

GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board Zoom Meeting Minutes
Tuesday, March 8, 2022 - 9:00 a.m.

The Georgia State Board of Physical Therapy met via Zoom meeting on Tuesday, March 8, 2022. The following members were present:

Board Members Present

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

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Meagan Doss, Complaints/Compliance Analyst
Tammy Vining, Licensing Analyst

Attorney General's Office

Melissa Tracy, Assistant Attorney General

Board Members Absent

Norma Nunez-Cortes, Consumer Board Member

Visitors Present

Dr. Kathleen Geist, PT, DPT, President, American Physical Therapy Association-Georgia (APTA-GA)
Dr. Katherine Sylvester, PT, DPT, American Physical Therapy Association-Georgia (APTA-GA)
Dr. Sandra Eskew Capps, PT, DPT, American Physical Therapy Association-Georgia (APTA-GA)
Tina Spears
Carla Huggins
Leila Rahnama
Devang Mehta
Yogeshkumar Makvana
Yesha Mehta
Jeannette Anderson

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. 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. **December 14, 2021 Board Zoom Meeting Minutes**
2. **January 11, 2022 Board Zoom Board Meeting Minutes**
3. **January 25, 2022 Rules Committee Zoom Meeting Minutes**

Dr. Thompson motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to approve the December 14, 2021 Open Session Zoom meeting minutes, the January 11, 2022 Board Zoom meeting minutes, and the January 25, 2022 Rules Committee Zoom meeting minutes as presented.

Licenses to Ratify: January 4, 2022 – March 1, 2022

Dr. Burner motioned, Mr. Bass 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 – Special Note of Thanks – Kathleen Geist, PT, DPT, APTA Georgia

The Board expressed appreciation for the writers' sentiments.

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

1. **Board Member and Administrator Training**
2. **Meeting Cost Estimates**
3. **January News Brief**
4. **February News Brief**
5. **March Regulatory Hour - March Madness Motions**

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

Public Rules Hearing 9:30 a.m.

1. **Board Rule 490-2-.01. Application For Licensure and Examination. Amended.**
2. **Board Rule 490-4-.01. Renewal and Reinstatement of License and Penalties**

Ms. Gaskin called the hearing in the matter of Board Rule 490-2-.01. Application For Licensure and Examination. Amended. and Board Rule 490-4-.01. Renewal and Reinstatement of License and Penalties 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. Amended.**

Purpose/Main Features: To meet the policy objectives of the Board by ensuring that the renewal expiration dates and late renewal periods are aligned with the revisions to the Joint Secretary Rules and Policies by putting applicants and licensees on notice as to how long incomplete applications will remain open and pending with the Board before it is considered expired and withdrawn from consideration. As long as the licensee completes their applications timely within the timeframes designated in the Joint Secretary Rules and Policies the amendment affects all physical therapists, physical therapy assistants, employers, and the general public equally. There are no new fees added or existing fees raised.

Rule 490-2-01 Application For Licensure And Examination. Amended.

A completed application for examination must be submitted and approved prior to taking the examination.

- (1) 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.
- (2) All applications for licensure must be complete within the timeframe indicated in the Joint Secretary Rules and/or policies. All applications not completed within this designated timeframe shall be complete within the timeframe indicated in the Joint Secretary Rules and/or policies. All applications not completed within this designated timeframe shall be considered expired and withdrawn. Following expiration of an application. a new application in its entirety. to include all required fees. shall be required for consideration of licensure.
- (3) All applicants for licensure and examination are also subject to the provisions of O.C.G.A. §§ 43-1-19 and 43-33-18.

Cite as Ga. Comp.R. & Regs.R. 490-2-01 Authority:
O.C.G.A. §§ 43-1-25 and 43-33-10(11).

Written Comments Received

No written comments received.

Verbal Comments Received

Dr. Katherine Sylvester, PT, DPT, American Physical Therapy Association-Georgia (APTA-GA)

Dr. Kathleen Geist, PT, DPT, President, American Physical Therapy Association-Georgia (APTA-GA)

Dr. Thompson motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to adopt Board Rule 490-2-.01. Application For Licensure and Examination. Amended. as amended.

The Board discussed the economic impact of Board Rule 490-2-.01. Application For Licensure and Examination. Amended. upon licensees and determined there is a tremendous impact for Board staff as this will reduce the number of deficiency that must be sent. It will require more record keeping and organization on behalf of the applicants/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 rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes.

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 the statute 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 applicant and licensee in the same manner in the field of Physical Therapy.

2. Board Rule 490-4-.01. Renewal and Reinstatement of License and Penalties

Purpose/Main Features: To meet the policy objectives of the Board by ensuring that the renewal expiration dates and late renewal periods are aligned with the revisions to the Joint Secretary Rules and Policies by striking February 28th and changing it to February 1st of the year following the renewal year. As long as the licensee completes their renewal applications within the timeframes designated in the Joint Secretary Rules and Policies, the amendment will affect all physical therapists, physical therapy assistants, employers, and the general public equally. There are no new fees added or existing fees raised.

Rule 490-4-.01 Renewal and Reinstatement of License and Penalties

Every licensed physical therapist and physical therapist assistant shall biennially apply to the Board for renewal of his/her license, submit proof of continuing competency requirements and pay a renewal fee by December 31st of odd years. Refer to fee schedule and Rule 490-4-.02.

- (1) A license that is not renewed on or before December 31st shall be assessed a late fee. Refer to fee schedule for penalty fee.
- (2) A license that is not renewed on or before February 1st of the year following the renewal year shall lapse and be of no force and effect and shall by operation of the law be revoked.
- (4) A physical therapist or physical therapist assistant that has been previously licensed in this State who has allowed his/her license to become revoked due to failure to renew, shall be required to submit an application for reinstatement, pay appropriate fee (refer to fee schedule), and shall also be required to meet requirements as provided below:
 - (a) An applicant who is able to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years shall be required to submit proof of continuing competence requirements as established by the Board;

- (b) An applicant who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 2 years but is able to document such practice within 5 years shall be required to submit proof of continuing competence (Refer to 490-4-.02), and shall be required to work under the supervision of physical therapist licensed in this state for 480 hours of continuous supervised practice to be completed within 3 months with specific stipulations as deemed necessary by the Board, and shall be required to take and pass the examination on the laws governing the practice of physical therapy in Georgia and the rules of the Georgia State Board of Physical Therapy; or
- (c) An applicant who is unable to document that he/she has practiced as a physical therapist or physical therapist assistant within 5 years shall be required to work under the supervision of a physical therapist licensed in this state for 1,000 hours of continuous supervised practice to be completed in no less than 6 months or no more than 1 year if approved by the Board with specific stipulations as deemed necessary by the Board and shall be required to take and pass the following examinations: the licensing examination, 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.

(5) Applicants subject to Rule 490-4-.01(4)(a) may at the discretion of the Board be exempted from continuing competence requirements if such person holds a current license in good standing in another state or if such person is currently employed as a physical therapist or physical therapist assistant by the United States Government if such person provides physical therapy services under the direction or control of the employing organization.

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

Authority: O.C.G.A. §§ 43-1-4, 43-1-25, 43-33-10(11), and 43-33-16.

Written Comments Received

No written comments received.

Verbal Comments Received

No verbal comments received.

Dr. Burner motioned, Mr. Bass seconded and the Board voted unanimously in favor of the motion to adopt Board Rule 490-4-.01. Renewal and Reinstatement of License and Penalties as amended.

The Board discussed the economic impact of Board Rule 490-4-.01. Renewal and Reinstatement of License and Penalties upon licensees. Dr. Burner 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 rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the statutes.

Dr. Burner 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 the statute 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, business, and member of the public in the same manner in the field of Physical Therapy.

The hearing is adjourned at 9:46 a.m.

Petitions for Rule Waiver

1.a) BR 490-2-.03(1)(g) Yesha Mehta

1.b) BR 490-2-.02(a) Yesha Mehta

Dr. Thompson motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to table the discussion of the petition to waive BR 490-2-.03(1)(g) and BR 490-2-.02(a) for Executive Session.

2. BR 490-2-.03(d) Leila Rahnama

Dr. Thompson motioned, Dr. Gaddis seconded and the Board voted unanimously in favor of the motion to table the discussion of the petition to waive BR 490-2-.03(d) for Executive Session.

3. BR 490-2-.03 Mercy Jayakumar

Dr. Wallace motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 490-2-.03 based on sufficient evidence to substantiate a substantial hardship.

4. BR 490-2-.01 Grace Parker

Dr. Burner motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 490-2-.01 based on the fact that the Board has no authority to grant the request. Suggest submitting petition to the Joint Secretary on Rule 295-2-.04(f).

5. BR 490-2-.01 Madison Robinson

Dr. Burner motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 490-2-.01 based on the fact that the Board has no authority to grant the request. Suggest submitting petition directly to the Joint Secretary. The Board will maintain the application open until June 30, 2022.

6. BR 490-2-.03(d) & (g) Frederick Natividad

Dr. Thompson motioned, Dr. Gaddis seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 490-2-.03(d) & (g) based on sufficient evidence to substantiate a substantial hardship.

7. BR 490-2-.01 Paige Bouvier Brinson

Dr. Burner motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 490-2-.01 based on the fact that the Board has no authority to grant the request. Suggest submitting petition directly to the Joint Secretary on Rule 295-2-.04(f).

8. BR 490-2-.01 Dhruti Murkesh Patel

Dr. Thompson motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 490-2-.01 based on the fact that the Board has no authority to grant the request. Suggest submitting petition directly to the Joint Secretary on Rule 295-2-.04(f).

Petitions for Rule Variance

1. BR 490-2-.03(1)(d) Orawan Verner

Dr. Thompson motioned, Dr. Gaddis seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 490-2-.03(1)(d) based on sufficient evidence to substantiate a substantial hardship.

2. BR 490-2-.01 Shiyu Lin

Dr. Burner motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 490-2-.01 based on the fact that the Board has no authority to grant the request. Suggest submitting petition directly to the Joint Secretary on Rule 295-2-.04(f).

3. BR 490-2-.03(1)(a) Yesha Mehta

Dr. Burner motioned, Dr. Thompson seconded and the Board voted unanimously in favor of the motion to table the discussion of the petition for variance of BR 490-2-.03(1)(a) for Executive Session.

Discussion – Rules Committee – D. Hebert

1. **Board Rule 490-2-.03. Licensure – Foreign-Educated Applicants**
2. **Board Rule 490-2-.09. Licensure/Reciprocity**
3. **Board Rule 490-13-.01. Licensure Compact**

Dr. Gaddis presented the rules reviewed and amended during the January 25, 2022 Rules Committee meeting. The following recommendations have been made by the Committee:

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.
 - (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 22 on the writing section, a passing score of 22 on the reading section, a passing score of 21 on the listening section and a passing score of 24 on the speaking section before being allowed to sit for the licensure examination. Official score results must be submitted to the Board. **Applicants may be exempt from the IBT TOEFL requirement if:**
 - (e) **(1) The Applicant submits an official letter from their physical therapy program attesting that s 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; **or,**
 - (2) **The applicant submits verification of active physical therapy practice in the United States for a minimum of 10 years.**
 - (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~~ **demonstrates clinical competency to the satisfaction of the Board by providing clinical competency proof of** ~~with a minimum of 5-2~~ years of continuous, active **physical therapy practice in the United States** and license in good standing.

- (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 but they must meet the conditions of Board Rule [490-2-.02](#).

Cite as Ga. Comp. R. & Regs. R. 490-2-.03

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

History. Original Rule entitled "Board Action Upon Application for Registration" adopted. F. and eff. June 30, 1965.

Repealed: New Rule of same title adopted. F. May 1, 1973; eff. May 21, 1973.

Repealed: New Rule entitled "Licensure: Foreign-Educated Applicants" adopted. F. Jan. 19, 2005; eff. Feb. 8, 2005.

Repealed: New Rule of the same title adopted. F. May 12, 2010; eff. June 1, 2010.

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

Amended: F. Aug. 26, 2015; eff. Sep. 15, 2015.

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

Rule 490-2-.09. Licensure: 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) **Passing scores from the national licensing examination; and, Verification of an active license in good standing from another state board; and,**
 - (b) **Passing scores from the Georgia Ethics and Jurisprudence Examination; and, 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) **Has satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board; 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 scores from the national licensing examination; and,~~ **Verification of an active license in good standing from another state board; and,**
 - (f) ~~Passing scores from the Georgia Ethics and Jurisprudence Examination.~~ **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,**
 - (g)

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).

(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) **Passing scores from the national licensing examination; and, Verification of an active license in good standing from another state board; and,**
- (b) **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; 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) **Has satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board; 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 scores from the national licensing examination; and,~~ **Verification of an active license in good standing from another state board; 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.~~ **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;**
- (g) **actively practice;**

Verification of active practice in the two years immediately preceding the date of this 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).

(4) **Any applicant applying for licensure who is a graduate of an entry level program outside of the United States must meet the requirements of Board Rule 490-2-.03. Only graduation from an accredited entry-level DPT program exempts you from the requirements of 490-2-.03.**

(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.

Cite as Ga. Comp. R. & Regs. R. 490-2-.09

Authority: O.C.G.A. §§ [43-1-25](#); [43-33-2](#), [43-33-10\(2\)](#); [43-33-15](#).

History: Original Rule entitled "Examination Proctors" adopted. F. and eff. June 30, 1965.

Repealed: F. May 1, 1973; eff. May 21, 1973.

Amended: New Rule entitled "Licensure: Endorsement" adopted. F. June 27, 1995; eff. July 17, 1995.

Amended: New title "Licensure: Endorsement/Reciprocity." F. Apr. 13, 2017; eff. May 3, 2017.

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

Amended: New title "Licensure: Reciprocity." F. Sep. 14, 2020; eff. Oct. 4, 2020.

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.
 - (1) **If a compact privilege holder fails to complete the GA JAM prior to obtaining a privilege, written notification will be sent to the privilege holder's address of record via certified mail and email informing them that they must submit proof of completing the GA JAM requirement within 30 days of the notice.**
 - ~~(2)~~ **(2) If the compact privilege holder fails to provide the Board with proof of completion of the requirement within the designated timeframe, the compact privilege is revoked by operation of law; and, the PT Compact Commission shall be notified; and,**
- (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 who plans to perform dry needling in the state of Georgia must:**
 - (1) Meet the requirements of Board Rule 490-9-.05;**
 - (2) Provide proof of education and training to perform dry needling as outlined in Board Rule 490-09-.05 directly to the Board by mail or electronic means; and,**
 - (3) Receive board approval prior to practicing dry needling in the state of Georgia.**
- (d) 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.**
- ~~(e)~~ 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.

Cite as Ga. Comp. R. & Regs. R. 490-13-.01

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

History. Original Rule entitled "Licensure Compact" adopted. F. Sep. 14, 2020; eff. Oct. 4, 2020.

Dr. Burner motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to adopt the rationales as presented by the Rules Committee and refer Board Rule 490-2-.03. Licensure - Foreign-Educated Applicants, Board Rule 490-2-.09. Licensure/Reciprocity as amended today for clarity, and Board Rule 490-13-.01. Licensure Compact to the Attorney General's Office for a Memorandum of Authority, and if no objections, vote to post.

Dr. Thompson motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to rescind the previous motion made by a Rules Committee Member and to refer Board Rule 490-2-.03. Licensure - Foreign-Educated Applicants, Board Rule 490-2-.09. Licensure/Reciprocity as amended today for clarity, and Board Rule 490-13-.01. Licensure Compact to the Attorney General's Office for a Memorandum of Authority, and if no objections, vote to post.

Discussion – Board Rule 490-2-.04(a) Training Permits – A. Thompson

Dr. Thompson addressed the Board regarding the request that the rules committee consider amending BR 490-2-.04(a) Training Permits to reflect changes that were made by emergency rule during the declared public health state of emergency. She advised that currently the NPTE must be passed before a traineeship. Only one student took advantage of the ability to complete a traineeship prior to passing the NPTE as was permitted in the Board's emergency rule. Dr. Thompson stated that the Emergency Rule was passed to fill a need, but sees no need to continue this practice as the administrative burden is great and the benefit is minimal as indicated by only one applicant taking advantage of the process change. She stated that changing the rule as it currently stands may not be sufficient for the needs of one and it will not benefit the practice of physical therapy and the public to go forward with a rule revision. Dr. Burner commented that the issue may be addressed in the future for any emergencies, and that the Board will remain responsive to the environment.

PT Compact – January 2022 Update – A. Thompson

Dr. Thompson present the Board with a brief update from the PT Compact indicating that she is on the Compliance Committee which ensures adequate information has been submitted by the member boards and is available to those who are a part of the PT Compact. She stated that they did consider requesting the Boards to assist in their efforts to encourage eligible licensees to purchase compact privileges; however, it was determined that the burden of Public Relations must come from the Compact or FSBPT, and not the Board.

American Physical Therapy Association – Georgia Chapter (APTA-GA) – Dr. Kathleen Geist, PT, DPT, Executive Director

Dr. Geist addressed the Board for the purpose of providing updates. She announced that the current list of approved Ethics and Jurisprudence CE Courses has been published on their website and the list will be updated annually after review by the active Executive Director of APTA-GA. She further reported that APTA-GA is continuing its research on locations which offer clinical traineeships by devising a traineeship survey which went out to their membership and to the Georgia Consortium of Clinical Educators this week. The survey will be open 2-3 weeks.

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:

- ELDD Agreement
- CE Broker
- Georgia General Assembly
- Annual Public Officer Affidavit

Dr. Thompson motioned, Dr. Wallace 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 the Board members, staff and visitors for their time and effort on behalf of the profession. She informed the Board that Chad Whitefield has resigned. The Board expressed appreciation for his many years of faithful and dedicated service to the Board, and their sadness in seeing him move on. Mr. Whitefield was the Physical Therapy Assistant Board member and acted in the role of the Board's Disciplinary Cognizant. Ms. Gaskin stated that the Cognizant role must now be filled. Dr. Wallace motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to appoint Laurri Wallace as the new Disciplinary Cognizant and for each member to contribute to purchasing a plaque in appreciation of Mr. Whitefield's service as is its custom.

Dr. Burner motioned, Dr. Wallace 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, Chuck Bass, Terri Burner, Destiny Gaddis, and Laurri Wallace.

At the conclusion of the Executive Session of Tuesday, March 8, 2022, 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

- 1. December 14, 2021 Executive Session Zoom Meeting Minutes**
- 2. January 11, 2022 Executive Session Zoom Meeting Minutes**

Dr. Thompson motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the December 14, 2021 executive session zoom meeting minutes and the January 11, 2022 executive session zoom meeting minutes as presented.

Petitions for Rule Waiver

- 1. BR 490-2-.03(1)(g) Yesha Mehta**

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

- 2. BR 490-2-.03(d) Leila Rahnama**

Dr. Wallace motioned, Dr. Gaddis seconded and the Board voted unanimously in favor of the motion to grant the petitions to waive the following Board Rules based on sufficient evidence to substantiate a substantial hardship:

- a) BR 490-2-.03(g)
- b) BR 490-2-.03(a)
- c) BR 490-2-.02(a)(3)
- d) BR 490-2-.03(d)

Petition for Rule Variance – BR 490-2-.03(1)(a) Yesha Mehta

Dr. Thompson motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 490-2-.03(1)(a) based on sufficient evidence to substantiate a substantial hardship.

Attorney General’s Report – M. Tracy

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

Cognizant Summary Report

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

PT180099 Pending Cognizant review.

PT210012 Pending Cognizant review.
PT210017 Pending Cognizant review.
PT220005 Pending Cognizant review.
PT220002 Pending Cognizant review.
PT220004 Close the case, no jurisdiction.
PT220014 Close the case with a Letter of Concern regarding improper technique while dry needling.

Miscellaneous Executive Discussion

- 1. PT200042** Dr. Burner motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion that the Board finds that the public health, safety, or welfare imperatively requires emergency action and votes to summarily suspend the license pending proceedings for revocation or other action.
- 2. PT210004** Dr. Thompson motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for hearing for violation of OMPE.
- 3. PT220015_ PT220009** Table pending response from the PT Compact Commission.

Applications for Board Review

1. Reinstatements

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

Applicant 3001292 Refer to Legal Services for a Public Consent Order or Public Reprimand for unlicensed practice from February 3, 2022 to February 10, 2022 with a fine of \$175.00. Fine to be paid in full within ninety (90) days of the docket date of the order. Flag for CE Audit. Must take and pass the jurisprudence exam within six (6) months of the docket date of the consent agreement or reprimand; and (C) Must report the period of unlicensed practice to their employer(s).

Applicant 3000232 Reinstate the license with a Letter of Concern regarding unlicensed practice.

Applicant 2987825 Reinstate the license.

2. Renewals

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

Applicant 1085472 Renew the license with a Letter of Concern regarding criminal history. Must provide Board final disposition of criminal case within 10 days of adjudication.

Applicant 2499709 Refer to Legal Services for a Public Consent Order for Renewal of Licensure with a fine of \$1000 for false attestation on renewal application and completing CE hours after renewal biennium 2021 deadline. Fine to be paid in full within ninety (90) days of the docket date of the order. Must submit 20 hours CE, to include four (4) hours GA JAM or an Ethics & Jurisprudence course for current biennium. CE hours submitted January 14, 2022 and after, to satisfy the renewal requirement for biennium 2021 and CE submitted to meet current biennium requirements cannot be used to meet the CE requirements for the biennium ending December 31, 2023. Flag for CE Audit.

Applicant 2528237 Renew the license.

Applicant 242524 Refer to Legal Services for a Public Consent Order for Renewal of Licensure with a fine of \$500 for false attestation on renewal application and completing CE hours after renewal biennium 2021 deadline. Fine to be paid in full within ninety (90) days of the docket date of the order, CE hours submitted February 2-3, 2022 to satisfy the renewal requirement for biennium 2021 cannot be used to meet the CE requirements for the biennium ending December 31, 2023. Flag for CE Audit.

Applicant 2730879 Notify the licensee that since the requirements to perform dry needling in the state of Georgia were met and the issuance of the designation was issued, it will remain on the license. Please note that there is no requirement that the licensee engage in the practice of dry needling.

3. Traineeship Agreement

Dr. Burner motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in Executive Session:

Applicant 2991033 Approve the Traineeship Agreement.

Adjournment: There being no further business to discuss, the meeting adjourned at 1:37 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed by: Adrienne Price, Executive Director
Minutes approved on: March 29, 2022

DOROTHY GASKIN
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR