

**Committee of Physical Therapy  
Minutes**

Date: February 9, 2007

Time: 12:00 p.m. C.S.T.

Location: Health Related Boards  
227 French Landing  
Iris Conference Room  
Heritage Place Metro Center  
Nashville, TN 37243

Members Present: Dr. J. Randy Walker, Jr., PT Chair  
Brigina Wilkerson, PT  
Teresa B. Johnston, PT Secretary  
Blake Murphy, PTA  
Lisa Short, Citizen Member

Members Absent: Robbie Bell, Ex Officio

Staff Present: Marva Swann, Unit Director  
Mary V. Webb, Board Administrator  
Nicole Armstrong, Advisory Attorney  
Jerry Kosten, Regulations Manager

Guest (s) Dr. Cathie Hinton, TPTA  
Meghan Frazier, TPTA  
Mike Harkreader, TNPAP Representative  
Marianne Stables, Applicant  
Mary K.C. Woods, Applicant  
Vickie Mason, Applicant  
Courtney Cross, Court Reporter

With a quorum being present, Dr. J. Randy Walker, Jr. called the meeting to order at 12:06 p.m.

## **Office of General Counsel (OGC)**

Nicole Armstrong, Advisory Attorney, advised the Committee of the Conflict of Interest Policy and for anyone who had not signed exhibit 4 to please do so.

Ms. Armstrong presented the OGC report to the committee as follows:

1. Accreditation for physical therapy programs, petitions for stay and reconsideration (06-1034) (1150-1-.04, .15) These rule amendments went to rulemaking hearing on April 18, 2006; they were adopted by the Committee on May 12, 2006. They were sent to the Office of the Attorney General for review on June 13, 2006.
2. Provisional licenses, fees (06-1327) (1150-1-.04, .06, .10, .12) These amendments went to rulemaking hearing on October 17, 2006. They were adopted by the Committee on November 3, 2006, and were sent to the Office of the Attorney General for review on November 14, 2006.

### **Litigation:**

The Office of General Counsel currently has three (3) open cases pertaining to the Board of Occupational and Physical Therapy Examiners.

## **Office of Investigations Reports**

Ms. Armstrong presented the disciplinary and investigative reports in the absence of Lea Phelps.

**Investigative Report** – There were currently four (4) open complaints in the office of investigations.

**Disciplinary Report** - There were only two (2) physical therapists and two (2) physical therapist assistants being monitored.

## **Minutes**

A motion was made by Mr. Murphy and seconded by Ms. Wilkerson to accept the amended minutes from the November 3, 2006 board meeting. The motion carried.

## **Legislation**

A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to accept Senate Bill 1144 and House Bill 964 to support the separation of the Occupational and Physical Therapy Boards. The motion carried.

## **Ethics and Jurisprudence Course Review**

A motion was made by Ms. Johnston and seconded by Mr. Murphy to approve the ethics and jurisprudence online course for CEU world.com, part 2 only and the TN Physical Therapy Association on line jurisprudence course. The motion carried.

## **Policy Statement**

Dr. Walker drafted an ethics and jurisprudence policy statement for continuing education providers seeking approval in Tennessee. A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to adopt the policy statement for the ethics and jurisprudence providers. The motion carried.

## **Discussion**

Ms. Wilkerson wanted it to be written there was a lengthy discussion regarding direct access, although there was no action taken upon the subject.

Ms. Wilkerson presented the Committee with an email regarding the scope of practice for a physical therapist and a physical therapist assistant. Ms. Armstrong cautioned the Committee regarding responding to individuals and advised that they let them seek their own counsel to interpret the rules.

Dr Walker submitted to the Committee a list of corrections and updates of language regarding the rules and regulations of physical therapy. Ms. Armstrong stated that the list was minor housekeeping corrections that will be revised at a later date.

Dr. Walker conducted research and discovered that the state of Tennessee has a code that prohibits the limit of exam attempts. Dr. Walker suggested to the Committee that if an individual had taken the exam at least four (4) times or more, they should work on a provisional license. Ms. Wilkerson went on to say that these individuals may be poor test takers but, may be able to function in a work environment just as well as someone who passed the exam on the first attempt.

Dr. Walker expressed concern regarding the recommendations/good moral character letters as a basis for denial for licensure. Dr. Walker inquired if other boards had denied a license due to a poor letter of recommendation. Ms. Armstrong answered that the Committee has the right to deny a license due to unfavorable letters of recommendations. The Committee did not make any recommendations at this time.

Dr. Walker inquired if an oral referral should be followed up by a written referral. There was no conclusion reached on this issue.

### **TNPAP Report**

Mr. Mike Harkreader, Director of the Tennessee Professional Assistance Program (TNPAP) gave his report to the Committee. The data is compiled from July 1, 2006 and through December 31, 2006. There are five (5) physical therapists and three (3) physical therapist assistants being monitored. There was one (1) physical therapist and three (3) physical therapist assistant referrals. The physical therapist referral was reported by the Board Attorney and two (2) physical therapist assistants were reported by the board and one (1) was reported by the Board Attorney.

### **Applicant Interviews/File Reviews**

**Amy Schroth**, conviction, did not disclose on application – A motion was made by Ms. Johnston and seconded by Ms. Short to delay the application for sixty (60) days. The motion carried.

**Jaclyn Rivera**, failed to disclose how many times she has taken the exam - A motion was made by Ms. Johnston and seconded Ms. Wilkerson to approve Ms. Rivera for the exam. The motion carried.

**Marrienne Stables**, conviction of DUI – Ms. Stables appeared before the Committee to explain the conviction on her record. She stated that she does not have any other charges against her since the 2001 incident. Ms. Stables stated that she had already undergone an evaluation. A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to approve Ms. Stables' application. The motion carried.

**Deborah Becker**, reinstatement - A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to delay the application until it is complete. Dr. Walker will then review the application for approval. The motion carried.

**Christin Fuqua**, reinstatement - A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to delay the application until she has completed the TN jurisprudence. The motion carried.

**Vickie Mason**, has not renewed license since 1979, but, may have practiced until 2001 on an expired license – Ms. Mason appeared before the Committee and stated that she had never practiced without a license. A motion was made by Ms. Johnston and seconded by Ms. Wilkerson to approve the reinstatement. The motion carried.

**Rizal Benatiro**, reinstatement – A motion was made by Ms. Wilkerson and seconded by Mr. Murphy to approve a provisional license and take an approved TN jurisprudence course. The motion carried.

**Mary K C Woods**, reinstatement - A motion was made by Ms. and seconded by Ms. Wilkerson to approve the reinstatement application. The motion carried.

**Thomas C. Black**, reinstatement – A motion was made by Mr. Murphy and seconded by Ms. Wilkerson to approve the reinstatement. The motion carried.

### **Remediation Reviews**

**Jordan Bettes**, 3<sup>rd</sup> attempt – A motion was made by Mr. Murphy and seconded by Ms. Wilkerson to approve the remediation plan, however, Ms. Bettes must follow the instructions for the remediation in the outlined in the physical therapy rules. The motion carried.

**Ryan Potter**, 3<sup>rd</sup> attempt – A motion was made by Mr. Murphy and seconded by Ms. Wilkerson to accept the remediation plan. The motion carried.

**Deidra Bostick**, 3<sup>rd</sup> attempt – A motion was made by Mr. Murphy and seconded by Ms. Wilkerson to accept the remediation plan. The motion carried.

**Terra Summitt**, 3<sup>rd</sup> attempt - A motion was made by Mr. Murphy and seconded by Ms. Wilkerson to accept the remediation plan. The motion carried.

### **Credential Reviews**

**Cesar Jonas Veloso** by examination - A motion was made by Ms. Wilkerson and seconded by Mr. Murphy to accept the credentials. The motion carried.

**Camila Rose Antiquera**, by reciprocity – A motion was made by Ms. Wilkerson and seconded by Mr. Murphy to accept the credentials. The motion carried.

### **Ratification of Initial Determinations**

- A. New Licenses
- B. Reinstatements
- C. Provisional licenses for foreign trained therapists

A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to accept the new licenses/reinstatements and provisional licenses. The motion carried.

For a copy of the newly licensed, reinstated and provisional licensees you may contact the Board of Occupational and Physical Therapy Examiners office.

### **Financial Report**

Ms. Webb presented the financial report which indicated that the Committee had a cumulative carryover of \$1,286,728.78 as of June 30, 2006.

### **Directors/Administrative Report**

Ms. Webb presented to the Committee the Administrator's report. As of February 9, 2007 there were 3753 active physical therapists licensees and 2189 active physical therapy assistants. There were 898 retired physical therapists and 297 physical therapy assistants. There was 1995 physical therapist in failed to renew and 511 physical therapy assistants in failed to renew status.

The number of applicants issued a license from 10/31/06 through 02/07/07 were 56 for physical therapists and 25 for physical therapy assistants.

There being no further business the meeting adjourned at 4:58 p.m.

These minutes were ratified at the May 11, 2007 Board meeting.

