

**GEORGIA STATE BOARD OF PHYSICAL THERAPY**  
**Board Zoom Meeting Minutes**  
**Monday, December 14, 2020 - 8:30 a.m.**

The Georgia State Board of Physical Therapy met via Zoom meeting on Monday, December 14, 2020. The following members were present:

**Board Members Present**

Dorothy Gaskin, Board Chair  
Anne Thompson, Vice Chair  
Chad Whitefield, Board Member  
Charles Bass, Board Member  
Laurri Wallace, Board Member  
Terri Burner, Board Member  
Destiny Hebert, Board Member

**Administrative Staff Present**

Michelle Hornaday, Board Support Specialist  
Charlotte Mason, Licensing Supervisor  
Meagan Doss, Complaints/Compliance Analyst

**Attorney General's Office**

Melissa Tracy, Assistant Attorney General

**Administrative Staff Absent**

Adrienne Price, Executive Director

**Board Members Absent**

Norma Nunez-Cortes, Consumer Board Member

**Visitors Present**

Dr. Sandra Eskew-Capps, PT, DPT

**Call to Order:** Ms. Gaskin established that a quorum of the Board was present and called the meeting to order at 8:30 a.m.

**OPEN SESSION**

**Agenda**

Dr. Wallace motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the agenda as presented.

**Open Session Minutes**

**1. November 17, 2020 Board Zoom Meeting Minutes**

Dr. Wallace motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to approve the November 17, 2020 open session Board Zoom meeting minutes as presented.

**2. December 8, 2020 Rules Committee Zoom Meeting Minutes**

Dr. Wallace motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to approve the December 8, 2020 open session rules committee Zoom meeting minutes as presented.

**Petition for Rule Variance – BR 490-9-.05(2)(b) Thomas Seabolt PT014615**

Mr. Bass motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 490-9-.05(2)(b) based on sufficient evidence to substantiate hardship.

**Petition for Rule Waiver – BR 490-2-.03(1)(g) Jung Seungyong**

Dr. Wallace motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 490-2-.03(1)(g) based on insufficient evidence to substantiate hardship.

**Discussion – Rules Committee – D. Hebert - BR 490-9-.05 Dry Needling as amended by Rules Committee (12-08-2020)**

The Board entered into a discussion regarding the recommended amendments to BR 490-9-.05 Dry Needling from the Rules Committee. Dr. Hebert shared that this amendment will provide alternative means by which the constituency is able to practice and obtain their dry needling designation. The amendment ensures competency is maintained yet allows for online education up to the competency evaluation, which must be hands-on and therefore taken in person and not through any electronic or virtual means. This will not weaken the educational requirements but will provide alternative means to obtain the designation for the license. The didactic portion may now be taken online and allow more opportunities for the sublicense to be achieved.

Ms. Gaskin motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to refer BR 490-9-.05 Dry Needling, as amended today, and with recommendations from the Rules Committee, to the Attorney General's Office for a Memorandum of Authority, and if no objections, vote to post.

The Board discussed the economic impact of Board Rule 490-4-.02. Continuing Competence Requirements upon licensees. Dr. Burner motioned, Dr. Wallace 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. Burner motioned, Dr. Wallace 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(11); 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.

#### **Ga. Comp. R. & Regs. r. 490-9-.05 Dry Needling**

#### **Georgia Administrative Code**

#### **Department 490. RULES OF GEORGIA STATE BOARD OF PHYSICAL THERAPY**

#### **Chapter 490-9. CODE OF ETHICS**

*Current through Rules and Regulations filed through November 24, 2020*

#### **Rule 490-9-.05. Dry Needling. Amended.**

- (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 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) 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, will not be accepted as a demonstration of competence and training.~~ Study for dry needling instruction, to include the OSHA Blood Borne Pathogens Standards, and the didactic portion of training may be completed online.
- (3) A physical therapist has demonstrated specific and competent education and training when the licensee has submitted the following documentation to the Board:
  - (a) Proof of education in the OSHA Blood Borne Pathogens Standard: and,
  - (b) At least one of the following:

1. Proof of graduation from an entry-level physical therapy program that included dry needling instruction consisting of a minimum of 50 hours total and a [hands-on, in-person](#) competency assessment of achievement in its curriculum; or
  2. Proof of 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 [hands-on, in-person](#) competency assessment of achievement in its curriculum; or
  3. Proof of documented, successful completion of a didactic dry needling course of study consisting of a minimum of 50 hours total and a [hands-on, in-person](#) competency assessment of achievement in its curriculum.
- (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 CE Broker.
  - (b) Licensees and applicants shall incur no additional costs from CE Broker 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. §§ [43-1-24](#); [43-1-25](#); [43-33-10\(11\)](#); [43-33-16](#).

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

**Amended:** F. May 30, 2018; eff. June 19, 2018.

**Amended:** F. Sep. 14, 2020; eff. Oct. 4, 2020.

**Dr. Wallace motioned, Dr. Thompson 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, Laurri Wallace, Destiny Hebert, and Terri Burner.**

**At the conclusion of the Executive Session of Monday, December 14, 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 – November 17, 2020 Executive Board Zoom Meeting Minutes**

Dr. Burner motioned, Mr. Whitefield seconded and the Board voted unanimously in favor of the motion to accept the November 17, 2020 executive session Board Zoom meeting minutes as presented.

**Legal Services MEMO**

Dr. Wallace motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to release the requested records as allowed by law.

**Adjournment:** There being no further business to discuss, the meeting adjourned at 9:04 a.m.

**Minutes recorded by:** Michelle Hornaday, Board Support Specialist  
**Minutes reviewed and edited by:** Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director  
**Minutes approved on:** January 12, 2021

**DOROTHY GASKIN**  
**BOARD CHAIR**

**ADRIENNE PRICE**  
**EXECUTIVE DIRECTOR**