

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: February 15, 2008

TIME: 9:00 a.m. C.S.T

LOCATION: 227 French Landing Drive
Heritage Place, Metro Center
Ground Floor, Iris Conference Room
Nashville, TN 37243

MEMBERS PRESENT: Dr. J. Randy Walker, Jr. Chair, PT
Brigina T. Wilkerson, PT
Lisa C. Fortner, PTA
Michael L. Voight, PT

STAFF PRESENT: Marva Swann, Unit Director
Bonnie Ferrell, Board Administrator
Christopher Larkin, Board Attorney
Juanita Stone, Disciplinary Coordinator

GUESTS: Dr. Cathy Hinton, TPTA
Mike Harkreader, TNPAP Representative

COURT REPORTER: Denise Harwood-Stacy - Cannon & Stacy

With a quorum being present, Dr. Randy Walker called the meeting to order at 9:15 a. m.

Ms. Marva Swann introduced our new Board member, Dr. Michel L Voight. Ms. Swann explained to the Board members that the meeting was being recorded and requested each Board member to state their name prior to speaking.

Conflict Of Interest

Chris Larkin, Board attorney, reviewed the conflict of interest with the Board members.

Office of General Counsel Reports and or Discussions

Mr. Larkin presented the OGC report and discussed the following rules; Fix PTA references, cont. comp. to reactivate, titles conditions, (07-0467) (1150-1-.02, 03, .04, .08, .10, .12, .15): that went to rulemaking hearing on October 30, 2007.

Litigation:

Mr. Larkin stated that the Office of General Counsel currently has two (2) open cases pertaining to the Board of Physical Therapy

Rules

Ms. Brigina Wilkerson made a motion to accept the rule amendments that went to rule making hearing on October 30, 2007:

- A. Use of titles and advertisements
- B. Conditions imposed upon disciplined licensees
- C. Continuing education requirements for reinstatements and reactivations of expired or retired licensees
- D. Housekeeping corrections to be consistent with statutes

Dr. Michel Voight seconded the motion and a roll call vote was taken;

Ms. Brigina Wilkerson – yes

Dr. Michel Voight – yes

Ms. Lisa Fortner – yes

Dr. Randy Walker, Jr. – yes

The motion carried.

Ms. Wilkerson requested that Mr. Larkin have any changes in the amendments in the future in bold type. Mr. Larkin agreed to Ms. Wilkerson's request.

Public Chapter No. 423

The Board requested Mr. Larkin to draft a Rule Making Hearing notice regarding the definition of consultation in section 2, (4) (A).

After much discussion the Board requested Mr. Larkin to draft a Policy Statement regarding the language on items contained in the consent form that a patient signs to confirm they do not have a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy or does not want a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy and a time limit on the form stated in section 2, (4) (B).

The Board requested Mr. Larkin to change the word "should" to "may" in Rule 1150-1-.08 (9). Larkin said he would do some research regarding this matter to determine if this was considered housekeeping or if it had to go to Rule Making Hearing.

Tennessee Physical Therapy Association

Dr. Cathy Hinton, from TPTA spoke before the Board and requested a definition for business days in Chapter 423, section 2, (F).

The Board discussed the definition of business days, stating that business days meant the days a business is opened per week. Mr. Larkin suggested changing it to calendar days, the Board stated that they would like it to stay as business days and asked Mr. Larkin to draft a Policy Statement to clarify business days. Mr. Larkin stated he would bring the Policy Statement to the May, 23, 2008 Board meeting.

Investigative and Disciplinary Reports for the Physical Therapist

Ms. Juanita Stone presented the investigative report which indicates there was one (1) new complaint received in February, 2008 bringing the total to ten (10). One (1) for malpractice/negligence, one (1) for criminal charges, four (4) for unlicensed practice, two (2) for falsification of records, one (1) was drug related, and one (1) for care of services. There were five (5) from the west region, three from (3) the middle region, one (1) from the east region, and one (1) unknown. A total of nine (9) complaints were closed. Four (4) closed no action. Three (3) closed with a letter of warning. Two (2) referred to OGC.

Ms. Bonnie Ferrell stated she had not received the disciplinary report. Ms. Stone apologized to the Board and Ms. Ferrell for not sending her the disciplinary report in time for the Board meeting.. Ms. Stone stated that two (2) licensees were revoked, and one (1) licensee was put on probation.

Tennessee Professional Assistance Program (TNPAP)

Mr. Mike Harkreader, TNPAP Representative presented the report dated July 1, 2007 thru December 31, 2007 which indicated that four (4) PTs and one (1) PTA were being monitored. Three (3) were given referrals, two (2) for History of arrest/illegal drug use/DUI and one (1) for Substance abuse/dependence. Six were discharged, Two (2) were found monitoring unnecessary, one (1) was Noncompliant-reported to TDOH, one (1) abandoned communication-reported to TDOH, and two (2) successfully completed monitoring agreement.

TNPAP is now offering its "Basics of Addiction" presentation online at no cost. To access this presentation go to <https://www.aosintl.com/tnpap>.

Minutes

A motion was made by Ms. Brigina Wilkerson and seconded by Ms. Lisa Fortner to approve the November 3, 2006 and August 17, 2007 minutes. The motion carried.

Course Approvals

Dr. Walker recommended that the Board deny approval of the competence test to perform non-invasive nerve conduction testing that Ms. Jocelyn Aikens took at Blount Memorial due to the recommendation from Mr. Kevin Robinson, Associate professor at Belmont University. The Board requested Ms. Ferrell to forward the competence test to Mr. Robinson at their November 30, 2007 meeting. Mr. Robinson, based on the documentation submitted, did not feel that Ms. Aikens had met the standards as set forth in Rule 1150-1-.04. Ms. Wilkerson made a motion to deny Ms. Aikens permission to perform non-invasive nerve conduction testing. Ms. Fortner seconded the motion and the motion carried.

Upon recommendation from Dr. Walker, Ms. Wilkerson made a motion to approve Mr. Boyd M. Minnich to see patients without a referral.

Dr. Voight seconded the motion and the motion carried.

Remediation Reviews

- A. Samantha F. Dunbar failed exam second time. Dr. Voight made a motion to approve Ms. Dunbar's remediation plan. The motion was seconded by Ms. Wilkerson and the motion carried.
- B. Heather Dawn Armstrong failed exam second time. Dr. Voight made a motion to deny approval of Ms. Armstrong's remediation plan. He suggested that she submit a more detailed plan and to practice the exam on line. He also suggested that she keep a log stating the date and time her remediation plan was completed. Ms. Fortner seconded the motion the motion carried.
- C. Ms. Andrea Leigh Castleman failed exam second time. Ms. Wilkerson made a motion to deny approval of Ms. Castleman's remediation plan. She suggested that she submit a more detailed plan and to practice the exam on line. She also suggested that her supervising therapist sign off on her remediation plan. The motion was seconded by Ms. Fortner and the motion carried.
- D. Ms. Bernise Ann Buntyn failed exam second time. Dr. Voight made a motion to deny approval of Ms. Buntyn's remediation plan. He suggested that she submit a more detailed plan showing study in her areas of weakness. Ms. Wilkerson seconded the motion and the motion carried.

Continuing Education Courses

Ms. Wilkerson made a motion to approve the GSC Home Study – Booklet format Jurisprudence course. Dr. Voight seconded the motion and the motion carried. The course number will be number nine (9) on After a discussion, a motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve Innovative Educational Services, titled "Ethics & Jurisprudence-Tennessee Physical Therapy" and to add this course on our website under Continuing Education as course number ten (10). The motion carried.

Continuing Education Audit

Ms. Swann informed the Board that in the future every month five (5) percent of each month's renewals would be audited. By auditing the renewals monthly in time every licensee would be audited. Ms. Swann requested the Board to make a decision on what action they wanted to impose on licensees that were non-compliant when audited. These would be licensees that did not send in the total number of continuing education hours required or the hours they submitted were not approved courses for physical therapy. Those who did not respond at all would automatically be sent to Investigations.

After much discussion Dr. Voight made a motion to send all non-compliant licensees that were audited to investigations. The motion was seconded by Ms. Wilkerson and the motion passed.

Break at 11:00 a.m.

Reconvened at 11:20 a.m.

Applicant Interviews/File Reviews

The Board reviewed the file of Ashley Nicole Harry who had received a DUI in September, 2003. Ms. Wilkerson made a motion to grant her a license and Ms. Fortner seconded the motion. The motion carried.

Credential Reviews

After the Board reviewed the file of Diane Pretorius, foreign trained Physical Therapist, licensed in California and Oregon they found per Rule 1150-1-.04 (3) that they could not make a judgment on the information she submitted. Dr. Voight made a motion to deny approval of her credentials. Ms. Wilkerson seconded the motion and the motion carried.

Provisional License

Ms. Wilkerson made a motion to grant Ms. Kelli D. Morrow a provisional license per Rule 1150-1-.10 (2) (4). Ms. Morrow needs to train under a Licensed Physical Therapist due to the fact that her license has been retired and she has not worked as a Physical Therapist for over three (3) years. Dr. Voight seconded the motion. The motion carried.

Dr. Randy Walker requested that all licensees that have not worked in over three (3) years and apply for reinstatement are to be brought before the Board. He stated that they should not be given an initial approval allowing them to work. The Board needs to review them and decide if they should grant them a provisional license.

Ms. Ferrell stated that she would bring all of the reinstatement applications where the licensee has not worked in over three (3) years to the Board from this day forward.

Administrator's Report

Ms. Ferrell presented the following administrator's report to the Board:

Administrators Report February 5, 2008

This is an Administrative Report from Bonnie Ferrell, Administrator for the Board of Physical Therapy. There has been some reorganization in the Health Related Boards, Ms. Mary Webb is now the administrator over another Board and I am the new administrator over Physical Therapy. I am looking forward to working with this Board. The information contained in this report will keep the Board aware of all essential activity pertaining to the Board of Physical Therapy. Following are the status counts for both professions from October 1, 2008 thru January 31, 2008.

Statistical Report

Physical Therapists	Physical Therapist Assistants
Licensed – 30	Licensed – 15
Reinstatements – 3	Reinstatements – 2
Renewals – 358	Renewals – 257
Failed to Renew – 16	Failed to Renew – 7
Renewals Mailed – 579	Renewals Mailed - 359
Voluntary Retired - 11	Voluntary Retired – 3

Internet

The Board's internet is an excellent location to place valuable board information for licensees and applicants. Please visit the site at <http://Tennessee.gov> – scroll to the end of the page and choose A-Z Departments and Agencies – choose (H) for the Department of Health, then select (Department of Health). On the department's homepage, choose (Licensing), which is located on the bar at the top of the page, click on (Health Professional Boards); select (Board of Physical Therapy). Please visit the site and let us know if you have anything you would like to add under the noteworthy section.

Continuing Education Audit

The Board will have to discuss and take action on what disciplinary action to impose on licensees that did not comply with the continuing education audit for years 2005 thru 2006. We have 24 Physical Therapists and 17 Physical Therapy Assistants that did not comply.

Ratifications

A motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve the following Initial Licenses and Reinstatements for the Physical Therapists and Physical Therapist Assistants. The motion carried.

Physical Therapists

1. Barger, Wendy M. - #8001
2. Barrett, Dustin Robert - #7965
3. Bentley, Aaron Elisabeth - 38012
4. Boone, Kadee Ann - #7999
5. Brandt, Ashley Paige - #8015
6. Christ, Judith M. - #7994
7. Dolbow, David Roger - #7978
8. Duncan, Jacayin Renea - #7970
9. Giannattasio, Jamie Meredith - #8007
10. Gillespie, Darrell LaDale - #8018
11. Gollady, Victoria Leeann - #8014
12. Grant, Jennifer Ann - #8011
13. Hiday, Justin W. - #8009
14. Johnson, Erin Elizabeth - #8016
15. Kenney, Sara Ann - #7979
16. Laue, Meghan Lee - #7988
17. Meade, Justin Gary - #8020
18. McClung, Savannah Pixote - #8004
19. McLemore, Jennifer - #7995
20. Murphy, Shirley J. - #8006
21. Patel, Dileshkumar - #7788
22. Peacock, Jill Lacour - #8027
23. Quint, Jennifer Jane - #8022
24. Sawdy, Heather Marie - #7996
25. Shelton, Candace Nicole - #8013
26. Smith, Jonathan Lee - #8024
27. Squier, Jerry Randolph - #7954
28. Teter, Bethany Rae - #7987
29. Witt, Emily Marie - #946
30. Yacco, Roxanne Emily - #8025

Physical Therapy Assistants

1. Crenshaw, Sharon Crystal - #4279
2. Geter, Melissa Hope - #4267
3. Gomez, Sarah A. - #4292
4. Handy, Tony L. - #4241
5. Hurst, Jennifer Nicole - #4270
6. Make, Kayci Lynn - #4287
7. Maynor, Holly Candice - #4293
8. Miracle, Dana Leigh - #4282
9. Reaves, Stephanie Lee - #4282
10. Rodgers, Amy Lynn - #4276
11. Semrick, Nicholas Andrew - #4272
12. Steinberger, John Michael - #4285
13. Stewart, DeAnna J. - #4253
14. Tapley, Tomi Denise - #4291
15. Zipse, Richard K. - #4288

PTA Reinstatements

1. Hurd, Rebecca D. - #903

PT Reinstatements

1. Smith, Cami J. #6673
2. Taylor, Kimberly Anne - #6188
3. Webb, Denise H. - #450

Election of Officers

Dr. Walker made a motion to elect Ms. Wilkerson as Board Chair. Dr. Voight seconded the motion and the motion carried. Ms. Wilkerson made a motion to elect Ms. Fortner as Board secretary. Dr. Voight seconded the motion and the motion carried.

Adjourn

A motion was made by Ms. Fortner and seconded by Ms. Wilkerson, with there being no further business, the meeting was adjourned at 2:14 p.m.

Ratified by the Physical Therapy Board at the May 23, 2008 meeting.