



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Physical Therapy Section*  
*May 9, 2013*  
*10:00 a.m.*

**Members Present**

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

**Staff Present**

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

**Guests**

Victoria Gresh, OPTA  
Carolyn Towner, OPTA

**Legal Counsel**

Yvonne Tertel, Assistant Attorney General

**Call to Order**

The meeting was called to order by the Chair, Thomas Caldwell, at 10:01 a.m.

**Approval of Minutes**

**Action:** Mary Kay Eastman moved that the minutes from the March 7, 2013, meeting be approved as submitted. Lynn Busdeker seconded the motion. The motion carried.

**Action:** Lynn Busdeker moved that the minutes from the April 25, 2013, retreat be approved as submitted. Mary Kay Eastman seconded the motion. The motion carried.

**Executive Director's Report**

- The Executive Director informed that Section that OBM approved the Board's request to fill the vacant clerk position. The revised position description was approved by DAS. The position should be posted by the end of June.
- The Executive Director informed the Section that the Board's budget for FY2013 is going well. The occupational therapists are in the process of renewing. The Executive Director noted that as of July 1, 2013, renewal fee will reduced to \$70.00.
- The Executive Director informed the Section that the Board received the revised Memorandum of Understanding with the Ohio Physical Therapy Association.
- The Executive Director informed the Section that the Board received a copy of the summary suspension amendment sponsored by Senator Burke. The amendment accurately reflects the Board's requested language.
- The Executive Director informed the Section that he is still working on the completing the Board sponsored online continuing education presentation.

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

**Discussion of Laws and Rules Changes**

There are no new updates.

**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 March 7, 2013 through, May 9, 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. Mary Kay Eastman seconded the motion. The motion carried.

Physical Therapist – Examination

Anzak, Megan	Baker, Kayla	Barhorst, Jenna
Baxter, Amy	Bentley, Amber	Boldon, Kristin
Breznicki, Helen	Brossia, Erin	Brown, Clifton
Brown, Marcus	Buening, Larissa	Burnam, Candice
Burnett, Ryan	Carlson, Kristin	Cavener, Ian
Cunningham, Kristine	Davis, Rebecca	Ebner, Rachel
Espe, Lauren	Falk, Anthony	Gerth, Kathryn
Harmon, Troy	Harning, Amanda	Hayes, Ashley
Hereda, Anne	Hickman, Kasi	Hnat, Steven
Holder, Hannah	Huber, Jillian	Johnston, Jonathan
Jones, Kara	Karapetov, Naira	Konrad, Kara
Kozlowski, Kirk	Kraemer, Karen	Kramer, Erin
Krick, Bradley	Lin, Timothy	Luna, Natalie
Mihalik, Amanda	Mousette, Scott	Nowak, Elayna
Noyes, Jordan	O'Keefe, Laura	Owen, Amanda
Palani, Thendral	Pleiman, Gaston	Prince, Nicole
Roark, Alanna	Ruen, Kirsten	Saraniti, Cheryl
Schaffer, Leah	Scheidt, Kyle	Scholtz, Rachel
Schroeder, Jessica	Shakarashvili, Nodar	Smith, Constance
Steimling, Michael	Sufka, Kelley	Sureck, Caitlin
Tomlan, Kristina	Verhoff, Douglas	Vielbig, Laura
Welly, Erin	Whitehead, Natasha	Willis, Lindsey
Wilson, Lindsey	Zaborsky, Daniel	Zemba, Jillian
Zwack, Jessica		

Physical Therapist Assistant – Examination

Angel, Alyssa	Armstrong, Nathan	Azzarello, Samantha
Baum, Brinden	Bergman, Renee	Bowser, Ashton
Buchan, Anna	Cheney, Scott	Courtright, Elizabeth
Cox, Jessica	Dahlinghaus, Kelly	Davis, Heather
Delgado, Carmelo	Dubois, Raymond	Finefrock, Kelly
Fox, Mark	Fretz, Gregory	Harvey, Michael
Herr, Amanda	Karavaev, Dmitry	Kimber, Erica
Koester, Alicia	Lawrence, Kenneth	Menicucci, Andrea
Monroe, Sarah	Naudascher, Steven	Portentoso, Marie
Powell, Jami	Schlachter, James	Stahl, Elizabeth
Steward, Lindsay	Sylvester, Rae	Taylor, Erica
Treen, Lindsey	Van Oosten, Andrew	Wagner, Stephen
Walker, Jill	Welch, Monica	Whitesel, Erika
Williams, Mikyla	Zagorski, Emily	

**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 March 7, 2013 through, May 9, 2013, taking into account those licenses subject to discipline, surrender, or non-renewal. Karen Holtgreffe seconded the motion. The motion carried.

Physical Therapist – Endorsement

Amabile, Amy	Ball, Amanda
Crompton, Sarah	Dunn, Matthew
Greenwood, Susan	Harms, Heather

Howard, Carol  
Jones, Lauren  
Link, Kristi  
Narayan, Ashima  
Smith, Elliot  
Stupi, Katlin  
Thrush, Brittney  
Von Jentschik, Helga  
Young, Charles

Ismail Hameed Nilofer, Salima  
Klose, Jennifer  
Massar, Jennifer  
Scott, Carrie  
Sprague, Matthew  
Suszter, Lea  
Vanetten, Lucas  
Wilging, Matthew  
Zien, Megan

Physical Therapist Assistant – Endorsement

Abate, William	Ankney, Julie	Bowers, Tonya
Burnett, Linda	Conn, Amber	Fink, Stephen
Hartman, David	Hayes, Rhia	Hook, Zachary
McCart, Patrick	McMunn Aubrey	Robbins, Douglas

Physical Therapist Assistant Reinstatement

Franks, Catherine	Kerechanin, Bevin	Patel, Susan
Snyder, Gregory	Studer, Vanessa	

Physical Therapist Reinstatement

Huff, Tracey	McClellan, Monica	Petit, Karen
Spradlin, Lori	Weinel, Sheila	Werner, Pamela

Request for Waiver of English Equivalency Examinations for Licensure

James Lee recommended that the Section grant the waiver of the TOEFL requirement for the physical therapist endorsement file #5232324 based on the documentation provided. **Action:** Karen Holtgreffe moved to grant the waiver of the TOEFL requirement for the physical therapist endorsement file #5232324 based on the documentation provided. Mary Kay Eastman seconded the motion. James Lee abstained from voting. The motion carried. The Section granted the waiver of the TOEFL requirement for Ana Holland.

Testing Accommodations Requests

James Lee recommended that the Section grant the testing accommodations of additional time: double time, reader, and a separate testing room for physical therapist examination file #5262993 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section grant the testing accommodation of additional time: double time, reader, and a separate testing room for physical therapist examination file #5262993 based on the documentation provided. Ronald Kleinman seconded the motion. James Lee abstained from voting. The motion carried. The Section granted the testing accommodation request for Travis Dickey.

James Lee recommended that the Section grant the testing accommodations of additional time: time and a half and a separate testing room for physical therapist examination file # 5254696 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section grant the testing accommodation of additional time: time and a half and a separate testing room for physical therapist examination file #5254696 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 Sarah Belen.

James Lee recommended that the Section grant the testing accommodations of additional time: double time, and a separate testing room for physical therapist examination file #5260736 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section grant the testing accommodation of additional time: double time, and a separate testing room for physical therapist examination file #5260736 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 Abaigel Celarek.

James Lee recommended that the Section grant the testing accommodations of additional time: double time, and a separate testing room for physical therapist examination file #5262015 based on the documentation provided. **Action:** Raymond Bilecky moved that the Section grant the testing accommodation of additional time: double time,

and a separate testing room for physical therapist examination file #5262015 based on the documentation provided. Ronald Kleinman seconded the motion. James Lee abstained from voting. The motion carried. The Section granted the testing accommodation request for Kyle A. Scheidt.

Continuing Education Liaison Report

There was no report.

Assistant Attorney General's Report

Yvonne Tertel, AAG, reported that the Section is doing great with deliberations. Ms. Tertel informed the Section that in order to protect the attorney client privilege, she will provide the Section with written communications regarding legal strategies for certain types of cases/issues. Ms. Tertel informed the Section that a hearing is scheduled for the July 2013 Section meeting.

Case Review Liaison Report

Raymond Bilecky reported that the Enforcement Division closed eleven and opened five new cases since the March 7, 2013 meeting. There are fifteen cases currently open. There are six disciplinary consent agreements, one adjudication order being monitored.

**Enforcement Actions**

Raymond Bilecky recommended that the Section accept the consent agreement for case PT-FY12-043 in lieu of going to a hearing. **Action:** Mary Kay Eastman moved that the consent agreement for case PT- FY12-043 be accepted in lieu of going to a hearing. Karen Holtgreffe seconded the motion. Raymond Bilecky and Thomas Caldwell abstained from voting. The motion carried. The Section accepted the consent agreement for Shelly K. Fleming, PTA

Raymond Bilecky recommended that the Section accept the surrender consent agreement for case PT-FY13-026 in lieu of going to a hearing. **Action:** Karen Holtgreffe moved that the surrender consent agreement for case PT-FY13-026 be accepted in lieu of going to a hearing. Lynn Busdeker seconded the motion. Raymond Bilecky and Mary Kay Eastman abstained from voting. The motion carried. The Section accepted the consent agreement for John J. Pedigo, PTA, in which Mr. Pedigo agrees to voluntarily surrender his license and the Section hereby simultaneously revokes his physical therapist assistant license.

**Affidavit Hearing**

Good afternoon. My name is Thomas Caldwell, Chair of the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Let the record show that these proceedings were called to order at 10:30 am on May 9, 2013, at the Vern Riffe Center, 77 South High Street, Columbus, Ohio, 43215. Members of the Board present for the proceedings are:

The Executive Director called roll:

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

It will be noted for the record that a majority of the members of the Board are present. There will be one adjudication proceeding today. The proceeding is in the matter of case number PT-FY13-028, Debra A. Copeland, PT.

This proceeding shall be an affidavit-based adjudication relative to a Notice of Opportunity for Hearing mailed to the respondent in the aforementioned case and believed to have been properly serviced according to the Administrative Procedures Act (Chapter 119. of the Ohio Revised Code).

As the respondent did not properly request a hearing in the case, this proceeding will be held before the Board pursuant to *Goldman v. State Medical Board of Ohio*. The individual named does not have the ability to present written or oral testimony today, but may be present to hear the proceedings and outcome.

You have already received sworn affidavit from the Board's Enforcement Division Investigator, and accompanying exhibits for the Goldman Proceeding are in your board packet. The affidavit contains the evidence and testimony upon which you will deliberate. Please take a few moments to review the evidence and testimony.

In lieu of a stenographic record being made, let the minutes reflect the original sworn affidavit and exhibits shall be kept as the official record of the proceedings in the aforementioned matters in the Board office.

I will now recognize Assistant Attorney General, Yvonne Tertel, for the purpose of providing brief synopsis of the case.

Ms. Tertel presented the case for the Board.

Having heard Ms. Tertel's synopsis, may I now have motion to admit the sworn affidavit and the accompanying exhibits in the aforementioned case into evidence?

**Action:** Ronald Kleinman moved to accept the facts and exhibits outlined in the affidavit for case number PT-FY13-028, Debra A. Copeland, PT. Lynn Busdeker seconded the motion. Thomas Caldwell and Raymond Bilecky abstained from voting. The motion carried.

There being no further evidence to come before the Board, this proceeding is now closed at 10:49 pm.

The procedural and jurisdictional matters having being satisfied, we will now continue with the proceeding by deliberation on the sworn affidavit and exhibits.

At this time, is there a motion to recess this meeting in order to go into private session for the purpose of quasi-judicial deliberation on the matters that are required to be kept confidential under division (E)(1) of section 4755.02 of the Revised Code: case numbers PT-LD-FY13-028, Debra A. Copeland, PT.

**Action:** James Lee moved to recess the meeting to go into private session for the purpose of quasi-judicial deliberation on the matters. Ronald Kleinman seconded the motion.

Jeffrey Rosa called 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

The Section went into private session at 10:49 am and reconvened the meeting at 11:30 am. Raymond Bilecky and Thomas Caldwell left the room during private session. The Section asked the Executive Director to stay in the room.

***In the matter of case number PT-FY13-028, Debra A. Copeland, PT,*** after review of the evidence, the Board makes the following findings of fact:

1. The Board received information of allegations made to the Steubenville Police Department and to the media that in January 2013, Ms. Copeland verbally and physically abused two (2) minor patients with disabilities.
2. Based on the evidence provided, on February 22, 2013, the Board summarily suspended Ms. Copeland's license to practice as a physical therapist in the state of Ohio because she may have failed to adhere to minimal standards of practice.
3. Debra A. Copeland, PT, was properly served with the Notice of Opportunity for Hearing pursuant to Ohio Revised Code section 119.07.
4. Debra A. Copeland, PT, did not request an opportunity for hearing.
5. The Section held an evidentiary review hearing on May 9, 2013.
6. Based on the evidence presented at the evidentiary review hearing, the Board finds that Ms. Copeland's action failed to adhere to the minimal standards of practice, as she did verbally and physically abuse minor patient #1 and she did verbally and physically abuse minor patient #2.

In the matter of case number **PT-FY13-028, Debra A. Copeland**, PT, after review of the evidence, the Board makes the following conclusions of law:

1. Debra A. Copeland, PT, was properly served with the Entry of Order and Notice of Summary Suspension and Notice of Opportunity of Hearing pursuant to Ohio Revised Code section 119.07.
2. Debra A. Copeland, PT, violated Ohio Revised Code sections 4755.47 (A)(5), (6), and (13), and Ohio Administrative Code rules 4755-27-05 (A)(1)(b), (B)(1), (B)(5)(d), and (B)(6) as incorporated by Revised Code section 4755.47 (A)(6).

**Action:** Karen Holtgreffe moved to permanently revoke the license of Debra A. Copeland, PT, in accordance with Ohio Revised Code section 4755.47 (E) since Copeland did not request a hearing pursuant to the Notice of Summary Suspension. Lynn Busdeker seconded the motion.

The Executive Director called roll:

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

The motion carried. The license of Debra A. Copeland, PT is hereby permanently revoked.

**Action:** Thomas Caldwell moved that the Section seal Exhibit 2 in the matter of case number PT-FY13-028, Debra A. Copeland, PT. Lynn Busdeker seconded the motion. Raymond Bilecky and Mary Kay Eastman abstained from voting. The motion carried.

The Executive Director is hereby instructed to prepare adjudication order to carry out the mandate of this Board and serve the order on case number PT-FY13-028, Debra A. Copeland, PT, in the manner prescribed by law.

This concludes the matter of PT-FY13-028, Debra A. Copeland, PT.

#### **Correspondence**

1. **Jamie Gallagher, PTA:** Ms. Gallagher asked the Section for clarification whether physical therapists assistants are required to have direct supervision from physical therapists in order to treat a Medicare patient. **Reply:** When supervising a physical therapist assistant, the Ohio Physical Therapy Practice Act states that the supervising physical therapist does not need to be physically on-site, but must be available by telecommunication at all times and able to respond appropriately to the needs of the patient. However, your questions relate to payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy

Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association. For Medicare related questions the Section recommends you contact CMS at [www.cms.gov](http://www.cms.gov) and look under the LCD for regulations and guidance for physical therapy supervision of physical therapist assistants.

2. **Meredith High, PT:** Ms. High asked the Section questions regarding the provision of ultrasound and heat to a client with suspected cancer. **Reply:** Paragraph (A)(2) of 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. 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. The Ohio Physical Therapy Practice Act is silent on contraindications to practice; however, section 4755.40 of the Ohio Revised Code defines physical therapy as the evaluation and treatment of a person by physical measures and the use of therapeutic exercises and rehabilitative procedures. Also, as established in rule 4755-27-05 (B)(5) of the Administrative Code, a physical therapist shall adhere to the minimal standards of acceptable prevailing practice. Failure to adhere to minimal standards of practice, whether or not actual injury to a patient occurred, includes but is not limited to: Failing to assess and evaluate a patient's status. The Physical Therapy Section suggests that you should be able to present a reasonable rationale that includes safety, effectiveness, and contraindications for the selection of the procedure.
3. **Theresa Chambers, PT, DPT:** Dr. Chambers asked the Section whether physical therapists can perform physical examinations and also asked if massage therapists are required to hold an active license to practice under the supervision of a physical therapy practitioner. **Reply:** In response to your first question, performance of physical examinations for school physicals or work permits for minors is not within the scope of physical therapy practice in Ohio. In the State of Ohio, massage therapists are licensed by the State Medical Board. As a result, when a licensed massage therapist is providing massage services pursuant to a physical therapy plan of care, the massage therapist is considered Other Licensed Personnel, as that term is defined in rule 4755-27-01 of the Administrative Code.
4. **Jenny Snyder, PT:** Ms. Snyder asked the Section questions regarding speaking with families about the IFSP requirements. **Reply:** The Section's initial response from April 2, 2013 remains the same. There is nothing in the Ohio Physical Therapy practice act which would prevent you from going out to discuss outpatient services with the family. If the therapist going out to the home, is working for the early intervention agency and needs to meet the timelines for said agency, this should not be a problem. However, if the therapist works for an employer that is providing outpatient services, this could be seen as an ethical issue for soliciting patients. In the instance described, there should be no licensure issues for this therapist to make a visit to discuss outpatient services.
5. **Matthew Donlin, PT:** Mr. Donlin asked the Section whether there are limitations for a clinic based physical therapist to travel to the high school to treat a patient under a physician's referral. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act prohibiting the business plan you describe. Your questions may also relate to payer policies. The Physical Therapy Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association.
6. **Shellie Foley, PT:** Ms. Foley asked the Section whether a physical therapist can treat students that do not have an IEP or prescription for physical therapy and questions regarding parent notification/consent forms. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that prohibits a physical therapist from giving fitness, health and wellness sessions as part of a special education program as long as these are not represented physical therapy services. Unless you are also licensed through the Ohio Department of Education as an Adapted Physical Education Teacher, these sessions should not be represented as adapted physical education. If these fitness or wellness programs or group exercises are not represented as physical therapy, they do not fall under the jurisdiction of the Physical Therapy Practice Act. While physical therapists or physical therapist assistants providing such services may include their educational degrees in published materials, they should not use the credentials "PT" or "PTA" and should not state that the sessions are led by physical therapists or physical therapist assistants. The Physical Therapy Section recommends that the appropriate medical screenings are in place prior to exercise to ensure the safety of the students, but the fitness/wellness records should be stored separately from physical therapy records. You may also wish to have the special education teacher and educational aides assist with the sessions to assist

with class management and facilitate the recommended activities. However, under current Ohio law, a physical therapy practitioner providing fitness or wellness services for a class as you describe must follow regulations for physical therapy practice if the services are represented as physical therapy, if the provider is identified as a physical therapist or physical therapist assistant, or if he/she signs “PT” or “PTA” after his/her name. If any of these conditions exists, the physical therapist must perform an evaluation prior to providing services, must maintain documentation of care provided, and must notify the student’s primary physician if working without a physician referral. If physical therapist assistants, other licensed personnel, or students are involved in providing fitness or wellness services as physical therapy, rules in the Ohio Administrative Code for delegation and supervision apply. No part of these services may be delegated to unlicensed personnel. You may also wish to consult with the Ohio Department of Education to determine if this service needs to be documented on the IEPs of the children who are receiving these services. The Physical Therapy Section also recommends that you have written parent permission before beginning these sessions. You should also check with your liability insurance because you may not be covered when providing these sessions. 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.

7. **Joe Blasiole, PT:** Mr. Blasiole asked the Section questions regarding physical therapist cosignature requirements in electronic medical records. **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. All information completed by the physical therapist assistant must be co-signed by the physical therapist. The physical therapist assistant cannot establish goals or perform physical therapy assessment. Goal modifications may be performed only by a physical therapist and the documentation must clearly reflect the physical therapist’s revision(s). The physical therapist assistant may assess responses to treatments rendered and make statements about progress toward goals as outlined in the plan of care and document this in the assessment portion of the daily or progress note in the medical record. The Ohio Physical Therapy Practice Act does not dictate the format of documentation. The Physical Therapy Section recommends that you consult payer policies, facility or agency policies, or the American Physical Therapy Association for information on documentation.
8. **Sam Sprinkle:** Mr. Sprinkle asked the Section whether physical therapist assistants are providing “physical therapy” when working under the supervision of a physical therapist, and whether there are specific physical therapist assistant billing codes. **Reply:** In response to your first question, when a physical therapist assistant provides services under the direction and supervision of the physical therapist, they are providing physical therapy. Your second question relates to payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association.
9. **Krystal Hart:** Ms. Hart asked the Section whether a licensed physical therapist can prescribe DME (i.e. electrotherapy products/ TENS/Mstim) and orthotics for home use. **Reply:** Rule 4755-27-05 of the Ohio Administrative Code establishes the code of ethical conduct for physical therapists and physical therapist assistants. Paragraph (A)(5) of this rule states that “A licensee shall not influence a patient or the patient’s family to utilize, purchase, or rent any equipment based on the direct or indirect financial interests of the licensee. Recommendations of equipment must be based solely on the therapeutic value of that equipment to the patient. A licensee who owns or has a direct financial interest in an equipment or supply company must disclose the financial interest to the patient if the licensee sells or rents, or intends to sell or rent, to the patient.” While the licensee need not state “I’ll be making a profit off your purchase,” the licensee must disclose that he/she has a financial interest in the sale of equipment. The Physical Therapy Section recommends that that disclosure be provided orally and in writing and that the patient be told that the equipment is available from other vendors. Section 4752.02 of the Ohio Revised Code, which is enforced by the Ohio Respiratory Care Board, requires an HME license to sell or rent home medical equipment, which includes TENS units. Individual licensees are exempt from the HME license requirement ONLY if they do not sell or rent the HME. To obtain information on how to obtain an HME license, please review the information available at <http://respiratorycare.ohio.gov/HomeMedicalEquipmentHome.aspx>.

10. **Kelly Kuhbander, PT:** Ms. Kuhbander asked the Section whether physical therapists can perform glucometer finger sticks. **Reply:** There is nothing in the Physical Therapy Practice Act that prohibits a physical therapist from performing coaguchecks or glucose checks. Even though not part of the physical therapy plan of care, finger sticks may be performed as an administrative task by any health care professional. However, no procedure should be performed by a physical therapist or physical therapist assistant unless the practitioner demonstrates competence in that procedure.
11. **Matthew Mathias, PT, DPT:** Dr. Mathias asked the Section whether physical therapists are required to discharge a client when the client is discharged from an acute care setting. **Reply:** Yes, a discharge evaluation should be completed in all physical therapy settings.
12. **Marilyn McNeal, PT:** Ms. McNeal asked the Section questions regarding options for discharging a client and completing a new evaluation vs. recertifying a client for Medicare. **Reply:** Your questions relate to payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association.
13. **Lisa Glanz, PT:** Ms. Glanz asked the Section questions regarding whether physical therapists are responsible for clients on their caseload, based on the scenario provided. **Reply:** Since you clarified this is outside the physical therapy plan of care, the situation you describe appears to be an institutional issue. The Board suggests you speak with your supervisor and administration to address your concerns with risk management. You may wish to make your recommendations for this activity more prominent on your documentation. 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.
14. **Jennifer McDonald, PT, DPT:** Dr. McDonald asked the Section for clarification requirements for physical therapists to perform dry needling. **Reply:** Intramuscular dry needling is a technique using the insertion of a solid filament needle, without medication, into or through the skin to treat various impairments including, but not limited to: scarring, myofascial pain, motor recruitment and muscle firing problems. Goals of treatment vary from pain relief, increased extensibility of scar tissue to the improvement of neuromuscular firing patterns. The term “dry needling” may be confusing. It refers to the fact that nothing was injected with the needle. Physical therapists using intramuscular manual therapy: · Do not and cannot claim to practice acupuncture; · Do not use acupuncture traditional Chinese medicine theories, meridian acupoints and terminology; · Do not use acupuncture diagnosis like tongue and pulse; It is the position of the Physical Therapy Section that nothing in the Ohio Physical Therapy Practice Act prohibits a physical therapist from performing dry needling techniques. As with any specialized procedure, the physical therapist must have training and demonstrate competency in the modality. The manner in which the training is obtained and competency demonstrated are not addressed in the Practice Act. The Physical Therapy Section recommends you contact the Ohio Physical Therapy Association for approved coursework in dry needling at [www.ohiopt.org](http://www.ohiopt.org) . 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.

#### **OT/PT Joint Correspondence**

- JB1. **Shannon Dunn, PT:** Ms. Dunn asked the Occupational and Physical Therapy Sections if occupational and physical therapists can flush a clients’ feeding tube. **Reply:** There is nothing in the Ohio Occupational Therapy Practice Act that prohibits an occupational therapist from disconnecting/reconnecting feeding tubes as part of the occupational therapy treatment/intervention plan, provided that the occupational therapist has received training, and demonstrated and documented competence in this activity. There is nothing in the Physical Therapy Practice Act that prohibits a physical therapist from disconnecting/reconnecting feeding tubes. As with any procedure, the physical therapist must have training and demonstrate competency in the modality. The manner in which the training is obtained and competency demonstrated are not addressed in the Practice Act.

- JB2. Lori Horvath:** Ms. Horvath asked the Occupational and Physical Therapy Sections if occupational therapy assistants and physical therapists assistants can identify the need for a home modification. **Reply:** Pursuant to section 4755.04 (C) of the Revised Code and rule 4755-7-03 (A) of the Administrative Code, it is the position of the Occupational Therapy Section that for home assessments, occupational therapy assistants may gather objective information and report observations, with or without the client and/or occupational therapist being present. However, they may not interpret this data. It is the responsibility of the occupational therapist to interpret and make recommendations. A home assessment may be performed by an occupational therapy assistant (OTA) with a current client under an established occupational therapy treatment/intervention plan. The OTA can gather objective information and report observations, with or without the client and/or occupational therapist (OT) present. It is the responsibility of the OT to interpret the data gathered by the OTA and collaborate with the OTA to make recommendations. Any collaboration between the OT and OTA must be reflected in client documentation. A home assessment is an assessment typically performed prior to discharge home from an inpatient or skilled nursing rehabilitation setting. It is primarily performed to determine equipment and environmental needs for the client's safety at home. It is not an evaluation performed within home health services. A home assessment may be performed by an occupational therapy assistant with a current client under an established occupational therapy treatment/intervention plan. The occupational therapy assistant can gather objective information and report observations, with or without the client and/or occupational therapist present. It is the responsibility of the occupational therapist to interpret the data gathered by the occupational therapy assistant and collaborate with the occupational therapy assistant to make recommendations. Any collaboration between the occupational therapist and occupational therapy assistant must be reflected in client documentation. A home modification assessment is the sole responsibility of the physical therapist. However, prior to the completion of a home modification assessment, the physical therapist assistant may go into the home, without patient involvement, to perform an environmental survey (architectural barriers, floor plan, etc.). If the patient is going into his/her home environment and his/her function in the home is being assessed, this assessment must be performed by a physical therapist. A physical therapist assistant may continue an established treatment plan of functional activities in the home or other non-clinical environment or may complete an environmental checklist once the patient assessment has been completed.
- JB3. Sara Erwin, OT:** Ms. Erwin asked the Occupational and Physical Therapy Sections whether occupational and physical therapists can serve as department supervisors. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that dictates if a physical therapist can serve as a supervisor of a therapy department. However, it is the position of the Physical Therapy Section that the physical therapist has ultimate responsibility for all care and services delivered as physical therapy. If the recipient of services is under the understanding that the treatment, care, or education is physical therapy, the physical therapist rendering such care or supervising such care is the responsible provider. The physical therapist then must assure that the care is provided according to sections 4755-27-01 through 4755-27-05 of the Ohio Administrative Code, that treatments are rendered according to safe and ethical standards, and are of a type and quality to be effectual to the client's needs. There is nothing in the Ohio Occupational Therapy Practice Act that speaks to specific requirements for an occupational therapy practitioner in a managerial role. Your employer would ensure that you meet the necessary requirements from an employment perspective to manage the department. Many occupational therapy practitioners successfully serve in this capacity. You may wish to contact Cathy Csanyi, the OT/PT Specialty Consultant with the Ohio Department of Education, Office for Exceptional Children at (419) 747-2806 or via email at [cathy.csanyi@ode.state.oh.us](mailto:cathy.csanyi@ode.state.oh.us), and/or the Ohio Occupational Therapy Association's pediatrics member support group chair at [www.oota.org](http://www.oota.org). Both may be able to assist you further with some of your questions regarding serving in a managerial capacity in school-based practice.

### **New Business**

#### **Retreat Recap**

The Section will continue to obtain information on incentives in physical therapy practice.

### **Open Forum**

There were no items discussed.

### **Ohio Physical Therapy Association (OPTA) Report**

Victoria Gresh reported that OPTA conducted their first advocacy webinar and legislative webinar. OPTA is in the process of filling the vacancy in the OPTA office. Ms. Gresh reported that OPTA will introduce legislation that will give physical therapists the ability to diagnose and order appropriate tests and imaging studies. Representative Hood will sponsor the bill.

Carolyn Towner gave a legislative report.

**Federation of State Boards for Physical Therapy (FSBPT) Report**

The Section noted that FSBPT Board Member training will be held in June 6-9, 2013.

James Lee reported that he recently attended a meeting of the NPTE Eligibility Task Force.

FSBPT will revise the FSBPT Score Reports to include the candidate's performance strengths and weaknesses.

**Items for Next Meeting**

Jurisprudence Examination Updates

**Next Meeting Date**

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, July 18, 2013.

**Adjournment**

Mary Kay Eastman moved that the meeting be adjourned. Lynn Busdeker seconded the motion. The motion carried. The meeting adjourned at 2:03 p.m.

Respectfully submitted,  
*Diane Moore*

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

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Karen Holtgreffe, PT, Secretary  
Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board, PT Section

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

**KH:jmr:dm**