

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: November 30, 2007

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

MEMBERS ABSENT: Michael L. Voight, PT

STAFF PRESENT: Marva Swann, Unit Director
Bonnie Ferrell, Board Administrator
Christopher Larkin, Board Attorney
Nichole Armstrong, Board Attorney
Karen Robinson, Board Administrator
Juanita Stone, Disciplinary Coordinator
Rick Agee, Compliance Coordinator
Elva Upkins, Assistant Compliance Coordinator

GUESTS: Dr. Cathy Hinton, TPTA
Estie Harris, TPTA
Megan Frazier, TPTA
Mike Harkreader, TNPAP Representative

COURT REPORTER: Amanda Plunkett, Cannon & Stacy

With a quorum being present, Dr. Randy Walker called the meeting to order at 9:19 a. m.

Dr. Walker introduced new board member Ms. Lisa T. Fortner, PTA to the Board.

Conflict Of Interest

Ms. Nicole Armstrong discussed the Conflict of Interest Policy and reminded the Board members of their responsibilities under the policy.

Ms. Armstrong introduced the new OGC Board attorney Mr. Christopher Larkin.

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:

The Office of General Counsel currently has two (2) open cases pertaining to the Board of Physical Therapy

Rules

Dr. Walker stated the Board and the OGC attorneys Ms. Armstrong and Mr. Larkin discussed and made a decision to defer the roll call vote regarding rules changes until the February 15, 2008 Board meeting.

Task Force recommendations regarding Public Chapter No. 423

Dr. Walker presented the report from the Task Force Committee. He stated we need clarity and a definition of Consultation in section 2, (4) (A). After much discussion the Board found there needed to be some guidance 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). They also said that we need clarity on the fifteen (15) calendar days stated in Section 2, (D). The Board agreed to have Mr. Larkin, the Board's attorney review these concerns and present his recommendations at the February 15, 2008 Board meeting.

Investigative and Disciplinary Reports for the Physical Therapist

Ms. Juanita Stone presented the investigative report which indicates there are seven (7) year to date new complaints received. A total of nine (9) closed complaints. Four (4) closed no action. Three (3) closed with a letter of warning. Two (2) closed referred to OGC. One (1) for malpractice/negligence. One (1) for criminal charges. Three (3) for unlicensed practice. Two (2) for falsification of records. Four (4) from the west region, two (2) is from the middle region, one (1) from the east region.

Ms. Stone presented the disciplinary report which indicates that Mr. Thomas Donahue is revoked for a minimum of 5 years which will expire March 29, 2009.

Investigative and Disciplinary Reports for the Physical Therapist Assistants

Ms. Stone presented the investigative report which indicates one (1) closed complaint. One (1) closed with a letter of warning.

Ms. Stone presented the disciplinary report which indicates that Ms. Sherry Jones, has an indefinite expiration status. Dr. Walker asked if the indefinite status on Ms. Jones could be changed, Ms. Stone explained that Ms. Jones's license is revoked and if she requested to reinstate her license as a Physical Therapist she would have to go through the Office of General Counsel and the Board would have to approve and ratify any action before she would get her license reinstated. Ms. Stone indicated that Mr. John Kingston is on probation until February 28, 2008 and monthly reports are being submitted by his supervisor.

Tennessee Professional Assistance Program (TNPAP)

Mr. Mike Harkreader, TNPAP Representative presented the report dated July 1, 2007 thru September 30, 2007 which indicated that three (3) PTs and five (5) PTAs are being monitored. The Board requested a history of arrest/illegal drug use/DUI from three (3) PTAs. Two (2) PTAs signed a monitoring agreement. Two (2) were discharged which indicated unnecessary monitoring, one (1) noncompliant which was reported to TDOH, one (1) abandoned communication which was reported to TDOH.

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.

Applicant Interviews/File Reviews

Julieta C. Kho – submitted an application for reinstatement of her license to the Board. A motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve her for licensure pending proof of the online course titled “At Home Seminars Course” of one (1) CEU for Ethics is an approved CEU provider. The motion carried.

Rebecca D. Hurd – submitted an application for reinstatement of her license to the Board. A motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve her for licensure. The motion carried.

DeAnna Stewart – was requested to appear before the Board to give explanation of her criminal charges. After much discussion, a motion was made by Ms. Wilkerson and seconded by Ms. Fortner to grant licenseeure to sit for the exam. The motion carried.

Celina Thompson – submitted an application for reinstatement of her license to the Board. A motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve her for licensure. The motion carried.

Break at 11:05 a.m.

Reconvened at 11:14 a.m.

FARB

After discussion, a motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve Dr. Walker to go to the FARB 32nd Annual Forum on January 25-27, 2008 in Santa Fe, New Mexico. The motion carried.

Continuing Education Courses Approval

Mr. Mike Minnich submitted a USA Army course titled “Neuromusculoskeletal Evaluation Course” at Fort Sam in Houston, Texas, September 14-25, 1992 for approval. After a discussion, a motion was made by Ms. Wilkerson and seconded by Ms. Fortner to deny approval at this time and requested to have the applicant submit more information, showing that this course meets the requirements outlined in the continuing education policy of the rules at the next Board meeting. The motion carried.

Innovative Educational Services, titled “Ethics & Jurisprudence-Tennessee Physical Therapy” After a discussion, a motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve and add course as number 10 to the Ethics & Jurisprudence Courses on line. The motion carried.

Modalities

Jacelyn Aikens, requested the Board to approve her to perform non-invasive nerve conduction testing. She submitted her competency documentation and qualifications from Blount Memorial showing that she completed the “Brevio Non-Invasive Nerve Condition Study Monitoring System Competence Test and Supervised Practic”. After much discussion, a motion was made by Ms. Wilkerson and seconded by Ms. Fortner to send the contents of the course to a Mr. Kevin Robinson at Belmont University for review and for Mr. Robinson to submit his findings to Mr. Walker for an initial determination and to be ratified at the next Board meeting of February 15, 2008. The motion carried.

Dr. Walker, requested a list of approved continuing education courses to be placed in the board book’s for the next meeting.

Remediation Reviews

A motion was made by Ms. Wilkerson and second by Ms. Fortner to approve the following applicant’s remediation plans and to retake the exam. The motion carried.

Abigail L. Mills
Andrea Rene’ Bonkofsky
Rachel N. Thomas
Martin T. Allison

The Board recommended a check list of things the applicant is to submit with a remediation plan before starting and that the plan must be signed before the Board will accept the plan.

Credential Reviews

Sheila Plecerda Angub-Foreign Trained, requesting approval to sit for the exam. A motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve Ms. Angub to sit for the exam pending receipt of her current visa as required. The motion carried.

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.

Initial PTs

Angela R. Aitken
Anne L. Beal
Marna J. Bevill
Julie E. Biles
Rebecca C. Bolen
Trevor B. Brandt
Bradley J. Cook
Bethany L. Costa
Allan G. Damian
Tonya R. Degraff
Denice Etling
Matthew L. Farabaugh
Janette P. Fuerte
Kelly J. Gebhart
Rebecca J. Geren
Tanya L. Gibson
Amy R. Graham
Jon A. Hansford
Sarah E. Henderson
Amy Hopper
Amy K. Jones
Scott A. Lee
Julia D. Lowe
Norman E. Marasigan
Rebekah D. McClain
Heather J. McGray

Rebecca McLusky
Prathibha S. Menon
Joseph D. Millen
Jennifer T. Miller
Joshua T. Mitchell
Marna G. Musteen
Rushalti K. Naik
Bruce M. Nicoara
Andrea J. Ondera
Mary R. Puckett
David R. Robertson, Jr.
Robert L. Ross
Michelle L. Rowe
Perry H. Smith
Amanda L. Smolinski
Megan S. Stinson
Amy M. Stojakovich
Jill R. Stone
Kristin M. Story
Anne M. Stovall
Amy E. Swenson
Rebecca E. Tyo
Jarod F. Vermeesch
Jennifer L. Wichterman
Courtney L. Wilder
Mackenzie B. Wolfe

Reinstatements

Deborah L. Becker
Nicole R. Berger
Wendy K. Collier
Robert B. Dale
Deborah L. Patton
Sarah M. Rose
Celina L. Thompson
Deena L. White

Initial PTAs

Ryan P. Ayers
Amy F. Boniol
Rhonda R. Chrisman
Jeani R. Counts
Audrey S. Douglas
Cynthia L. Ellis
Kelli d. France
Misty D. Gayton
Laura L. Hancock
Rebecca S. Henry
David Y. Howard
Ihar Klepcha
Amy M. Kolb
Ruth A. Lewis
Andy B. Maiden
Ellen D. McCadam
Tracie J. Miller
Janie K. Ramsey
William K. Robinson
David L. Russell
Casey N. Saturday
Gerald D. Sharon
Jamila Smith
Amanda L. Steinberger
Leslie L. Taylor
Elizabeth S. Walke
Sarah K. Worstell

John B. Bancroft
Patricia K. Chevront
Julie B. Condry
Rebecca L. Cranford
Wendy D. Drew
Antonio M. Fleming
Edmond R. Gadd
Rebekah J. Geitner
Althea L. Hennings
Crystal M. Hicks
Janet E. Johnson
Hanna C. Kokotkiewicz
Stephanie J. Krollman
Emily A. Machanoff
Flonnie M. Mathews
Leslie B. Miller
Brian E. Parrott
Penny E. Roberts
Lauren E. Roth
Annette L. Sangster
Kerry S. Sellers
Stacey L. Shelton
Dustin C. Snow
Lisa L. Stone
Karin N. Waddell
Megan A. Wilson
Andrea A. Young

Provisional Licenses for Foreign Trained Therapist

A motion was made by Ms. Wilkerson and seconded by Ms. Fortner to approve the provisional licenses for foreign trained therapists. The motion carried.

Financial Report

Ms. Swann, presented the financial report to the Board with the projected cumulative carryover for June 30, 2007. Ms. Swann stated the new financial report will not be presented until after January 2008.

Administrative Reports

Ms. Ferrell presented the statistical reports which indicate the following from August 16, 2007 thru November 16, 2007.

Physical Therapist	Physical Therapist Assistants
Licensed - 52	Licensed - 52
Renewals – 400	Renewals – 257
Retired Licensees – 15	Retired Licensees – 19
Failed to Renew - 26	Failed to Renew - 14

PERFORMANCE MEASURES

The Division has implemented a Continuous Quality Improvement Performance program. We have established time frames, called benchmarks to measure our performance in certain areas. The performance measures report gives the number of days it takes from the date the application is received until the license is issued and the turn around time on renewals. The benchmark for applications is 100 days and the benchmark for renewals is 14 days.

<i>Performance Measure</i>	<i>Goal</i>	<i>1st Qtr Avg</i>	<i>2nd Qtr Avg</i>	<i>3rd Qtr Avg</i>
Renewal Processing Time	14 days	2.8 – PT 3.0 - PTA	2.5 – PT 2.7 - PTA	2.4 – PT 2.9 - PTA
Application Processing Time	100 days	20.1 – PT 32.2 - PTA	24.4 – PT 33.1 - PTA	22.7 – PT 23.4 - PTA

The processing time for applications has increased due to a delay in receiving the criminal background checks. I'm sure we will receive more timely in the near future.

Ms. Ferrell requested for the Board to give her permission to send an initial approval to reinstatement applicants whose files are complete and a provisional license to applicants whose files are complete but have been inactive for more than three years until the Board can ratify them at a meeting and the Board said yes.

BUDGET/TRAVEL ISSUES

Ms. Presley presented to the Board that a change has been made in the travel agency for the state which was effective Monday October 29, 2007, and that no one is to make any arrangements prior to receiving approval; and when making travel arrangements, such as purchasing airline tickets, you must go through Wright Travel Agency of Nashville at 1-800-643-5992. Each time you go through Wright Travel Agency of Nashville, you must identify that you are with the State of Tennessee and provide them with the Board's budget and allotment code which can be obtained from the Unit Director or the Administrator of the Board.

Internet

Ms. Swann, presented a copy of the updated internet web page to the Board members for review and encouraged the Board to visit the site and make any suggestions for adding information to the website.

Continuing Education Audit

Mr. Agee, presented the continuing education audit to the Board that was conducted September thru November 2007 for the PTs and PTAs. For the PTs there were 125 licenses selected via computer, 104 licenses (83.2%) compliance status, 17 licenses (14.4%) non compliance status due to deficient hours and documentation, 04 licenses (2.4%) non compliance status due to no contact, failure to respond to certified notice of audit letter.

For the PTAs 200 licenses were selected via computer, 168 licenses (82.5%) compliance status, 26 licenses (13.0%) non-compliance status due to deficient hours or documentation, which indicated they were short hours, were in the wrong category and were submitted to Mr. Allen Mead for approval, 06 licenses (3.0%) non-compliance due to no contact, failure to respond to certified notice of audit letter. Mr. Walker stated the letter that was sent to the licensees needs to be worded in a more professional manner and the typo's corrected before it is sent out again.

Election of Officers

The Board requested to defer the election of officers until the next Board meeting due to Mr. Michael Voight being absent.

Adjourn

A motion was made by Ms. Fortner and seconded by Ms. Wilkerson, with there being no further business, the meeting was adjourned at 12:44 p.m.

These minutes were ratified at the February 15, 2008 Board meeting.