



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section
March 6, 2014
9:30 a.m.

Members Present

Raymond Bilecky
Lynn Busdeker
Thomas Caldwell (arrived @ 9:39 am)
Matthew Creed
Karen Holtgreffe, Acting Chair
James Lee
Chad Miller
Trevor Vessels, Public Member

Members Absent

Ronald Kleinman

Legal Counsel

Yvonne Tertel, Assistant Attorney General

Call to Order

Karen Holtgreffe, Acting Chair, called the meeting to order at 9:35 a.m.

Approval of Minutes

Action: Raymond Bilecky moved that the minutes from the January 9, 2014, meeting be approved as submitted. Lynn Busdeker seconded the motion. Thomas Caldwell was absent for the vote. The motion carried.

Administrative Reports

Licensure Applications

Action: Chad Miller 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 9, 2014 through March 6, 2014, taking into account those individuals subject to discipline, surrender, or non-renewal. Mr. Miller 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. James Lee seconded the motion. The motion carried.

Physical Therapist – Examination

Barnes, Charnon	Celarek, Abaigael	Duffy, Erin
Ely, Matthew	Frelek, Malgorzata	Golden, Brandy
Hoppe, Michelle	Jancewicz, Jessica	Jankov, Eric
Kelley, Kevin	Khaja-Abdul Sadiq, Khan	Khasnis, Rupali
Krishnan, Lakshmi	Matthews, Joshua	Moore, Margaret
Mrozinska-Gitiforooz, Elzbieta	Paras, Leslie	Petty, Barbara
Primiano, Caitlin	Russo, Michael	Scheidt, Kyle
Smith, Jamie	Sponaugle, Tyler	

Physical Therapist Assistant – Examination

Axford, Liza	Barta, Brittany	Boardman, Larry
Bowser, Ashton	Brossia, Jolynn	Brunton, Douglas
Buhrow, Danielle	Colbert, Naomi	Cramer, Courtney
Creque, Catherine	Dean, Jenna	Dement, Aaron

Downing, Erin
Eagon, Amber
Fortney, Matthew
Gill, Nicholas
Heffelfinger, Jason
Holbrook, Keisha
Kausser, Cassandra
Koululias, John
Liu, Rixin
Loudenslagel, Kyle
Marinelli, Melanie
Mellema, Amanda
Musial, Nicole
Peck, Kyle
Prater, Austin
Schlachter, James
Shelatz, Adam
Strouth, Brent
Tyler, Eleanor
Ziegler, Stacy

Drew, Rory
Elam, Shaun
Gephart, Hannah
Glover, Brian
Hester, Amanda
Innocenzi, Paul
Kelbley, Melissa
Lavigne, Danielle
Lloyd, Lisa
Lutch, Shannon
McMurphy, Brandon
Misich, Katelyn
Nordquest, Morgan
Philipps, John
Ranallo, Darcy
Schmersal, Stacy
Sowry, Cara
Sullivan, Bobbie
Woods, Julie
Zilko, James

Dunn, Jeremy
Ferguson, Lelonna
Gerics, Adrielle
Haines, Cindi
Hester, Amanda
Jones, Leslee
Kocka, Bethan
Leija, Victor
Long, Kathryn
Marcotte, Trenten
Meier, Elizabeth
Morton, Nikki
Owens, Caren
Phipps, Rachel
Redmond, Kaitlin
Shea, Noel
Stalnaker, Rainie
Tucker, Cerisse
Wright, Kirby

Action: Chad Miller 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 9, 2014 through March 6, 2014, taking into account those licenses subject to discipline, surrender, or non-renewal. Karen Holtgreffe seconded the motion. The motion carried.

Physical Therapist – Endorsement

Acosta, Nicole
Dietzen, Annemarie
Hanf, Pearl Joy
Jankowski, Damian
Lindsay, Judy
Packard, Caroline
Wehrman, Shannon

Al Hadharem, Ahmed
Goldsberry, Michael
Hanson, James
Joosten, Jaimie
Marks, Joshua
Shealy, Debra
Whalen, Sean

Colaluca, Dawnitza
Gompers, Kevin
Hauenstein, Kalie
Lesousky, Allison
Meyer, Jacob
Sorgen, Allison

Physical Therapist Assistant – Endorsement

Aschliman, Beth
Metro, Mark

Cline, Michael
Tibbs, Christopher

Knapp, Cameron

Physical Therapist Reinstatement

Basich, Crystal
Cooper, Christina
Hagedorn, Sara
McNally, Michael
Trushel, Kimberly

Brown, Megan
Feinauer, Natalie
Harding, Andrea
Nolan, Daniel

Ceasar, Adrick
Gaul, Jennifer
Liles, Andrea
Snader, Jayne

Physical Therapist Assistant Reinstatement

Miller, Judith

Request for Waiver of Licensure Requirements

Chad Miller recommended that the Section grant the waiver of the TOEFL requirement for physical therapist endorsement file #5346129 based on the documentation provided. **Action:** James Lee moved to grant the waiver of the TOEFL requirement for physical therapist endorsement file #5346129 based on the documentation provided. Karen Holtgreffe seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the waiver of the TOEFL requirement for Pavani Bobbala.

Testing Accommodations Requests

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half and a separate room for physical therapist examination file #5338647 based on the documentation provided. **Action:** James Lee moved that the Section approve the testing accommodation of additional time: time and a half and a separate room for physical therapist examination file #5338647 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Nicole Anne Calkins.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half and a separate room for physical therapist examination file #5333478 based on the documentation provided. **Action:** James Lee moved that the Section approve the testing accommodation of additional time: time and a half and a separate room for physical therapist examination file #5333478 based on the documentation provided. Thomas Caldwell seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Holly Ann Combs.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time for physical therapist examination file #5342061 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section approve the testing accommodation of additional time: time and a half for physical therapist examination file #5342061 based on the documentation provided. James Lee seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Nodar Roman Shakarashvili.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half and a separate room for physical therapist examination file #5333891 based on the documentation provided. **Action:** James Lee moved that the Section approve the testing accommodation of additional time: time and a half and a separate room for physical therapist examination file #5333891 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Rebecca Lynne DeMattia.

Chad Miller recommended that that the Section grant the testing accommodation of additional time: double time and a separate room for physical therapist examination file #5342656 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section ratify the testing accommodation of additional time: double time and a separate room for physical therapist examination file #5342656 based on the documentation provided. Raymond Bilecky seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Kara Janell Konrad.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a separate room for physical therapist examination file #5343899 based on the documentation provided. **Action:** Matthew Creed moved that the Section approve the testing accommodation of additional time: time and a half and a separate room for physical therapist examination file #5343899 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Marissa Ann Lampe.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half, reader, and a separate room for physical therapist assistant examination file #5348558 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section approve the testing accommodation of additional time: time and a half, reader, and a separate room for physical therapist assistant examination file #5348558 based on the documentation provided. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Scott Matthew Cheney.

Chad Miller recommended that that the Section grant the testing accommodation of additional time: double time, reader, and a separate room for physical therapist assistant examination file #5309133 based on the documentation provided. **Action:** James Lee moved that the Section ratify the testing accommodation of additional time: double time, reader, and a separate room for physical therapist assistant examination file #5309133 based on the documentation provided. Karen Holtgreffe seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Eleanor Mandy Tyler.

Continuing Education Liaison Report

Karen Holtgreffe read the written report on behalf of Ronald Kleinman. The continuing education committee is in the process of completing the second half of the 2013 audit. The CE Committee is in the process of reviewing the policy and procedures, and the guidelines for continuing education credit for a publication. The next continuing education committee meeting will be held at the upcoming OPTA Conference.

License Renewal Report

None

Assistant Attorney General's Report

Yvonne Tertel, AAG, had no formal report.

Case Review Liaison Report

Raymond Bilecky reported that the Enforcement Division closed four and opened twelve new cases since the January 9, 2014 meeting. There are twenty-eight cases currently open. There are eight disciplinary consent agreements and two adjudication orders being monitored.

Raymond Bilecky informed the Section that Debra Streeter, David Smartt, Heidi Fenton, Kelly Fieseler, and Teresa Gustafson complied with all terms and conditions and were released from their disciplinary consent agreements.

Enforcement Actions

Raymond Bilecky recommended that the Section accept the consent agreement for case PT-FY14-014 in lieu of going to a hearing. **Action:** Thomas Caldwell moved that the consent agreement for case PT- FY14-014 be accepted in lieu of going to a hearing. Lynn Busdeker seconded the motion. Raymond Bilecky and Karen Holtgreffe abstained from voting. The motion carried. The Section accepted the consent agreement for Christine Forristal, PT.

Correspondence

1. **Kelly Bollum, PT, DPT:** Dr. Bollum asked the Section questions regarding whether there are specific rules/regulations for providing aquatic physical therapy to groups. **Reply:** The Ohio Physical Therapy Practice Act is silent on the number of physical therapists required to be present during an aquatic therapy session and on the size of an aquatic therapy group. You may also wish to contact the appropriate insurance carriers, Medicare, or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association for any specific regulations.
2. **Shawn Kerby, PT:** Mr. Kerby asked the Section for questions regarding supervision requirements for physical therapist assistants in a home health setting. **Reply:** The Ohio Physical Therapy Practice Act is silent on how often the supervising physical therapist must treat or re-evaluate patients delegated to physical therapist assistants. The Physical Therapy Section also recommends that you consult your payer policies as Medicare and other insurance companies may have specific rules regarding the frequency of interventions provided by a supervising physical therapist. In order to meet acceptable standards of care, the physical therapist assistant has a legal obligation in the overall care of the patient to ensure the supervising physical therapist performs the review and assessment.
3. **Angela Darragh, PT:** Ms. Darragh asked the Section whether prescriptions for physical therapy from a referring practitioner have an expiration date, and practicing without a referral. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that dictates the length of time that a referral is valid. If you have a case or patient where a referral is required, the Physical Therapy Section recommends that, at a minimum, referrals be renewed annually. The Section recognizes that third party payers may require physical therapists to follow more specific requirements. In response to your second question and in accordance with the laws governing the provision of physical therapy services under direct access, a physical therapist may see a patient who does not wish to have a physician or other practitioner notified. The Physical Therapy Section recommends that the patient be asked to sign a document declining notification of the physician.
4. **Stacey Craig, PT:** Ms. Craig asked the Section for clarification on point of service documentation for physical therapy services. **Reply:** The Ohio Physical Therapy Practice Act does not dictate the format of

documentation. The Physical Therapy Section recommends that you consult your IT Department, payer policies, facility or agency policies, or the American Physical Therapy Association for information on documentation.

5. **Lillith Bixler:** Ms. Bixler asked the Section various questions regarding concurrent therapy caseloads when treating private pay clients, athletic trainers functioning in a physical therapy clinic, and if chiropractors can work as physical therapist assistants. **Reply:** Your first question relates to the clarification/interpretation of 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. **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 American Physical Therapy Association. **In response to your third question,** a chiropractor would fall under the same “other licensed personnel” provisions as the athletic trainer. A chiropractor cannot function as a physical therapist assistant without holding a valid physical therapist assistant license. **In response to your last question,** it 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. The Physical Therapy Section recommends that you consult with experts in the areas of billing and reimbursement and compliance that are available through the OPTA and APTA websites.
6. **Mary Ellen Valentino, PT:** Ms. Valentino asked the Section whether physical therapists can accept self-pay clients if the client is typically covered by Medicaid. **Reply:** Your question relates to clarification/interpretation of 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.
7. **Amie Moreland-Myers, PT:** Ms. Moreland-Myers asked the Section for clarification on why physical therapist assistants cannot perform home evaluations. **Reply:** As noted in the original reply, under the Ohio Physical Therapy Practice Act, physical therapist assistants cannot legally perform evaluations. A home assessment is an evaluation and therefore a physical therapist assistant is unable to complete this. However, a physical therapist assistant is allowed to perform an environmental survey of the patients home without the patient present and document this information for the physical therapist. Physical therapist assistants do not have the “essentially” the same credentials as the occupational therapy assistants. The laws and rules

governing the practice of a physical therapist assistant differ from the laws and rules governing the practice of an occupational therapy assistant.

8. **Sajjad Khan, PT:** Mr. Kahn asked the Section to consider changing the continuing education rules to automatically accept physical therapy continuing education courses certified/approved by other states. **Reply:** The continuing education review and approval process followed in other states can be more or less restrictive than the Ohio process. The Physical Therapy Section has a memorandum of understanding with the Ohio Physical Therapy Association (OPTA) that helps ensure the continuing education courses approved in Ohio meet appropriate standards. Since we cannot guarantee the quality of the review process in every other state, the Section has decided to only accept OPTA reviewed courses at this time.
9. **John VanWey, Jr, PT, DPT:** Dr. VanWey asked the Section questions regarding whether a physical therapist can fill out the Family Medical Leave Act (FMLA) and Certification of Healthcare Provider form for clients under the therapist care with a physical therapy script from a physician. **Reply:** Although the Ohio Physical Therapy Practice Act is silent on this topic, federal regulations contain a definition of “health care provider” for the Family and Medical Leave Act. Pursuant to 29 CFR 825.125, a health care provider includes an M.D., a D.O. or one of the following: podiatrists, dentists, clinical psychologists, optometrists, chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist), nurse practitioners, nurse-midwives, clinical social workers, physician assistants, Christian Science practitioners, or any health care provider from whom an employer or the employer’s group health plan’s benefits manager will accept certification of the existence of a serious health condition to substantial a claim for benefits. The Physical Therapy Section recommends that you contact the human resources department of the patient’s employer who is in charge of completing the FMLA forms for further guidance.
10. **Janet Garcia, PT:** Ms. Garcia asked the Section for clarification regarding how often should a student be seen by a physician and if the student can be seen by an out of state physician. **Reply:** After clarifying your questions via telephone, the Physical Therapy Section prepared the following response to your questions. **In response to your first 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. 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. 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 second question**, it is the position of the Physical Therapy Section that, pursuant to section 4755.48 (F) of the Ohio Revised Code, physical therapists may receive out-of-state referrals from a person who is licensed to practice medicine and surgery, chiropractic, dentistry, osteopathic medicine and surgery, podiatric medicine and surgery, or to practice nursing as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner, and physician assistants within the scope of such practices, and whose license is in good standing.
11. **Todd Rufener, PT, DPT:** Dr. Rufener asked the Section questions regarding the impact on licensure for not meeting established frequencies for caseload. **Reply:** There is potentially a violation of the Ohio Physical Therapy Practice Act if you are providing substandard care or not following the established plan of care. As long as the physical therapist has been providing physical therapy services within the parameters stated on the evaluation, there would not be a concern about a violation of the physical therapy law. The Section requires the physical therapist to ensure appropriate patient management based on the unique needs of the patient, taking into account the complexity of the patient population. The ultimate responsibility for care of the patient lies with the evaluating physical therapist regardless of whether the therapist or physical therapist assistants provide follow-up treatment.

12. **Email Correspondent:** The Email Correspondent asked the Section whether it is appropriate for a physical therapist assistant can date a client. **Reply:** This is not a matter of general correspondence. If you are aware of a potential violation you should file a complaint with the Board. You can download the complaint form at: <http://otptat.ohio.gov/Consumers/Enforcement.aspx>. According to rules 4755-27-05 (A)(1)(a) and (b) and (B)(1) and (7) of the Ohio Administrative Code, physical therapist and physical therapist assistants shall conduct themselves in the following manner, (A) Ethical integrity. Licensees shall use the provisions contained in paragraphs (A)(1) to (A)(10) of this rule as guidelines for promoting ethical integrity and professionalism. Failure to comply with paragraphs (A)(1) to (A)(10) of this rule may be grounds for disciplinary action pursuant to section 4755.47 of the Revised Code and in accordance with Chapter 119. of the Revised Code. (1) A licensee shall respect the rights and dignity of all patients and provide compassionate care as described in paragraphs (A)(1)(a) and (A)(1)(b) of this rule. (a) A licensee shall recognize individual differences with patients and shall respect and be responsive to those differences. (b) A licensee shall be guided by concern for the physical, psychosocial, and socioeconomic welfare of patients. (B) Ethical conduct. Ethical conduct includes conforming to the minimal standards of acceptable and prevailing physical therapy practice. Conduct may be considered unethical regardless of whether or not actual injury to a patient occurred. Failure to comply with paragraphs (B)(1) to (B)(15) of this rule may be grounds for disciplinary action pursuant to section 4755.47 of the Revised Code and in accordance with Chapter 119. of the Revised Code. (1) A licensee shall adhere to the standards of ethical practice by practicing in a manner that is moral and honorable. A licensee may be disciplined for violating any provision contained in division (A) of section 4755.47 of the Revised Code. (7) A licensee shall not engage in any sexual relationship or conduct, including dating, with any patient, or engage in any conduct that may reasonably be interpreted by the patient to be sexual, whether consensual or nonconsensual, while a therapist-patient relationship exists.
13. **Melanie Cole, SPT:** Ms. Cole asked the Section whether a graduate DPT student can provide pro bono services while waiting to sit for the national exam. **Reply:** You are correct in that you would be functioning as an “unlicensed personnel” under the direct supervision of a physical therapist. Unlicensed personnel cannot perform screens. In the instance of providing “pro bono” screenings, According to rule 4755-27-03 (E)(5) of the Ohio Administrative Code, *when practicing within the scope of physical therapy*, screens and their interpretation are the sole responsibility of the physical therapist. A physical therapist may delegate to a physical therapist assistant non-invasive tasks such as 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. 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. **Gregory Watkins:** Mr. Watkins asked the Section whether physical therapists can perform a medication review. **Reply:** There is nothing in the Physical Therapy Practice Act that prohibits a physical therapist from performing a medication reconciliation that includes interviewing a patient about current medications, comparing those to the list of prescribed medications, and implementing a computerized program or referring the lists to other practitioners to identify suspected drug interactions. Even though not part of the physical therapy plan of care, the reconciliation may be performed as an administrative task of 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.
15. **Elisha Ehnes:** Ms. Ehnes asked the Section whether physical therapists can complete the technical and professional interpretation components of an EMG study. **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.

16. **Theresa Chambers, PT, DPT:** Dr. Chambers asked the Section questions regarding electronic documentation. **Reply:** It is the position of the Physical Therapy Section that the physical therapist must review and co-sign each note that contains documentation from the physical therapist assistant.
17. **Jackie Blake, PT, DPT:** Dr. Blake asked the Section questions regarding the use of G-Codes and Medicare appeal process. **Reply: In response to your first question,** it is the position of the Physical Therapy Section that nothing in the Ohio Physical Therapy Practice Act prohibits a physical therapist from reviewing past notes to enter G codes. It is also the position of the Physical Therapy Section that any service should be billed under the most descriptive intervention and diagnostic codes available. Your question relates to clarification/interpretation of 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 further guidance. **In response to your second question,** the Medicare litigation they are likely referring to is the Jimmo vs Sebelius case. Further review of this case may be beneficial in aiding you in determining the appropriate direction of patient care in this case.

Joint Correspondence

- JB1. Stephanie Bachman, OT/L:** Ms. Bachman asked the Occupational and Physical Therapy Sections whether CPR is a requirement for occupational and physical therapy licensure. **Reply:** Although the Sections encourage Basic Life Support certification, there is nothing in the Ohio Occupational or Physical Therapy Practice Acts that requires this credential for occupational and/or physical therapy licensure. You should check with your facility policies to see if they have a requirement for CPR certification.
- JB2. Kayla Atkinson, OTA/L:** Ms. Atkinson asked the Occupational and Physical Therapy Sections questions regarding whether occupational therapy assistants/physical therapist assistants can perform home assessments. **Reply:** A home assessment is the sole responsibility of the physical therapist. However, prior to the completion of a home 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. 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 under an established occupational therapy treatment/intervention plan. However, they may not interpret this data. 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.
- JB3. Ashley Fields, PT:** Ms. Fields asked the Occupational and Physical Therapy Sections questions regarding occupational therapy and physical therapy practitioners can perform iontophoresis. **Reply: In response to your first question,** there is nothing in the Occupational and Physical Therapy Practice Acts that prohibits 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. The procedure you described in your letter is permissible under the Ohio Occupational and Physical Therapy Practice Acts. More information on this can be found on the Board's website by going to the Publications page under the Physical Therapy dropdown menu and reviewing the "Guidelines for the Use of Pharmaceuticals in Physical Therapy." Please review that document to see if it answers your questions. If you still have additional questions after reviewing the document, please contact the Board. The Limited Category 2 Permit is granted by the Ohio State Board of Pharmacy and not by the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board. You may, therefore, wish to contact the Ohio State Board of Pharmacy to further clarify any questions about dispensing dexamethasone under the Limited Category 2 Permit. **In response to your second question,** yes physical therapist assistants are able to administer iontophoresis to a patient if this procedure is in the established plan of care and the physical therapist has determined the

parameters of treatment prior to the physical therapist assistant performing this procedure. Pursuant to section 4755.04 (A)(6) of the Revised Code, occupational therapy includes the “administration of topical drugs that have been prescribed by a licensed health professional authorized to prescribe drugs.” Since iontophoresis is a topical drug, it falls within the scope of practice of an occupational therapist. If this will be administered by an occupational therapy assistant, both the supervising occupational therapist and occupational therapy assistant must document and demonstrate competency in the technique.

JB4. Jessica Sabine: Ms. Sabine asked the Occupational and Physical Therapy Sections questions regarding whether occupational therapy assistants/physical therapist assistants can write orders. **Reply:** Yes the physical therapist assistant is allowed to write physical therapy orders, however all orders written by the physical therapist assistant must be counter-signed by the physical therapist and ultimately signed by the physician. In accordance with rule 4755-27-02 (B) of the Ohio Administrative Code, physical therapist assistants are not qualified to: (1) interpret physician referrals, (2) conduct initial patient evaluations, (3) write initial or ongoing patient treatment plans, (4) conduct re-evaluations of the patient or adjust patient treatment plans or (5) perform the discharge evaluation and complete the final discharge summary. 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 for 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. It is the position of the Occupational Therapy Section that occupational therapy assistants may gather and summarize objective information; however, they may not interpret this data. It is the responsibility of the occupational therapist to interpret and make recommendations for the purpose of discharge plan development, as indicated in rule 4755-7-02 of the Ohio Administrative Code. The collaboration between the occupational therapy assistant and the occupational therapist must be reflected in the client documentation. Pursuant to rule 4755-7-02 (B)(1)(b) of the Administrative Code, the occupational therapy assistant may contribute to and collaborate in the preparation, implementation, and documentation of the treatment/intervention plan and the discharge plan. Pursuant to rule 4755-7-04 (H) of the Administrative Code, any documentation written by an occupational therapy assistant for inclusion in the client’s official record shall be co-signed by the supervising occupational therapist. Third party payer policies, other regulatory agencies, and/or facility policies may be more restrictive than the Ohio Occupational Therapy Practice Act. In any situation, licensees should follow the more restrictive policies.

Old Business

None

New Business

Review Retreat Agenda

The Section made revisions to the retreat agenda, the updated topics are listed below:

- “Shared” Ohio Approval Number for Continuing Education
- Use of the “PT” credential when not “functioning” as a physical therapist/physical therapist assistant (e.g.: health/wellness)
- Guidelines on accepted CE approvals for various FSBPT activities
- Enticements- incentives and waiving co-pays
- The role of physical therapy in the ACO Model
- Mock Exercise – Adjudication (AAG)

Chiropractors Advertising Physical Therapy Services

The Executive Director informed the Section that the Board continues to receive complaints from individuals regarding chiropractors advertising physical therapy services. Some chiropractic companies do not fully understand what the chiropractor can legally do under the Attorney General opinion and they do not under the Ohio Physical Therapy Practice Act. The Board suggests providing educational resources to chiropractors on what the physical therapy laws and rules says and clarify what chiropractors and aides are permitted to do. The Board would work collaboratively with the Ohio State Chiropractic Board on what is legally permitted. The Section is in favor of this approach to educate chiropractors and physical therapy practitioners on what is allowed/not allowed.

Open Forum

None

Ohio Physical Therapy Association (OPTA) Report

Victoria Gresh informed the Board of the upcoming OPTA activities, which include the Annual Conference, Advocacy Day, and a public relations campaign for the 10 year anniversary of the enactment of direct access. In addition, OPTA is partnering with Robert Swinehart of the Mid-American Rehabilitation Network to serve as a payment policy specialist. Carolyn Towner gave a brief legislative report.

CE Courses Offered as a Series

The Board reviewed the letter from Mr. Rick Schroeder with PTCourses.com regarding continuing education courses offered as a series. The Board supports OPTA's decision regarding the approval of CE courses offered in a series, under which an individual must take all courses in a series to get credit for the series. The Executive Director will inform Mr. Schroeder of the Board's position on this issue.

Federation of State Boards for Physical Therapy (FSBPT) Report

The Executive Director reminded the Section that the 2014 FSBPT Jurisdiction Board Member & Administrator Training is scheduled for June 6-8, 2014.

Common Licensure Application Service

The Executive Director informed the Section that the FSBPT is looking for states to serve as pilots for the common licensure application service. The common licensure application is a service for individuals to use one application to apply for licensure with multiple states. Each regulatory entity would have the ability to include an addendum to the common application to address the unique questions for that specific regulatory board. The Section supports serving as a pilot state.

CE Audit and use of aPTitude

The Executive Director reported to that approximately fifty of the 1,600 audited licensees used aPTitude to report their continuing education activities for the audit. The Executive Director informed the Section that not all licensees uploaded the certificates of completion. The Executive Director suggested to FSBPT that aPTitude allow for multiple users for a jurisdiction and compile the certification of completions for a single licensee into one batched PDF document.

Items for Next Meeting

- Rules Hearing

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, May 15, 2014.

Adjournment

Karen Holtgreffe moved that the meeting be adjourned. Lynn Busdeker seconded the motion. The motion carried. The meeting adjourned at 1:44 p.m.

Respectfully submitted,
Diane Moore

ABSENT

Ronald Kleinman, 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