

Minutes

The Physical Therapy Committee of the Board of Medical Licensure and Supervision met on January 27, 2011. 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:

Mary Staley, PT, Chairwoman
Nancy Davis, PTA, Vice Chair
Staci Freudiger, PT
Carolyn Craven, PT

Others present included:

Lyle Kelsey, Executive Director
Robyn Hall, Director Licensing
Kathy Plant, Executive Secretary
Bill O'Brien, Assistant Attorney General
Elizabeth Scott, Assistant Attorney General

The meeting was called to order at 9:00 a.m. The first item of business was approval of the minutes from the October 29, 2010 Committee meeting. Ms. Craven moved to approve the minutes as presented. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

RANDALL HARTZELL, PT appeared at the Board's request in response to a complaint received alleging Mr. Hartzell documented treatment he did not provide. Ms. Freudiger indicated that she would be abstaining from any votes taken. Ms. Scott reported there was a discrepancy in the reports from the facility's nurse and Mr. Hartzell. Mr. Hartzell testified regarding the circumstances surrounding his visit to the facility and treatment provided to the patient. He said he doesn't necessarily converse or consult with the nurse when he comes to see patients. Valir called him afterwards to talk to him but he was not allowed to go in and show how he measured the wound. He said he did not chart the day of the visit, a Friday, but waited until four days later. He said he was in a hurry so didn't complete it that day. He said Valir's policy allowed documentation up to five days later. Mr. Hartzell said he talked with the PTA on the Tuesday following treatment and wrote a telephone order for wound treatment. He acknowledged that he had no communication with nursing staff on that Friday and no documentation was put in the patient chart that he was there. The Committee said Medicare would require timely documentation. The Committee directed staff to verify

Valir's documentation policies and methods they use for documentation of wound care. Ms. Scott advised that the Board's executive staff would consult together with the additional information and decide if further action should and/or could be taken.

ELIZA CAGUIOA appeared in support of her application to sit for the national Physical Therapist examination and for licensure. Ms. Caguioa discussed an arrest in 1998 and subsequent misdemeanor conviction. She reported that her record had been expunged and she has had no further issues since that time. Ms. Freudiger moved to recommend approval to sit for the exam pending satisfactory completion of her file. She further moved to recommend approval for licensure pending passing the exam. Ms. Craven seconded the motion and the vote was unanimous in the affirmative.

SARAH JOLEE KESNER appeared in support of her application to retake the Physical Therapist licensing examination. Ms. Kesner's study plan was reviewed. Ms. Kesner stated she was working as a tech but recently quit to spend more time studying. Ms. Davis moved to recommend approval of the application to retake the licensing exam pending satisfactory completion of the study plan. She further moved to recommend approval for licensure pending passing the exam. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

RODHIKA CHERUKURI appeared in support of her application for Physical Therapist licensure. The Committee reviewed Ms. Cherukuri's credentials evaluation provided by FCCPT. The evaluation showed deficiencies in several areas. Ms. Cherukuri was licensed in Michigan and had practiced there since 2006. She was enrolled in or had taken several college courses to remedy the deficiencies in her credentials evaluation. Ms. Craven moved to table the application to allow time for her to finish her college courses, and allow staff time to contact the FCCPT to clarify the deficiencies in the evaluation. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

STEPHANIE ANN CLAWSON appeared in support of her application to retake the Physical Therapist licensing exam. After review, Ms. Craven moved to recommend approval to sit for the exam pending satisfactory completion of the study plan. She further moved to recommend approval for licensure pending passing the exam. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

MELODE FORREST appeared in support of her application to retake the Physical Therapist Assistant licensing examination. After review, Ms. Davis moved to recommend approval to retake the exam pending satisfactory completion of the study

plan. She further moved to recommend approval for licensure pending passing the exam. Ms. Craven seconded the motion and the vote was unanimous in the affirmative.

CLAYTON WARREN appeared in support of his application for reinstatement of Physical Therapist licensure. Mr. Warren's license expired January 2010. He presented 80 hours of continuing education and discussed his reasons for returning to practice. Ms. Freudiger moved to recommend approval of the application for reinstatement pending satisfactory completion of one month supervised practice. She further moved to require an additional 40 hours of continuing education by December 31, 2011. Ms. Craven seconded the motion and the vote was unanimous in the affirmative.

The application of **EDWIN DETWEILER** for Physical Therapist Assistant licensure was reviewed. Staff reported Mr. Detweiler had been sent a letter to appear but may not have had time to receive the letter. Mr. Detweiler had been practicing as an Athletic Trainer but had not practiced as a PTA since 2004. Ms. Davis moved to table the application until Mr. Detweiler could appear. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

SARA COCHRAN appeared in support of her application to retake the PTA licensing examination. Ms. Cochran's study plan was reviewed. Ms. Craven moved to recommend approval to sit for the exam. She further moved to recommend approval for licensure pending passing the exam. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

The next item on the agenda was review of a position statement on PTAs performing sharp debridement. The position statement had been adopted by the Board at the PT Committee's request at the November 2010 meeting. The issue was placed on agenda because of feedback to the Oklahoma Physical Therapy Association from PTAs and PTs in the state. Peggy Newman, PT appeared to address the issue on behalf of the OPTA executive board. First, she advised there are various definitions of what sharp debridement and selective sharp debridement. Her concern was that there was no definition included with the position statement. She presented a proposal with alternative language that included the definition of Sharp Debridement, Serial Instrumental Debridement" and Selective Sharp Debridement. Ms. Freudiger moved to recommend that the Board adopt the proposed revised position statement. Ms. Craven seconded the motion. The Committee discussed whether the position statement should be reviewed further prior to submitting to the Board. Debbie Simmons, PTA offered comments on the current practices in rural settings. She stated she has seen PTAs do sharp debridement very effectively and was concerned that access to patients who need

care may be limited by the position statement. Ms. Freudiger said Committee members and staff were getting frequent calls asking if PTAs could perform sharp debridement so guidance was needed. The intent would be to provide support and clarification to colleagues. After further discussion, Ms. Craven moved to table the recommendation until the next meeting to allow time for comment from the physical therapy community. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative. (See attachment #1)

The Committee discussed dry needling. A letter and position paper from the council of Colleges of Acupuncture and Oriental Medicine (CCAOM) on dry needling was reviewed. Their position was that dry needling is an acupuncture technique and that therapy beyond needling of trigger points is the actual practice of acupuncture. The Federation of State Boards of Physical Therapy had posted a resource paper on dry needling on their web site, which includes information on additional training. The Committee agreed that trigger point dry needling is part of PT practice in many states but anything beyond would be acupuncture. The item was on the agenda for information only. No further action was required.

Proposed emergency rules on referrals for Physical Therapy OAC **435:20-5-10. Referrals** were discussed. The OPTA had requested the rule. Ms. Newman said the Association was pursuing the rule change in an attempt to help with patient access, especially in rural areas, to cover those times when a prescription may expire before completion of treatment. If there is a wait in the time when a patient gets a referral and the initiation of therapy (i.e., 30 days), there can be a delay especially if the patient has to return to a specialist. This is an attempt to remedy that problem. The proposed rule requires three conditions to be met in order for care to continue.

- (1) the diagnosis or symptom listed on the referral must be the same as the reason for the extension or reinstatement of the physical therapy treatment;
- (2) the referring health care professional must be notified of the extension or reinstatement of the treatment within five business days of the date of the extension or reinstatement of the physical therapy treatment; and
- (3) the patient involved has made or is making sufficient improvement in symptoms or function to warrant the extension or reinstatement of the physical therapy treatment without first being seen or re-evaluated by the referring health care professional.

Staff advised that the deadline for filing permanent rules for adoption at the March Medical Board meeting had expired. This meant that the rule could not be permanently adopted this legislative session. In order to have the rule become effective this year, the rule would have to be adopted on an emergency basis. Ms. David moved to recommend the Board adopt the rule on an emergency basis in order to insure patients are not

harmful by a delay in receiving treatment. Ms. Craven seconded the motion and the vote was unanimous in the affirmative.

Applications for examination, licensure and reactivation of licensure were reviewed. Ms. Freudiger moved to recommend approval of the following applications for licensure as Physical Therapists. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

BROOKE ALLISON BERG
EDWARD RODNEY FLAMAND
HARVITZ

KRISTEN BREANNE DAMERY
DAVID CHRISTOPHER

Ms. Davis moved to recommend approval of the following applications for licensure as Physical Therapists pending satisfactory completion of the files. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

JENNIFER C. BEBO
SARAH RATHBONE CORBIN

ZACHARY ROBERT CONSTANCE
JANELL MARIE HAYS

Ms. Freudiger moved to recommend approval of the following applications to sit for the Physical Therapist licensing exam pending satisfactory completion of the files. She further moved to recommend approval for licensure pending passing the exam. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

ALLISON DARLENE ARMSTRONG
BEATRIZ HERNANDEZ

DONALD COLE COOPER
WESLEY O'BRIAN PACK

Ms. Craven moved to recommend approval of the following applications for reinstatement of Physical Therapist licensure pending satisfactory completion of their files. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

REBECCA ANN BRADFORD
STEPHANIE ANN FOSTER

PAMELA STUTTS
TONIA SHERELL MATHIS

Ms. Davis moved to recommend approval of the following application for Physical Therapist Assistant licensure. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

MARSHA ANN CHEATER
JAMES JOSEPH LAVIN

EMERALD MEGAN HOLLIDAY
JULIE MARI TULLIS

Ms. Freudiger moved to recommend approval of the following application for Physical Therapist Assistant licensure pending satisfactory completion of the files. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

ANITRA ANNE KENNEY

ROSALBA LUZBEL ZAMBRANO

Ms. Craven moved to recommend approval of the application of **ANTHONY WILLIAM BENTON** to sit for the Physical Therapist Assistant licensure exam pending satisfactory completion of the file. She further moved to recommend approval for licensure pending passing the exam. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

Ms. Davis moved to recommend approval of the application of **KRISTY LYNN RANDALL** for reinstatement of Physical Therapist Assistant licensure. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

Ms. Staley presented the most recent changes to the proposed updates to the Physical Therapy Practice Act. The changes had been made by the Oklahoma Physical Therapy Association. She reported that the association had sought Representative Roberts and Senator Jolley as authors. The item was on the agenda for information and no action was required. (See attachment #2)

A letter from Sterling Barnett, OT of RehabSource was reviewed. Mr. Barnett asked if the supervision in school settings required by the PTA supervision rules was based on calendar days or school days. The Committee directed staff to inform Mr. Barnett that the supervision requirements are based on calendar days.

Requests for approval of continuing education courses were reviewed. Ms. Freudiger moved to approve the courses as noted and as recommended by the continuing education subcommittee. Ms. Craven seconded the motion and the vote was unanimous in the affirmative. (See attachment #3)

A request was considered from OU Medical Center for approval of continuing education credit for in-services presented by students. If the clinical instructor is part of the presentation, their name could be included and credit granted. But if the student presents an in-service as part of their education, then it cannot be approved because they are not licensed, not qualified beyond the basic level of instruction as required by the rules.

Two requests to earn all continuing education hours from Category B were considered. After review, Ms. Craven moved to deny the requests from Kelli Cannon, PT and Katy Atwood PT and require that they meet current standards. Ms. Davis seconded the motion and the vote was unanimous in the affirmative.

Justin Stuever, PT submitted a request to supervise an additional PTA. Ms. Staley moved to table the request and ask for additional information. Ms. Freudiger seconded the motion and the vote was unanimous in the affirmative.

A request from International Consultants of Delaware to provide education evaluation services for Oklahoma was considered. The Committee directed staff to advise ICD that they are happy with the current services and not looking to expand at this time.

License renewal comments were reviewed. Staff advised that for the next time the jurisprudence exam is offered, licensees will be able to get feedback on missed questions.

The Computer Based Testing Comment Summary and Candidate Satisfaction Survey Report from the Federation of State Boards of Physical Therapy was reviewed. The report was informational only. No action was required.

Staff reported that **BONNIE RAE SMITH, PT** had been unable to pass the jurisprudence exam. Staff was directed to send her the exam in writing along with a copy of the laws and rules and advise her that if she cannot pass, she will be required to meet with Board Secretary and a committee representative. If she cannot pass at that time, no license renewal could be granted and she would be required to meet with the Committee.

There being no further business, Ms. Freudiger moved to adjourn the meeting. Ms. Craven seconded the motion and the vote was unanimous in the affirmative.