceding the date of this application; and,

(d) 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; and

(e) [Passing S](#)cores from the national licensing examination; [and](#).

(f) Passing scores from the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy.

(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; 43-33-2, 43-33-10(2); and 43-33-15.

Written Comments Received

No written comments received.

Verbal Comments Received

No verbal comments received.

4. Board Rule 490-2-.10. Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY
RULES CHAPTERS 490-2,
LICENSURE: ENDORSEMENT/RECIPROCITY FOR MILITARY SPOUSES AND TRANSITIONING
SERVICE MEMBERS, RULE 490-2-.10.**

Purpose/Main Features: To ensure that the requirements for military spouses and transitioning service members mirror the requirements of for issuance of a license by endorsement/reciprocity in 490-2-.09 that is consistent with the statutory requirement that stipulates that these applicants must meet standards equivalent to those required of non-military applicants. The amendments clarify that the education of military spouses and transitioning service members is evaluated in the same manner as non-military applicants. The amendments also provide for an alternative method for demonstrating competence and clarify that applicants for reciprocity not only have to take the national and Georgia Ethics and Jurisprudence exams, but they must also achieve a passing score.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-2, LICENSURE:
ENDORSEMENT/RECIPROCITY FOR MILITARY SPOUSES AND TRANSITIONING SERVICE
MEMBERS, RULE 490-2-.10.**

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

Rule 490-2-.10. Licensure —~~Endorsement/~~Reciprocity for Military Spouses and Transitioning Service Members

- (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 receipt of a complete application and payment of applicable fees. (Refer to fee schedule)
- (2) A military spouse or transitioning service member, as defined in O.C.G.A. § [43-1-34](#), is deemed eligible to apply for licensure pursuant to O.C.G.A. [43-33-15](#) if the applicant is a holder of a valid physical therapy or physical therapist assistant license in another State for which the training, experience and testing substantially meet or exceed the requirements under this state to obtain a license; and,
- (~~a~~3) The military spouse or transitioning service member must be a graduate of a physical therapy or physical therapist assistant program accredited by the Commission on Accreditation of Physical Therapy Education (CAPTE) approved by the Board, and must provide:
 - ~~1.(a)~~ Verification of an active license in good standing from another state board; and,
 - ~~2.(b)~~ Within six (6) months of the issuance of a license, submit 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,
 - ~~3.(c)~~ Verification of active continued competence in physical therapy in the two years immediately preceding the date of this application [which may include a verification of employment or 26 hours of acceptable continuing education coursework pursuant to the requirements in Board Rule 490-4-.02\(1\)\(2\)\(4\)\(7\) and \(8\)](#); and,

~~4.(d)~~ Official transcript from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation; and,

~~5.(e)~~ Passing Scores from the national licensing examination.

~~6.(f)~~ Passing scores from the Georgia State Board of Physical Therapy ethics and jurisprudence examination.

~~(b)4~~ Any military spouse or transitioning service member 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:

~~1.(a)~~ Verification of an active license in good standing from another state; and,

~~2.(b)~~ Within six (6) months of the issuance of a license, submit verification of licensure in good standing from the state board of all states in which the applicant has actively practiced in the two years immediately preceding the date of this application; and,

~~3.(c)~~ Verification of active continued competence in physical therapy in the two years immediately preceding the date of this application which may include a verification of employment or 26 hours of acceptable continuing education coursework pursuant to the requirements in Board Rule 490-4-.02(1)(2)(4)(7) and (8); and,

~~4.(d)~~ Official evaluation and transcript from a credential evaluation organization approved by the ~~State of Georgia~~ Board 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,

~~5.(e)~~ Passing Scores from the national licensing examination.

~~6.(f)~~ Passing scores from the Georgia State Board of Physical Therapy ethics and jurisprudence examination.

~~(3)5~~ 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; 43-1-34(b), 43-33-2, 43-33-10(1),(2),(3),(11); 43-33-14; and 43-33-15.

Written Comments Received

No written comments received.

Verbal Comments Received

No verbal comments received from the public; however, during the hearing, the Board noted that Board Rule 490-2-.10. did not have the word “Endorsement” stricken within the title as it was in 490-2-.09. As the term “endorsement” is inconsistent with the new statute, that this was not a substantive change and considered a typographical error, and being that there was no opposition from members of the public who were present during the hearing, the rule was adopted with the additional amendment to strike “Endorsement/” from the word title of the

rule. Making the title read as “Rule 490-2-.10. Licensure –Reciprocity for Military Spouses and Transitioning Service Members.”

5. Board Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY
RULES CHAPTERS 490-5,
RESPONSIBILITY OF THE LICENSED PHYSICAL THERAPIST IN SUPERVISION AND DIRECTION
OF THE PHYSICAL THERAPIST ASSISTANT, RULE 490-5-.01.**

Purpose/Main Features: To clarify the type of assistant referenced within the rule and to provide for gender neutrality as well as to correct spacing and grammatical errors.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-5, RESPONSIBILITY
OF THE LICENSED PHYSICAL THERAPIST IN SUPERVISION AND DIRECTION OF THE
PHYSICAL THERAPIST ASSISTANT, RULE 490-5-.01.**

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

Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant

- (1) A licensed physical therapist shall at all times be responsible for providing adequate supervision of the physical therapist assistant ~~supervised by him~~, as defined in Rule 490- 5-.02.
- (2) The licensed physical therapist shall be present in the same institutional setting, as defined in paragraph (3) of this section, 25 percent of any work week, Monday through Friday, and shall be readily available to the assistant at all other times, including weekend coverage, for advice, assistance and instruction.
- (3) "Institutional setting" means any nursing home, acute hospital, convalescent hospital, rehabilitation center, other in-patient facility by any other name and out-patient clinic which would include private off-ice.
- (4) The licensed physical therapist in the home health setting responsible for the patient shall supervise the physical therapist assistant working with the patient and shall:
 - (a) perform the initial patient evaluation to establish a physical therapy diagnosis , treatment goals-, frequency, duration, and plan of care;
 - (b) meet with the assistant no less than once weekly to review all patients being treated;
 - (c) document all meetings with the assistant and subsequent decisions;
 - (d) be available to the assistant at all times for advice, assistance, and instructions.
- (5) A licensed physical therapist shall be designated as the physical therapist assistant's supervisor in the school setting and shall:
 - (a) perform all physical therapy evaluations to develop or amend physical therapy interventions stated on the student's Individual Educational Plan (IEP) for the purpose of assisting with the achievement of educational goals and objective-s, including frequency and duration of physical therapy services.
 - (b) make an on-site visit to each student scheduled for direct weekly services from the physical therapist assistant no less than every two (2) months, and no less than once every five (5) months for students who are scheduled with the physical therapist assistant once monthly or less. The on-site visit shall include, but not be limited to, a case review, reassessment of the program and physical therapy services and review of documentation pre pared by the physical therapist assistant.

- (c) document the on-site visit including status of case(s), program or services status or change and indicate instructions given to the physical therapist assistant.
- (d) interact with the physical therapist assistant in appropriate ways specific to the goals and objectives stated in the IEP of the student who is scheduled for sessions with the physical therapist assistant.
- (e) be available to the physical therapist assistant at all times for advice, assistance and instructions.

Authority: O.C.G.A. §§ 43-1-24; 43-1-25; 43-33-3(6); and 43-33-10(11).

Written Comments Received

No written comments received.

Verbal Comments Received

No verbal comments received; however, during the hearing, the Board noted that the posting of Board Rule 490-5-.01(1) included the terms “physical therapists assistant.” The Board noted that there should not have been an “s” at the end of the term “therapists.” Instead, it should read as “physical therapist assistant.” As this was not a substantive change and considered a typographical error, and being that there was no opposition from members of the public who were present during the hearing, the rule was adopted with the additional amendment to strike the “s” from the word “therapist.” Board Rule 590-5-.01(1) now reads as follows: (1) A licensed physical therapist shall at all times be responsible for providing adequate supervision of the physical therapist assistant, as defined in Rule 490- 5-.02.

6. Board Rule 490-13-.01. Licensure Compact

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULES CHAPTERS 490-13, LICENSURE COMPACT, RULE 490-13-.01.

Purpose/Main Features: This new rule is proposed to make it clear that the Board will follow the Physical Therapy Compact Commission Rules for administration of the newly enacted Compact Act found at O.C.G.A. § 43-33-30, 31. In addition, the new rule would provide for additional requirements with which individuals applying for a compact privilege must comply.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PHYSICAL THERAPY RULE FOR CHAPTER 490-13, DRY NEEDLING, RULE 490-13-.01.

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

Rule 490-13-.01. Licensure Compact

Pursuant to, the Georgia State Board of Physical Therapy hereby adopts as rule the Physical Therapy Compact Commission Rules, with the following additions:

(a) Individuals applying for a compact privilege to Georgia must pay the necessary fees and take and pass the Georgia Jurisprudence Assessment Module (GA-JAM) prior to issuance of the compact privilege;

(b) A licensee from another member state who is providing physical therapy services in Georgia under a compact privilege must comply with the laws, rules and policies related to the practice of physical therapy in the state of Georgia;

(c) A compact privilege holder must report to the Georgia State Board of Physical Therapy any encumbrance or adverse action placed upon any physical therapist or physical therapist assistant license held by the compact privilege holder in a non-member state within thirty (30) business days of the effective date; This requirement applies to both public and private actions that may be taken by a non-member state.

(d) Any violation of the laws, rules and policies of the Board may subject the compact privilege holder to disciplinary action by the Georgia State Board of Physical Therapy and loss of the Compact Privilege.

Authority: O.C.G.A. §§ 43-33-10(12); 43-33-30; 43-33-31.

Written Comments Received

No written comments received.

Verbal Comments Received

Daniel Dale, PT, DPT, President, Physical Therapy Association of Georgia (PTAG)

Dr. Dale requested clarification regarding item (c) as to the method of delivery for the encumbrance of adverse action. Specifically, he requested guidance as to whether there is a form for reporting or other specific requirements for submitting the information to the Board. Adrienne Price, Healthcare 2 Executive Director, requested permission to respond. Permission was granted by the Board Chair. Ms. Price stated that the documents relative to adverse actions must be certified by the reporting entity and submitted to the Board electronically or by postal mail. She further clarified that reporting to the PT Compact Commission is done electronically by the Board. Dr. Dale thanked Ms. Price for the clarification.

Dr. Wallace motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to adopt Board Rule 490-2-.01. Application for Licensure and Examination; Board Rule 490-2-.03. Licensure: Foreign-Educated Applicants; Board Rule 490-2-.09. Licensure: Endorsement/Reciprocity; Board Rule 490-2-.10. Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members; Board Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant; and Board Rule 490-13-.01. Licensure Compact as amended.

The Board discussed the economic impact of Board Rule 490-2-.01. Application for Licensure and Examination; Board Rule 490-2-.03. Licensure: Foreign-Educated Applicants; Board Rule 490-2-.09. Licensure: Endorsement/Reciprocity; Board Rule 490-2-.10. Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members; Board Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant; and Board Rule 490-13-.01. Licensure Compact upon licensees. Dr. Thompson motioned, Dr. Burner 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, Dr. Burner 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, 43-33-10(11), (12), 43-33-14 and 43-33-31; O.C.G.A. §§ 43-1-25, 43-33-10(1),(2),(3),(10),(11), 43-33-12(1), 43-33-13(1) and 43-33- 14; O.C.G.A. §§ 43-1-25, 43-33-2, 43-33-10(2) and 43-33-15; O.C.G.A. §§ 43-1-25, 43- 1-34(b), 43-33-2, 43-33-10(1),(2),(3),(11), 43-33-14 and 43-33-15; O.C.G.A. §§ 43-1-24, 43-1-25, 43-33-3(6); and 43-33-10(11); and O.C.G.A. §§ 43-33-10(12), 43-33-30 and 43-33-31 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 9:47 a.m.

Discussion – Mentorship Requirements – A. Thompson

The Board tabled discussion of mentorship requirements for the July 14, 2020 Board meeting.

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, renewal applications and complaints/compliance matters. Other Relevant Topics discussed included the following:

- Georgia General Assembly
- Annual Ethics Commission Affidavit of Public Officer Filings
- ELDD Agreement and Reporting

Dr. Cortes motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to accept the Executive Director’s report as presented.

Board’s Chairperson Report – D. Gaskin

Ms. Gaskin expressed her appreciation to Board members and staff for their work in preparing for meetings during this challenging period of the Declared Public Health Emergency.

Dr. Thompson motioned, Dr. Cortes seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k); 43-1-19 (h) and 50-14-2 (1) to receive and review information pertaining to applications, pending cases, investigative reports and enforcement matters and to receive the Assistant Attorney General’s report. Voting in favor of the motion were those present who included Board members: Dorothy Gaskin, Anne Thompson, Chad Whitefield, Charles Bass, Destiny Hebert, Laurri Wallace, Terri Burner and Norma Cortes.

At the conclusion of the Executive Session of Tuesday, May 12, 2020, Ms. Gaskin 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: April 15, 2020 Executive Board Teleconference Minutes

Mr. Whitefield motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to accept the April 15, 2020 executive session Board teleconference minutes as amended.

Attorney General’s Report – M. Tracy, Assistant Attorney General

Dr. Wallace motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to accept the Attorney General’s Report as presented.

Legal Services MEMO

1. Reconsideration Requests

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

PT200027 Uphold the previous motion.
PT200104 Uphold the previous motion.

2. Cases for Ratification

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

PT170081/PT200113 Accept the order upon receipt.

PT200095 Accept the order upon receipt.

3. Cases for Closure (Renewal Requirements Met)

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

PT200036 Rescind previous motion and close the case with a Letter of Concern regarding accurate and timely loading of CE in aPTitude.

PT200043 Rescind previous motion and close the case with a Letter of Concern regarding accurate and timely loading of CE in aPTitude.

PT200054 Rescind previous motion and close the case with a Letter of Concern regarding accurate and timely loading of CE in aPTitude.

PT200051 Rescind Letter of Concern and send revised Letter of Concern as discussed in Executive Session.

4. Cases for Closure (Request to Rescind Application)

Mr. Bass motioned, Dr. Cortes seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

PT200060 Rescind previous motion, allow license to lapse, and should the respondent attempt to reinstate the license within five (5) years, the previous terms for licensure will be applied.

PT200107 Rescind previous motion, allow license to lapse, and should the respondent attempt to reinstate the license within five (5) years, the previous terms for licensure will be applied.

Miscellaneous Executive Discussion

1. CE Audit

Mr. Bass motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

PT200110 Add dry needling designation and close the case.

PT200111 Refer to Legal Services for a Public Consent Order for License Renewal with a reprimand and fine of \$1000 for false attestation and failure to meet requirements for renewal of the license within the biennium. Fine may be paid \$100 per month beginning 30 days after the docket date of the order. Must complete 30 hours of CE, to include four (4) hours of CE in Georgia Ethics and Jurisprudence, within 90 days of the docket date of the order. CE taken to satisfy the terms of the order may not be used to meet CE requirements for the biennium ending December 31, 2021 and flag for CE audit.

PT200112 Add dry needling designation and close the case.

PT200114 Refer to Legal Services for a Public Consent Order for License Renewal with a

reprimand and fine of \$1000 for false attestation and failure to meet requirements for renewal of the license within the biennia ending December 31, 2019. Fine may be paid in installments of \$100 monthly beginning 30 days after the docket date of the order. CE taken on April 30, 2020 may not be used to meet CE requirements for the biennium ending December 31, 2021 and flag for CE audit.

PT200115

Notify Respondent to submit proof of CE for Cognizant review within two (2) weeks on self-education and mission trip hours for July 16-19, 2018.

If not submitted or insufficient, terms of order apply. Refer to Legal Services for a Public Consent Order for License Renewal with a reprimand and fine of \$1000 for making a false attestation on the renewal application and failure to meet requirements for renewal of the license in accordance with BR 490-4-.02(1). Fine may be paid in monthly installments of \$100 beginning 30 days after the docket date of the order, until paid in full. Must submit proof of two (2) hours of CE within 90 days of the docket date of the order and flag for CE audit.

2. Compact Commission Reporting

Dr. Wallace motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a Memorandum of Advice regarding the Boards requirements for reporting of investigative information and encumbered license data to the Compact Commission. More specifically, is the Board required by the statute and compact rules to provide investigative information and information on private adverse actions to the Compact Commission.

Applications for Board Review

Mr. Bass motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

Applicant 2826535

Allow applicant to retake the exam per Board Rule 490-3-.02. Re-examination with notification this is the last attempt allowed.

Applicant 2826336

Must complete a 480 hour Traineeship Agreement or submit petition for rule waiver.

Applicant 235181

Refer to Legal Services for a Public Consent Order for false attestation on renewal application and failure to complete the continuing competency requirements with a fine of \$1000.00 [O.C.G.A. §§ 43-1-19 (a) (1) (2) (4) (6) and 43-33-16 and Board Rule 490-4-.01 and 490-4-.02]. The Georgia Ethics and Jurisprudence course taken February 5, 2020 cannot be used to satisfy the CE requirements for renewal in 2021. Fine may be paid in installments of \$100 per month until paid in full, with the first payment being due 30 days from the docket date of this order. Flag for CE audit.

Applicant 236502

Refer to Legal Services for a Public Consent Order with a fine of \$1000.00 for false attestation on renewal application and failure to complete the continuing competency requirements [O.C.G.A. §§ 43-1-19 (a) (1) (2) (4) (6) and 43-33-16 and Board Rule 490-4-.01 and 490-4-.02]. Proof of completion of seven (7) hours CE must be submitted within 90 days of order docket date. The Georgia Ethics and Jurisprudence course taken May 1, 2020 cannot be used to satisfy the CE requirements for renewal in 2021. Fee may be paid in installments of \$100 per month until paid in full, with the first payment being due 30 days from the docket date of this order. Flag for CE audit.

Applicant 2591717

Refer to Legal Services for a Public Consent Order with a fine of \$500.00 for failure to complete the continuing competency requirements [O.C.G.A. §§ 43-1-19(a)(1) and 43-33-16, Board Rule 490-4-.01(1)(2) and 490-4-.02]. The Georgia Ethics and

Jurisprudence course taken February 27, 2020 cannot be used to satisfy the CE requirements for renewal in 2021. Flag for CE audit.

Applicant 2822773 Waive traineeship requirement per Board Rule 490-4-.03(g).

Applicant 2814900 Approve Traineeship Competency Evaluation and issue the license.

Cognizant Report – C. Whitefield

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

PT200042 Refer to the Attorney General’s Office for an Order for a Mental/Physical Evaluation (OMPE).

PT200073 Close the case.

PT200002 Close with a Letter of Concern regarding dry needling techniques.

Adjournment: There being no further business to discuss, the meeting adjourned at 12:10 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed by: Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: June 9, 2020

DOROTHY GASKIN
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR