GEORGIA STATE BOARD OF PHYSICAL THERAPY
Board WebEx Meeting Minutes
Tuesday, September 29, 2026 – 9:00 a.m.

The Georgia State Board of Physical Therapy met via WebEx on Tuesday, September 29, 2026. The following members were present:

Board Members Present
Anne Thompson, Chair
Destiny Gaddis, Vice Chair
Terri Burner, Board Member
Laurri Wallace, Board Member
Claire Mullin, Board Member
Everett Tyler, Consumer Board Member

Administrative Staff Present
Adrienne Price, Executive Director
Sherry Strong, Complaint/Compliance Analyst
Konkista Ellison, Licensing Analyst

Attorney General's Office
Eric Yi, Assistant Attorney General

Board Members Absent
Charles Bass, Board Member
Ashley Camoosa, Board Member

Administrative Staff Absent
Meagan Doss, Licensing Supervisor
Michelle Hornaday, Board Support Specialist

Visitors Present
Daniel Dale
Tina Spears, PT
Rosa Beddingfield
Elizabeth Skillen
Ben Braxley
Call in User_1
Call in User_2
Call in User_4
Call in User_5
Dana Sudran
Tina Rigdon
Matt
Sandy Eskew Capps, PT
Stefanie Palma, PT, DPT
Caller
Abigail Garcia
Ryan Skillen

Call to Order: Dr. Thompson established that a quorum of the Board was present and called the Board meeting to order at 9:00 a.m.

OPEN SESSION

9:30 Public Rules Hearing (Attachment A)

A. Rule 490-1-.01 Organization of Board
B. Rule 490-1-.02 Officers
C. Rule 490-2-.01 Application For Licensure and Examination
D. Rule 490-2-.04 Training Permits
E. Rule 490-2-.05 Repealed
F. Rule 490-2-.09 Licensure: Reciprocity
G. Rule 490-2-.10 Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members
H. Rule 490-3-.01 Evaluation of Examinations. Amended
I. Rule 490-4-.01 Renewal and Reinstatement of License and Penalties

J. Rule 490-4-.02 Continuing Competence Requirements
K. Rule 490-5-.01 Responsibility of the Licensed Physical Therapist in Supervision
L. Rule 490-9-.02 Principles of Conduct for Physical Therapists
M. Rule 490-9-.03 Principles of Conduct for Physical Therapist Assistants
N. Rule 490-9-.04 Disciplinary Sanctions
O. Rule 490-9-.06 Telehealth
P. Rule 490-13-.01 Licensure Compact

Agenda The Board voted by acclamation to accept the agenda as presented.

Open Session Minutes – August 21, 2026 Open Session WebEx Meeting Minutes

The Board voted by acclimation to adopt the August 21, 2026 Open Session WebEx Meeting Minutes, as presented.

Licenses to Ratify: July 14, 2026 – September 17, 2026

The Board voted by acclimation to ratify the licenses by application and by reinstatement that were issued in accordance with the Board Rules and Policies between Board meetings.

Correspondence – Follow up on Request for Advice on IDEA PT Practice Act, Tina Rigdon PT

Dr. Mullin motioned, Dr. Gaddis seconded, and the Board voted unanimously in favor of the motion to table the discussion for Executive Session.

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

1. **July News Brief**
2. **Regulatory Hour with Dale Atkinson – Examine Exams**
3. **Frankly, My Dear, We Need Better Questions**
4. **Regulatory Hour with Amigo Wade – Impact Litigation as a Tool for Regulatory Reform**
5. **August News Brief - Adrienne Price – 2026 Outstanding Service Award Winner**
6. **Speech vs Conduct_The First Amendment and Professional Licensure**
7. **Register for the 2026 FSBPT Annual Education Meeting**
8. **2026 DELEGATE HANDBOOK**
9. **September News Brief**

Dr. Mullin motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion to accept the correspondence and report in reference to FSBPT as information.

Annual Board Member Elections

Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to maintain all current Board Member Officer positions for the upcoming year and they are as follows:

Chair	Anne Thompson
Vice Chair	Destiny Gaddis
Applications Cognizant	Anne Thompson
Complaints/Disciplinary Cognizant	Laurri Wallace
Rules Committee	Destiny Gaddis, Committee Chair, Terri Burner & Ashley Camoosa, Committee Members
Special Projects Committee	Laurri Wallace, Committee Chair, Charles Bass & Claire Mullin, Committee Members
FSBPT Delegate	Anne Thompson, Primary Delegate & Terri Burner, Alternate Delegate
Compact Delegate	Destiny Gaddis

American Physical Therapy Association – Georgia Chapter (APTA-GA) – Dr. Ben Braxley, PT, DPT, President

Dr. Braxley shared that APTA-GA will be hosting a business meeting, fundraiser, and student conclave March 30, 2027 and encouraged attendance. He shared his appreciation for the work done by the Board.

Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the APTA-GA report as presented.

Petitions for Rule Waiver

1. BR 490-2-.03_Sujata Jarugula

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

2. BR 490-2-.03(g), BR 490-2-.04(a4-a5), BR 490-2-.03(b) _Maria Cecilia Madriaga Calabano

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

Dr. Gaddis motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to grant the petitions to waive BR 490-2-.04(a4-a5) based upon sufficient evidence to substantiate a substantial hardship.

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

3. BR 490-2-.03 & BR 490-2-.04_Vyoma Patel

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

Dr. Gaddis motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to grant the petition to waive BR 490-2-.04 based upon sufficient evidence to substantiate a substantial hardship.

4. BR 490-2-.03(1)(a)_Vyoma Patel

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

5. BR 490-2-.03(1)(d)_German Eduardo Isea Fernandez

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

6. BR 490-2-.04_Dana Sudran

i. Public Comment for Dana Sudran from Kathryn Toy, PT, DPT
ii. Public Comment for Dana Sudran from Lauren Cathey, PT, DPT

Dr. Gaddis motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to grant the petition to waive BR 490-2-.04 based upon continuance of CE throughout period of not practicing.

7. BR 490-2-.03(1)(d)_Eunse Park

Dr. Mullin 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)(d) based upon sufficient evidence to substantiate a substantial hardship.

Petitions for Rule Variance

1. BR490-2-.03(1)(a)_German Eduardo Isea Fernandez

Dr. Mullin 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)(a) based upon sufficient evidence to substantiate a substantial hardship.

2. BR 490-2-.03(1)(g)_Eunse Park

Dr. Mullin 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)(g) for a 480-hour traineeship over six (6) month period.

Executive Director Report – A. Price

The Executive Director's Report presented the Board with statistical data relevant to the processing of applications, the number of licenses, renewal applications, and complaints/compliance matters. Other Relevant Topics discussed included the following:

- Annual Ethics Commission Affidavit of Public Officer Filings
- PLB Updates

Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

Board's Chairperson Report – A. Thompson, PT, EdD

Dr. Thompson shared that she is the Chair of the FSBPT Compact Rules Committee who is working on policy and rule updates. She stated she is also on the FSBPT Finance Committee as well as the Continuing Competence Committee.

Dr. Wallace motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

Dr. Mullin motioned, Dr. Burner 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: Anne Thompson, Destiny Gaddis, Terri Burner, Laurri Wallace, Claire Mullin, and Everett Tyler.

At the conclusion of the Executive Session of Tuesday, September 29, 2026, Dr. Thompson 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

Correspondence – Follow up on Request for Advice on IDEA PT Practice Act, Tina Rigdon PT

Dr. Burner motioned, Mr. Tyler seconded, and the Board voted unanimously in favor of the motion to notify the writer that the Georgia State Board of Physical Therapy has no jurisdiction over the Georgia Department of Education; therefore, there will be no formal correspondence submitted to their attention from the Board and the

writer may feel free to share the letter sent to her by the Board with other parties if she so choses. It is the decision of the Board not to issue a position statement on this matter at this time.

Executive Session Minutes – August 21, 2026 Executive Session WebEx Meeting Minutes

Dr. Mullin motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion to accept the August 21, 2026 Executive Session WebEx Meeting Minutes as presented.

Attorney General's Report – E. Yi

Mr. Tyler motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion to accept the Attorney General's Report and advice as presented.

Legal Services MEMO

1. Cases for Ratification

Dr. Wallace motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the following orders upon receipt.

a) PT260168
b) PT230002
c) PT260145
d) PT270002
e) PT260172

2. Requests for Reconsideration

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

a)	**PT260108**	Respondent must enter all OSHA Training certificates into CE Broker within seven (7) days of notice. If entered within the timeframe, rescind the previous motion and renew with a Letter of Concern regarding compliance with reporting to CE Broker. If fail to do so, uphold the previous motion.
b)	**PT230010**	Uphold previous motion.
c)	**PT260139**	Uphold previous motion.

Cognizant Complaint Summary Report – L. Wallace, DPT

PT260100 Mr. Tyler motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a Cease-and-Desist Order on Respondent S.A.

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

PT260009	Close the case due to insufficient information.
PT260132	Close the case due to insufficient information.
PT260067	Close the case due to insufficient information.
PT260060	Close the case due to insufficient information.
PT250468	Close the case due to insufficient evidence.
PT250453	Close the case due to insufficient information.
PT260170	Close the case due to insufficient information.
PT260099	Close the case due to insufficient evidence.
PT250418	Close the case due to insufficient evidence.
PT240051	Close the case due to insufficient evidence.

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

PT260088 Close the case, no action.
PT250473 Close the case, no action.
PT270006 Close the case, no action.
PT250480 Close the case, no action.
PT260044 Refer to legal Services for a Public Consent Order with a vine of $500 based on unprofessional conduct [O.C.G.A 43-1-19 (a)(6)(8); BR 490-9-.02(1)(a), (3)(a), (g)(4)(9); BR 490-9-.04(g)(h)]. Must complete two (2) hours CE on proper documentation and record keeping, two (2) hours CE on HIPAA laws and regulations, and an additional four (4) hours CE in Ethics. CE used to satisfy the terms of the order cannot be used for future renewals biennium. Flag for CE Audit.
PT260142 Close the case with a Letter of Concern regarding proper documentation and record keeping.
PT260091 Refer to Legal Services for a Public Consent Order with a fine of $250 based on inappropriate delegation of dry needling. Fine to be paid within 90 days of order docket date. Flag for Audit.
PT240046 Schedule an Investigative Interview.
PT260066 Close with a Letter of Concern regarding unprofessional conduct.
PT260090 Refer to Legal Services for a public Consent Order with a fine of $250 based on practicing beyond the scope of practice from May 2024 - August 2024 [O.C.G.A. § 43-1-19(a)(1) & (6); BR 490-9-.05]. Fine must be paid within 90 days of the order docket date. Flag for Audit.
PT260062 Close the case with a Letter of Concern regarding proper documentation and record keeping.

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

PT260176 Close the case due to no jurisdiction.
PT260047 Close the case due to no jurisdiction.
PT260021 Close the case due to no jurisdiction.
PT260018 Close the case due to no jurisdiction.

Miscellaneous Executive Discussion

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

PT250475 Refer to the Attorney General's Office for a Private Consent Order for Licensure with terms and conditions to include a period of monitoring for a minimum of 4 years with quarterly personal, employer, and aftercare reports, random monthly drug screens via hair follicle testing for a minimum of 12 months. May petition to lift hair follicle testing after 12 months provided compliance is substantiated. If lifted, will be required to complete quarterly urine drug screens for the remainder of the monitoring period. Must submit proof of completion of the FSBPT Healthy Practice Tool within 90 days of the docket date of the order. Flag for audit.

PT210004 Grant petition to terminate monitoring and close the case.

PT250471 Issue a Letter of Concern regarding noncompliance with current consent order. Any additional violations will result in additional sanctions to the license.

Applications for Board Review

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

Applicant 4783349 Refer to Legal Services for a Public Consent Agreement for Licensure with fine of $1000 based on false attestation, and failure to disclose [O.C.G.A. § 43-1-19(a)(2), (6), & (8),

Board Rule 490-2- .09(2)(b)]. Fine to be paid within six (6) months of order docket date. Flag for Audit.

Applicant 4724185 Issue training permit to complete 269-hour traineeship.

Applicant 4857222 Deny licensure and refer to the Attorney General's office for a Cease-and-Desist Order based upon unlicensed practice, misrepresentation, and obtaining a compact privilege by misrepresentation; and close the cases (PT260059 and PT260046).

Submit notification to the employer that Respondent is not licensed and request that any information alluding to licensure for this Respondent is to be removed from their website.

Applicant 4849708 Issue the license.

Applicant 4327338 Accept the applicant's request to withdraw. If apply for licensure in the future, the facts of the case will again be considered.

Applicant 4766456 Issue the license. Must notify the Board of the outcome of the pending malpractice case within 10 days of adjudication.

Applicant 4467342 Renew the license with a Reservation of Rights letter pending outcome of the administrative action. Must notify the Board of the final disposition with 10 days of notice.

Applicant 4377329 Refer to the Attorney General's Office for a Mental Physical Examination. Table pending the results.

Applicant 4363222 Deny renewal and refer to the Attorney General's Office for Revocation of Licensure based on inability to establish lawful presence in the United States.

Special Projects Meeting

Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to refer a request to Special Projects Committee for the purpose of reviewing processes for primary and secondary supervisors, and when termination of an agreement is a viable option.

Adjournment: There being no further business to discuss, the meeting adjourned at 2:34 p.m.

Minutes recorded by: Adrienne Price, Executive Director
Minutes reviewed by: Adrienne Price, Executive Director
Minutes approved on: November 17, 2026

ANNE THOMPSON, PT, EdD
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR

STATE OF GEORGIA

COUNTY OF BIBB

AFFIDAVIT SUPPORTING CLOSING OF PUBLIC MEETING

The Georgia Open Meetings Act, O.C.G.A. § 50-14-1 *et seq.*, requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. §50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting inquestion.

Comes now E. Anne W. Thompson the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Physical Therapy Board.

2. I am over the age of 18 and in all other aspects competent to make this sworn statement. acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.

3. On, September 29, 2026 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

4. The legal authority for the closure of this meeting was:
O.C.G.A. §43-1-2(k) and 43-1-19(h)

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:
To deliberate applications and enforcement matters and to receive information on applications and investigative reports.

FURTHER THE AFFIANT SAYETH NOT

E Anne W Thompson
Presiding Officer

Sworn and subscribed before me
This 2nd day of October 2026

Aratiben K. Patel
Notary Public

ARATIBEN K PATEL
NOTARY PUBLIC
BULLOCH COUNTY, GA
MY COMMISSION EXPIRES
APRIL 19 2027

Attachment A

9:30 Public Rules Hearing

Dr. Thompson called the Public Rules Hearing in the matter of the following Rules to order at 9:30 a.m.:

A. Rule 490-1-.01 Organization of Board
B. Rule 490-1-.02 Officers
C. Rule 490-2-.01 Application For Licensure and Examination
D. Rule 490-2-.04 Training Permits
E. Rule 490-2-.05 Repealed
F. Rule 490-2-.09 Licensure: Reciprocity
G. Rule 490-2-.10 Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members
H. Rule 490-3-.01 Evaluation of Examinations. Amended
I. Rule 490-4-.01 Renewal and Reinstatement of License and Penalties
J. Rule 490-4-.02 Continuing Competence Requirements
K. Rule 490-5-.01 Responsibility of the Licensed Physical Therapist in Supervision
L. Rule 490-9-.02 Principles of Conduct for Physical Therapists
M. Rule 490-9-.03 Principles of Conduct for Physical Therapist Assistants
N. Rule 490-9-.04 Disciplinary Sanctions
O. Rule 490-9-.06 Telehealth
P. Rule 490-13-.01 Licensure Compact

Members of the Board introduced themselves for the record and they were as follows: Dr. Anne Thompson, PT EdD, Dr. Destiny Gaddis, PT, DPT, Dr. Terri Burner, PT, DPT, Dr. Laurri Wallace, PT, DPT, Dr. Claire Mullin, PT, DPT, and Mr. Everett Tyler, Consumer Board Member. Dr. Thompson established that there was a quorum of the Board present and acknowledged the presence of members of the general public via WebEx.

After acknowledging that the Notices of Intent and Notices of Hearing for the proposed changes were properly posted, Dr. Thompson stated written public comments for or against the proposed rules were received and read. She then proceeded by reading aloud the purpose of each proposed rule. When she reached the end of each rule within each chapter, she paused to ask if there are any comments from the Board and the public. Dr. Thompson instructed everyone to raise their hand if they wish to speak, and once acknowledged, to clearly state their First and Last Name, the organization or entity they represent, if any, followed by their statement, question, or comment about the rules within the chapters that has been projected.

Dr. Thompson asked that Board Members refrain from asking any questions until the conclusion of the person's statement. Any Board member who wants to ask a question of the individual who speaks should first identify themselves by name before asking the question.

The hearing proceeded as follows:

Rule 490-1-.01. Organization of Board

Purpose: The proposed amendments add language to provide clarity on the Board's authority ("in accordance with the law") to appoint its members and additional language clarifying the submission of requests to speak, appear, or discuss by the Board.

Written Comments Received (attached)
Stefanie Palma, PT, DPT

Verbal Comments Received
No verbal comments were received.

Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-1-.01. Organization of Board as posted.

The Board discussed the economic impact of Rule 490-1-.01. Organization of Board upon licensees. Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Mullin motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Mullin 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. §§ 43-1-2, 43-1-3, 43-1-19, 43-1-24, 43-1-25, 43-33-5, 43-33-10 and 50-18-70 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.

Rule 490-1-.01. Organization of Board

(1) The Georgia State Board of Physical Therapy is composed of eight members who are appointed by the Governor in accordance with the law. Members of the public may obtain information from the Board and make submissions or requests to the Board by contacting the Joint Secretary of the Professional Licensing Boards Division.

(2) Any requests to speak, appear, or submit a topic for discussion by the Board must be submitted to the Board office in writing a minimum of 2 weeks prior to the scheduled meeting date. If permitted by law, and:

   (a) The request or item for discussion is received according to the specified time frame; it will be considered as an agenda item.

   (b) The request or item for discussion is not received according to the provisions of this rule, the request or item may be withheld from the agenda or placed on the agenda for the next scheduled meeting of the Board.

Authority: O.C.G.A. §§ 43-1-2, 43-1-3, 43-1-19, 43-1-24, 43-1-25, 43-33-5, 43-33-10 and 50-18-70.

Rule 490-1-.02. Officers

Purpose: The proposed amendments provide clarity to the public and flexibility for Board members as it relates to electing the president and vice president of the Board during the last scheduled meeting of the calendar year.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Wallace motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-1-.02. Officers as posted.

The Board discussed the economic impact of Rule 490-1-.02. Officers upon licensees. Dr. Gaddis motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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. §§ 43-1-2 and 43-1-25 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.

Rule 490-1-.02. Officers

(1) The Board shall elect annually from its members a president and vice president, who shall have the privilege of re-election. Elections shall be held at the last regularly scheduled meeting of the year, with officers to preside at the following meeting, unless otherwise determined by the Board.

(2) The president shall call and preside at all meetings, except that four members may call a meeting, providing all members are adequately notified.

(3) The vice president shall call and preside at all meetings in the absence of the president.

Authority: O.C.G.A. §§ 43-1-2 and 43-1-25.

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

Purpose: The proposed amendments add language to subsection (2) to clarify approval applications for a form of Physical Therapy known as "dry needling" for licensed physical therapists, and to subsection (3) to align its timeframes for submission of documentation with the Joint Secretary Rules and Policies.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-2-.01. Application For Initial Licensure And Examination as posted.

The Board discussed the economic impact of Rule 490-2-.01. Application For Initial Licensure And Examination upon licensees. Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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), 43-33-10(12), and 43-33-14 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.

Rule 490-2-.01. Application For Initial Licensure 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.

(a) Any physical therapist who plans to perform dry needling in the state of Georgia must meet the requirements of Board rule 490-9-.05 and must receive Board approval prior to practicing dry needling in the state of Georgia.

(b) On the application you must attest that you meet the requirements outline in Board Rule 490-9-.05 and provide proof of education and training to perform dry needling to the Board.

(c) If the education and training is determined to meet criteria, the dry needling designation will be reflected on the license upon issuance. If the education and training do not meet the criteria, the applicant will be notified of the deficiency and given the opportunity to correct it in order to receive the designation at a later date.

(3) 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 considered expired and withdrawn and will not be given any further consideration by the Board. Following expiration of an application, a new application in its entirety, to include all required fees, shall be required for consideration of licensure.

(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), 43-33-10(12), and 43-33-14.

Rule 490-2-.04. Training Permits

Purpose: The purpose of the proposed rule amendment is to clarify the roles, responsibilities, and qualifications of the primary supervisor as well as the alternate supervisors who may help fill in for a trainee in the event the primary supervisor is unable to fulfill their duties. The amendments remove the barrier or need to submit a new application if an alternate supervisor is provided at the time the traineeship agreement is established and approved. The clarifying language will create a reduction in delays for the initiation and completion of traineeships for applicants.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Mullin motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-2-.04. Training Permits as posted.

The Board discussed the economic impact of Rule 490-2-.04. Training Permits upon licensees. Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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, 43-33-3, 43-33-10, 43-33-12 and 43-33-17 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner, and each licensee is independently licensed in the field of Physical Therapy.

Rule 490-2-.04. Training Permits

A training permit may be issued pursuant to O.C.G.A. §§ 43-33-10 and 43-33-17 of the Georgia Physical Therapy Act to a qualified applicant following Board-approval of a properly submitted application.

(a) Qualified applicants are:

1. Graduates of entry-level programs for physical therapists or physical therapist assistants from either a CAPTE or a non-CAPTE-accredited school who have taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia; or,
2. Applicants for reinstatement, who have not practiced for two (2) and up to five (5) years; or,
3. Applicants for reinstatement who have not practiced for more than five (5) years and who have successfully taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia; or,
4. Applicants for endorsement, who have not practiced for two (2) and up to five (5) years; or,
5. Applicants for endorsement who have not practiced for more than five (5) years and who have successfully taken and passed the national licensing examination and an examination on the laws and rules governing the practice of physical therapy in Georgia.

(b) Initial Applications and Reinstatement Applications.

1. A notarized training permit application form must be submitted by the trainee's Primary supervisor specifying:

(i) The name and license number of the trainee supervisor who will be responsible for the conduct of the traineeship as defined under section (e) of this rule; and,

(ii) The name, address, phone, fax number and e-mail address of all sites where the trainee and supervisors may be working during the course of the traineeship; and,

(iii) The effective dates of the traineeship; and,

(iv) Acceptance of responsibility for trainee supervision and completion of the performance evaluation; and,

(v) Termination of the traineeship as defined herein; and,

(vi) Type of facility.

(c) Renewal.

1. A training permit may be renewed one time, for no more than six (6) months, upon written request and with approval of the Board, and only for one good and exceptional reason as determined by the Board. For purposes of this rule, good and exceptional reasons include but are not limited to:

(i) Death of an immediate family member; or

(ii) Illness or incapacitation of the applicant or immediate family member (a physician's statement is required); or

(iii) Jury duty (proof required).

(d) Validity of Permit.

1. Training permits are subject to the following conditions:

(i) Able to be initiated in the State of Georgia within three months of issuance of such permit.

(ii) Must be returned to the Board by the trainee with a brief explanation of why it was not used.

(iii) A 480 hour traineeship must be completed within three (3) months of initiation. A 1000 hour traineeship must be completed in no less than 6 months or no more than 1 year if approved by the Board;

(iv) A training permit shall become invalid and must be immediately returned to the Board office by the trainee if:

(I) The trainee fails to complete the traineeship within the above prescribed time frames; or,

(II) If the trainee does not exhibit performance satisfactory to the Primary supervisor.

(e) Supervision.

1. Applicants may name both a primary and a secondary supervisor on the training permit application. The supervisors named on the training permit application hold full responsibility under their license for direct, continuous, on-site supervision of the trainee at all times. The named supervisors are responsible for assuring that the trainee does not perform any patient care activities unless the supervisor is physically present.

2. If for some reason the primary supervisor cannot fulfill their duties as supervisor, the secondary supervisor will assure compliance with all terms and obligations outlined in this rule. If for some reason the primary and secondary supervisor cannot fulfill their duties, a new training permit application must be submitted for approval by the Board.

3. The primary and secondary supervisor must hold a Georgia license in good standing under O.C.G.A. Title 43, Chapter 33, and have practiced full time for not less than one continuous year.

4. A named supervisor must regularly evaluate trainee performance in all areas as specified by the Board to include cosigning any documentation provided by the trainee. At the end of the traineeship period, the supervisor must submit a performance evaluation on the board approved traineeship performance evaluation reporting form.

5. A named supervisor must notify the Board of unsatisfactory performance at which time the training permit becomes null and void.

6. The supervising therapist will supervise no more than two (2) trainees at one time.

7. The named supervisor must notify the Board within ten (10) business days when the trainee satisfactorily completes the traineeship.

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

Rule 490-2-.05. Petitions for Rule Variance or Waiver

Purpose: The purpose of this proposed new rule is to provide guidance to petitioners about the process for submitting petitions. The rule improves administrative efficiency and decreases the burden on applicants by lowering the review time necessary to approve variances or waivers.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Wallace motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-2-.05. Petitions for Rule Variance or Waiver as posted.

The Board discussed the economic impact of Rule 490-2-.05. Petitions for Rule Variance or Waiver upon licensees. Dr. Gaddis motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion that the

formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Mullin seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis motioned, Dr. Mullin 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. §§ 43-1-3, 43-33-10, 43-33-14 and 50-13-9.1 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.

Rule 490-2-.05. Petitions for Rule Variance or Waiver

(1) Pursuant to O.C.G.A. § 50-13-9.1, persons who are subject to a rule may petition the Georgia State Board of Physical Therapy to vary or waive all or part of a rule requirement for the petitioner if the petitioner can demonstrate:

   (a) The strict application of the rule can lead to unreasonable, uneconomical, and unintended results in the petitioner's particular instance; and

   (b) The purpose of the underlying statute upon which the rule is based can be or has been achieved by other specific means which are agreeable to the person seeking the variance or waiver and that strict application of the rule would create a substantial hardship to such person.

(2) Persons must submit a complete petition for variance or waiver of a Board rule requirement to include:

   (a) Citing the specific rule from which a variance or waiver is requested;

   (b) Documenting the type of action requested;

   (c) The specific facts of substantial hardship which would justify a variance or waiver for the petition, including:

      i. The alternative standards which the person seeking the variance or waiver agrees to meet; and

      ii. Showing that such alternative standards will provide adequate protection for the public health, safety, and welfare; and

      iii. The reason why the variance or waiver requested would serve the purpose of the underlying statute.

(3) Each petition must be submitted with any documentation to support the petitioner's position for varying or waiving the rule. Supporting documents shall not be sought or pulled from an application to support the petition as petitions for rule variance or waiver are a matter of public record and must be posted as such. An application and the documents submitted therewith are confidential and may not be posted for public review.

(4) Documentation to support a petition for variance or waiver may include but not be limited to:

(a) A verification of employment to establish continuous active practice within the two (2) years, in good standing, in the United States.

(b) A resume or curriculum vitae may be considered if it can be determined that the petitioner has made every effort to obtain a verification of employment and is unable to do so.

(c) A letter from a school official attesting the physical therapy curriculum was taught in English.

(5) If supporting documentation is necessary to support the hardship and it is not submitted with the petition, the petition shall be denied.

Authority: O.C.G.A. §§ 43-1-3, 43-33-10, 43-33-14 and 50-13-9.1.

Rule 490-2-.09. Licensure: Reciprocity

Purpose: The purpose of the proposed amendment is to clarify the requirements for licensure via reciprocity by delineating clearly between CAPTE qualified applicants versus non-CAPTE foreign-educated applicants. The proposed amendments also clarify how entry-level practice and programs are governed.

Written Comments Received (attached)
Donald J. Walsh, PT, DPT
Stefanie Palma, PT, DPT

Verbal Comments Received
No verbal comments were received.

Dr. Gaddis motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-2-.09. Licensure: Reciprocity as posted.

The Board discussed the economic impact of Rule 490-2-.09. Licensure: Reciprocity upon licensees. Dr. Burner motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

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

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. §§ 43-1-25, 43-33-2, 43-33-10, 43-33-12 and 43-33-15 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.

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;

(b) Passing scores from the Georgia Ethics and Jurisprudence Examination;

(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;

(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) 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,

(f) 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;

(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;

(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; 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) Verification of an active license in good standing from another state board;

(f) 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 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 (Doctorate of Physical Therapy) 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.

Authority: O.C.G.A. §§ 43-1-25, 43-33-2, 43-33-10, 43-33-12 and 43-33-15.

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

Purpose: The purpose of the proposed amendment of the rule is to create alignment with O.C.G.A. §§ 43-1-34 and 43-1-35 which provides for expedited application processing for spouses of active-duty military service members and for the spouses of transitioning military service members, while their spouses are stationed in Georgia.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-2-.10. Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members as posted.

The Board discussed the economic impact of Rule 490-2-.10. Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members upon licensees. Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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, 43-1-34, 43-1-35, 43-33-2, 43-33-10, 43-33-14 and 43-33-15 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.

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) 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. Verification of an active license in good standing from another state board; and,

2. 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. 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. Official transcript from the institution granting the entry level degree in physical therapy or physical therapist assistant indicating the date of graduation; and,

5. Passing scores from the national licensing examination.

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

7. 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.

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

2. 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. 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. Official evaluation and transcript from a credential evaluation organization approved by the 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. Passing scores from the national licensing examination.

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

7. 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.

(3) 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, 43-1-35, 43-33-2, 43-33-10, 43-33-14 and 43-33-15.

Rule 490-3-.01 Evaluation of Examinations. Amended

Purpose: The purpose of the proposed amendment to rule 490-3-.01 is to ease administrative burden by removing the need to adjust old scores according to an old formula while also adding no additional burdens to licensees and applicants.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Wallace motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-3-.01 Evaluation of Examinations. Amended as posted.

The Board discussed the economic impact of Rule 490-3-.01 Evaluation of Examinations. Amended upon licensees. Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Mullin motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Mullin 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, 43-33-12, 43-33-13 and 43-33-14 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.

Rule 490-3-.01 Evaluation of Examinations. Amended

(1) The passing level for the physical therapist and the physical therapist assistant licensing examinations shall be determined by the Board. Scoring for the NPTE ranges from 200 - 800. The minimum passing score is 600 for both PT and PTA.

(2) If an applicant scored less than 600 on a licensing exam taken before 1996, and the applicant was issued a license in another jurisdiction with requirements similar or equal to those in the State of Georgia, the exam result will be accepted as a passing score.

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

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

Purpose: The purpose of the proposed amendment is to align with the change in the Joint Secretary Rules as required. There is no noted economic impact of this change.

Written Comments Received (attached)
Donald J. Walsh, PT, DPT
Stefanie Palma, PT, DPT

Verbal Comments Received
No verbal comments were received.

Dr. Mullin motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-4-.01 Renewal and Reinstatement of License and Penalties as posted.

The Board discussed the economic impact of Rule 490-4-.01 Renewal and Reinstatement of License and Penalties upon licensees. Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-24, 43-1-25, 43-1-31, 43-33-10, 43-33-14, 43-33-16, 43-33-17 and 43-33-18 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner, and each licensee is independently licensed in the field of Physical Therapy.

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

(1) Every licensed physical therapist and physical therapist assistant shall biennially apply to the Board for renewal of his/her license. The biennium begins January 1st of even numbered years and ends December 31st for odd years. Licensees must 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.

(2) A license that is not renewed on or before December 31st shall be assessed a late fee. Refer to fee schedule for penalty fee.

(3) A license that is not renewed on or before February 14th 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 a 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.

Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-24, 43-1-25, 43-1-31, 43-33-10, 43-33-14, 43-33-16, 43-33-17 and 43-33-18.

Rule 490-4-.02 Continuing Competence Requirements

Purpose: The purpose of the proposed amendments to Rule 490-4-.02 is to align continuing education (CE) hours with post graduate competencies. The proposed changes are designed to reduce the burden of continuing education requirements for those who have completed post graduate proficiency in a professional development program by providing CE credit for their education. The amendments further update references to organizations to reflect their current name and clarifies that self-guided professional development modules related to the practice of physical therapy may be awarded CE credit.

Written Comments Received (attached)
Stefanie Palma, PT, DPT

Verbal Comments Received
No verbal comments were received.

Dr. Mullin motioned, Dr. Gaddis seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-4-.02 Continuing Competence Requirements as posted.

Dr. Anne Thompson, PT, EdD, commented that some of the examples of the three (3) hours of self-guided professional development would be: the healthy practice resource is a good example where people take themselves through at their own pace; certain assessment tools that are getting popular where people are getting credentialed assessment tools which they use in their evaluations and treatment scenarios. These would all be self-guided professional development and are just a couple of examples. Why 30 hours was one of the questions received. It's just a benchmark frequently chosen as a practical measurable target and is one that's fairly common. If you look at the FSBPT (Federation of State Boards of Physical Therapy) Guidelines and Summaries, it's between 15-40 hours depending on your state. But this balance is some rigor with some feasibility and also aligns with regulatory and accreditation standards that are in place. It protects the public and helps to maintain professional competence.

The Board discussed the economic impact of Rule 490-4-.02 Continuing Competence Requirements upon licensees. Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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. §§ 43-1-24, 43-1-25, 43-33-10 and 43-33-16 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The

formulation and adoption of these rules will impact every licensee in the same manner, and each licensee is independently licensed in the field of Physical Therapy.

Rule 490-4-.02 Continuing Competence Requirements

(1) The Georgia State Board of Physical Therapy requires each licensed physical therapist and physical therapist assistant to participate in thirty (30) clock hours of experience per licensure period which is not to exceed ten (10) credit hours per calendar day. The purpose of this requirement is to assist in assuring safe and effective practices in the provision of physical therapy services to the citizens of Georgia.

(a) The Board recommends the requirements for competence as planned learning experiences which have content beyond the licensee's present level of knowledge and competence which may be subject to audit by the board.

(b) Content of the experience must relate to patient care in physical therapy whether the subject is research, treatment, documentation, education, management, or some other content area.

(c) In the event that a licensee does not meet the continuing competence requirement, the license will not be renewed.

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

(a) A Georgia Ethics and Jurisprudence course must be obtained from a Georgia college or university with an accredited physical therapy education program or a provider which holds a current American Physical Therapy Association (APTA-GA) Approval Certificate for the course.

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

(3) The following programs and activities may be considered for approval, but are not limited to:

(a) Programs approved by the American Physical Therapy Association and its affiliate components; or

(b) Programs approved by the American Physical Therapy Association Georgia Chapter or any other state chapters; or

(c) Programs approved by the Federation of State Boards of Physical Therapy; or

(d) Programs provided at CAPTE-Accredited colleges and universities with programs in physical therapy when the continuing competency course is held under the auspices of the school of physical therapy; or

(e) Programs offered by similar professional organizations offering experiences that meet the guidelines set forth in paragraph one.

(f) Fifteen (15) hours for undergoing a peer review; or

(g) Ten (10) hours for conducting a peer review when that activity is an adjunct responsibility and not the primary employment; or

(h) Participation as a presenter for continuing education courses, workshops, seminars or symposia which have been approved by the approved list above; Continuing competence credit is based on contact hours and may not exceed 10 hours per topic;

(i) Authorship of a presented scientific poster, scientific platform presentation or published article; Continuing competence credit is 10 hours per even and may not exceed 20 hours;

(j) Teaching a physical therapist or physical therapist assistant credit course when that teaching is an adjunct responsibility and not the primary employment; Continuing competence credit is based on contact hours not to exceed 20 hours;

(k) Certification of clinical specialization by the American Board of Physical Therapy Specialties. Continuing competence credit is 30 hours and is recognized only in the biennium in which certification or recertification is awarded.

(l) Self - instruction or self-guided professional development modules; Continuing competence credit is limited to a maximum of three (3) hours; or

(m) Attendance at a scientific poster session, lecture, panel, symposium or university course Continuing competence credit is one hour per contact hour of activity; or

(n) Acting as a clinical education instructor for an accredited physical therapist or physical therapist assistant educational program; Continuing competence credit is one (1) hour per eight (8) contact hours with a maximum credit of 10 hours; or

(o) Acting as a clinical instructor or an intern for a formal, nonacademic, advanced clinical internship or as a mentor or a learner for a formal, nonacademic mentorship with a maximum credit of 10 hours.

(p) Donating time in the role of a Physical Therapist or Physical Therapist Assistant, within the scope of practice, to a charity event; Continuing competence credit is one (1) hour per eight (8) contact hours, limited to a maximum of five (5) hours;

(q) Reference Policy 13

(r) Post professional physical therapy or physical therapist assistant educational programs such as residencies, fellowships, and advanced proficiency pathways; continuing competence credit is limited to twenty-six (26) hours to be claimed within the biennium the program is completed.

(4) Unacceptable activities for continuing competence include, but are not limited to:

(a) Orientation and in-service programs;

(b) Meetings for purposes of policy decisions;

(c) Non-educational meeting at annual association, chapter or organization meetings;

(d) Entertainment or recreational meeting or activities;

(e) Committee meetings, holdings of offices, serving as an organization delegate;

(f) Visiting exhibits;

(g) CPR.

(5) Continuing competence requirements shall apply within the first biennium that a physical therapist/physical therapist assistant is required to renew the license in Georgia.

(6) Beginning the January 1, 2014, through December 31, 2016, biennium and thereafter, persons licensed to practice as a physical therapist or a physical therapy assistant or who shall file an application to practice as such in this state are to maintain a record of completed continuing education courses and experiences by registering with an online recording and reporting system approved by the Board.

(a) For the purposes of this requirement, the Georgia State Board of Physical Therapy adopts the utilization of 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 it's representatives to access their continuing competence record retained within the online database for the purposes of auditing and verifying completion of the Board's continuing competency requirements. Such person waives all objections to the admissibility of the record in any proceedings or hearings before the board.

(7) Those licensees selected for audit shall submit documentation of compliance upon receipt of notice. Acceptable documentation shall include:

(a) An official program or outline of the course attended or taught or a copy of the publication which clearly shows that the objectives and content were related to patient care in physical therapy and shows the

number of contact hours, as appropriate. The information also should clearly identify the licensee's responsibility in teaching or authorship; and

(b) A certificate or verification of completion of home study which identifies the sponsoring entity or maintain a copy of the final grade report in the case of a University credit course(s), or specialization certificate, or proof of attendance with a copy of the program for the other acceptable activities, or documentation of self-instruction or reading professional literature; or

(c) Verification of a peer review of practice with verification of acceptable practice by a recognized entity. An example of a recognized entity is the American Physical Therapy Association Board Policy (See APTA Policy G03-05-15-40).

(8) Responsibilities of the Licensee:

(a) To maintain the original continuing competence documents no less than five (5) years from the date the Continuing Education credit was obtained. These records should be maintained in the licensee's personal files for no less than five (5) years.

(b) To complete all steps necessary to meet the re-licensure requirements on or before December 31st of the odd numbered years.

(c) To provide the Board with information requested during an audit.

(d) To keep a current mailing address and email address on file with the Licensing Board Office at all times.

Authority: O.C.G.A. §§ 43-1-24, 43-1-25, 43-33-10 and 43-33-16.

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

Purpose: The purpose of the proposed amendments to clarify that supervision of physical therapist assistants may be conducted via telehealth when appropriate.

Written Comments Received (attached)
Sandy Eskew Capps, PT

Verbal Comments Received
Sandra Eskew Capps, PT stated that she looks forward to her comments and questions regarding Rule 490-5-.01 and -.02 being reconsidered for future revisions to include mention of the question/suggestion regarding reordering those 2 rule sections.

Ms. Price replied that she will be sure this commentary is added to the next Rules Committee meeting agenda relative to reordering.

Sandra Eskew Capps, also shared that input from the 'field' (interacting frequently with clinicians around the state, in various settings) is that employer requirements are less 'stringent' and Physical Therapists are being directed about how they must adhere to the minimum standard, rather than exercising their judgment, per the existing statute and professional standards.

Ms. Price thanked her for the comments and stated they will be recorded as well for future consideration.

Dr. Mullin motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant as posted.

The Board discussed the economic impact of Rule 490-5-.01. Responsibility of the Licensed Physical Therapist in Supervision and Direction of the Physical Therapist Assistant upon licensees. Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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. §§ 43-33-3 and 43-33-10 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.

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, as defined in Rule 490-5-.02, and may meet, supervise, and be readily available to the physical therapist assistant, as required, in person or via audio and video technology as appropriate.

(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 inpatient facility by any other name and outpatient clinic which would include private office.

(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 objectives, 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 prepared 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 §§ 43-33-3 and 43-33-10.

Rule 490-9-.02 Code of Ethics for Physical Therapists

Purposes: The purpose of the rule amendment is to amend the name of the rule to "Code of Ethics" rather than "Principles of Conduct" as required by statute. The Board removed all disciplinary matters from Rules 490-9-.02 and 490-9-.03 and moved them to Rule 490-9-.04 Disciplinary Sanctions. The Board referenced national standards and guidelines for ethical and practical considerations in the practice of physical therapy.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Wallace motioned, Dr. Gaddis seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-9-.02 Code of Ethics for Physical Therapists as posted.

The Board discussed the economic impact of Rule 490-9-.02 Code of Ethics for Physical Therapists upon licensees. Dr. Gaddis motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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. §§ 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-18, and 43-33-13.1 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.

Rule 490-9-.02 Code of Ethics for Physical Therapists

Any individual who is licensed as a physical therapist shall abide by the following ethical standard:

(1) Act with consideration, within the scope of physical therapy, for the rights and dignity of all individuals.

(a) The physical therapist shall hold as confidential information obtained while acting in a professional capacity.

(b) The physical therapist shall provide optimal physical therapy care for all patients regardless of patient race, gender, age, religion, disability or sexual preference.

(c) The physical therapist should balance considerations of the patient's physical, psychological and socioeconomic welfare in professional decisions and actions and document these considerations in the patient's record of care.

(d) The physical therapist shall communicate and interact with patients and all persons encountered in a professional capacity with courteous regard and timeliness.

(2) Comply with the laws and regulations governing the practice of physical therapy in the State of Georgia.

(3) Accept responsibility for the exercise of sound judgment.

(a) When implementing treatment, physical therapists shall assume the responsibility for evaluating that individual; planning, implementing, and supervising the therapeutic program; reevaluating and changing the program; and maintaining adequate records of the case, including progress reports.

(b) When performing wellness and preventative services, physical therapists shall assume responsibility for providing optimal patient care.

(c) When the individual's needs are beyond the scope of the physical therapist's expertise, the physical therapist shall so inform and assist the individual in identifying a qualified person to provide the necessary services.

(d) When the physical therapists judge that benefit can no longer be obtained from their services, they shall so inform the individual receiving the services. It is unethical to initiate or continue services that, in the therapist's judgment, either cannot result in beneficial outcome or are contraindicated.

(e) The physical therapist's ability to make independent judgment must not be limited or compromised by professional affiliations, including employment relationships.

(f) Physical therapists are not to delegate to a less qualified person any activity which requires the unique skills, knowledge, and judgment of a physical therapist.

(g) The primary responsibility for physical therapy care assisted by supportive personnel rests with the supervising physical therapist. Adequate supervision requires, at a minimum, that a supervising physical therapist perform the following activities:

1. Establish effective channels of written and oral communication;

2. Interpret and communicate critical information about the patient to the supportive personnel;

3. Perform an initial evaluation of the patient;

4. Develop a plan of care, including short and long-term goals;

5. Delegate appropriate tasks to supportive personnel;

6. Assess the supportive personnel's competence to perform assigned tasks;

7. Provide supervision in accordance with the law, the patient's condition, and the specific situation;

8. Identify and document precautions, special programs, contraindications, goals, anticipated progress, and plans for re-evaluation;

9. Re-evaluate the patient, modify the plan of care when necessary, perform the final evaluation, and establish a follow-up plan.

(h) Physical therapists are obligated to advise their employer(s) of any practice which causes a physical therapist to be in conflict with the ethical principles of this section. Physical therapists are to attempt to rectify any aspect(s) of their employment which is in conflict with the principles of this section.

(4) Provide accurate information to the consumer about the profession and the services provided.

(5) Accept the responsibility to protect the public and the profession from unethical, incompetent, or illegal acts to include, but not limited to, reporting any activity that appears to be unethical, incompetent, or illegal to the proper authorities.

(6) Demonstrate integrity in all professional relationships that are directly related to physical therapy.

Authority: O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-18, and 43-33-13.1.

Rule 490-9-.03 Code of Ethics for Physical Therapist Assistants

Purposes: The purpose of the rule amendment is to amend the name of the rule to “Code of Ethics” rather than “Principles of Conduct” as required by statute. The Board removed all disciplinary matters from Rules 490-9-.02 and 490-9-.03 and moved them to Rule 490-9-.04 Disciplinary Sanctions. The Board referenced national standards and guidelines for ethical and practical considerations in the practice of physical therapy.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Burner motioned, Dr. Gaddis seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-9-.03 Code of Ethics for Physical Therapist Assistants as posted.

The Board discussed the economic impact of Rule 490-9-.03 Code of Ethics for Physical Therapist Assistants upon licensees. Dr. Gaddis motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Wallace seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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. §§ 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-18 and 43-33-13.1 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.

Rule 490-9-.03 Code of Ethics for Physical Therapist Assistants

Any individual who is licensed as a physical therapist assistant shall abide by the following ethical standards:

(1) Act with consideration, within the scope of physical therapy, for the rights and dignity of all individuals.

(a) The physical therapist assistant shall hold as confidential information obtained while functioning as a physical therapist assistant.

(b) The physical therapist assistant shall provide optimal physical therapy care for all patients delegated by the physical therapist regardless of patient race, gender, age, religion, disability or sexual preference.

(c) The physical therapist assistant should be aware of the patient's physical, psychological and socioeconomic welfare in decisions and actions taken while rendering treatment.

(d) The physical therapist assistant shall communicate and interact with patients and all persons encountered with courteous regard and timeliness.

(2) Comply with the laws and regulations governing the practice of physical therapy in the State of Georgia.

(3) Accept responsibility for the exercise of sound judgement.

(a) Upon accepting delegation from a physical therapist, the physical therapist assistant shall provide services within the plan of care established by the physical therapist.

(b) When the individual's needs are beyond the scope of the physical therapist assistant's expertise, the physical therapist assistant shall inform the supervising physical therapist.

(c) When the physical therapist assistant determines that a change in the plan of care is needed, the assistant will contact the supervising physical therapist and request reevaluation of the patient's status.

(d) When the physical therapist assistant determines that the patient has received maximum benefits from physical therapy, he/she shall so inform the supervising physical therapist.

(e) The primary responsibility for physical therapy care assisted by supportive personnel rests with the supervising physical therapist. Adequate supervision is the responsibility of both the physical therapist and the physical therapist assistant. To ensure appropriate supervision, the physical therapist assistant is expected to:

1. Maintain effective channels of written and oral communication.

2. Communicate critical information about the patient to the supervising physical therapist in a timely manner.

3. Function within the established plan of care.

4. Identify and document treatment activities and all special occurrences.

5. Request re-evaluation of the patient and/or modification of the plan of care when necessary.

(f) Physical therapist assistants are obligated to advise their employer(s) of any practice that causes a physical therapist or a physical therapist assistant to be in conflict with the ethical principles of this section. Physical therapist assistants are to attempt to rectify any aspect(s) of their employment that is in conflict with the principles of this section.

(4) Provide accurate information to the consumer about the profession and the services provided.

(5) Accept the responsibility to protect the public and the profession from unethical, incompetent, or illegal acts.

(6) Demonstrate integrity in all professional relationships that are directly related to physical therapy.

Authority: O.C.G.A. §§ 43-1-19, 43-1-24, 43-1-25, 43-33-3, 43-33-10, 43-33-18 and 43-33-13.1.

Rule 490-9-.04. Disciplinary Sanctions

Purposes: The purpose of the rule amendment is to update the rule to align with statutory language to reference the 'Health Care Practitioners Truth and Transparency Act', clarifies more clearly the that which may constitute unprofessional conduct as it relates to patient medical records, and addresses any potential violations of the requirements of the 'Patient Self-Referral Act.' A recent Medical Board case was discussed whereafter the Board voted to include language that regards the potential for sanctions for any sexual conduct related to the licensee's practice of physical therapy regardless of the consent of the parties involved.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Burner motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-9-.04. Disciplinary Sanctions as posted.

The Board discussed the economic impact of Rule 490-9-.04. Disciplinary Sanctions upon licensees. Dr. Gaddis motioned, Dr. Burner seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Burner seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis 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. §§ 43-1-19, 43-1-20.1, 43-1-24, 43-1-25, 43-1-33, 43-33-3, 43-33-10, 43-33-11, 43-33-18 and 43-33-19 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.

Rule 490-9-.04. Disciplinary Sanctions

(1) Unprofessional and unethical conduct shall include but is not limited to the following:

(a) Failing to adhere to the Code of Ethics for Physical Therapists and Physical Therapists Assistants, as codified in Rules 490-9-.01 through 490-9-.03.

(b) Delegating to an aide or unlicensed person any physical therapy task other than those codified in Chapter 490-8.

(c) Failing to provide continuous, immediate and physically present supervision of the aide or unlicensed person when designated tasks are performed.

(d) Performing the technique of dry needling without having met the training and competency requirements as codified in Rule 490-9-.05.

(e) Failing to adhere to the 'Health Care Practitioners Truth and Transparency Act' as codified in O.C.G.A. § 43-1-33 which sets forth the type of licensure information that must be included on the name badges, facility notices, and advertisements.

(f) Failing to provide an evaluation on each patient and establishing a physical therapy diagnosis.

(g) Failing to formulate and record in the patient's record a treatment program based upon the evaluation and any other information available.

(h) Failing to perform periodic evaluation of the patient and documenting the evaluations in the patient's record and to make adjustments to the patient's treatment program as progress warrants.

(i) Failing to maintain an accurate medical record or providing false information to any third party in the provision of physical therapy.

(j) Directly or indirectly requesting, receiving or participating in the division, transferring, assigning, rebating or refunding of fees or remuneration earned, in cash or kind, for bringing or referring a patient. For purposes of this Rule:

1. No physical therapist, physical therapy assistant, employee or agent thereof acting on his behalf, shall enter into or engage in any agreement or arrangement with any individual, entity, or an employee or agent thereof acting on his behalf, for the payment or acceptance or compensation in any form for the referral or recommending of the professional services of either. This prohibition includes any form of fee division or charging of fees solely for referral of a patient.

2. This prohibition shall include a rebate or percentage of rental agreement or any arrangement or agreement whereby the amount received in payment for furnishing space, facilities, equipment or personnel services.

3. Provided further, that this Rule shall not preclude a discount, waiver of co-payment or other reduction in price of services by a physical therapist if the reduction in price is properly disclosed to the consumer and third party payers and appropriately reflected in the costs claimed or charges made.

4. Violating the Patient Self-Referral Act, O.C.G.A. § 43-1B-1 et seq., with respect to a referral from a patient to a provider of a designated health care service in which the physical therapist has an investment interest.

(k) Failing to comply with the continuing education requirements as set forth in Rule 490-4-.02.

(l) Committing an act of sexual intimacy, abuse, misconduct, or exploitation related to the licensee’s practice of physical therapy, regardless of consent.

(m) Failing to obey an investigative subpoena.

(n) Engaging in any behavior that constitutes harassment or abuse of a patient. The physical therapist or physical therapist assistant shall not engage in any behavior that constitutes harassment or abuse of a professional colleague or associate while engaged in the practice of physical therapy.

(2) Should it be determined that a licensee is in violation of this rule and the statutes referenced herein, the Board may impose any disciplinary or corrective measure allowed by law.

Authority: O.C.G.A. §§ 43-1-19, 43-1-20.1, 43-1-24, 43-1-25, 43-1-33, 43-33-3, 43-33-10, 43-33-11, 43-33-18 and 43-33-19.

Rule 490-9-.06. Telehealth

Purposes: The purpose of the rule amendment is to ensure consistency and compliance with regulatory requirements of the Joint Secretary Rules and reflect that this rule applies equally to persons who hold a Compact Privilege to practice in the State of Georgia.

Written Comments Received (attached)
Stefanie Palma, PT, DPT

Verbal Comments Received
Stefanie Palma, PT, DPT stated that she understands the rationale for the revisions. The input was regarding the location in the Code of Ethics, rather than in clearly labeled separate sections. Ms. Price thanked her for the commentary, and it will be recorded for future consideration.

Dr. Mullin motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-9-.06. Telehealth as posted.

The Board discussed the economic impact of Rule 490-9-.06. Telehealth upon licensees. Dr. Burner motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

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

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. §§ 43-1-25, 43-33-2, 43-33-10 and 43-33-11 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.

Rule 490-9-.06. Telehealth

(1) The purpose of this rule is to define and establish guidelines for the practice of telehealth by the spectrum of technologies involving interactive physical therapy services.

(2) Telehealth has been defined as the use of electronic communications to provide and deliver a host of health-related information and health care services including, but not limited to physical therapy related information and services, over large and small distances. Telehealth encompasses a variety of health care and health promotion activities including, but not limited to, education, advice, reminders, interventions, and monitoring of interventions. All provisions of Physical Therapy utilizing telehealth mechanisms must:

(a) conform to all Federal and State statutes, rules, regulations and policies governing the practice of physical therapy in the State of Georgia.

(b) With the exception of practices and services identified in O.C.G.A. § 43-33-11(d), individuals providing physical therapy via telehealth to a patient/client in the State of Georgia must be licensed or hold a Compact Privilege in the State of Georgia.

(c) A physical therapist that is licensed in another jurisdiction of the United States may provide a consultation via telehealth to a physical therapist in the state of Georgia.

Authority: O.C.G.A. §§ 43-1-25, 43-33-2, 43-33-10 and 43-33-11.

Rule 490-13-.01 Licensure Compact

Purposes: The purpose of the rule amendment is to provided clarity on the requirements and process for meeting Georgia's dry needling education standards for those coming from Compact states. The proposed amendments add no additional requirements, instead it provides language to limit the possibility of fines or delays associated with incomplete applications or failure to complete certain requirements such as completion of the GA JAM.

Written Comments Received
No written comments were received.

Verbal Comments Received
No verbal comments were received.

Dr. Burner motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion to accept the stated purpose and adopt Rule 490-13-.01 Licensure Compact as posted.

The Board discussed the economic impact of Rule 490-13-.01 Licensure Compact upon licensees. Dr. Gaddis motioned, Dr. Mullin seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do 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.

Dr. Gaddis motioned, Dr. Mullin seconded and the Board voted unanimously in favor of the motion to accept the economic impact discussion as presented.

Dr. Gaddis motioned, Dr. Mullin 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. §§ 43-33-10, 43-33-30 and 43-33-31 et seq. 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.

Rule 490-13-.01 Licensure Compact

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

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

(a) 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.

(b) 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 the operation of law; and the PT Compact Commission shall be notified; and,

(2) 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;

(3) A compact privilege holder who plans to perform dry needling in the State of Georgia must:

(a) Meet the requirements of Board Rule 490-9-.05;

(b) Provide proof of education and training to perform dry needling as outlined in Board Rule 490-9-.05 directly to the Board via electronic means; and,

(c) Receive board approval prior to practicing dry needling in the State of Georgia.

(4) 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.**

(5) 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, 43-33-30 and 43-33-31 et seq.

Dr. Burner motioned, Dr. Wallace seconded, and the Board voted unanimously in favor of the motion to release the Memoranda of Authority regarding the following Board rules of the Georgia State Board of Physical Therapy to the Governor's Office:

A. Rule 490-1-.01 Organization of Board
B. Rule 490-1-.02 Officers
C. Rule 490-2-.01 Application For Licensure and Examination
D. Rule 490-2-.04 Training Permits
E. Rule 490-2-.05 Repealed
F. Rule 490-2-.09 Licensure: Reciprocity
G. Rule 490-2-.10 Licensure: Endorsement/Reciprocity for Military Spouses and Transitioning Service Members
H. Rule 490-3-.01 Evaluation of Examinations. Amended
I. Rule 490-4-.01 Renewal and Reinstatement of License and Penalties
J. Rule 490-4-.02 Continuing Competence Requirements
K. Rule 490-5-.01 Responsibility of the Licensed Physical Therapist in Supervision

L. Rule 490-9-.02 Principles of Conduct for Physical Therapists
M. Rule 490-9-.03 Principles of Conduct for Physical Therapist Assistants
N. Rule 490-9-.04 Disciplinary Sanctions
O. Rule 490-9-.06 Telehealth
P. Rule 490-13-.01 Licensure Compact

The hearing was adjourned at 10:40 a.m.