



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

*Physical Therapy Section
January 13, 2011
10:00 a.m.*

Members Present

Raymond Bilecky
Thomas Caldwell
Sam Coppoletti, Secretary
Dale Deubler
Mary Kay Eastman
Karen Holtgreffe
James Lee
Marilyn Mount, Chair
Kimberly Payne

Legal Counsel

Yvonne Tertel, Assistant Attorney General

Staff Present

H. Jeffery Barker, Investigator
Diane Moore, Executive Assistant
Jeffrey Rosa, Executive Director
Andrew Snouffer, Investigator
Lisa Ratinaud, Enforcement Division Supervisor

Guests

Katie Rogers, OPTA
Carolyn Towner, OPTA
Zach Haughawout, JCARR
Megan Berry
Kristina Burley
J. Michelle Craig
Michael Cly
Scott Dean
Danielle Degnorin
Andrew Eaton
Loretta Federico
Cindy Garner
Jessica Grandy
Catherine Hamberg
Chad Holland
Andres Jells
Katherine Seitz
Matthew Sells
Becky Weichel

Call to Order

The meeting was called to order by the Section Chair, Marilyn Mount, at 10:02 a.m.

The Physical Therapy Section welcomed the physical therapy students from Ohio University.

Approval of Minutes

Action: Raymond Bilecky moved that the November 4, 2010 meeting minutes be approved as corrected. James Lee seconded the motion. The motion carried.

Executive Director's Report

- The Executive Director discussed the License Review Metrics addition to the formal Executive Director's report. The Executive Director compiled raw data to monitor the Board office operations and efficiencies as it relates the length of time it takes for the Board to review and process license applications.
- The Executive Director gave an overview of the OAKS Self-Service module and provided clarification on how to edit the personal data in OAKS.
- The Executive Director informed the Section that Jan Allen was appointed as the Board's public member.

The formal Executive Director's report is attached to the minutes for reference.

Action: Dale Deubler moved to go into executive session to discuss personnel matters. Mary Kay Eastman seconded the motion.

Jeffrey Rosa called the Roll:

Roll Call

Raymond Bilecky Yes
Thomas Caldwell Yes

Sam Coppoletti	Yes
Dale Deubler	Yes
Mary Kay Eastman	Yes
Karen Holtgreffe	Yes
James Lee	Yes
Marilyn Mount	Yes
Kimberly Payne	Yes

The section went into executive session at 10:32 am and came out at 10:53 am. There was no action taken.

Discussion of Law Changes

The Section discussed the provisions related to granting continuing education credit for mentors in the APTA credentialed residencies and fellowships.

Administrative Reports

Licensure Applications

Action: Dale Deubler moved that the Physical Therapy Section ratify, as submitted, the individuals approved by the Occupational Therapy, Physical Therapy, and Athletic Trainers Board to sit for the National Physical Therapy Examination for physical therapists and physical therapist assistants from November 4, 2010 through January 13, 2011, taking into account those individuals subject to discipline, surrender, or non-renewal. Ms. Deubler further moved that the following persons be licensed as physical therapists/physical therapist assistants pending passage of the National Physical Therapy Examination and Ohio laws and rules examination. Thomas Caldwell seconded the motion. The motion carried.

Physical Therapist – Examination

Bacon, Michelle	Barnes, Charnon	Booth, Joseph
Bryan, Michael	Chelbezan, Ioan	Cramer, Adam
Dzigiell, Michael	Fleck, Kyle	Heath, Lauren
Hippeler, Michele	Hrdlicka, Michelle	Hysell, Danielle
Kacsandi, Sarah	Keller, Shira	Kellicker, Michelle
Ladanyi, Andrea	Lee, Jennifer	Morales, Edwin
Newland, Mickie	Palani, Thendral	Palmer, Brandy
Papic, Nikolina	Platz, Kristin	Pollarine, Jennifer
Rush, Sarah	Shepherd, Duncan	Siejka, Stephen
Toppin, Veronica	Wininger, Gadi	Wulke, Jessica
Young, Kati		

Physical Therapist Assistant – Examination

Breitenbach Susan	Cornett Belt, Sonya	Davis, Patricia
DeBruine, Kendra	DeMain, John	Diehl, Whitney
Douglas, Martin	Entler, Jessica	Freckman, Erik
Gfell, Chelsea	Gonzalez, Judith	Greenlese, Joy
Hammond, Tessi	Holland, Brandon	Jeffries, Joy
Kaiser, Joshua	Kirby, Jessica	Kurilov, Anna
Landerman, Gregory	Meller, Aaron	Morrison, Kimberly
Nelson, Rachel	Peacock, Timothy	Reeves, Samantha
Schooley, Mahlon	Seeger, Monica	Spradlin, Brooks
Starr, Jenna	Streeter, Debra	Vaughn, Christopher
Walker, Lyndsae	Walker, Lyndsae	Watkins, Jessica
Watkins, Jessica	Winland, Danielle	

Action: Dale Deubler moved that the Physical Therapy Section ratify, as submitted, the physical therapist and physical therapist assistant licenses issued by endorsement and reinstatement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from November 4, 2010 through January 13, 2011, taking into account those licenses subject to discipline, surrender, or non-renewal. Thomas Caldwell seconded the motion. The motion carried.

Physical Therapist – Endorsement

Baker, Kathryn	Beck, Tracy	Cline, Lacey
Coffman, Aaron	Davies, Alissa	Falbo, Katelyn
Ferido, Ava Nathalie	Ferris, Nicolle	Hagener, Kirstin
Lorah, Scott	Luzenski, Kelly	Miller, Shari
Ortiz, Susan	Polkabla, Kevin	Romage, Joshua
Swanson, Verner	Wells, Sherri	White, Jocelyn

Physical Therapist Assistant – Endorsement

Mack-Gordon, Allison	Rippeto, Trisha	Swartz, Wendi
Wells, Amanda		

Physical Therapist Reinstatement

Kramer, Lindsey	Sciolto, Maureen
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Dale Deubler recommended that the Section allow the individual to withdraw the physical therapist endorsement application for file #4614756. **Action:** Mary Kay Eastman moved that the Section allow the individual to withdraw the physical therapist endorsement application for file #4614756. Sam Coppoletti seconded the motion. Dale Deubler abstained from voting. The motion carried. The physical therapist endorsement application for Kamal Ravibhushan Kukkalli has been withdrawn.

Testing Accommodations Requests

Dale Deubler recommended that the Section deny the testing accommodation for the Ohio Physical Therapy Jurisprudence Examination for physical therapist endorsement application file #5026985, as there is no documentation provided that the individual has a physical, learning, or mental disability. **Action:** Thomas Caldwell moved that the Section deny the testing accommodation for the Ohio Physical Therapy Jurisprudence Examination for physical therapist endorsement file #5026985 based on the documentation provided. James Lee seconded the motion. Dale Deubler abstained from voting. The motion carried. The Section denied the testing accommodation request for Ramon Camilo Reyes.

Request for Waiver of English Equivalency Examinations for Licensure

Physical Therapist Applicant for Licensure by Endorsement

Dale Deubler recommended that the Section grant a waiver of the TOEFL English requirement for the application file #5022543 based on the documentation provided. **Action:** Raymond Bilecky moved to grant a waiver of the TOEFL English requirement for the application file #5022543 based on the documentation provided. Mary Kay Eastman seconded the motion. Dale Deubler abstained from voting. The motion carried. The Section granted a waiver of the TOEFL English equivalency requirement for Ravin Shah.

Request for Waiver of Licensure Requirements

Dale Deubler recommended that the Section grant a waiver of verification of foreign licensure requirement for file #4969227 and require the applicant to retake the TOEFL Equivalency Examination based on the documentation presented. **Action:** Thomas Caldwell moved that the Section grant a waiver of verification of foreign licensure requirement and require the applicant to retake the TOEFL Equivalency Examination for file #4969227 based on the documentation provided. Kimberly Payne seconded the motion. Dale Deubler abstained from voting. The motion carried. The Section granted a waiver for Rex Alba.

Request for Waiver Continuing Education

Dale Deubler recommended that the Section deny the request for waiver of continuing education for file #4205529 based on the documentation presented. **Action:** Thomas Caldwell moved that the Section deny the request for a waiver of continuing education for file #4205529 based on the documentation provided. Mary Kay Eastman seconded the motion. Dale Deubler abstained from voting. The motion carried. The Section denied the continuing education waiver request for the continuing education for Gary Trusty, PTA.

Dale Deubler recommended that the Section deny the request for waiver of continuing education for file #4207361 based on the documentation presented. **Action:** Thomas Caldwell moved that the Section deny the request for a

waiver of continuing education for file #4207361 based on the documentation provided. James Lee seconded the motion. Dale Deubler abstained from voting. Kimberly Payne voted no. The motion carried. The Section denied the continuing education waiver request for Christopher Bendel, PTA.

Action: Thomas Caldwell moved that the Section grant a six-month extension to complete the continuing education renewal requirements for file #4207361 based on the documentation provided. Sam Coppoletti seconded the motion. Dale Deubler abstained from voting. The motion carried. The Section granted a six month extension to complete the continuing education renewal requirements for Christopher Bendel, PTA. Mr. Bendel is required to forward proof of completion of 12 hours of continuing education with Ohio Approval Numbers to the Board by July 30, 2011. The continuing education activities cannot be used towards any future renewal periods.

Dale Deubler recommended that the Section grant a waiver of continuing education for file #4205600 based on the documentation presented. **Action:** Thomas Caldwell moved that the Section grant a waiver of continuing education for file #4025600 based on the documentation provided. Kimberly Payne seconded the motion. Dale Deubler abstained from voting. The motion carried. The Section granted a waiver of the continuing education requirements for Beth Worley, PTA.

Assistant Attorney General's Report

Yvonne Tertel, AAG, briefly discussed the cases being reviewed at today's meeting.

Case Review Liaison Report

Thomas Caldwell reported that the Enforcement Division closed four and opened eight new cases since the November 4, 2010 meeting. There are seventeen cases currently open. There are twelve disciplinary consent agreements, two adjudication orders, and one non-disciplinary agreement being monitored.

Thomas Caldwell informed the Section that Ann Robillard complied with all terms and conditions and was released from her disciplinary consent agreement.

Thomas Caldwell recommended that the Section identify the top three third party payers that are involved in physical therapy reimbursement to establish a liaison relationship with the Section to help address payer issues that arise in physical therapy practice settings. The Executive Director will work with Mr. Caldwell in this process.

Thomas Caldwell informed the Section that there may be upcoming changes to the disciplinary guidelines in light of Governor Kasich's Executive Order 2011-01K.

Thomas Caldwell discussed rules related to the use of other licensed personnel in a physical therapy setting and whether a physical therapist should be disciplined for supervising other licensed personnel whose license is expired. For example, if an athletic trainer's license expires and the athletic trainer worked under a physical therapist plan of care as unlicensed personnel after the license expired, the Physical Therapy Section would take disciplinary action against the physical therapist for allowing the "unlicensed personnel" to function as "other licensed personnel," even though the individual did not currently hold a valid license.. The Physical Therapy Section will continue to hold physical therapy practitioners responsible for verifying the credentials of the individuals they supervise. The Section will draft rule language to clarify the physical therapist supervisory role and responsibility as it pertains to unlicensed and other licensed personnel. The Section will continue to discuss the potential disciplinary actions at the next Section retreat.

Enforcement Actions

Thomas Caldwell recommended that a notice of opportunity for a hearing be issued for case PT-FY11-015 for practicing physical therapy while impaired by alcohol. **Action:** Raymond Bilecky moved that a notice of opportunity for a hearing be issued for case PT-FY11-015 for practicing physical therapy while impaired by alcohol. Mary Kay Eastman seconded the motion. Thomas Caldwell and James Lee abstained from voting. The motion carried.

Thomas Caldwell recommended that a notice of opportunity for a hearing be issued for case PT-FY11-020 for a felony drug conviction. **Action:** Raymond Bilecky moved that a notice of opportunity for a hearing be issued for

case PT-FY11-020 for a felony drug conviction. Karen Holtgreffe seconded the motion. Thomas Caldwell and James Lee abstained from voting. The motion carried.

Thomas Caldwell recommended that a notice of opportunity for a hearing be issued for case PT-LD-11-001 proposing to deny the reinstatement application of the individual who is the subject of the above cited case for failure to provide adequate evidence of rehabilitation related to prior disciplinary actions. **Action:** Raymond Bilecky moved that a notice of opportunity for a hearing be issued for case PT-LD-11-001 proposing to deny the reinstatement application of the individual who is the subject of the above cited case for failure to provide adequate evidence of rehabilitation related to prior disciplinary actions. Dale Deubler seconded the motion. Thomas Caldwell and James Lee abstained from voting. The motion carried.

Thomas Caldwell recommended that the Section rescind the November 4, 2010 adjudication order for case PT-FY10-051 and accept the consent agreement in lieu of upholding the order. **Action:** Dale Deubler moved that the Section rescind the November 4, 2010 adjudication order for case PT-FY10-051 and accept the consent in lieu of upholding the order. Sam Coppoletti seconded the motion. Thomas Caldwell and James Lee abstained from voting. The motion carried. The Section accepted the consent agreement for Milan Pokorny, PT.

Correspondence

1. **Mark DeGarmo:** Dr. DeGarmo asked the Section questions regarding ethics and productivity standards. **Reply:** The code of ethical conduct for physical therapy practitioners established in rule 4755-27-05 of the Ohio Administrative Code states that “a licensee shall safeguard the public from underutilization or overutilization of physical therapy services.” The rule further requires that “Regardless of practice setting, the physical therapist shall maintain the ability to make independent judgments. A licensee shall strive to effect changes that benefit the patient.” While the Ohio Physical Therapy Practice Act does not regulate caseload levels, the Section requires the physical therapist to ensure appropriate patient management based on the unique needs of the clients, taking into account the complexity of the patient population. The ultimate responsibility for care of the patient lies with the evaluating physical therapist. If productivity expectations of an employer are such that a physical therapist is unable to meet the above standards, it is the responsibility of the physical therapist to challenge those expectations. The code of ethical conduct for physical therapy practitioners established in rule 4755-27-05 of the Ohio Administrative Code states that “An individual licensed by the physical therapy section has a responsibility to report any organization or entity that provides or holds itself out to deliver physical therapy services that places the licensee in a position of compromise with this code of ethical conduct.” The rule further requires that “Regardless of practice setting, the physical therapist shall maintain the ability to make independent judgments.” If productivity expectations of an employer are such that a physical therapist is unable to provide or supervise skilled care and meet the unique needs of the clients, it is the responsibility of the physical therapist to challenge those expectations and strive to effect changes that benefit the patient as stated in the code of ethical conduct. The code of ethical conduct also requires that “Regardless of practice setting, the physical therapist shall maintain the ability to make independent judgments”. Third party payer policies may be more restrictive than the Ohio Physical Therapy Practice Act. The therapist must comply with payer policies, such as not billing for one-on-one procedures for more than one patient at a time being treated by any one practitioner.
2. **Debra Belcher:** Ms. Belcher asked the Section whether physical therapists can perform EMG and if the Section has plans to create an emeritus status for retired physical therapist. **Reply:** It is the position of the Physical Therapy Section that nothing in the Ohio Physical Therapy Practice Act prohibits a physical therapist from performing electromyography (EMG). Performance and interpretation of EMG is consistent with the knowledge and skills of licensed physical therapists. As with any specialized procedure, the physical therapist must have training and demonstrate competency in the modality. The Physical Therapy Section recommends that you refer to payer policies regarding physical therapist performance of EMG since Medicare or other payers may require advance credentials for reimbursement. Please be aware, however, that only a licensed acupuncturist can perform acupuncture. A physical therapist that does not also hold a valid acupuncturist license from the State Medical Board of Ohio cannot legally perform acupuncture. There are no plans to develop an emeritus status for retired physical therapists. Also, there is nothing in the laws and rules that govern the practice of physical therapy that would prevent a physical

therapist not licensed in Ohio from presenting a guest lecture for a school of physical therapy at a college or university. However, Ohio licensure is required to be eligible to be the instructor of record for the course.

3. **Deanna McComish:** Ms. McComish asked the Section whether physical therapist A can sign a note for physical therapist B. **Reply:** It is the position of the Physical Therapy Section that documentation must clearly reflect who performed the service and when the services were provided. The therapist who performed the evaluation must sign the note to indicate that the information contained in the note is correct. Therapist B may sign that he/she agrees with the evaluation but not in place of the evaluating therapist. Your second question has been referred to the Athletic Trainers Section for review and response. Although both Sections are part of a single Board, each profession independently regulates itself. As a result, a decision made by the Physical Therapy Section has no bearing on the Athletic Trainers Section.
4. **Carolyn Grome:** Ms. Grome asked the Section if it is legal to offer gift card drawings for clients who have attended all of their scheduled appointments. **Reply:** It is the opinion of the Physical Therapy Section that offering the opportunity to win a gift card for attending all therapy sessions could entice new patients to come to your practice and, therefore, does violate rule 4755-27-05(A)(4) of the Ohio Administrative Code. This portion of the Code of Ethical Conduct states that a licensee shall not intentionally or knowingly offer to pay or agree to accept any compensation, directly or indirectly, overtly or covertly, in cash or in kind, to or from any person or entity for receiving or soliciting patients or patronage, regardless of the source of the compensation.
5. **Diane Crecelius:** Ms. Crecelius asked the Section if physical therapist assistants can recommend an orthotic for a client and fit the orthotic. **Reply:** In accordance with rule 4755-27-02 (B) of the Ohio Administrative Code, physical therapist assistants are not qualified to conduct initial patient evaluations, write initial or ongoing patient treatment plans or conduct re-evaluations of the patient or adjust patient treatment plans. The decision to recommend an orthotic involves evaluation of a patient and should be reflected in the patient plan of care both of which are the responsibility of the evaluating physical therapist and cannot be delegated. The fitting of an orthotic also involves client evaluation, and, therefore, must be completed by the physical therapist. You should also be aware that if practicing under direct access, section 4755.481 of the Ohio Revised Code states that if the physical therapist determines that orthotic devices are necessary to treat the patient, the physical therapist shall be limited to the application of the following orthotic devices: (a) Upper extremity adaptive equipment used to facilitate the activities of daily living; (b) Finger splints; (c) Wrist splints; (d) Prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays and other prefabricated soft goods requiring minimal fitting; (e) Nontherapeutic accommodative inlays; (f) Shoes that are not manufactured or modified for a particular individual; (g) Prefabricated foot care products; (h) Custom foot orthotics; and (i) Durable medical equipment.
6. **Rita Guthrie:** Dr. Guthrie asked the Section questions regarding physical therapists serving in the role of a primary service provider/primary coach part of a primary service provider model. **Reply:** It is the position of the Physical Therapy Section that when a physical therapist/physical therapist assistant is acting as a Primary Service Provider or Primary Coach the scope of physical therapy is not automatically extended to services from other disciplines. Therefore, only services within the generally recognized scope of physical therapy may be represented and billed as such. The position of Primary Service Provider or Primary Coach would not be governed by the Ohio Physical Therapy Practice Act provided that the therapist was not holding himself out as a physical therapist and providing that the therapist was not billing or being reimbursed for physical therapy services. When a child no longer requires physical therapy services but does continue to require early intervention services, it is the responsibility of the team to determine who should continue in this position. The physical therapist/physical therapist assistant may continue in this position as long as it is clear to the family that this is a Primary Service Provider and not a physical therapist. In providing services other than physical therapy, the physical therapist or physical therapist assistant must make it clear to the client or family that the therapist is acting only in this other capacity. That is, communication must be done in such a way that if the client or family is asked, he/she could clearly testify in a legal proceeding as to the role of the individual who was providing treatment. The facility must also not represent this role as being more skilled due to additional education/credentials than required for that job description. You may also wish to note that your professional liability policy (if you have one) may not cover you while acting in any capacity other than as a licensed physical therapist or physical therapist assistant. If you have further questions please address them to the Physical Therapy Section for clarification.

7. **Chad Parrett:** Dr. Parrett asked the Section whether physical therapist assistant can perform stair negotiation with a client that has not been assessed by a physical therapist and if a physical therapist assistant can refuse to perform stairs with a client. **Reply:** In accordance with rule 4755-27-03 (E)(1) of the Ohio Administrative Code, a physical therapist assistant may not initiate or alter the plan of care without prior evaluation by and approval of the supervising physical therapist. In addition, rule 4755-27-02 (D) of the Administrative Code states that the physical therapist assistant may progress a patient treatment program within the parameters of the plan of care as established by the supervising physical therapist. Therefore, the physical therapist assistant may only initiate stair climbing if it is a part of the plan of care established by the supervising physical therapist. The Code of Ethical Conduct for physical therapy practitioners established in rule 4755-27-05 of the Ohio Administrative Code states that a licensee shall exercise sound judgment and act in a trustworthy manner in all aspects of physical therapy practice. Therefore, it is the opinion of the Physical Therapy Section that a physical therapist assistant may refuse to initiate or continue a treatment if it is their judgment that it is not safe or that they do not have sufficient training to perform the treatment. This should be discussed with the supervising therapist with documentation of concerns and resolution of the situation.
8. **Terry Yoder:** Mr. Yoder asked the Section for clarification on the utilization of home health aides in physical therapy setting. **Reply:** While physical therapists may not delegate physical therapy interventions to unlicensed personnel, the Physical Therapy Section recognizes that there may be a limited role for such personnel in the home health setting. Any activities that the home health aide carries out are not physical therapy services and must clearly NOT be represented or billed as physical therapy; i.e. the patient/client must be informed that ambulation or other exercise activities with the home health aide are not physical therapy. Instruction and direction for the aide and the family in provision of home programs are essential in the provision of quality services in a safe manner. This instruction should be documented in the patient's record and include notation that the activity is being completed safely or if additional training is needed. Once the ambulation and exercise instruction are complete and the aide has demonstrated competency in the activity, Medicare requires supervisory visits by the case manager every 2 weeks throughout the skilled care episode. Your questions about liability in relation to services provided by the home health aide relate to your professional liability insurance and possible legal issues and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the carrier for your professional liability insurance.
9. **Susan Tobin:** Ms. Tobin asked the Section for additional clarification on use of e-stim, electromagnetic therapy, debridement in physical therapy practice, and physical therapist assistants can write weekly notes on a wound care patient. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that recognizes or recommends the appropriate intervention or treatment for any diagnosis. Electrical stimulation and electromagnetic therapy are within the scope of practice of physical therapy. As part of the ongoing effort to promote evidence based practice, the Physical Therapy Section does suggest that therapists should be able to present a reasonable rationale based on research when selecting an intervention. Sharp debridement is within the scope of practice of physical therapy provided that the physical therapist has been trained in the procedure. The physical therapist may delegate wound care including sharp debridement to a physical therapist assistant provided that both the physical therapist and the physical therapist assistant have been trained in wound care and demonstrated competency in these procedures. The physical therapist assistant may write weekly notes for a wound care patient with all documentation co-signed by the physical therapist. The physical therapist assistant may include responses to treatments rendered and make statements about progress toward goals as outlined in the plan of care in the daily or progress note in the medical record. However, only the physical therapist may interpret these findings and make adjustments to the plan of care.

OT/PT Joint Correspondence

- JB1. **Jean Dykyj:** Ms. Dykyj asked if a teacher and/or another member of the IEP educational team can develop goals and objectives for occupational and physical therapy practitioners if the said practitioners did not participate in the evaluation process. **Reply:** Is it the position of the Occupational Therapy Section that it is the responsibility of the IEP team to develop the IEP goals and objectives and then determine how to meet those goals and objectives, including what related services (e.g.: occupational therapy and physical therapy) are needed for the child to benefit from his/her special education program. Ideally, the occupational

therapist would contribute to the MFE process and assist in the development of the IEP goals. However, there are times when occupational therapy is included in the IEP services but there has been no assessment by an occupational therapist. According to 4755-7-02 (A) of the Administrative Code, occupational therapist shall assume professional responsibility for the following activities, which shall not be wholly delegated, regardless of the setting in which the services are provided: (1) Interpretation of referrals or prescriptions for occupational therapy services; (2) Interpretation and analysis for evaluation purposes; (3) Development, interpretation, and modification of the treatment/intervention plan and the discharge plan. The IEP is written by the educational team and is not the occupational therapy intervention plan. In the situation described in the correspondence, where goals are written without input from the occupational therapist, the occupational therapist would still have the responsibility of completing an evaluation and determining an intervention plan for the student. The IEP goals and objectives could be part of the intervention plan. If, after assessment and plan are completed, the occupational therapist feels that amendments to the IEP are indicated, it is the responsibility of the occupational therapist to re-convene the IEP team and discuss the suggested IEP amendments. The Section recommends that you contact the Ohio Occupational Therapy Association's pediatrics member support group coordinator concerning questions regarding school based issues. You can contact the Ohio Occupational Therapy Association at www.oota.org. It is the position of the Physical Therapy Section that, in school-based practice the physical therapist is a related service provider and typically would support an education goal. A preschool student may qualify for preschool physical therapy services if a significant motor deficit is established on a standardized test or if the IEP team determines that physical therapy services are required for a student to meet the IEP goal(s) and to access to the general curriculum. Rule 4755-27-03(C) of the Ohio Administrative Code states, in part, that the physical therapist shall perform personally the initial patient evaluation and that this cannot be delegated regardless of the setting in which the services is provided. It is, therefore, position of the Physical Therapy Section that in the instance where the physical therapist has not participated in the preschool evaluation but physical therapy services are a part of the Individualized Education Plan, the physical therapist must complete an evaluation and the physical therapy plan of care prior to implementing services. If the physical therapist determines that the IEP goal is not appropriate for the student, they may request a new IEP team meeting to amend the IEP. For further information about who should be part of the evaluation and IEP teams, the Physical Therapy Section suggests you contact the Ohio Department of Education, Office for Exceptional Children.

JB2. Jason Shriver: Mr. Shriver asked if the standards for appropriate documentation of occupational and physical therapy services should be taken from the guidelines established by AOTA and APTA. **Reply:** It is the position of the Occupational Therapy Section that occupational therapy practitioners should follow the AOTA Guidelines for Documentation of Occupational Therapy (*AJOT November/December 2008*) when determining documentation of occupational therapy in any setting. As established in the occupational therapy code of ethical conduct in rule 4755-7-08 (A)(5)(c) of the Ohio Administrative Code, occupational therapy practitioners shall maintain accurate and timely documentation of occupational therapy services; and(d) occupational therapy practitioners shall not document or bill for services not actually provided. In addition, please refer to rule 4755-7-10 for guidance on the use of appropriate credentials when signing documentation. Please be aware that rule 4755-7-08 will be amended effective May 1, 2011. It is the position of the Physical Therapy Section that rule 4755-27-07 of the Administrative Code provides some guidance for documentation and states in part that physical therapists shall use the credential "PT" and physical therapist assistants shall use the credential "PTA" following their signature to indicate licensure as a physical therapist or physical therapist assistant. All documentation by student physical therapists and student physical therapist assistants shall be cosigned by the supervising physical therapist. Reports written by the physical therapist assistant for inclusion in the patient's record shall be cosigned by the supervising physical therapist. The cosignature shall indicate that the supervising physical therapist reviewed the written note and agrees with the patient information in the written note. A handwritten signature or electronic signature is acceptable whenever a physical therapist or physical therapist assistant signs his or her name. For further guidance on the appropriate standards for physical therapy documentation, the Physical Therapy Section suggests that you use resources from the American Physical Therapy Association, including information on Defensible Documentation.

JB3. Patricia Collins: Ms. Collins asked whether occupational and physical therapists can administer oxygen. **Reply:** There is nothing in the Ohio Occupational Therapy Practice Acts that prohibits occupational therapy practitioners from administering oxygen, changing oxygen tanks, or making the change between a

tank and a concentrator provided that the occupational therapy practitioners received training and demonstrate competence in this activity. Please refer to your facility guidelines regarding administering oxygen as they may be more restrictive than the Ohio Occupational Therapy Practice Act. There is nothing in the Ohio Physical Therapy Practice Act that prohibits physical therapy practitioners from administering oxygen. If there is a physician order for oxygen, then the physical therapy practitioner may administer the oxygen by changing from a wall unit to a portable tank, maintaining the oxygen level indicated on the order. A physical therapist cannot change the liters of oxygen to be administered unless there is a specific order that allows adjustment of the oxygen level in order to keep the patient at specific oxygen saturation.

JB4. Nancy Nebenzahl: Ms. Nebenzahl asked whether occupational and physical therapists can provide iontophoresis patches with instruction for client to administer iontophoresis at home. **Reply:** There is nothing in the Ohio Occupational Therapy or Physical Therapy Practice Acts that would prohibit a physical therapist or an occupational therapist from providing a patient with iontophoresis treatment and instruction on their application and use as part of a home program. However, the patient will need to obtain any medication used in the treatment from a pharmacy and may have to obtain the unit from a durable medical equipment (DME) supplier.

Old Business

Retreat Planning

The Executive Director reported that the retreat date is tentatively scheduled for April 19, 2011 in Columbus, Ohio. The Executive Director is still working on securing a location for the retreat.

Newsletter Feedback

The Executive Director reported that according to Google Analytics, about 500 individuals viewed the Physical Therapy Publications page of the website in the week following the listserv email announcing the posting of the newsletter. The Section received two responses from licenses interested in serving as an expert witness.

New Business

Public Rules Hearing

The Section held a public rule hearing from 1:39 pm to 1:46 pm for the following rules: 4755-23-01, 4755-23-08, 4755-23-10, 4755-23-12, 4755-24-07, and 4755-28-01.

School Pass Rate Update

The Section reviewed the physical therapist and physical therapist assistant programs pass rates on the national physical therapy examination for 2009-2010.

Online Renewal Practice Settings

The Executive Director informed the Section that the Board was requested to add "Long Term Acute Care (LTAC)" as new practice setting to the online renewal practice settings. This setting is mostly used in occupational and physical therapy practice. The Section discussed whether the "Long Term Acute Care (LTAC)" practice setting should be added to the Board's online renewal practice setting list. The Physical Therapy Section recommended that LTAC be added under either of the existing categories: skill nursing facility or subacute care. The Executive Director will obtain feedback from the Occupational Therapy Section to get a consensus on adding this category. The Executive Director will make revisions based on the recommendations from the Occupational and Physical Therapy Sections.

Ohio Physical Therapy Association (OPTA) Report

Katie Rogers informed the Section that the OPTA Conference is scheduled for April 7-9, 2011 and the OPTA Advocacy Day is scheduled for May 17, 2011.

Carolyn Towner reported that OPTA will closely monitor the budget bill to ensure that the Department of Education does not attempt to make changes to the roles of school-based physical therapists and physical therapist assistants.

Federation of State Boards for Physical Therapy (FSBPT) Report

The Section reviewed the Federation's 2011 budget. Karen Holtgreffe is scheduled to attend the 2011 jurisdiction board member training. Raymond Bilecky was appointed to the FSBPT Resolution Committee.

Open Forum

Raymond Bilecky recommended that the Section obtain information on acquiring some of the regulatory webinars presented by Citizens Advocacy Center.

Items for Next Meeting

- Retreat Planning

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, March 10, 2011.

Adjournment

Thomas Caldwell moved that the meeting be adjourned. Karen Holtgreffe seconded the motion. The motion carried. The meeting adjourned at 3:15 p.m.

Respectfully submitted,
Diane Moore

Marilyn Mount, PT, Chair
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

Sam Coppoletti, PT, Secretary
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

Jeffrey M. Rosa, Executive Director
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board

SC:jmr:dm