

Minutes

The Physical Therapy Committee of the Board of Medical Licensure and Supervision met on December 17, 2009. The meeting was held at the office of the Board, 101 NE 51st Street, Oklahoma City, Oklahoma in accordance with the Open Meetings Act and the Administrative Procedures Act. Members present were:

Staci Freudiger, PT, Chair
Mary Staley, PT, Vice Chair
Suzanne Reese, PT
Nancy Davis, PTA
Craig Gavras, Public Member

Others present included:

Robyn Hall, Director Licensing
Kathy Plant, Executive Secretary
Gay Tudor, Assistant Attorney General
Elizabeth Scott, Assistant Attorney General

The meeting was called to order at 9:00 a.m. The minutes from the October 8, 2009, Committee meeting were reviewed. Mr. Gavras moved to approve the minutes. Ms. Staley seconded the motion and the vote was unanimous in the affirmative.

JAMES KENNETH RICHARDSON appeared at staff's request to discuss his assessment and treatment of twin girls with autism. Ms. Scott explained that a complaint had been received from the girls' parent. No violation of law was found; however, Mr. Richardson had been invited to meet with the Committee to discuss the matter. Mr. Richardson answered questions about his usual practice in administering assessments including his role, the school's role and the parents' roles. He explained how test results were evaluated and compiled. He said Project Peak contracted with him and an Occupational Therapist to provide the evaluation for the girls' school. The preliminary report was sent to Project Peak who submitted it to the school and parents prior to his final review. He said he was not informed of the IDEA meeting with the girls' parents until after the meeting had occurred. He stated he would no longer be doing joint reports and would not be going through third parties. The Committee thanked him for coming.

JOSHUA L. UTT appeared at staff's request to discuss his termination from employment and his subsequent actions. Mr. Utt admitted that he had brought his children with him to treatments with the patients' permission. He said he helped a patient who was having financial problems and other issues. He denied telling patients to follow him to his new employment; he stated it was their choice. He denied that he told patients that he is the best therapist with the highest credentials. He denied showing a photo of one patient to another

patient. The Committee cautioned Mr. Utt, saying there is a fine line between compassion and boundary violations. They admonished him that bringing children to the home of a patient is not good practice. The Committee discussed liability issues with Mr. Utt and warned him to be aware of situations that could be perceived as inappropriate.

SUSAN FAIN appeared in support of her application for Physical Therapist licensure. Ms. Fain testified regarding her activities since leaving the practice of physical therapy in 1980. She stated she is getting her DMA in flute performance and is looking into evidence based medicine in music. The Committee advised her that she could retake NPTE to prove her current competency or she could obtain 220 hours of continuing education along with 12 months of supervised practice. Another option would be to take the Practice Review Tool and then return to the Committee thereby possibly reducing the continuing education hours required. The Committee suggested that she return to the Committee in January with a proposal of what direction she would like to take and an idea of the number of continuing education hours her dissertation would be worth. Ms. Fain agreed to return to the Committee in January.

LATOYA ALLEN appeared in support of her application for Physical Therapist Assistant examination and licensure. Ms. Allen's study plan was reviewed. Mr. Gavras moved to recommend approval to sit for the exam. He further moved to approve for licensure pending passing the exam. Ms. Reese seconded the motion and the vote was unanimous in the affirmative.

Applications for examination, licensure and reactivation of licensure were reviewed. Mr. Gavras moved to recommend approval of the following applications for Physical Therapist licensure:

**ANN MARIE ALFIERI
CASIE LYNN COPPINGER
JENNIFER ANN SPINELLI**

**GLENN ARTHUR BERRY
DOUG BRENT FORRER**

He further moved to recommend approval of the following applications for Physical Therapist licensure pending satisfactory completion of the files:

**MATTHEW JOSEPH ARMENTANO
MEGAN AILEEN HIGGINS
HILARY JANE WORCESTER**

**JEREMY DAVID GAYNOR
FLOYD WAYNE MORGAN**

Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

Mr. Gavras moved to recommend approval of the following applications for licensure as Physical Therapist Assistants. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

**PATRICIA ANNE CARSHALL
DEBRA ELIZABETH VALONE**

**CHRISTOPHER LEE MORTON
KEITH WILLIAM REGULA pending
completion of the file**

A request was reviewed from Michael Clark, PT asking to earn his remaining continuing education hours from category B. The Committee discussed the need to develop better guidelines for granting exceptions, such as a documented disability. The Committee requested that it be placed on the next agenda for discussion. Ms. Reese said she knew that Mr. Clark is dependent on a wheelchair and is having some difficulties at the present time. Mr. Gavras moved to grant the request. Ms. Staley seconded the motion and the vote was unanimous in the affirmative.

A report from the Continuing Education Subcommittee was reviewed. Mr. Gavras moved to approve the Subcommittee's recommendations as discussed. Ms. Davis seconded the motion and the vote was unanimous in the affirmative. (See attachment #1)

Audit of compliance with continuing education requirements were reviewed. Staff reported that a certified letter would go out next week to those who have not responded to the audit. The Committee discussed the audit procedures and whether the audits should occur after renewal. Mr. Gavras moved to accept the audit report. Ms. Davis seconded the motion and the vote was unanimous in the affirmative. (See attachment #2)

Updates to the Continuing Education Rules in Title 435, Chapter 20, Subchapter 9 were reviewed. Ms. Freudiger said language was updated to make requirements clearer and to match what traditionally has been done in approving courses. The Committee added a new category that would accept the Practice Review Tool as meeting continuing education requirements under certain conditions. Staff was directed to place the amendments on the January 2010 agenda for review. (See attachment #3)

Trends in group supervision were discussed. Staff reported that there were still a lot of questions about the new PTA Supervision rules. Mr. Kelsey offered to have the Board staff provide an education presentation at an association meeting if necessary. The Committee discussed co-treatments in cases where the PT/PTA team works for multiple companies and whether a co-treatment needed to be performed for each company. The Committee stated that one treatment would be sufficient. If the agencies wanted to ask for a copy of proof of the co-treatment, the PT and PTA should provide them with sufficient information to be able to track the original co-treatment record without violating HIPAA provisions. The Committee stated that a co-treatment does not have to be done with every PT in a group if that PT does not delegate care to that PTA. It was up to the PT and PTA to insure the co-treatments are done on a timely basis. The Committee said it is better to get the co-treatment done early in the relationship in case staffing changes occur. However, if something changed and the PT or

PTA were not able to be located for the co-treatment, then that information should be well documented.

Ms. Staley updated the Committee on progress to update the Physical Therapy Practice Act. She said she and Ms. Reese would be meeting with the Oklahoma Physical Therapy Association leadership to discuss the priority of changes that needed to be made.

The Committee reviewed a request from Blake Weichbrodt, Director of Rehab for Stillwater Medical Center. Mr. Weichbrodt asked about listing Physical Therapist and Physical Therapist Assistant specialties on the Board web site. The Committee was concerned that the term "specialty" had a particular connotation, implying advanced training in a particular area. They discussed using "area of practice". The listing would be more of a referral guideline or marketing tool, to be used by the therapist, not a statement by the Board of the PT/PTA's competency in a particular area. The Committee felt the issue needing further investigation before making a decision. The Committee requested staff advise Mr. Weichbrodt that they had taken the matter under advisement.

There being no further business, the meeting was adjourned. The time was 11:20 a.m.