

**Committee of Physical Therapy
Minutes**

Date: November 03, 2006

Time: 12:30 p.m.

Location: Health Related Boards
227 French Landing, Suite 300
Third Floor 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

Members Absent: Lisa Short, Citizen Member
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) Cathie Hinton, TPTA
Estie Harris, TPTA
Stacy McKeegan, Applicant
Teresa McRedmond, Applicant
Amanda F. Plunkett, Court Reporter

With a quorum being present, Dr. J. Randy Walker, Jr. called the meeting to order at 1:10 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:

The ethics and jurisprudence continuing competence, and advertising rules (1150-1-.12, .13) were adopted by the Committee on February 10, 2006. They were sent to the Attorney General for review on March 2, 2006. They were approved and became effective on November 1, 2006.

Accreditation for physical therapy programs, petitions for stay and reconsideration (1150-1-.04,.15) were adopted by the Committee on May 12, 2006. They were sent to the Attorney General for review on June 13, 2006, where they remain.

Provisional licenses, fees (1150-1-.04,.06,.10,.12). These amendments went to rulemaking hearing on October 17, 2006. They were presented to the Committee for approval at the November 3, 2006 board meeting.

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 August 11, 2006 board meeting. The motion carried.

Legislation

Jerry Kosten presented to the Committee a roll call vote for the rulemaking hearing held on October 17, 2006 regarding the provisional licenses and a fee decrease. A motion was made by Ms. Wilkerson and seconded by Mr. Murphy to adopt the new rule changes. Each board member present approved by responding "aye" as their name was called.

Discussion

Letter from the American Physical Therapy Association regarding credentialed residency program or fellowship

The APTA submitted a letter to the Board of Physical Therapy requesting that the Committee consider adopting a rule for a credentialed residency and fellowship program as a requirement for licensees reinstating their license. The Committee suggested to send a letter to the APTA to refer to rule 1150-1-.12 (5) (m) which states that participating in a clinical residency program, continuing competence is twenty six (26) hours per program.

Letter from Eric Toribio

A letter will be sent to Eric Toribio explaining that an applicant must be licensed in their country of education as required by T.C.A. 63-13-307 (d)(6); (2).

Revise reinstatement application

Ms. Swann explained to the Committee that at the managers meeting in December, revamping the application will be reviewed. Dr. Walker suggested that the initial application should include special accommodations.

Ms. Swann stated that all applications will be reviewed and updated.

Approval of ethics and jurisprudence courses from continuing education providers

Ms. Armstrong explained to the Committee that all ethics and jurisprudence course approval requests must be sent directly to the Board of Occupational and Physical Therapy Examiners within 30 days of a regularly scheduled board meeting as defined in rule 1150-1-12. Dr. Hinton asked the Committee to require a complete program of the ethics and jurisprudence courses be submitted for approval.

A motion was made by Ms. Wilkerson and seconded by Ms. Johnston that Dr. Walker serve as an ethics and jurisprudence reviewer. The motion carried.

Election of Officers

A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to re-elect Dr. Walker as the Committee Chair. The motion carried.

A motion was made by Ms. Wilkerson and seconded by Mr. Murphy to elect Ms. Johnston as the Committee Secretary. The motion carried.

Applicant Interviews/File Reviews

Christa Sherrod - exemption from ceu requirement - Due to a chronic illness Ms. Sherrod requested exemption of her continuing education requirements. A motion was made by Ms. Johnston and seconded by Ms. Wilkerson to allow Ms. Sherrod to skip this renewal cycle for continuing education only. The motion carried.

Stacy McKeegan - has not practiced since 2000 - Ms. McKeegan was present for this meeting. Ms. McKeegan requested from the Committee to be allowed to reinstate her license and be granted a CE waiver. Ms. McKeegan stated that she has been caring for her child who was born with a disability and that should suffice for any continuing educational requirements. The Committee denied Ms. McKeegan's request and informed her that she would need to submit proof of completion of ceu's and applicable fees. A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to allow Ms. McKeegan six (6) months to complete her continuing education requirements and pay applicable fees. The motion carried.

Teresa McRedmond - has not practiced within the last five (5) years- Ms. McRedmond was present for this meeting. She explained to the Committee she failed to notice that her license had expired. A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to delay Ms. McRedmond's file until she completes two (2) hours of ethics and two (2) hours TN jurisprudence and applicable fees. The motion carried.

Carminda Abarra - has not practiced in within the last 5 years - A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to delay reinstatement application until proof of completion of TN jurisprudence course and applicable fees for reinstatement are submitted. The motion carried.

Vickie Mason - has not renewed license since 2001 - A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to delay Ms. Mason's reinstatement application until she appears before the Committee to explain whether or not she practiced without a license. The motion carried.

Ronald Egerbrecht, Jr. - DWI conviction in 1993 and failed to report the incident on his application - A motion was made by Ms. Johnston and seconded by Ms. Wilkerson to issue license and send Mr. Egerbrecht a letter that the Committee is aware that he failed to divulge a DWI and all derogatory information must be disclosed. The motion carried.

Remediation Reviews

Gloria Walker - 5th attempt - A motion was made by Ms. Johnston and seconded by Mr. Murphy to accept the remediation plan; however, if Ms. Walker is unsuccessful on the next exam attempt, she must follow the remediation rule before the next plan is approved. The motion carried.

Tomeka Harris – 3rd attempt - A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to accept the remediation plan submitted. The motion carried.

Carrie Reed - 4th attempt - A motion was made by Ms. Johnston and seconded by Ms. Wilkerson to accept the remediation plan submitted. The motion carried.

Chandra Nunley - 3rd attempt - A motion was made by Ms. Wilkerson and seconded by Mr. Murphy to accept the remediation plan submitted. The motion carried.

Robin Thurman - 4th attempt - A motion was made by Mr. Murphy and seconded by Ms. Wilkerson to accept the remediation submitted. The motion carried.

Dawn Hilliard - 7th attempt - A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to accept the remediation plan submitted. The motion carried.

Credential Reviews

A motion was made by Ms. Wilkerson and seconded by Ms. Johnston to approve Wicky Rigos and Nestor Cajés Cruda, Jr. by examination to take the physical therapy examination. The motion carried.

A motion was made by Ms. Wilkerson and seconded by Mr. Murphy to approve Amala Joshi for a provisional license. The motion carried.

Ratification of Initial Determinations

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

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

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

Financial Report

Ms. Webb presented the financial report which indicated that the Committee had a cumulative carryover of \$1,262,967.00 as of June 30, 2006.

Directors/Administrative Report

Ms. Webb presented to the Committee the Administrator's report. As of October 30, 2006 there were 3704 active physical therapists licensees and 2146 active physical therapy assistants. There were 873 retired physical therapists and 292 physical therapy assistants. There was 1964 physical therapist in failed to renew and 495 physical therapy assistants in failed to renew status.

The number of applicants issued a license from 8/09/06 through 10/30/06 were 71 for physical therapists and 59 for physical therapy assistants.

Dr. Walker would like the following items to be sunshined for the February 9, 2007 board meeting:

1. Ms. Armstrong will research to see if the State of Tennessee can put a limit on the number of times an applicant can take the physical therapy/assistant examinations
2. Letters of recommendations/good moral character, define what the letter should entail.
3. Requirement that oral referrals should be followed up by a written referral.
4. Dr. Walker asked each member to submit material to Ms. Webb by January 9, 2007.

There being no further business the meeting adjourned at 4:35 p.m.

These minutes were ratified at the February 9, 2007 Board meeting

