



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section
March 7, 2013
9:30 a.m.

Members Present

Raymond Bilecky
Lynn Busdeker
Thomas Caldwell, Chair
Matthew Creed (arrived @ 9:37 am)
Mary Kay Eastman
Karen Holtgreffe, Secretary
Ronald Kleinman
James Lee
Chad Miller

Legal Counsel

Yvonne Tertel, Assistant Attorney General

Staff Present

Diane Moore, Executive Assistant
Adam Pennell, Investigator Assistant
Jeffrey Rosa, Executive Director

Guests

Carolyn Towner, OPTA

Call to Order

The meeting was called to order by the Chair, Thomas Caldwell, at 9:32 a.m.

The Section welcomed the new Board member Chad Miller.

Approval of Minutes

Action: Lynn Busdeker moved that the minutes from the January 10, 2013, meeting be approved as submitted. Mary Kay Eastman seconded the motion. The motion carried.

Action: Karen Holtgreffe moved that the minutes from the February 22, 2013, meeting be approved as amended. Raymond Bilecky seconded the motion. The motion carried.

Action: Raymond Bilecky moved that the Section go into Executive Session to discuss personnel matters related to the employment of a state employee pursuant to ORC 121.22(G)(1). Ronald Kleinman seconded the motion.

Thomas Caldwell called the roll:

Raymond Bilecky	Yes
Lynn Busdeker	Yes
Thomas Caldwell	Yes
Matthew Creed	Yes
Mary Kay Eastman	Yes
Karen Holtgreffe	Yes
Ronald Kleinman	Yes
James Lee	Yes
Chad Miller	Yes

Victoria Gresh, OPTA
Amanda Harning
Amber Harrington
Ashley Meade
Ben Stayton
Gina Kim
Joel Hammond
Jordan Hook
Jordan Nichols
Josh Carberry
Joshua I. Collier
Kelly Adams
Laci Thomas
Levi Tkach
Matt Muldoy
Michelle Foster
Natalie Morris
Sabine Kamugisha
Stephanie Goddard
Taylor Temil
Tressa Walz

The Section went into Executive Session at 9:37 am and came out at 10:00 am. There was no action taken.

Administrative Reports

Licensure Applications

Action: James Lee 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 January 10, 2013 through, March 7, 2013, taking into account those individuals subject to discipline, surrender, or non-renewal. Mr. Lee further moved that the following persons be licensed as physical therapists/physical therapist assistants pending passage of the National Physical Therapy Examination and Ohio Jurisprudence Examination. Ronald Kleinman seconded the motion. The motion carried.

Physical Therapist – Examination

Bendinelli, Stephanie	Birkemeier, Amy	Brown, Sarah
Colini III, Francis	Dickerson, Sherrice	Dilalla, Corey
Dus, Meghan	Fox, Gabrielle	Frederick, Mathew
Holder, Hannah	Hyde, Jennifer	Khaja-Abdul, Sadiq Khan
Linder, Diana	Martien, David	Mohn, Kelley
Poole, Sarah	Saraniti, Cheryl	Scheidt, Kyle
Schroeder, Beth	Swierz, Christina	Szakats, Meghan
Westerheide, Katherine	Yocum, Jason	

Physical Therapist Assistant – Examination

Azzarello, Samantha	Biehl, Shawn	Bourisseau, Beau
Boyer, Nicole	Brown, Caterina	Burnep, Lindsay
Buto, Corina	Cheney, Scott	Courey, Sarah
Davis, Rocklend	Dimitris, Danielle	Dowell, Alexandra
Eisenhuth, Sara	Franczek, Stanley	Freeman, Jill
Gregory, Holly	Harnett, Stephen	Hogan, Matthew
Hoogenboom, Brittany	Jackson, Gregory	Jones, Scott
King, Charles	Martin, Whitney	Martin, Whitney
Martz, Spencer	Miller, Terry	Moschella, Mimi
Okorn, Kathleen	Oleksiak, Meghann	Orzan, Elena
Rose, Alicia	Sharp, Jamie	Simon, Ellen
Spirakus, Kyle	Timko, Shawwna	Tuckey, Chelsea
Welch, Monica	Weymer, Mark	Weymer, Mark
Whitesel, Erika	Whitesel, Erika	Whitright, John
Young, Lorie		

Action: James Lee 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 January 10, 2013 through, March 7, 2013, taking into account those licenses subject to discipline, surrender, or non-renewal. Mary Kay Eastman seconded the motion. The motion carried.

Physical Therapist – Endorsement

Alexander, Erik	Bechtold, Marissa	Boyd, Brian
Boynak, Dana	Carruthers, Jennifer	Chiu, Ryan
Filla, Lauren	Garcia, Garrett	Hudson, Jordan
Jones, Troy	Killingbeck, Mary	Klar, Sara
Koeninger, Katelyn	Krishna, Deepa	Lehner, Theresa
McCallum, Ashley	Reppermund, Sarah	Schultz, Krystal
Thomas, Robert	Vasa, Shradha	

Physical Therapist Assistant – Endorsement

Blake, Zachary
Roush-Howard, Jennifer

Koontz, Janelle
Stephenson, Crystal

Painter, Sonya
Vinson, Tammie

Physical Therapist Reinstatement

Hassen, Amy
Owens, June

Lorentz, Laura

Luckey, Michelle

Physical Therapist Assistant Reinstatement

Beegan, Phyllis
Gray, Floyd
Maragos-Van Dijk, Atheena
Smith, Jennifer

Boyd, Justin
Jennings, Kimberly
Paesani, Richard

Druley, Catherine
Louden, Teresa
Rogers, Julie

Testing Accommodations Requests

Action: James Lee moved that the Section grant the testing accommodation of additional time: time and a half, and separate testing room for the National Physical Therapy Examination and Ohio Jurisprudence Examination for physical therapist examination file #5248284 based on the documentation provided. Mary Kay Eastman seconded the motion. James Lee abstained from voting. The motion carried. The Section granted the testing accommodation request for Sarah Goodwin.

Action: James Lee moved that the Section grant the testing accommodation of additional time: double time and separate testing room for the National Physical Therapy Examination and Ohio Jurisprudence Examination for physical therapist examination file #5243475 based on the documentation provided. Lynn Busdeker seconded the motion. James Lee abstained from voting. The motion carried. The Section granted the testing accommodation request for Kara Konrad.

Action: James Lee moved that the Section grant the testing accommodation of additional time: time and a half, for the National Physical Therapy Examination and Ohio Jurisprudence Examination for physical therapist assistant examination file #5251177 based on the documentation provided. Mary Kay Eastman seconded the motion. James Lee abstained from voting. The motion carried. The Section granted the testing accommodation request for Jeffery Ebner.

Action: James Lee moved that the Section grant the testing accommodation of additional time: time and a half, for the National Physical Therapy Examination and Ohio Jurisprudence Examination for physical therapist assistant examination file #5252686 based on the documentation provided. Karen Holtgreffe seconded the motion. James Lee abstained from voting. The motion carried. The Section granted the testing accommodation request for Natalie Boyd.

Action: Lynn Busdeker moved that the Section deny the testing accommodation request for the National Physical Therapy Examination and Ohio Jurisprudence Examination for physical therapist assistant examination file #5252347 based on the documentation provided. Raymond Bilecky seconded the motion. James Lee abstained from voting. The motion carried. The Section denied the testing accommodation request for Jillian Stohlman.

Continuing Education Liaison Report

Ronald Kleinman reported that Rebecca Leugers is the new Ohio Physical Therapy Association continuing education committee chair. The CE Committee's main issues include out of state companies offering CE courses in a series that want the CE to be approved as one course; and whether classes dealing with business management in physical therapy should be approved for CE credit. Also, the CE Committee is looking to charge a special fee for courses over twenty hours in length.

Assistant Attorney General's Report

Yvonne Tertel, AAG, had no formal report for the Section.

Case Review Liaison Report

Raymond Bilecky reported that the Enforcement Division closed twelve and opened seven new cases since the January 10, 2013 meeting. There are twenty cases currently open. There are five disciplinary consent agreements, one adjudication order being monitored.

Raymond Bilecky informed the Section that Stacy Mack complied with all terms and conditions and was released from her disciplinary consent agreement.

Enforcement Actions

Raymond Bilecky recommended that the Section accept the surrender consent agreement for case PT-FY13-007 in lieu of going to a hearing. **Action:** Lynn Busdeker moved that the surrender consent agreement for case PT-FY13-007 be accepted in lieu of going to a hearing. Karen Holtgreffe seconded the motion. Raymond Bilecky abstained from voting. The motion carried. The Section accepted the consent agreement for Jared Murray, PT. in which Mr. Murray agrees to voluntarily surrender his license for failure to obtain the continuing education required for the 2012 license renewal and the Section hereby simultaneously revokes his physical therapist license.

Raymond Bilecky recommended that the Section accept the consent agreement for case PT-FY13-014 in lieu of going to a hearing. **Action:** Karen Holtgreffe moved that the consent agreement for case PT-FY13-014 be accepted in lieu of going to a hearing. Lynn Busdeker seconded the motion. Raymond Bilecky abstained from voting. The motion carried. The Section accepted the consent agreement for Kelly C. Fieseler, PT.

Raymond Bilecky recommended that the Section accept the consent agreement for case PT-FY13-015 in lieu of going to a hearing. **Action:** Karen Holtgreffe moved that the consent agreement for case PT-FY13-015 be accepted in lieu of going to a hearing. Lynn Busdeker seconded the motion. Raymond Bilecky abstained from voting. The motion carried. The Section accepted the consent agreement for Melissa R. Brewer, PT.

Correspondence

1. **Ann Fick, PT, DPT:** Dr. Fick asked the Section if there are limitations on the use of or titration of oxygen by physical therapists. **Reply:** 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.
2. **David Karbula:** Mr. Karbula asked the Section if a verbal plan of care is sufficient for physical therapists assistants to treat a patient. **Reply:** The physical therapy plan of care must be a written document developed by the physical therapist since rule 4755-27-03 (C) of the Ohio Administrative Code identifies writing the plan of care as a responsibility of the physical therapist that may not be delegated to other individuals. Although the plan of care must be written, there are scenarios when the physical therapist assistant may begin physical therapy treatments based on the verbal plan of care provided by the physical therapist. For example, if the physical therapist leaves the plan of care with the physical therapist assistant via a voicemail, the physical therapist assistant could start treating. In all circumstances, however, a verbal plan of care must be followed up with a written plan of care documented in the medical records in a timely fashion. Physical therapists assistants can only perform duties assigned by a physical therapist. Physical therapists assistants can only progress a treatment program within the parameters of the plan of care as established by the supervising physical therapist.
3. **Leigh Frick, PT:** Ms. Frick asked the Section whether a non-Ohio licensed physical therapist can perform a home assessment for their client that resides in Ohio. **Reply:** Pursuant to rule 4755-27-01(A) of the Ohio Administrative Code, only individuals licensed by the Physical Therapy Section may imply or claim to be able to practice physical therapy or provide physical therapy services within the State of Ohio. Under Ohio law, a physical therapy practitioner performing a home assessment for individual clients or groups must follow the laws and rules governing physical therapy practice if the services are represented as physical therapy, if the provider is identified as a physical therapist, or if he/she signs "PT" after his/her name. If any of these conditions exists, the physical therapist must have a valid Ohio license to practice physical therapy within the state of Ohio.

4. **Vicki Burghy, PT:** Ms. Burghy asked the Section for clarification on whether physical therapy students should have full access to the client's electronic record and how should the students' paper documentation be entered into the electronic record. **Reply:** The Ohio Physical Therapy Practice Act does not dictate the format of documentation. All information completed by a student must be co-signed by the clinical instructor. It is the position of the Physical Therapy Section that a physical therapist assistant may supervise a physical therapist assistant student and in that capacity may co-sign the student's notes. Since all physical therapist assistant documentation must be co-signed by the supervising physical therapist, that physical therapist must also cosign the student physical therapist assistant's notes. It is the position of the Physical Therapy Section that documentation must clearly reflect who performed the service and when the services were provided. Students may use the credential "Student PT" or "Student PTA," as well as "SPT" or "SPTA," while completing a required clinical education course in an accredited or candidacy-status entry-level physical therapist or physical therapist assistant education program. The Section recommends that you review the Commission on Accreditation of Physical Therapy Education (CAPTE) Standards regarding supervision of students and electronic documentation requirements. The standards adopted by CAPTE, and the facility's policies, may be more restrictive than the Ohio Physical Therapy Practice Act. You may also want to contact the institution you will be receiving students from and contact the Director of Clinical Education to review the objectives that need to be met. The Physical Therapy Section recommends that you consult payer policies, facility or agency policies, or the American Physical Therapy Association for information on documentation.
5. **Tim Schirmang, Esq:** Mr. Schirmang asked the Section for clarification on section 4755.471 of the Ohio Revised Code. **Reply:** In response to your question about the establishment of a private practice in Ohio, section 4755.471 of the Ohio Revised Code describes the authorized forms of business entities which can be established for providing physical therapy services. In addition, all parts of the Ohio Physical Therapy Practice Act, including the Code of Ethical Conduct established in rule 4755-27-05 of the Administrative Code, would need to be followed when establishing and running any physical therapy practice.
6. **Dana Matt, PT:** Ms. Matt asked the Section for clarification on the use of unlicensed personnel in physical therapy practice. **Reply:** Rule 4755-27-01 of the Administrative Code defines unlicensed personnel as any person who is on the job trained and supports the delivery of physical therapy services. Rule 4755-27-03 of the Administrative Code describes the routine duties that assist in the delivery of physical therapy care and operations that may be assigned to unlicensed personnel. The rule on delegation to unlicensed personnel is intended to limit the involvement of unlicensed personnel in direct patient care to assisting the physical therapist or physical therapist assistant as "a second pair of hands on the same patient." For example, the unlicensed aide may assist a physical therapist or physical therapist assistant in transferring a patient who requires the support of two people for a safe transfer, or the unlicensed aide may guard a patient while the therapist steps back to assess the patient's gait pattern. It is NOT intended that unlicensed personnel provide a component of physical therapy treatment to patient A while the physical therapist or physical therapist assistant treats patient B or performs other activities, e.g. documentation. A physical therapist or physical therapist assistant may provide administrative oversight of an unlicensed aide who is providing restorative or maintenance care in a nursing home after the termination of a physical therapy plan of care. While physical therapists may not delegate physical therapy interventions to unlicensed personnel, the Physical Therapy Section recognizes that there may be a role for such personnel in working with patients/clients who are performing independent exercises separate from physical therapy services. If patients/clients are permitted to exercise on their own using equipment in a physical therapy clinic, e.g. to warm up prior to physical therapy interventions or to perform repetitions of prescribed exercises, an unlicensed employee may monitor safety and technique on the equipment. In this type of arrangement, the independent exercise must clearly NOT be represented or billed as physical therapy; i.e. the patient/client must be informed that instruction from the unlicensed personnel is not physical therapy. Third party payer policies and/or federal regulations may be more or less restrictive than the Ohio Physical Therapy Practice Act. In any situation, licensees should follow the more restrictive policies. Although Medicare regulations for skilled nursing Part A permit therapy aides to perform physical therapy services provided that a physical therapist provides "line of sight" supervision, that practice is illegal in Ohio. In Ohio, therapy aides (unlicensed personnel) are not permitted to perform physical therapy services, other than serving as the second pair of hands as described in the previous paragraph of this letter.

7. **Diana Cunningham, PT:** Ms. Cunningham asked the Section if it is acceptable practice for a physical therapy supervisor to make a referral without having seen the client. **Reply:** The Section requested additional information regarding this correspondence.
8. **Donald Milliken, PT:** Mr. Milliken asked the Section for clarification on what constitutes an appropriate physical therapy plan of care based on the information provided. **Reply:** There is nothing in the physical therapy practice act that requires goals and objectives to be written with medical terminology, as you describe, versus written as functional goals. IEP goals and objectives are written by the educational team and **do not** constitute the physical therapy plan of care. The Ohio Physical Therapy Practice Act does not vary with practice setting. Rule 4755-27-03 (C) of the Administrative Code identifies writing the plan of care as a responsibility of the physical therapist that may not be delegated to other individuals. The school-based physical therapist must write a plan of care for his/her records for each student indicating specific physical therapy goals and intervention to achieve those goals, as well as precautions/contraindications. At this time the Medicaid Schools Program (MSP) accepts the IEP as a plan of care. This is part of the MSP regulations and does not change the position of the Physical Therapy Section in regard to the plan of care. When submitting billing under MSP, the school district will use the IEP as the plan of care for Medicaid billing purposes but therapists must still write and maintain a physical therapy plan of care for their records. The MSP reimburses school districts only for services that are medically necessary. This does not prohibit the provision of educationally necessary services, but limits billing Medicaid only for those services that are also medically necessary. Therefore, therapists must be cautious about what services they document for Medicaid billing. If, in your professional judgment, the services you are providing a student are educationally necessary but not medically necessary, you are not required to bill for these services and doing so may be considered Medicaid fraud. You may also contact, Mark Smith, MSP Program Coordinator at the Ohio Department of Education at (614) 752-1493 or via email at mark.smith@ode.state.oh.us for further clarification about what MSP requires for the goals/objectives.
9. **Karla Koesters, PTA:** Ms. Koesters asked the Section questions regarding documenting multiple physical therapy treatments in one weekly note. **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 Ohio Physical Therapy Practice Act does not dictate the format of documentation. However, best practice would be to document on each date of service and therefore, document a weekly note for the Friday visit and a weekly note for the Monday visit. The Physical Therapy Section recommends that you consult payer policies, facility or agency policies, or the American Physical Therapy Association for information on documentation to determine if they have requirements that are more restrictive than the Ohio Physical Therapy Practice Act.
10. **Christina McCarthy, PT:** Ms McCarthy asked the Section whether or not physical therapy aides are permitted to assist with or supervise therapeutic exercise with patients. **Reply:** Third party payer policies and/or federal regulations may be more or less restrictive than the Ohio Physical Therapy Practice Act. In any situation, licensees should follow the more restrictive policies. Although Medicare regulations for skilled nursing Part A permit therapy aides to perform physical therapy services provided that a physical therapist provides “line of sight” supervision, that practice is illegal in Ohio. In Ohio, therapy aides (unlicensed personnel) are not permitted to perform physical therapy services, other than serving as the second pair of hands as described in the previous paragraph of this letter. Rule 4755-27-01 of the Administrative Code defines **unlicensed personnel** as any person who is on the job trained and supports the delivery of physical therapy services. Rule 4755-27-03 of the Administrative Code describes the routine duties that assist in the delivery of physical therapy care and operations that may be assigned to unlicensed personnel. The rule on delegation to unlicensed personnel is intended to limit the involvement of unlicensed personnel in direct patient care to assisting the physical therapist or physical therapist assistant as “a second pair of hands on the same patient.” For example, the unlicensed aide may assist a physical therapist or physical therapist assistant in transferring a patient who requires the support of two people for a safe transfer, or the unlicensed aide may guard a patient while the therapist steps back to assess the patient’s gait pattern. It is NOT intended that unlicensed personnel provide a component of physical therapy treatment to patient A while the physical therapist or physical therapist assistant treats patient B or performs other activities, e.g. documentation. A physical therapist or physical therapist assistant may provide administrative oversight of an unlicensed aide who is providing restorative or maintenance care in a nursing home after the termination of a physical therapy plan of care. While physical therapists may not

delegate physical therapy interventions to unlicensed personnel, the Physical Therapy Section recognizes that there may be a role for such personnel in working with patients/clients who are performing independent exercises separate from physical therapy services. If patients/clients are permitted to exercise on their own using equipment in a physical therapy clinic, e.g. to warm up prior to physical therapy interventions or to perform repetitions of prescribed exercises, an unlicensed employee may monitor safety and technique on the equipment. In this type of arrangement, the independent exercise must clearly NOT be represented or billed as physical therapy; i.e. the patient/client must be informed that instruction from the unlicensed personnel is not physical therapy. The Physical Therapy Section recognizes that the appropriate role of unlicensed personnel may be difficult to determine in various situations. The Section encourages licensees to contact the Section with specific questions about the role of unlicensed personnel. 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 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. **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. “L” should not be used in front of “PT” or “PTA” since no one may use the “PT” or “PTA” credential in Ohio without a valid license.

11. **Emily Spring, PT, DPT:** Dr. Spring asked the Section questions regarding whether physical therapists can treat a student for more minutes than are listed on the IEP and if a physician script required in order to provide physical therapy services to students in a school-based setting. **Reply: In response to your first question**, the number of minutes should be a close estimate of the services to be provided. Providing additional minutes one month may offset another month when the minutes are not met due to absences, holidays, calamity days, etc. This is also a question for the Ohio Department of Education. You may contact Cathy Csanyi at the Ohio Department of Education’s Office for Exceptional Children at (419) 747-2806 or via email at cathy.csanyi@ode.state.oh.us. **In response to your second question**, the Ohio Physical Therapy Practice Act does not vary with practice setting. Section 4755.481 of the Revised Code authorizes physical therapists to evaluate and treat without a physician’s referral. The physical therapist must, upon consent of the patient, parent, or legal guardian, inform the patient’s medical health professional of the physical therapy evaluation within five (5) business days of the evaluation having taken place. These laws and rules apply to all settings. If the parent refuses to provide consent to contact the physician, it would be best practice to have the parent/guardian sign a document stating refusal to allow physician

contact. However, if at any time the physical therapist has reason to believe that the patient has symptoms or conditions that require treatment or services beyond the scope of practice of a physical therapist, the physical therapist shall refer the patient to a licensed health care practitioner acting within the practitioner's scope of practice. In addition, there is nothing in the law that requires the physical therapist to see a patient without a physician's referral. The physical therapist does have the discretion to request a prescription. **In response to your last question**, there is nothing in the Ohio Physical Therapy Practice Act that dictates how frequently a referral for physical therapy should be renewed. However, since the children are growing and maturing, best practice does suggest that a minimum of an annual renewal of the prescription or physician notification should be done to ensure that changes in the child's medical status are documented in the physical therapy records.

12. **Shaku Rao:** Mr. Rao asked the Section if physical therapists assistants can perform screens. **Reply:** According to rule 4755-27-03 (E)(5) of the Ohio Administrative Code, *when practicing within the scope of physical therapy*, a physical therapist assistant may gather data about a patient to perform a screening that is non-evaluative in nature. Screens include a review of the patient's medical information and/or verbal contact with other health care practitioners, family, or the patient to review the patient's medical history and past functional ability but do not include physical contact with the patient. Interpretation of this information, including the need for a physical therapy evaluation, is the responsibility of the physical therapist. Under the Ohio Physical Therapy Practice Act, physical therapists and/or physical therapist assistants may perform screens without a physician's referral and without notification of a health care professional under direct access rules. Any screen conducted by a physical therapist assistant must be cosigned by the physical therapist.
13. **Candie Lambert:** Ms. Lambert asked the Section if physical therapist assistants can perform dry needling in Ohio. **Reply:** It is the position of the Ohio Physical Therapy Section that physical therapists assistants cannot legally perform dry needling under the Ohio Physical Therapy Practice Act.

OT/PT Joint Correspondence

- JB1. **Julie Bellucci:** Ms. Bellucci asked the Occupational and Physical Therapy Sections if assistants can write a telephone order from their supervising therapist after physician approval. **Reply:** Occupational therapists are not required to have a referral and/or prescription to evaluate or treat patients in the State of Ohio. The decision whether an occupational therapy assistant or occupational therapist is permitted to write orders related to occupational therapy in patient charts is based on facility policy. Accrediting bodies and/or reimbursement agencies may have other requirements and guidelines, including requiring a physician's referral and/or prescription, which need to be met for accreditation and/or reimbursement of occupational therapy services. Please note that any documentation by an occupational therapist assistant must be cosigned by the supervising occupational therapist. The occupational therapist is ultimately responsible for all documentation and care provided to the client. It is the position of the Physical Therapy Section that physical therapy services may be initiated by a telephone referral, electronic mail, or verbal order. Individuals other than physical therapists are not prohibited from receiving verbal or telephone orders for physical therapy. All verbal or telephone orders, prescriptions, or referrals must be followed up in writing with the referring practitioner's signature for inclusion in the patient's official record. Ultimately the physical therapist is the individual responsible for receiving, interpreting, and accepting the directive or order as part of the care of the patient.
- JB2. **Valerie Elswick:** Ms. Elswick asked the Physical Therapy and Athletic Trainers Sections for clarification on referrals for athletic trainers working in clinics and whether athletic trainers can treat without a physical therapy practitioner present. **Reply:** Under the Ohio Athletic Training Practice Act, athletic trainers must practice upon the referral of an individual licensed in Ohio to practice medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, chiropractic, dentistry, or physical therapy. Athletic trainers may not accept direct referrals from physician assistants or practitioners of the limited branches of medicine. A referral relationship between a team physician and an athletic trainer should be one consisting of a protocol of care communicated between a team physician and the athletic trainer. This agreement should include procedures for prevention, recognition, assessment, management and treatment of athletic injuries. Clinic-based athletic trainers may provide athletic training services upon physician referral for athletic training evaluation and treatment. The prescription by the referring medical practitioner must state the referral is for athletic training. Under an athletic training referral, the athletic trainer functions independently and is responsible for documentation. Pursuant to rule 4755-46-01 of the Administrative

Code, unlicensed individuals functioning under the supervision of a licensed athletic trainer may perform designated routine tasks related to the operation of athletic training provided that the supervising athletic trainer is on-site to supervise the delegated tasks. If the patient receives a prescription for physical therapy and during care the physical therapist determines he/she may benefit from athletic training services, i.e. a patient's condition is an athletic injury, then the physical therapist may refer that particular patient to an athletic trainer. This transfer of care from a physical therapist must be documented in the patient's medical record. In addition, the athletic trainer must now obtain physician approval and prescription for an athletic training evaluation and treatment as described above. If this procedure is followed, the athletic trainer must perform an injury assessment and determine the athletic training plan of care. The patient is no longer under the care of the physical therapist. The physical therapist may also refer the patient to the care of the athletic trainer but have the patient still remain under the care of the physical therapist. In this non-transfer scenario, a physician prescription for athletic training is not required. *In response to your first question*, yes, athletic trainers can perform the evaluation to discharge without a physical therapist present. *In response to your second question*, 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 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.

JB3. **James Kelsner, OTR/L:** Mr. Kelsner asked the Occupational and Physical Therapy Sections if a physician order is required to discontinue occupational and physical therapy in an acute hospital setting based on the description provided. **Reply:** Occupational and physical therapists are not required to have a referral and/or prescription to evaluate, treat and/or discharge clients in the State of Ohio. However, hospital or facility policies, accrediting bodies, and/or reimbursement agencies may be more restrictive than the Ohio Occupational and Physical Therapy Practice Acts. They may have other requirements and guidelines, including requiring a physician's order to discontinue services, which need to be met for accreditation and/or reimbursement of occupational and physical therapy services. In any situation, licensees should

follow the more restrictive policies. The discharge summary would document final discharge date and disposition, as well as the reason for discharge.

Old Business

Continuing Competence Taskforce Update

The Section discussed the original purpose of forming the Continuing Competence Taskforce. The Section and OPTA are in agreement to disband the CC Taskforce. The Section and OPTA will continue to keep an open dialogue as changes occur.

New Business

Public Rules Hearing

The Section held a public rules hearing from 12:17 pm to 12:24 pm. The Executive Director proposed that the Section modify the proposed language for rule 4755-29-01 to clarify the meaning of part (E) of the rule.

Discussion on Offering Incentives

Under the current Ohio Physical Therapy Practice Act, physical therapists are prohibited from offering incentives. The Section discussed whether it is acceptable for therapists to offer incentives (ie.groupon, gift cards, via Facebook, etc.). The Section discussed whether there should be certain rules or parameters for offering incentives. In Ohio other healthcare professionals are allowed to offer incentives (ie. doctors, dentist, .. audiologist). The Executive Director will see if there is language that is more descriptive on offering incentives. The Section discussed taking a survey regarding incentives to obtain feedback from licensees on whether incentives should be completely banned, or have a threshold for incentives. The Section recommended using this survey at the OPTA annual conference. The Executive Director and Thomas Caldwell will work on the survey questions.

Retreat Planning

The Section will doodle a meeting to schedule the Section Retreat. The Section is looking to meet in the month of April 2013. The retreat topics are: offering incentives, dry needling continuing education courses approvals, and disciplinary guidelines review.

Memorandum of Understanding with OPTA

The Section discussed potential changes to the MOU. The Executive Director and Thomas Caldwell will meet to review potential changes based on the discussion at the meeting and will submit those suggestions to OPTA.

Open Forum

The Section welcomed all guests, including the physical therapist assistant students from Clark State Community College.

Ohio Physical Therapy Association (OPTA) Report

Victoria Gresh reported that OPTA will hold a legislative webinar in May 2013. Ms. Gresh further reported that OPTA Annual Conference will focus on technology in physical therapy Ms. Gresh reported that OPTA will work with the Executive Director on various issues of common interest.

The Section informed OPTA that the Executive Director will give the Section report at the OPTA Annual Conference.

Carolyn Towner gave a legislative report.

Federation of State Boards for Physical Therapy (FSBPT) Report

The Section's delegates for the 2013 Annual Meeting and Delegate Assembly are Karen Holtgreffe and Ronald Kleinman.

Items for Next Meeting

Retreat Recap

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, May 9, 2013.

Adjournment

Lynn Busdeker moved that the meeting be adjourned. Mary Kay Eastman seconded the motion. The motion carried. The meeting adjourned at 3:09 p.m.

Respectfully submitted,
Diane Moore

Thomas Caldwell, PT, Chair
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

Karen Holtgreffe, 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

KH:jmr:dm