



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Athletic Trainers Section
November 4, 2015
9:00 a.m.

Members Present

Jason Dapore, DO
Brian Hartz, AT, PhD, Secretary
Aaron Galpert, AT
Kimberly Peer, AT, Chair
Susan Stevens, AT, EdD (arrived @ 9:07am)

Legal Counsel

Melissa Wilburn, AAG

Staff

Diane Moore, Interim Executive Director
Lisa Ratinaud, Enforcement Division Supervisor
Shannon Gorey, Investigator
Jennifer Adams, Investigator Assistant

Call to Order

Kimberly Peer, Chair, called the meeting to order at 9:01 a.m.

Approval of Minutes

Action: Brian Hartz moved that the minutes from the September 10, 2015, meeting be approved as submitted. Aaron Galpert seconded the motion. The motion carried.

Executive Director's Report

- The Interim Executive Director reported to the Section on the Board positions filled and remaining vacant positions.
- The Interim Executive Director gave the Section an update on Release 2 of the new eLicense Project. User acceptance testing will be conducted next week. The Enforcement staff will participate in the testing.
- The Interim Executive Director informed the Section that the Governor's office appointed a Paul McGhee to the Physical Therapy Section.

The formal Executive Directors report is attached to the minutes for reference.

Discussion of Law and Rule Changes

The Interim Executive Director informed the Section that the concussion rules will be filed after all rules training have been completed.

Administrative Reports

Licensure Applications

Action: Brian Hartz moved that the Athletic Trainers Section ratify, as submitted, the athletic training licenses issued by examination, endorsement, and reinstatement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from September 10, 2015, through November 4, 2015, taking into account those licenses subject to discipline, surrender, or non-renewal. Aaron Galpert seconded the motion. The motion carried.

Examination Applicants

Brown, Katlyn
Emerick, Carissa
Hobson, Joshua
Martin, Mandi
Saunders, Elizabeth
Teague, McKenna

Chambers, Aziza
Fritz, Rachel
Hudson, Andrew
North, Jocelin
Schnippel, Erin
Thomas, Jordan

Eckinger, Karissa
Glenn, Shawn
Lipscomb, Kyle
Richason, Megan
Spoerndle, Jonah
Vasich, Kathryn

Vogel, Alexander

Endorsement Applicants

Battle, Laura
Harshbarger, Nicole

Bourdon, Thomas
Sierzega, Joseph

Cox, Simon
Von Zychlin, Kirsten

Reinstatement Applicants

Kent, Christopher

Lestock, Brenda

Continuing Education Approval

Kimberly Peer recommended that the Section approve 5 applications for continuing education approval. **Action:** Brian Hertz moved that the Section approve 5 applications for continuing education approval. Susan Stevens seconded the motion. Kimberly Peer abstained from voting. The motion carried.

The Section received a question regarding evidenced based practice (EBP) for athletic training continuing education. The Section will use the Board of Certification (BOC) guideline for approving evidence based activities when determining if a course meets the requirements. The Section determined that the EBP course submitted does not meet the BOC requirements for evidenced based practice.

Kimberly Peer will work on language for EBP responses and will clarify the EBP requirements for athletic training. The Section will review this draft language at the January 2016 AT Section meeting.

Event Approval

There were zero event approval requests reviewed since the September 10, 2015 meeting.

Assistant Attorney General Report

Melissa Wilburn, AAG gave a brief report to the Section regarding the antitrust issues related to licensing and regulatory actions.

Case Review Liaison Report

Brian Hertz reported that the Enforcement Division opened two new cases and closed one case since September 10, 2015 meeting. There are two cases currently open. There are no active consent agreements.

Enforcement Actions

None

Old Business

AT Disciplinary Guidelines

Kimberly Peer will continue to review the athletic training disciplinary guidelines for potential changes as discussed at the previous Section retreat.

Rules Renumbering Project

The Section will review Sections 4755.60 to-62 of the Ohio Revised Code and related rules at the January 2016 Section meeting. Brian Hertz will contact the OATA Legislative Committee for input on rules.

New Business

Continuing Education Ethics Requirement

The Section discussed methods for completing the ethics requirement such as completing a course in cultural competence and evidence based practice. The Section also discussed creating an online continuing education ethics course.

The Section discussed requiring that all ethics education be prior approved by the Section. The Section also discussed removing the jurisprudence examination and Board sponsored presentations as methods completing the ethics requirement for continuing education. The Section will hold off on adding a cultural competence for ethics requirement at this time.

The Section will draft an article for the Ohio Athletic Trainer's Association newsletter to inform athletic trainers on meeting the ethics requirements for continuing education credit.

Correspondence

1. **Cameron Thompson, AT:** Ms. Thompson asked the Section if athletic trainers are required to have a pupil activity permit when working in a school setting. **Reply:** The Section recommends that you contact the Ohio Department of Education at (877) 644-6338 or by email at contact.center@education.ohio.gov to address your questions regarding pupil activity permits.
2. **Keith Tebbe, AT:** Mr. Tebbe asked the section questions regarding the usage and storage of epi- pens use in a school based setting. **Reply:** According to section 4729.51 of the Ohio Revised Code, which went into effect in April 2014, public and nonpublic K-12 schools may legally obtain and use epi-pens in emergency situations with a prescriber issued protocol. Please reference the guidance document from the Ohio State Board of Pharmacy, which can be found at the following link, to guide your policy development related to obtaining, storing, and using an epi-pen in an emergency situation. <http://pharmacy.ohio.gov/Documents/Pubs/Special/DangerousDrugs/Procurement%20of%20Epinephrine%20Autoinjectors%20by%20Schools%20and%20Camps.pdf>

Joint Correspondence

JB1. Heather Jennings PT, DPT: Dr. Jennings asked the Athletic Trainers and Physical Therapy Sections questions regarding athletic trainers working in a physical therapy clinic. **Reply:** Rule 4755-27-01 (C) of the Ohio Administrative Code defines "other licensed personnel" as "any person holding an Ohio license to practice as a health care practitioner in a profession other than physical therapy . . . who is working under the direct supervision of a physical therapist or physical therapist assistant, as delegated by the physical therapist, and is performing tasks and duties related to the delivery of physical therapy." When acting under the direction of a physical therapist, licensed athletic trainers are considered other licensed personnel. In accordance with rule 4755-27-04 of the Ohio Administrative Code, the supervising physical therapist or physical therapist assistant is accountable and responsible at all times for the direction of the actions of the persons supervised, including other licensed personnel. A physical therapist assistant can provide direct supervision of other licensed personnel even if the physical therapist is not on-site but is available by telecommunication at all times and able to respond appropriately to the needs of the patient. However, only a physical therapist can determine that a patient may be delegated to other licensed personnel. Other licensed personnel cannot be assigned their own physical therapy caseload without the supervising physical therapist or physical therapist assistant having direct contact with each patient during each visit. It is the responsibility of the physical therapist to determine and document the extent of contact necessary to assure safe patient care. Pursuant to rule 4755-27-03 (F) of the Ohio Administrative Code, "Delegation of tasks related to the operation and delivery of physical therapy to other licensed personnel must be done in accordance with the scope of practice of the other licensed personnel's professional license, education and training, the level of competence as determined by the supervising physical therapist, and in consideration of the patient's overall needs and medical status." The patient contact by the delegating physical therapist or supervising physical therapist assistant may be to provide portions of treatment or to assess the patient's progress within the existing plan of care. When needed, only the physical therapist may make adjustments to the plan of care. Please refer to Medicare rules or other payer policies about reimbursement for treatment by other licensed personnel since some insurers do not cover services other than those provided by a physical therapist or physical therapist assistant. You may also get information from the Reimbursement Department or Ohio chapter of the APTA. It is the position of the Physical Therapy Section that when a patient presents with a prescription or referral for both physical therapy and athletic training, each professional shall complete their own evaluation. In addition, each professional should make every reasonable attempt to consult with the other and thereby coordinate the treatment program for the benefit of the patient. In accordance with rule 4755-27-03 (D) of the Ohio Administrative Code, a physical therapist may choose to refer a patient to another discipline, including physicians, for services. This referral shall be documented by the physical therapist in the medical record to clearly demonstrate a referral for that service. Such referral will not be a delegation of tasks or duties of physical therapy. For example, if a patient is referred for evaluation and treatment and an athletic trainer performs the initial evaluation, the patient is under athletic training care and guidelines. If the patient is initially seen by a physical therapist, the patient would be a physical therapy patient and fall under their guidelines. The prescription by the referring medical practitioners must state that the referral is for athletic training. The physical therapist may also

refer the patient to the care of the athletic trainer for athletic training services. However, the physical therapist may still continue with the patient under a separate physical therapy plan of care. If the patient is receiving services pursuant to an athletic training referral, the athletic training functions independently and does not need supervision or co-signature by the physical therapist and the services should be represented and billed as athletic training. On another topic, the Physical Therapy Section is working to educate physical therapists and physical therapist assistants in the correct credentials to use in professional signatures. Since PT or PTA is the regulatory designation allowing practice, rule 4755-27-07 of the Administrative Code requires that only those letters should immediately follow the person's name. Academic degrees may then follow the regulatory credential. For example, a nametag or signature might read Pat Doe, PT, MS, OCS.

Ohio Athletic Trainers Association (OATA)

There was no formal report for the Section.

Open Forum

None

Items for the Next Meeting

- Rules Renumbering Project
- Review Disciplinary Guidelines
- Public Rules Hearing
- Ethics Education
- Guidance on Evidence Based Practice

Next Meeting Date

The next regular meeting date of the Athletic Trainers Section is scheduled for Wednesday, January 6, 2016.

Adjournment

There being no further business and no objections. Kimberly Peer adjourned the meeting at 10:10 am.

Respectfully submitted,
Diane Moore

Kimberly Peer, AT, Chair
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board, Athletic Trainers Section

Brian Hartz, AT, PhD, Secretary
Ohio Occupational Therapy, Physical Therapy, and
Athletic Trainers Board, Athletic Trainers Section

Diane Moore, Interim Executive Director
Ohio Occupational Therapy, Physical Therapy, and
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BH:dm