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Time Flies for Continuing Education

By Kelley Finley, PT

Check your calendars and count your hours because the next audit process will occur November 1, 2003. If you are randomly chosen to participate in the process you will have 30 days to submit documentation of continuing education hours to the Board of Medical Licensure and Supervision.

If you do not have enough of pre-approved CEUs for this compliance period, you will not be allowed to renew the license until the deficient hours are obtained. You will also be required to obtain double the continuing education hours in addition to making up the deficit hours during the next compliance period. Failure to do so will result in disciplinary action.

Under the new changes, you will not be able to practice and/or bill for services until your meet your CEU requirements.

Think twice before you allow your license to lapse because you do not have enough CEUs. Under the new changes, you will not be able to practice and/or bill for services until your meet your CEU requirements. Your license will become effective when your delinquent hours are completed. If you allow your license to lapse more than 3 months, you will be required to file a new application and meet all of the requirements of the OAC 435:20-3-6. Billing for services without a license is fraud.

Beginning with the next compliance period of 2004-2005, the required number of hours for a Physical Therapist is 40 and for a Physical Therapist Assistant is 30. Continuing education hours received in one compliance period can not be carried over to the next compliance period.

Check the Oklahoma of State Boards of Medical Licensure and Supervision web page for listing of approved courses at www.okmedicalboard.org. You can also download the form to request approval of course work for both A (synchronous and asynchronous instruction) and B categories of CEUs.

Understanding the role of a PTA

by Craig Gavras, Executive Director
Limbs for Life Foundation

As the lay member on the Physical Therapy Advisory Committee, I thought I knew the parameters that a PT and a PTA worked under.

I was under the impression that a PTA was only able to work under the direct supervision of a PT. Their role and responsibilities were to guide the patient through their rehab process only after the PT had completed the initial evaluation and established a treatment plan. I was also under the impression that a patient would see the PT at some point during an appointment or at least once a week.

Let me give some background on myself, I went through over 10 surgeries to repair my knee during college and also numerous surgeries after a traumatic accident that resulted in an above knee amputation. I state this only to show that I have had literally years of physical therapy.

Having had such hands on experience with the profession, imagine my shock when I started to hear about patients that only see a PT once every 30 days, and up to 120 days in some settings.

I question what percent of the public fully understand the role of the PTA and the guidelines they must adhere to. I fear that the public's best interest is compromised by the **Form #5 - Verification of Supervision** and its enforcement.

I for one feel that the profession of Physical Therapy in the state of Oklahoma is a credit to our state. Having read the Oklahoma Physical Therapy Practice Act, I would like to see more disciplinary options for those not following the Act. My concern is for the quality of care for the patient and the integrity of the profession.

I hope you understand I hold both PT's and PTAs in very high regard and respect the time, effort and dedication to their patients they process.

FSBPT Meeting

by Kelley Finley, PT

I am grateful to have had the opportunity to represent Oklahoma as Delegate at the Educational Meeting for the Federation of State Boards of Physical Therapy that was held in Salt Lake City, Utah in March. The Federation offered several workshops to attendees including **Protecting the title of Physical Therapist, Physical Therapist Assistant and Physical Therapy within our Practice Act**.

Another topic was **Delegation and Supervision of PTAs and Aides**. There was enough discussion regarding delegation/supervision to warrant additional offering of workshops and round table discussions at the next Federation meeting in October.

The Federation gave an all day workshop on writing rules and regulations using the Model Practice Act as a comparison. Attendees brought their practice act and worked long and hard comparing the language of their state's practice act to other states as well as to the Model Practice Act.

In the wake of the Internet cheating event this past year, a keynote speaker discussed **Restoring a Culture of Honor: Cheating**. This speaker reviewed research that studied cheating in our high schools as well as among America's college campuses.

A crash course in creative leadership was offered focusing on increasing creative leadership skills in the workplace offering ways to improve teamwork, communication, and retention of employees.

Round table discussions were held by state delegates and representatives discussing how each state board handles disciplinary guidelines, and repeat-failing NPTE candidates, continuing education mandates, and revision of the Federation of State Boards of Physical Therapy Mission Statement.

The Annual meeting in Kansas City, MO should offer another intensive meeting that assists our Advisory Committee in the protection of the public. Look for more information about the Federation of State Boards of Physical Therapy at their website www.fsbpt.org.

Bill Passes Legislature

A bill passed by the House and Senate and awaiting the Governor's signature will allow limited direct access by PTs in the state. The bill added language to § 887.17 permitting treatment "without a physician referral to children who receive physical therapy services pursuant to the Individuals with Disabilities Education Act, Amendment of 1997 (P.L. 105-17) and the Rehabilitation Act of 1973, Section 504." If signed by the Governor, the law will become effective **November 1, 2003**.

When accepting Referrals from Physician Assistants...

By Kelley Finley, PT

Something little can be big. When the definition of Physical Therapy was broadened to accept referrals from physician assistant it was interpreted to mean that physical therapy could be prescribed by a Physician Assistant without the co-signature of the supervising physician. Many of us for reimbursement reasons continue to require the co-signature of the physician upon the referral. The PT practice act was amended in two places in O.S. 59 § 887.2 Definitions.

First, it was added to include diagnosis by a Physician Assistant:

“Physical Therapy” means the selected knowledge and skills in planning, organizing, and directing programs for the care of individuals whose ability to function is impaired or threatened by disease or injury, encompassing preventive measures, screening, *tests in aid of diagnosis* by a licensed doctor of medicine, osteopathy, chiropractic, dentistry or podiatry, or a *physician assistant*, and evaluation and invasive or non invasive procedures ... as it relates to the field of physical therapy.

Secondly, physician assistant was added to list of referral sources”

“Physical Therapy also includes physical therapy treatment performed upon referral by a licensed doctor of medicine, osteopathy, dentistry, chiropractic, or podiatric, or a physician assistant...”

However, within the practice act section **887.17 Referrals by physicians and surgeons – Agents- Exception** the following is stated:

“Any person licensed under this act as a physical therapist or physical therapist assistant shall treat human ailments by physical therapy only under the referral of a person licensed as a physician or surgeon with unlimited license and Doctors of Dentistry, Chiropractic and Podiatry, with those referrals being limited to their respective areas of training and practice... Any person violating the provisions of this act shall be guilty of a misdemeanor as per Section 887.16 of this title.”

As stated, referrals from a Physician Assistant require a co-signature of a licensed physician or surgeon. The Oklahoma Physical Therapy Advisory Committee is working with the Board of Medical Licensure and Supervision to advise amendments to Section 887.17 to add physician’s assistant to the list of referral sources.

What to do in the mean time? It is recommended that all referrals given by a Physician Assistant for Physical Therapy intervention continue to require a co-signature of the supervising physician or surgeon.

Get online!

by Randy Titony, PTA

If you have not taken the time to visit the Oklahoma Board of Medical Licensure and Supervision’s website www.okmedicalboard.org, it has undergone some exciting changes that are not only informative but also simple to use. The Board’s website is THE place to obtain information regarding PT’s and PTAs, licensed in Oklahoma. Some of the information that you will find on the site is:

- Names of licensees with address and license number.
- Date of original license and expiration date.
- Any disciplinary information.
- Approved continuing education courses.
- The PT practice act.
- The agendas and minutes from past PT advisory committee meetings.

Along with the above information, you can download the PT Advisor newsletter, or forms such as the Form 1 for verification of education or the Form 5, the PTA supervision form. Complaint forms are also available online but are not currently available to submit online. In the future, changes will allow for all allied health professions to utilize online transactions for complaints, license renewals and address changes. If you need information regarding licensed clinicians in Oklahoma, get online!

New Unprofessional Conduct Rules

Adopted effective May 21, 2003

435:20-5-8. Unprofessional conduct – Grounds for disciplinary action

(a) The Physical Therapy Advisory Committee may recommend to the Board to revoke or take other disciplinary action against a licensee or deny a license to an applicant for unprofessional conduct.

(b) Acts that constitute unprofessional conduct include, but are not limited to:

- (1) Procuring aiding or abetting a criminal operation.
- (2) Habitual intemperance or the habitual use of habit-forming drugs.
- (3) Conviction of a felony or of any offense involving moral turpitude.
- (4) Conviction or confession of a crime involving violation of the laws of this state.
- (5) Dishonorable or immoral conduct that is likely to deceive, defraud, or harm the public.
- (6) Aiding or abetting, directly or indirectly, the practice of physical therapy by any person not duly authorized under the laws of this state.
- (7) Engaging in physical conduct with a patient that is sexual in nature, or in any verbal behavior that is seductive or sexually demeaning to a patient.
- (8) Participation in fraud, abuse and/or violation of state or federal laws.
- (9) Any conduct which potentially or actually jeopardizes a patient's life, health or safety.
- (10) Verbally or physically abusing patients.
- (11) Discriminating in the rendering of patient care.
- (12) Negligence while in practice of physical therapy or violating the "Standards of Ethics and Professional Conduct" adopted by the Board.
- (13) Habitual intemperance or addicted use of any drug, chemical or substance that could result in behavior that interferes with the practice of physical therapy and the responsibilities of the licensee.
- (14) Unauthorized possession or use of illegal or controlled substances or pharmacological agents without lawful authority or prescription by an authorized and licensed independent practitioner of the State of Oklahoma.
- (15) Fraudulent billing practices and/or violation of Medicare and Medicaid laws or abusive billing practices.
- (16) Improper management of medical records, inaccurate recording, falsifying or altering of patient records.
- (17) Falsely manipulating patient's records or forging a prescription for medication/drugs, or presenting a forged prescription.
- (18) Aiding, abetting or assisting any other person to violate or circumvent any law, rule or regulation intended to guide the conduct of a physical therapist or physical therapist assistant.

(19) Being judged mentally incompetent by a court of competent jurisdiction.

(20) Failing to timely make application for license renewal.

(21) Falsifying documents submitted to the Physical Therapy Committee or the Oklahoma State Board of Medical Licensure and Supervision.

(22) Obtaining or attempting to obtain a license, certificate or documents of any form as a physical therapist or physical therapist assistant by fraud or deception.

(23) Cheating on or attempting to subvert the national physical therapy examination or skills assessment tests.

(24) Leaving a patient care assignment without properly advising the appropriate personnel.

(25) Violating the confidentiality of information or knowledge concerning a patient.

(26) Conviction of, or confession of or plea of no contest to a felony or misdemeanor.

(27) While engaged in the care of a patient, engaging in conduct with a patient, patient family member, or significant other that is seductive or sexually demeaning/exploitive in nature.

(28) Failure to report through proper channels the unsafe, unethical or illegal practice of any person who is providing care.

(29) Failure to furnish to the Board, its investigators or representatives, information lawfully requested by the Board.

(30) Failure to cooperate with a lawful investigation conducted by the Board.

(31) Violation of any provision(s) of the Physical Therapy Practice Act or the rules and regulations of the board or of an action, stipulation, agreement or order of the Board.

(32) Failure to report to the Board any adverse action taken against him or her by another licensing jurisdiction (United States or foreign), by any governmental agency, by any law enforcement agency, or by an court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section.

(c) A physical therapist or physical therapist assistant who knowingly allows or participates with individual(s) who are in violation of the above will be prohibited from supervising other physical therapy practitioners for so long as the Board deems appropriate, and may themselves be subject to disciplinary action pursuant to their conduct.

435:20-5-9. Standards of Ethics and Professional Conduct

(a) The purpose of the rules in this section on the profession of physical therapy shall be to establish the standards of professional conduct and code of ethics required of a licensee.

(b) In the conduct of their professional activities, the physical therapist and physical therapist assistant shall be bound by the following ethical and professional principles. Physical therapists and physical therapist assistants shall:

Continued on back page

Expired Licenses

The following individuals did not renew their Oklahoma licenses and are not legally able to practice in the state of Oklahoma:

Physical Therapists

Martha E Ambrose PT709
 Angela Hope Arthaud PT2083
 Oliver Kennett Ball PT6
 Shannon Beach PT2639
 Cynthia Sue Beltrano PT1713
 Gina Maria Berghoff PT2115
 Rona Stevens Blum PT1189
 Annette Singzon Buendia PT3143
 Elesha Marie Carlo PT2704
 Rodney Paul Carmichael PT2431
 Steven Bryce Chesbro PT1829
 Susan Marie Ciochetti PT1298
 Doris Jean Clement PT2142
 Geraldean Louise Collins PT1694
 Barbara A Crabb PT1711
 Donald Glen Crismond PT909
 Dana Ann Daniels PT2144
 Mary Dustrin Dean PT728
 Diane M. Dominguez PT173
 Barbara Meitner Emert PT2717
 Andrea Denise Fisher PT2636
 John Carltron Galloway PT3468
 Lisa Lynn Gay PT1124
 John Robert Gilmore PT3490
 Marshall Conrad Gudgel PT2724
 Jon Derek Guffy PT2923
 Virginia Rose Gurney PT722
 Sandra Patricia Hernandez PT2315
 Lisa Chi-Yu Hu PT3044
 LaDonna Roshell James PT2865
 Debra Elaine Johnson PT1720
 Giovanni Keisha Johnson PT2832
 Patricia Leigh Keithley PT3586
 Karen Lynn Lares PT845
 Dana Lynn Laughlin PT896
 David Clyde Lower PT3481
 Anna Irene Luhmann PT2473
 Susan Camille Mack PT896
 William Bruce Mannewitz, II PT3546
 Cathy Sue Marchino PT1494
 Jami Linette Mason PT3148
 Chad Derek Matone PT3514
 Carol Ann McBride PT3465
 Letitia Annette McMaster PT1375
 Rhonda Lea Millet PT2960
 Marilyn Kaye Murrell PT1405
 Heather Hale Pitts PT3491
 Kimberly A Skoumal Pointer PT3512

Nancy Elizabeth Putman PT237
 Celino Cinco Renales PT2312
 John Raymond Reneau PT2584
 Kevin Merritt Robbins PT2217
 Carolyn Kaye Rozier PT132
 Rebecca Joy Rude PT3516
 Betty Jean Sanders PT20
 M'Lisa Lynn Sheldon PT1130
 Brian D. Shelsta PT3511
 Rachel Lynn Sinclair PT2654
 Kerry Firman Smith PT3545
 Cara Elizabeth Speer PT2418
 Kathryn Louise Sprouse PT2872
 Rebecca Leigh Steves PT3009
 Guy Lon Terry PT2736
 Lance Simpson Walker PT2795
 Vannah S. Walker PT2246
 Kimberly Susan Walter PT2069
 Alicia Dale Widner PT2965
 Theresa Marie Williams PT2892

Physical Therapist Assistants

Audie Nora Brown TA335
 Barbara Jean Daniels TA849
 Terry Ann Deveney TA211
 Holly Christine French TA1108
 Jason Michael Fuser TA642
 Keitha Renay Garmon TA1129
 Kristi Noelle Giesecke TA1211
 Matthew Norman Grant TA723
 Lynette Helm TA516
 Pamala Sue Henshaw TA354
 Ingrid Anna Hutton TA225
 Joana Sharon Jimenez TA1183
 Gina Nicole Kelley TA815
 Kimberly Charlene Lanoue TA372
 Linda Hernandez Lougee TA929
 Michael Timothy McCarthy TA748
 Lanita Nicole Meadows TA1171
 Jeffery Allen Patton TA682
 Maegan Elizabeth Phillips TA674
 Angela Suetta Platner TA948
 Laura Jeanne Rollins TA893
 Jill Anderson Sawyer TA222
 Amy Lynn Schoenthaler TA1195
 Penney Swift Weaver TA46
 Lori Ann Welch TA601
 Sarah Ruth Wieneke TA1121

Disciplinary Actions April 1, 2002 through March 31, 2003

Wendy Mechelle Cobb, PTA 588 –
 Licensed revoked for fraudulent
 billing

Marc G. Bryant, PT 2233 –
 Licensed revoked for guilty plea to a
 felony - lewd molestation of a minor

David Odell Strickland, PT 2979 -
 Suspended 30 days followed by 5
 years probation for failure to use
 chaperone while treating female
 patients as required by an Agreement
 for Licensure, failure to provide a
 copy of the Agreement to employers
 as required, and for submitting false
 and fraudulent time sheets and
 billing records.

Candace Cai Eischen, PTA 476 –
 Suspended for a minimum of 90
 days followed by a one year proba-
 tion for billing for services not
 performed.

Charles Wilkie, PTA 589 – Cited
 for violation of probation. Case
 pending.

Statistics April 1, 2002 through March 31, 2003

Complaints Received - 7

Cased Opened - 4

Not Opened (complaint not within
 jurisdiction of the Board) - 2

Pending Review - 1

Closed with no action - 8

Letters of Concern Issued - 4

Cited - 4

Revoked - 2

Placed on Probation - 3

Continued from page 4

(1) Respect the rights and dignity of all individuals and shall provide compassionate care.

(2) Demonstrate behavior that reflects integrity, supports objectivity, and fosters trust in the profession and its professionals.

(3) Comply with state and/or federal laws that govern and relate to physical therapy practice.

(4) Exercise sound professional judgment and perform only those procedures or functions in which they are individually competent and that are within the scope of accepted and responsible practice. A physical therapist shall not delegate to a less qualified person any activity that requires the unique skill, knowledge, and judgment of the physical therapist. A physical therapist assistant shall provide selected physical therapy interventions only under the supervision and direction of the evaluating physical therapist. A physical therapist assistant shall make judgments that are commensurate with their education and legal qualifications as a physical therapist assistant.

(5) Actively maintain and continually improve their professional competence and represent it accurately.

(6) Maintain high standards by following sound scientific procedures and ethical principles in research and the practice of physical therapy.

(7) Seek reasonable remuneration for physical therapy practice.

(8) Provide and make available accurate and relevant information to patients about their care and maintain patient confidentiality.

(9) May provide information to the public about societal benefits of physical therapy services. A physical therapist may advertise his/her services to the public.

(10) Refuse to participate in illegal or unethical acts, and shall refuse to conceal illegal, unethical or incompetent acts of others.

(11) Endeavor to address the health needs of society through pro bono services and/or community health services.

(12) Respect the rights, knowledge and skills of colleagues and other healthcare professionals.

For a complete copy of the Physical Therapy Practice Act and rules, go to the Board's web site: www.okmedicalboard.org

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