

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: November 13, 2009

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

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

MEMBERS PRESENT: Brigina T. Wilkerson, PT, Chair
Brandon Hollis, PT
Michael L. Voight, PT
Minty R. Ballard, Consumer Member

MEMBER ABSENT: Lisa Fortner, PTA, Secretary

STAFF PRESENT: Marva Swann, Board Director
Karen Robinson, Board Administrator
Diona Layden, Assistant General Counsel
Marc Guilford, Assistant General Counsel
Libby Miller, Health Related Boards Director
Juanita Stone, Disciplinary Coordinator

GUESTS: Estie Harris, Tennessee Physical Therapy Association
Mike Harkreader, Director Tennessee Professional Assistance Program

RULEMAKING HEARING

The rulemaking hearing was convened at 9:15 a.m. Diona Layden presented and advised Board members of their responsibilities under the Conflict of Interest Policy. All members present were asked to identify themselves for the record.

The purpose of the rulemaking hearing was to solicit public comment regarding the following rules as amended (Notice of Rulemaking Hearing attached):

1. Rule 1150-01-.01 Definitions
2. Rule 1150-01-.02 Scope of Practice and Supervision
3. Rule 1150-01-.04 Qualifications for Licensure
4. Rule 1150-01-.08 Examinations
5. Rule 1150-01-.12 Continuing Competence

After discussion, Dr. Voight made a motion seconded by Mr. Hollis to accept the rules as amended. A roll call vote was taken with all members present voting to approve the amendments as presented. There were no comments from the public.

BOARD MEETING

With a quorum being present, Ms. Wilkerson, called the meeting to order at 10:00 a.m.

Office of General Counsel Report

Ms. Layden presented the following OGC report:

Rules

Rules relating to PTA references, continued competency, titles, and conditions (07-0467; Tenn. Comp. R. & Regs. 1150-1-.02, .03, .04, .08, .10, .12 and .15) have been filed with the Secretary of State's Office and will become effective on December 23, 2009.

Litigation

The Office of General Counsel currently has five (5) open cases pertaining to the Board of Physical Therapy.

Letter of Reprimand

Eddie L. Crocker, PT—Ms. Layden presented a Letter of Reprimand for Eddie L. Crocker, PT, who was found to have violated the standards of the professional practice of physical therapy Tennessee Code Annotated 63-13-301, *et seq.* and Rules 1150-1-.01 *et seq.* when he injured a patient during treatment resulting in a paid settlement to the patient in excess of Ten Thousand Dollars (\$10,000.00). After discussion, Ms. Ballard made a motion seconded by Dr. Voight to accept the Letter of Reprimand for Mr. Crocker as presented. The motion carried.

Consent Order

Yvonne W. Wall, PTA—Ms. Layden presented a Consent Order for Yvonne W. Wall, PTA who was found to have violated Tennessee Code Annotated § 63-13-312 (19) failing to maintain patient confidentiality without prior written consent or unless required by law. Ms. Wall will be placed on probation for one (1) year upon the effective date of the Order. Probation constitutes formal disciplinary action that will be reported to the Health Integrity and Protection Data Bank (HIPD).

After discussion, Mr. Hollis made a motion seconded by Dr. Voight to accept the Consent Order as presented. The motion carried.

Agreed Citations

Tonya Hailey, PTA—Ms. Layden presented an Agreed Citation for Tonya Hailey, PTA, who, in violation of § 63-13-304 and Tenn. Comp., R. & Regs. 1150-1-.12, failed to properly maintain a

sufficient number of continuing competence credit hours. Ms. Hailey agreed to submit documented proof of completion of the deficient hours to the Board within sixty (60) days and a civil penalty of One Hundred Dollars (\$100.00) within thirty (30) days of the receipt of this citation.

After discussion, Mr. Hollis made a motion seconded by Dr. Voight to approve the Agreed Citation for Ms. Hailey as presented. The motion carried.

Billy J. Beasley, Jr.—Ms. Layden presented an Agreed Citation for Billy J. Beasley, Jr., PTA, who, in violation of § 63-13-304 and Tenn. Comp., R. & Regs. 1150-1-.12, failed to properly maintain a sufficient number of continuing competence credit hours. Mr. Beasley agrees to submit documented proof of completion of the deficient hours to the Board within sixty (60) days and pay a civil penalty of One Hundred Dollars (\$100.00) within thirty (30) days of the receipt of this citation.

After discussion, Dr. Voight made a motion seconded by Ms. Ballard to approve the Agreed Citation for Mr. Beasley as presented. The motion carried.

Tennessee Professional Assistance Program (TnPAP) Report

Mike Harkreader, Director, of the Tennessee Professional Assistance Program (TnPAP), presented the statistics for the period of July 1, 2009 thru September 30, 2009. Three (3) PT's and two (2) PTA's signed monitoring agreements. There were no referrals and no discharges during this period of time.

Investigation and Disciplinary Reports

There were seventeen (17) PT complaints. Eleven (11) were closed; four (4) with no action, one (1) with a letter of warning, and six (6) were referred to the Office of General Counsel, leaving six (6) currently open complaints.

There were twelve (12) PTA complaints. Eleven (11) were closed; one (1) with no action, one (1) with a letter of warning, and nine (9) were referred to the Office of General Counsel leaving one (1) currently open complaint.

There are currently two (2) PT's and two (2) PTA's currently being monitored after prior Board discipline.

Approval of Minutes

Ms. Ballard made a motion seconded by Dr. Voight to approve the minutes of the August 21, 2009 board meeting as presented. The motion carried.

Topics of Discussion

The George Institute Pedro—Physiotherapy Evidence Database—Christopher Maher, Director of The George Institute for International Health, submitted a letter soliciting financial support from the Tennessee Board of Physical Therapy for the Centre for Evidence-Based Physiotherapy to develop and maintain its Physiotherapy Evidence Database. The George Institute for International Health is

a non profit medical research institute affiliated with the University of Sydney Australia. The Board requested that a letter be sent to Professor Maher declining his request.

Glucosometry Readings in a PT Clinic—An inquiry was submitted to the Board as to whether or not it is in the scope of practice for a PT to perform Diabetic Glucosometry readings in a clinical setting. The matter was deferred to the next meeting.

PTA Supervision—An inquiry was submitted to the Board as to the number of PTA's that can be supervised by the same PT at two different sites in the same day. The Board referred the inquisitor to Rule 1150-01-.02 (2)(a) 3. regarding supervision which states:

“The licensed physical therapist may not supervise a physical therapist assistant that is delivering services at a site further than sixty (60) miles or one (1) hour from the licensed physical therapist. The supervising licensed physical therapist must be available to communicate by telephone or other means whenever the physical therapist assistant is delivering services.”

CPM Machine Setup in a Home Health Setting—An inquiry was submitted to the Board regarding the use of CPM machines in a home health setting when no physical therapy has been ordered. The Board has no regulatory authority over a CPM vendor.

Remediation

Mr. Hollis made a motion that was seconded by Ms. Ballard to approve the remediation plans reviewed by Board consultant, Alan Meade. The plans were for the following applicants:

SHANNON BROWN, PTA
MICHAEL EDWARDS, PTA
WALTER HORTON, PT
LILIYA JONES, PT
ANNE NOBEL, PT
ANDREA REEVES, PTA

BRANDY SAVAGE, PTA
PAMELA SEXTON, PTA
VERONICA STEELE, PTA
JIMMY TOWNSEND, PT
LADASHA WILEY, PTA
TAAKA WILLIAMS, PT

The motion carried.

Ethics and Jurisprudence Course Approval

Ms. Ballard made a motion seconded by Mr. Hollis to approve the following ethics and jurisprudence courses reviewed by Board consultant, Alan Meade:

1. American Physical Therapy Association
2. HomeCEU Connection
3. Care2Learn
4. GSC Home Study
5. PTCourses
6. Belmont College
7. Innovative Educational Services
8. CEUWorld

The motion carried.

Applicant File Review

- A. **Michael O. McGimsey, Jr**—Mr. McGimsey appeared before the Board due to a 2002 conviction. After interview and discussion by the Board, Dr. Voight made a motion seconded by Mr. Hollis to grant Mr. McGimsey a PTA license. The motion carried.
- B. **Mitzi Lester-Branch**—Ms. Lester-Branch was not present but submitted a written request to waive continuing competency hours for the years 2007 and 2008 due to hardship because of the illness of her child. After discussion, Dr. Voight made a motion seconded by Mr. Hollis to deny Ms. Lester-Branch's request for a waiver and grant her an extension until the next cycle to make up the deficient hours for 2007 and 2008. The motion carried.
- C. **Katarzuna A. Zabek**—Ms. Zabek was not present but submitted a written request to waive completion of her 2007 and 2008 continuing competency hours due to personal illness. After discussion, a Mr. Hollis made a motion seconded by Ms. Ballard to deny Ms. Zabek's request to waive her continuing competency for the years 2007 and 2008 and grant her an extension until next cycle to make up the deficient hours. The motion carried.
- D. **Michelle Goins**—Ms. Goins was not present. After review and discussion of her file, a motion was made by Dr. Voight and seconded by Mr. Hollis to approve Ms. Goins, a foreign trained applicant, to take the NPTE.
- E. **Remy Baso**—Ms. Baso was not present. After review and discussion of her file, a motion was made by Mr. Hollis and seconded by Ms. Ballard to grant Ms. Baso, a foreign trained applicant, a provisional license for four hundred and eighty (480) hours pending receipt of proof of legal residence and work status. The motion carried.
- F. **Adelmar Gayomali**—Mr. Gayomali was not present. After review and discussion of her file, a motion was made by Ms. Ballard and seconded by Dr. Voight to approve Ms. Gayomali, a foreign trained applicant, to take the NPTE pending receipt of proof of legal residence and work status. The motion carried.
- G. **Cheri Tung**—Ms. Tung was not present. After review and discussion of her file, a motion was made by Mr. Hollis and seconded by Dr. Voight to grant Ms. Tung, a foreign trained applicant, a provisional license for four hundred and eighty (480) hours. The motion carried.
- H. **Paul Que-Sanchez**—Mr. Que-Sanchez was not present. After review and discussion of his file, a motion was made by Ms. Ballard and seconded by Dr. Voight to grant Mr. Que-Sanchez, a foreign trained applicant, a provisional license for four hundred and eighty (480) hours. The motion carried.

Ratification of Initial Determinations

A motion was made by Ms. Fortner and seconded by Dr. Voight to approve the following lists of initial and reinstatement applications for licensure. The motion carried.

PHYSICAL THERAPISTS

NEW LICENSES

MARILOU ABESAMIS
ACOSTA
LAURA NICOLE BOALS
JENNA KAY BRIGGS
ANNA MARIE BUSH
CLAY WELDON CALLAHAN
TARA M CARROLL
ERIN ELIZABETH COOK
CHARLENE COSGRIFF
MITCHELL R DANA
REBECCA ANNE DICLEMENTI
BRADLEY JACOB DOBNER
JENNIFER ANN DORE
KATHERINE D DRAPER
MANDI ELAINE EHLERS
MCKENZIE HOPE ELSTON
ELLEN MARIE FROHRIEP
JENNIFER MARY GAGNON
KEVIN EARL GIBSON
STEPHANIE BROOKE GIBSON
GAIL CORRICK GOERING
DANIEL JOSEPH GRIFFITH
BEAU ANTHONY GUIDROZ
ASHRAF ABDELMALAK
HANNA
CARRIE ALICIA HARE
JENNIFER DENISE HARRISON
MARCUS JOHNSON HAYNES
EVONNE DENISE HEDRICH
ELIZABETH REBECCA
HOLMAN
RACHEL MARIE HUMPHREY
ALANDA DANIELLE JACKSON
TIFFANY MCGAVIN JOHNSON
KARL JEROME KAUFMAN
REBECCA KIRKLAND
KENNETH PAUL KOMINOS
AVRAHAM KOSOFF
CHRISTINE MARY
KOWALCHUK
KRISTEN DEBORAH KRAMER

WILLIAM BLAKE KURTS
JENNIFER MARK
CAROLINE J MARSH
NICHOLAS WAYNE
MARSHALL
JENNIFER LYNN MATTHEWS
TANJANEKA LASHAE
MCCADNEY
TOMMIE ANN MCCORMACK
TERRI LAINE MCNUTT
LEAH K MITCHELL
ANDREW JAMES MORGAN
ANNE CELESTE L NOBLE
SHAWN CHRISTOPHER
O'NEILL
NIKKI L ORAZINE
LANDON GRAY PACK
KRISTI MARIE PARK
LINDSAY KAITLIN PERRY
ELIZABETH CATHEY
PHILLIPS
JOSEPH RONIE T PIOQUINTO
LESLIE LEANNE RICHERSON
AMY LOGAN ROBERTS
DAMIE EILEEN ROBERTS
KATY ANNETTE ROBERTS
REBEKAH LYNN ROGERS
JENA' LOUISE RUTTER
BLAIR PURCELL SAALE
ELIZABETH ANN SCHWARTZ
JAMES ANTHONY SEARS
AMANDA MARIE SHARPE
JENA BRIANNE SHOEMAKER
ANNE MARIE SLOSKY
ANNE MCRAE SMITH
LESLIE ELISE STEIN
ELIZABETH SULLIVAN
PRISCILLA KAYE SULLIVAN
YVONNE MARIE SULLIVAN
HUNTER ANN SUTCH
BETHANY KAY THOMAS
CHARLES PHILIP WILLIAMS

PRINCESS DELVANIA
WILLIAMS

SUZANNE BALLENTINE
YANCEY
ZACHARY SLADE ZERBONIA

REINSTATEMENTS

ELIZABETH E AUSTIN

MIRIAM S FRANK

PHYSICAL THERAPIST ASSISTANTS

NEW LICENSES

CHARLENE KAY BREYER
TYSON ROSCOE BRYAN
ANTHONY BRIAN BURCHETT
SARAH A CHAMBLISS
JENNIFER SHA'REE CHASE
BRANDI MARIA COLLINS
DAYNA LYNN COLLINS
BAILEY BREE COOKE
MICHAEL WAYNE COX
ELIZABETH MARIE DAVIS
JOHN WESLEY DOCKINS
ADAM CHARLES DORNBURG
RENITA TELOIS DURHAM
CHARLES MATTHEW FRITTS
SCHANDA YVETTE FUGATE
LIZA MARGUERITE
GOOSSENS
AMBER NICOLE HAMMOND
KELSEY MARIE HANSON-
SKIRKA
SARAH MARIE HARRIS
CYNTHIA JEAN HARTER
HILARY KRISTEN HAWKS
AMY ELISE HOBBS
CRYSTAL LYNN HOESLI
JEFFREY L HOOVER
SCOTT MICHAEL HOSKINS
ASHLEY NICOLE HUGHES
MELISSA BEATRIZ L JUAN

ROBERT D KEENE
BRIDGET HOLLIWAY KISS
ANNA MARIE KREMSE
LEANN WILKINSON MABE
CHAD EDWARD MAPLES
THOMAS CLAY MATLOCK
REGINALD EUGENE MINNIS
MARCEL MILLADO MODELO
EMILY ANN MURPHY
KELLY MARIE NEUMAN
CASEY WAYNE PELHAM
COURTNEY VIRGINIA PHIPPS
SHARON E. RODGERS
KARI LYNNE SCHIEL
CHRISTINE ANN SHEARER
JENNA L SHEEHAN
JOSHUA MIKHAEL SMITH
LISA M SPITZIG
NIKITA VANSHA STEWART
ANDRE J STONE
DAVID MICHAEL STRONG
SHAWN ALLEN TALLMAN
KATHERINE MARIE TAMBOLI
GRACEFAITH BAIZA
TAOATAO
LESLIE BARNETTE VERSEN
LINDSEY MARIE WARING
DARREN KIRK WILBANKS

REINSTATEMENTS

ALICIA JONELLE ESTES
TIMOTHY L SMITH
HARMONY ANNE SPRINKLE

Administrator's Report

Karen Robinson presented the following data from August, 2009 through October, 2009:

- 4193 Physical Therapists
- 2574 Physical Therapist Assistants

STATISTICAL REPORTS

Physical Therapists	August	September	October
Licensed	42	34	17
Provisional	0	1	0
Renewals Mailed	169	148	144
Physical Therapist Assistants	August	September	October
Licensed	18	28	12
Provisional	1	0	0
Renewals Mailed	98	87	115

Board Members

All positions are currently filled.

Adjournment

There being no further business, the meeting was adjourned at 12:30 p.m.

These minutes were ratified at the February 12, 2010 meeting.