



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section
September 10, 2015
9:30 a.m.

Members Present

Lynn Busdeker
Matthew Creed
Erin Hofmeyer
Ronald Kleinman, Chair
James Lee, Secretary
Timothy McIntire
Chad Miller
Jennifer Wissinger
Trevor Vessels, Public Member

Legal Counsel

Melissa Wilburn, AAG

Staff Present

Diane Moore, Interim Executive Director
Lisa Ratinaud, Enforcement Division Supervisor

Guests

Jill Cropper
Jacquelyn Chamberlin

Call to Order

Ronald Kleinman, Chair, called the meeting to order at 9:35 a.m.

Approval of Minutes

Action: Ronald Kleinman moved that the retreat minutes from the September 10, 2015, meeting be approved as submitted. Lynn Busdeker seconded the motion. The motion carried.

Special Order

Elections of Officers

Action: Ronald Kleinman nominated James Lee to be Section Chair for the period beginning September 10, 2015 and ending immediately following the September 2016 Section meeting. The nominations were closed. All members present voted to elect James Lee Section Chair.

Action: Lynn Busdecker nominated Jennifer Wissinger to be Section Secretary for the period beginning September 10, 2015 and ending immediately following the September 2016 Section meeting. The nominations were closed. All members present voted to elect Jennifer Wissinger Section Secretary.

Action: James Lee nominated Matthew Creed to serve as Ohio's delegate to the 2016 FSBPT Delegate Assembly. The nominations were closed. All members present voted to elect Matthew Creed FSBPT Delegate.

Action: Lynn Busdeker nominated Erin Hofmeyer to serve as Ohio's alternate delegate to the 2016 FSBPT Delegate Assembly. The nominations were closed. All members present voted to elect Erin Hofmeyer as the FSBPT Alternate Delegate.

Liaison Appointments

The liaison appointments beginning September 10, 2015 and ending September 30, 2016 are:

Enforcement Division Liaisons:	Chad Miller and James Lee
Licensure Liaison:	Ronald Kleinman
Continuing Education Liaison:	Erin Hofmeyer
Correspondence Liaisons:	Matthew Creed, Jennifer Wissinger, and Timothy McIntire
Rules Liaison	Lynn Busdeker

Action: Ronald Kleinman moved to authorize the Executive Director to accept or reject consent agreements on the Section's behalf for the period beginning September 10, 2015 and ending on September 30, 2016. Erin Hofmeyer seconded the motion. The motion carried.

Action: Ronald Kleinman moved to authorize the use of signature stamps or electronic signatures by the Section Chairperson, Section Secretary, and the Executive Director for the period beginning September 10, 2015 and ending on September 30, 2016. Matthew Creed seconded the motion. The motion carried.

Action: Ronald Kleinman moved to authorize the Executive Director to make editorial changes to motions for the period beginning September 10, 2015 and ending on September 30, 2016. Lynn Busdeker seconded the motion. The motion carried.

Action: Ronald Kleinman moved to authorize the use of hearing officers for the period beginning September 10, 2015 and ending on September 30, 2016. Chad Miller seconded the motion. The motion carried.

Action: Ronald Kleinman moved to authorize the staff to issue licenses to applicants with completed applications and that the Section ratify the licenses issued by the staff at the Section meeting following issuance of license for the period beginning September 10, 2015 and ending on September 30, 2016. Matthew Creed seconded the motion. The motion carried.

Discussion of Law and Rule Changes

The Interim Executive Director informed the Section that concussion rules were approved through the CSI process. The Section can proceed with filing the concussion rules.

Action: Timothy McIntire moved that the Section file the proposed concussion rules as amended and adopt the proposed language into policy. Lynn Busdeker seconded the motion. 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 July 16, 2015 through September 10, 2015, 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. Timothy McIntire seconded the motion. The motion carried.

Physical Therapist – Examination

Aldrich, Brianne	Blanton, Thomas	Clawges, Jennifer
Copley, Anthony	Copper, Ann	Cruse, Samantha
Ferguson, Laura	Fernandez, Richard	Frey, James
Fuelling, Emalese	Gastaldo, Mario	Gavric, Mladen
Gideon, Melanie	Greve, Taylor	Greve, Taylor
Hebda, Dawid	Heuerman, Erica	Hopkins, Sherrice
Kaiser, Stephanie	Kay, Sarah	Kiger, Elizabeth
King, Rebecca	Kramer, Hannah	Kreen, Nicole
Krishnan, Lakshmi	Lewis, Pamela	Magner, Abigail
Mangosh, Christopher	Marsh, Jeffrey	Menke, Gina
Miller, Ashley	Miller, Brittany	Mirabella, Andrew
Moore, Eric	Pederzolli, Nicholas	Pruitt, Rolanda
Pruitt, Rolanda	Radcliff, Ashley	Ray, Amber
Rice, Natasha	Roberts, Heather	Royston, Madeline
Ruthemeyer, Christopher	Schiefer, Lindsay	Schott, Lauren
Sheehan, Brittany	Sherry, Jenna	Sibila, Ashley
Smith, Barbara	Smith, Heather	Sprang, Jessica
Stottlemeyer, Erica	Truesdale, Acacia	Walters, Adrienne
Waterman, Jessica	Willauer, Thomas	Wojtach, Paul
Yurkovic, Kristine	Zabiegala, Kaitlyn	Zech, Amy
Zwack, Jessica		

Physical Therapist Assistant – Examination

Abouahmed, Sarah	Allbaugh, Daniel	Allen, Tyler
Allicock, Nicole	Andes, Greg	Andy, Kyle
Bach, Laura	Banford, Heather	Best, Megan
Blair, James	Bohland, Hannah	Braun, Courtney
Bromley, Caitlyn	Brosius, Megan	Brown, Leshawn
Brush, Rhonda	Byler, Caitlyn	Cadman, Alyssa
Cajka, Breann	Cannon, Marcellus	Clinton, Wendy
Collins, Erica	Cook, Andrea	Cook, Lauren
Cooper, Kaitlyn	Costell, Joshua	Csiszar, Beth
Darr, Aaron	Delzeith, Teresa	Dibartolomeo, Anthony
Doggett, Nichole	Downard, Lauren	Drew, Sydney
Eakins, Richard	Eckinger, Noelle	Everts, Amanda
Fellows, Sean	Fielder, Reva	Finn, Kelsey
Foster, Christopher	Freeman, Amanda	Freeman, Luke
Gall, Katlyn	Gallagher, Jennafer	Garcia, Angelica
Geer, Stephanie	Geiser, Brandon	George, Deena
George, William	Gladle, Michelle	Gray, Rhyleigh
Greaf, Megan	Griggs, Schanelle	Hales, Julie
Hampton, Kalia	Hamren, Jennifer	Harris, Carmen
Harris, Jenna	Hartman, Dylan	Haser, Brittany
Heinz, Sarah	Hemmelgarn, Chelsea	Hessey, Allison
Holmes, Shawna	Jackson, Nathan	Jansen, Jessica
Jenkins, Joel	Jezirowski, Kaitlin	Jones, Leslee
Keenan, Anne	Kintop, Douglas	Klaserner, Kari
Kocka, Bethan	Kohn, Meridith	Kopczak, Stefania
Kottenbrook, Matthew	Kutrubs, Nicholas	Laman, Tara
Landel, Mallorea	Leone, Angel	Lind, Amy
Longbrake, Ryan	Lubeach, Julie	Lykins, Belinda
Mahan, Alexandra	Marchese, Michael	Martin, Jamaea
Martinez, Ashley	Maskow, Colleen	McAuliffe, Stephen
McCann, Tara	McCathren, Sarai	Metzger, Samantha
Miller, Bethany	Miller, Jessica	Miller, Katelyn
Miller, Michelle	Mitchell, Emily	Mock, Angela
Neilley, Greta	Nelson, Amy	Niemeyer, John
Nwaneri, Stanley	Nye, Sarah	Paradis, Judith
Pavella, Bradley	Pease, Joseph	Peck, Angela
Petrovic, Zoran	Pierce, Samuel	Powell, Melissa
Price, Hannah	Radabaugh, Jacob	Ramey, Lauren
Reilly, Sarah	Ricard, Elizabeth	Rider, Amy
Riedel, Montgomery	Roberts, Heather	Rome, Jacqueline
Rowe, Elizabeth	Scherman, Samantha	Schirmer, Sherri
Seich, Travis	Shaffer, Christie	Shepherd, Taylor
Sheriff, Hadi	Shihabi, Nabil	Shuneh, Harrison
Sidoti, Vincenzo	Singleton, James	Snead, Sherrie
Snyder, Katherine	Sorrell, Haley	Spickler, Natalie
St. Johns, Robert	Stack, Kyla	Stinehelfer, Michelle
Stoncheck, Tifany	Stoneburner, Jeffrey	Swinehart, Raelle
Van Wagner, Christian	Walter, Morgan	Ward, Anthony
Ward, Chloe	Warner, Macie	Watkins, Ashley
Westerman, Douglas	Williams, Donald	Willis, Mary
Wirrig, Marissa	Witzky, Jacob	Wohn, Staci
Wolfe, Shawn	Yarman, Trista	Yauch, Caitlin
Zagorski, Lynn	Zapp, Elizabeth	Zeiler, Lisle

Zimmer, Amy

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 July 16, 2015 through September 10, 2015, taking into account those licenses subject to discipline, surrender, or non-renewal. Ronald Kleinman seconded the motion. The motion carried.

Physical Therapist – Endorsement

Campana, Marie	Petrozzi, John	Blankenship, Jared
Brewer, Amanda Bontrager	Chitnis, Sonal Vilas	Dewalt, Roxanne
Elinski, Trevor	Gleason, Mary	Huff, Mallory
Mugrage, Kelsey	Murphy, Lisa	Musselman, Holly
Pashnick, Chelsea	Robinson, Paul	Shevchik, Kiersten
Sizemore, Sara	Stephenson, Jeremy	

Physical Therapist Assistant – Endorsement

Burrows, Desiree	Davis, Tammy	Hermann, Andrew
Kleinschnitz, Michael	Moos, Sydney	Proper, Ginger
Snyder, Michael	Triplett, Heather	Wood, Frederick
Cousins, Alena	Scott, Kristin	Rekapalli, Neha Madhukar Naidu
Steinbauer, Kyle		

Physical Therapist Reinstatement

Barry Janet	Hambidge Sara	Priar Katie Crowwait
Schuman Leann	Wizinsky Amanda	

Physical Therapist Assistant Reinstatement

Asbury, Bridget	Sieg, Nicole	Watkins, Jennifer
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Testing Accommodations Requests

Chad Miller recommended that the Section grant the waiver of the TOEFL requirement for physical therapist assistant examination file #CAVU5400246 based on the documentation provided. **Action:** Erin Hofmeyer moved that the Section grant the waiver of the TOEFL requirement for physical therapist assistant examination file # CAVU5400246 based on the documentation provided. James Lee seconded the motion. The motion carried. The Section waived the TOEFL requirement for Priyanka Pandya.

Chad Miller recommended that the Section grant a file extension for physical therapist assistant examination file #5490466 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section grant a file extension for physical therapist assistant examination file #5490466 based on the documentation provided. Erin Hofmeyer seconded the motion. The motion carried. The Section granted an extension for Priyanka Pandya.

Chad Miller recommended that the Section not approve the PRT action plan for physical therapist endorsement file # APP000000891 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section not approve the PRT action plan for physical therapist endorsement file # APP000000891 based on the documentation provided. Matthew Creed seconded the motion. The motion carried. The Section did not approve the PRT action plan for Nancy Malay.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half, and separate room for physical therapist examination file #APP000000894 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time: time and a half, and separate room for physical therapist examination file #APP000000894 based. Timothy McIntire seconded

the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Kathryn Fimognari.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half, and separate room for physical therapist examination file #APP000000971 based on the documentation provided. **Action:** Timothy McIntire moved that the Section approve the testing accommodation of additional time: time and a half, and separate room for physical therapist examination file #APP000000971 based. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Michael Roberts.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half, and separate room for physical therapist assistant examination file #CAVU5490466 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time: time and a half, and separate room for physical therapist assistant examination file #CAVU5490466 based. Erin Hofmeyer seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Schanelle Griggs.

Chad Miller recommended that the Section approve the credential evaluation for physical therapist assistant examination file #CAVU5490466 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time: time and a half, and separate room for physical therapist assistant examination file #CAVU5490466 based. Erin Hofmeyer seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Schanelle Griggs.

Chad Miller recommended that the Section determine that the education be deemed reasonably equivalent to Ohio law for the physical therapist examination file #APP000000908 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section determine that the education be deemed reasonably equivalent to Ohio law for the physical therapist examination file #APP000000908 based on the documentation provided. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried. The Section accepted the foreign education of Sonja Franziska Keller Bircher.

Continuing Education Liaison Report
Erin Hofmeyer, gave a brief CE report.

Erin Hofmeyer recommended that the Section deny the CE waiver request for file #CE20150901 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section deny the CE waiver request for file #CE20150901 based on the documentation provided. Matthew Creed seconded the motion. The motion carried. The Section denied the CE waiver request for Charlene Pallante, PT.

Assistant Attorney General's Report
Melissa Wilburn, AAG, had no formal report for the Section.

Case Review Liaison Report
Chad Miller reported that the Enforcement Division closed eight and opened six new cases since the July 16, 2015, meeting. There are sixteen cases currently open. There are thirteen disciplinary consent agreements and one adjudication order being monitored.

Chad Miller informed the Section that Heather McMillin, PT, and Marcia Boote, PT complied with all terms and conditions and were released from their disciplinary consent agreements.

Enforcement Actions

Chad Miller recommended that a notice of opportunity for a hearing be issued for case PT-FY15-006 for violation of consent agreement. **Action:** Lynn Busdeker moved that a notice of opportunity for a hearing be issued for case PT-FY15-006 for violation of consent agreement. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that a notice of opportunity for a hearing be issued for case PT-FY15-051 for documenting services not provided. **Action:** Lynn Busdeker moved that a notice of opportunity for a hearing be issued for case PT-FY15-051 for documenting services not provided. Erin Hofmeyer seconded the motion. Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section accept consent agreement PT-FY15-045 in lieu of hearing. **Action:** Jennifer Wissinger moved to recess the meeting to go into private session for the purpose of quasi-judicial deliberation on these matters. Lynn Busdeker seconded the motion.

The Interim Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

The Section went into private session at 12:04 p.m. and came out at 12:11 p.m. Chad Miller left the room during private session and did not participate in the deliberations. The Section asked the Board Staff to stay in the room.

Action: Jennifer Wissinger moved that the Section accept the consent agreement for case number PT-FY15-045 in lieu of going into hearing. Lynn Busdeker seconded the motion.

The Interim Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

The Section accepted the consent agreement for Lori A. Livingston, PT.

Affidavit

Good afternoon. My name is Ronald Kleinman, Chairperson of the Occupational 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 12:15 am on September 10, 2015, at the Vern Riffe Center, 77 South High Street, Columbus, Ohio, 43215. Members of the Board present for the proceedings are:

The Interim Executive Director called roll:

Lynn Busdeker	Present
Matthew Creed	Present
Erin Hofmeyer	Present
Ronald Kleinman	Present
James Lee	Present
Timothy McIntire	Present

Chad Miller Present
Jennifer Wissinger 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-FY15-053, Amy L. Brehm.

This proceeding shall be an affidavit-based adjudication relative to a Notice of Opportunity for Hearing mailed to the respondent in the aforementioned cases 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 Supervisor and accompanying exhibits for the Goldman Proceeding 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 matter in the Board office.

I will now recognize Assistant Attorney General, Melissa Wilburn, for the purpose of providing a brief synopsis of the case.

Ms. Wilburn reviewed the case for the Board.

Action: Timothy McIntire moved that the Section admit the facts and exhibits outlined in the sworn affidavit in the aforementioned case into evidence. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried.

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 the meeting in order to go into private session for the purpose of quasijudicial deliberation on case number PT-FY15-053, Amy L. Brehm, and to reconvene the meeting after deliberations are complete?

Action: Lynn Busdeker moved to recess the meeting to go into private session for the purpose of quasi-judicial deliberation on these matters. Matthew Creed seconded the motion.

The Interim Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The Section went into executive session at 12:21 a.m. and came out at 12:29 a.m. Chad Miller and Melissa Wilburn, AAG left the room during private session and did not participate in the deliberations. The Board Staff was asked to stay in the room.

There being no further evidence to come before the board, this proceeding is now closed at 12:30 pm.

In the matter of case number PT-FY15-053, Amy L. Brehm, after review of the evidence the Board makes the following findings of fact:

1. Ms. Brehm currently holds a suspended license to practice as a physical therapist assistant in the state of Ohio.
2. On or about March 5, 2015 the Physical Therapy Section approved the consent agreement entered into between Ms. Brehm and the Board. Said consent agreement required Ms. Brehm to have a mental health evaluation, within sixty (60) days of the ratification of the consent agreement, to determine fitness for duty as a physical therapist assistant. Ms. Brehm was required to submit names of licensed psychologist for the Enforcement Division of the Board to consider for approval to conduct the mental health evaluation. As of September 10, 2015, the Enforcement Division had not received any names of licensed psychologists from you to consider for approval to conduct your mental health evaluation.
3. On June 1, 2015, the Board issued a "Notice of Opportunity for Hearing" (hereinafter 'Notice') via certified mail for a violation of her consent agreement terms, as Ms. Brehm did not submit any names of licensed psychologists for the Enforcement Division to consider for approval. The notice was received by on June 6, 2015 by an individual with an illegible signature.
4. Ms. Brehm was required under Ohio Revised Code section 119.07 to request a hearing within thirty (30) days of the mailing of the Notice. Ms. Brehm failed to request a hearing within the thirty (30) day time period, nor did she request a hearing at any time thereafter.
5. Ms. Brehm did not request a hearing on the aforementioned charge.

Action: Lynn Busdeker moved to accept the findings of fact in the matter of PT-FY15-053, Amy L. Brehm. Timothy McIntire seconded the motion. Chad Miller abstained from voting. The motion carried.

In the matter of case number PT-FY15-053, Amy L. Brehm, after review of the evidence, the Board makes the following conclusions of law:

1. Brehm was properly served with the notice of opportunity for hearing pursuant to Revised Code 119.07.
2. Brehm failed to comply with the terms of her consent agreement she entered into with the Physical Therapy Section on March 5, 2015.
3. A preponderance of the evidence demonstrates that Ms. Brehm violated Ohio Revised Code section 4755.47(A)(6) by failing to comply with term 6 of her March 5, 2015 consent agreement with the Physical Therapy Section.

Action: Jennifer Wissinger moved that the Section accept the conclusions of law in the matter of PT-FY15-053, Amy L. Brehm. Timothy McIntire seconded the motion. Chad Miller abstained from voting. The motion carried.

Action: Ronald Kleinman moved to revoke the physical therapist license of Amy L. Brehm, effective September 10, 2015. Timothy McIntire seconded the motion.

The Interim Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Karen Holtgreffe	Yes
Ronald Kleinman	Yes
James Lee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

The physical therapist license of Amy L. Brehm, is hereby revoked, effective September 10, 2015.

The Interim Executive Director is hereby instructed to prepare an adjudication order to carry out the mandates of this Board and serve the order on PT-FY15-053, Amy L. Brehm, in the manner prescribed by law.

This concludes the Matter of PT-FY15-053, Amy L. Brehm.

Hearing officer report and recommendations for case number PT-FY15-031

The Section reviewed the hearing officer's report and recommendation from Paul Stehura, Hearing Officer in the matter of Michael Geddes, Case Number PT-Y15-031. The hearing was held before Hearing Officer Paul Stehura on June 22, 2015.

In accordance with Board procedures, the member(s) who were involved in the investigation and made recommendations to the Board regarding this case shall not participate in further adjudication of the case and must abstain from further participation in the adjudication of these matters. Chad Miller recommended this disciplinary action and identified himself.

Hearing Officer Paul Stehura served the Report and Recommendation to the Board office on August 24, 2015. Michael Geddes' attorney received a copy of the Hearing Officer's Report and Recommendation via email on August 24, 2015. Ms. Michael Geddes' attorney filed written objections to the Report and Recommendations, but did not request to orally address the board today.

Action: Lynn Busdeker moved to recess the meeting to go into private session for the purpose of quasi-judicial deliberation on the matters. Jennifer Wissinger seconded the motion.

Diane Moore called roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

The Section went into private session at 12:46pm and reconvened the meeting at 12:54 pm. Melissa Wilburn, AAG, and Chad Miller left the room during private session and did not participate in the deliberation. The Section asked the Board Staff to stay in the room.

Ronald Kleinman asked each of the Board members if they received, read, and considered the entire record in this matter, including the transcript of proceedings, exhibits, oral testimony, the Hearing Officer's Report, and Hearing Officer's Recommendation, and objections in the Matter of Michael Geddes, Case Number PT-FY15-031, and asked each member if they were prepared to adjudicate in this matter.

Diane Moore called roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Karen Holtgreffe	Yes

Ronald Kleinman	Yes
James Lee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

Action: Lynn Busdeker moved to accept the Hearing Officer’s findings of fact in the matter of Michael Geddes, Case Number PT-FY15-031. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried.

Action: Erin Hofmeyer moved to accept the Hearing Officer’s conclusions of law in the matter of Michael Geddes, Case Number PT-FY15-031. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried.

Action: Timothy McIntire moved to accept the Hearing Officer’s recommendations and all conditions for reinstatement as written on pages 21 to 24 of the Hearing Examiners Report. Jennifer Wissinger seconded the motion. Chad Miller abstained from voting.

Diane Moore called roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Karen Holtgreffe	Yes
Ronald Kleinman	Yes
James Lee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

The license of Michael Geddes as a physical therapist assistant in the state of Ohio is hereby revoked, effective September 10, 2015.

Diane Moore reported that the costs required under section 4755.031 of the Ohio Revised Code covered a total of four invoices: (1) hearing officer (\$2546.00 and \$2085.25), (2) court reporter, which included one transcript (\$1026.00), and (3) expert testimony of Raymond Richetta, Ph.D., Psychologist (\$1250.00). The total cost for the four vendors is \$6,907.85.

Action: Ronald Kleinman moved that, pursuant to section 4755.031 of the Ohio Revised Code, fees be assessed against Michael Geddes in the amount of \$6,907.85. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried.

The Interim Executive Director is hereby instructed to prepare an adjudication order to carry out the mandate of this Section of the Board and serve the order to Michael Geddes in the manner prescribed by law.

This concludes the Matter of Michael Geddes, Case Number PT-FY15-031.

Correspondence

1. **Mindy Griffin, OT:** Ms. Griffin asked the Section questions regarding physical therapy practitioners role and responsibilities overseeing residents in an assisted living exercise room that are not on the physical therapist caseload and asked if physical therapy practitioners can perform the pre op visits home visits prior to surgery. **Reply:** yes, you are able to provide the services as indicated in your question. there is nothing in the practice act prohibiting a physical therapist or physical therapist assistant from providing patient education in the home setting regarding DME, home modifications and exercise instruction, however, the physical therapist must perform an evaluation prior to providing services, and must maintain

documentation of care provide, establish a plan of care,. If physical therapist assistants, other licensed personnel, or students are involved in providing this education/instruction then the rules in the Ohio Administrative Code for delegation and supervision apply.

2. **Adam Dawson, PT:** Mr. Dawson asked the Section questions regarding physical therapist can perform wound care in Ohio. **Reply:** It is the position of the Physical Therapy Section that physical therapy includes wound and burn care with appropriate dressing and administration of topical drugs. Physical therapy also includes sharp wound debridement providing the physical therapist has been trained in the procedure. The physical therapist may delegate this component of care to a physical therapist assistant provided that both the physical therapist and the physical therapist assistant have demonstrated competency in these procedures.
3. **Michael Rich:** Mr. Rich asked the Section questions regarding whether a LLC organized in Ohio bill for physical therapy services that were performed by a licensed therapist in the state. **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.
4. **Robin Dornbirer, PTA:** Ms. Dornbirer asked the Section regarding whether there educational resources for educating physical therapists on the do/don'ts of writing orders for other disciplines. **Reply:** 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
5. **Ashley Thurman, PTA:** Ms. Thurman asked the section questions regarding documenting progress notes and asked if physical therapist assistants can write the objective portion of the discharge summary. **Reply:** **In response to your first question,** physical therapist assistants can perform the standardized tests mentioned if being used as a form of treatment to reach a particular goal or goals, however they cannot interpret the results of these tests or outcome tools to make the final determination on whether or not a goal has been met. The physical therapist assistant cannot establish/modify goals or document if a goal has been met or not met. The physical therapist assistant must follow the plan of care and work toward achieving the goals established by the physical therapist. Goal modification 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. However, the physical therapy assistant cannot complete any portion of a re-evaluation or discharge summary. Completion of a Re-evaluation, formal discharge note or discharge summary note must be completed by the supervising physical therapist. **In response to your second question,** a physical therapist assistant can complete all portions of a daily note if the treatment was performed by the physical therapist assistant. The note must be cosigned by the supervising physical therapist. The assessment portion of a daily note reflects the patient's response to the treatments performed that visit. **In response to your third question,** discharge planning and the completion of the discharge evaluation are the responsibility of the supervising physical therapist and may be performed and documented by the physical therapist in a reasonable timeframe prior to discharge. The physical therapist assistant may provide care per that discharge assessment and plan and may document objective information about that care, but the physical therapist must then complete the final discharge summary.
6. **Patricia Potter, PT:** Ms Potter asked the section questions regarding how long a doctor's prescription for physical therapy evaluation valid. **Reply:** It is the position of the Physical Therapy Section that the frequency of re-evaluation of a patient must be individualized and based upon that patient's impairments and response to treatment, regardless of the setting in which the patient receives physical therapy services. Please refer to the payer since payer policies may have specific rules on frequency of re-evaluation/re-certification and the use of a re-evaluation code.
7. **Staci Harr, PT:** Ms. Harr asked the section questions regarding whether physical therapist can do medication reconciliation. **Reply:** There is nothing in the Physical Therapy Practice Act that prohibits a physical therapist from opening a home care case or administering OASIS-C as defined by the Centers for

Medicare and Medicaid Services (CMS) or 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. This does not include the interpretation of medication verbal orders or interpretation of medication 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.

8. **Joanna Keenan:** Ms. Keenan asked the section question regarding whether a rehab manager who is also a physical therapist assistant can make wheelchair recommendations and adjustments. **Reply:** According to Section 4755-27-01 of the Ohio Revised Code, Physical therapy practice defined in part (A) (2) "Physical therapist assistant" means an individual holding a valid license under section 4755.40 to 4755.56 to assist in the provision of physical therapy treatments, including the provision of patient education and instruction ***under the supervision of a physical therapist***. If a physical therapist assistant is providing physical therapy services, he/she must be supervised by a licensed physical therapist and all the laws and rules regarding physical therapy would apply. A physical therapist would be required to perform an evaluation, establish a plan of care for the physical therapist assistant to follow under the physical therapist's supervision.
9. **Sarah Doe:** asked the section questions regarding whether it is appropriate for a physical therapist to provide massage only for the entire plan of care. **Reply:** There is nothing in the Ohio physical therapy laws and rules that prohibits a physical therapist from providing massage as the primary mode of treatment for a patient. However, no procedure should be performed by a physical therapist or physical therapist assistant unless the practitioner demonstrates competence. Providing treatment interventions that are not warranted by the patient's condition, or continuing treatment beyond the point of reasonable benefit to the patient," would be a "failure to adhere to minimal standards of practice."

Joint Correspondence

- JB1. Jeffrey Angeline, PT, AT:** Mr. Garrett asked the Athletic Trainers and Physical Therapy Sections questions regarding advertising and offering incentives physical therapy and athletic training practice. **Reply:** The following statement is in the code of ethical conduct for both physical therapy (OAC 4755-27-05) and athletic training (OAC 4755-41-01) licensees. A licensee shall not intentionally or knowingly offer to pay or agree to accept any compensation, directly or indirectly, overtly or covertly, in cash or in kind, to or from any person or entity for receiving or soliciting patients or patronage, regardless of the source of the compensation. 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.
- JB2. Michael Mazak, OTR/L:** Ms. Mazak asked the Occupational and Physical Therapy Sections questions regarding whether it is ethical for physical therapists to discharge occupational orders and only provide physical therapy orders in the scenarios described. **Reply:** It is the position of the Physical Therapy Section, that when working under a physician referral, the physical therapist does need to stay within the parameters of the referral. The Physical Therapy Section would expect the physical therapist to contact the physician regarding treatment procedures that the therapist considers inappropriate for that patient and to recommend alternative treatment. If the physician continues to insist on the disputed treatment, the therapist's only recourse may be to decline to treat the patient. The physician may refer to other care providers. Within a facility where the patient has no choice in selecting the physician or therapy team, the physical therapist may be able to present the dilemma to facility or medical administrators to explain the rationale for not providing the requested treatment. Physical therapists are able to assess the functional status of a patient in regards to activities of daily living. They are able to assess/evaluate if the patient is able to dress themselves, transfer and ambulate. Your questions are being forwarded to the Enforcement Division for further review.
- JB3. Janene Mazanec PT, DPT:** Dr. Mazanec asked the Occupational and Physical Therapy Sections questions regarding school-based occupational and physical therapy services. **Reply:** The Ohio Physical Therapy Practice Act does not specifically address the frequency of standardized testing or parental consent for testing for annual reviews of Individualized Education Programs (IEP). **In response to your first question,**

if the parent has given consent to the evaluation as part of the Evaluation Team Report (ETR), as indicated on the planning form, then the parent has given consent for that area of development to be evaluated. It is the physical therapist's discretion to use standardized testing for annual IEP reviews, as needed, to reassess the student's current status. However, if the physical therapist or occupational therapist wanted to use a standardized test in an area that had not previously been tested in the ETR, then parental consent should be obtained and the new evaluation of the new area would need to be addressed with the ETR team. **In response to your second question**, if you want to obtain consent to test a new area, you must follow the appropriate procedures as outlined by the Ohio Department of Education. Section 7 of the IEP indicates the services on the IEP and should not be implied to indicate anything else. It is the position of the Ohio Occupational Therapy Section that the parent signature on the IEP which includes written information regarding further assessment being performed during IEP time period indicates parental consent. However, the Section recommends informing the parent at the time of the evaluation so that communication channels may be kept open in case the parent has any concerns. There is nothing in the Ohio Physical Therapy Practice Act that indicates a physician needs to be notified each time a standardized test is administered to a student on an IEP. Best practice is to treat IEP annual reviews as a new episode of care, so the physical therapist should follow Ohio Revised Code, section 4755.481 regarding parental consent for physician notification of physical therapy services. Since the children are growing and maturing, best practice does suggest that a minimum of an annual physician notification should be done to ensure that changes in the child's medical status are documented in the physical therapy records.

- JB4.** **Kelly Susev, PT:** Ms. Susev asked the Occupational and Physical Therapy Sections questions regarding occupational and physical therapists joint evaluations for completing the Bayley III Development Evaluation. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that prohibits a physical therapist from contributing to a team evaluation for a child in a developmental follow-up clinic. The physical therapy examination and evaluation should clearly reflect the findings and recommendations. It is the physical therapist's responsibility to develop a plan of care to appropriately reflect the individual services to be provided by the licensed physical therapy practitioner. There is nothing in the Ohio Occupational Therapy Practice Act that prohibits an occupational therapist from contributing to the team evaluation as described in your scenario.
- JB5.** **G. Brenda Coey:** Ms. Coey asked the Occupational and Physical Therapy Sections if occupational and physical therapists and/or the therapist supervisor can add documentation to a client's medical record two years after the last date of treatment. **Reply:** The Occupational and Physical Therapy Sections do not have jurisdiction to give a legal opinion.
- JB6.** **Tim Murphy, PT:** Mr. Murphy asked the Occupational and Physical Therapy Sections questions regarding records retention requirements for occupational and physical therapists. **Reply:** The Occupational Therapy Section does not have policy for records retention. The Section suggests that you contact your Medical Information Department and/or legal counsel regarding an appropriate record retention policy. The Ohio Physical Therapy Practice Act does not specify the length of time for document retention for the practice of physical therapy. Third party payer policies, Medicare and Medicaid, may be more restrictive than the Ohio Physical Therapy Practice Act. The therapist must comply with payer policies. 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. The Athletic Trainers Section also wants you to be aware of rule 4755-42-03 of the Administrative Code. Under this rule, all licensees are required to use the initials "AT" to indicate licensure. If you are currently certified by the BOC and want to use your ATC, that must be in addition to the initials AT.
- JB7.** **Kerri Romes, OTR/L:** Ms. Romes asked the Occupational and Physical Therapy Sections questions regarding license display requirements for occupational and physical therapists. **Reply:** According to the Physical Therapy Section, pursuant to section 4755.48(D) of the Ohio Revised Code, the certificate of license shall be conspicuously displayed in the primary clinic/office where the therapist practices. According to the Occupational Therapy Section, pursuant to Section 4755.08 of the Revised Code requires all licensees to display the wall certificate "in a conspicuous place at the licensee's principal place of business." In addition to a treatment room, the "*principal place of business*" can be the administrative

office location for your practice (e.g. corporate office for a home health company, an office at the educational service center/school for whom the licensee works, etc.) or the licensee's private office area in the clinic or facility. "**Conspicuous**" means visibly displayed in some way within the principal place of business. It is not acceptable to file the original wall license out of sight.

JB8. Phillip Boarman, OTR/L: Mr. Boarman asked the Occupational and Physical Therapy Sections questions regarding how long a physician's order for occupational and physical therapy is valid. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that dictates how long a physician prescription is valid. In accordance with section 4755.481 of the Ohio Revised Code, a physician prescription is not required for a physical therapist to examine a patient, though third party payor restrictions may apply. Third party payers, Medicare and Medicaid, maybe more or less restrictive than the Ohio Physical Therapy Practice Act. The Section recommends you contact the reimbursement department at the Ohio Physical Therapy Association. Occupational therapists are not required to have a referral and/or prescription to evaluate or treat clients in the State of Ohio. However, hospital or facility policies, 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. Also, there would be a need to determine if the prescription continues to have an accurate description of the client's needs. You may wish to discuss your question with your legal counsel or your malpractice provider. It is not within the jurisdiction of the Occupational Therapy Section to render billing and reimbursement advice. The Section recommends that you refer to payer policies for any specific billing and reimbursement requirements in your setting. You might also contact the Ohio Occupational Therapy Association, or the Reimbursement Department of the American Occupational Therapy Association.

Old Business

None

New Business

None

Open Forum

Lynn Busdeker will send the new language for health/wellness to the Board. The Board will update the standard response and frequently asked question for health/wellness.

Ohio Physical Therapy Association (OPTA) Report

The Section review the OPTA written report of income for 2014.

Federation of State Boards for Physical Therapy (FSBPT) Report

The Section reviewed the FSBPT publications on dry needling competencies and PEAT copyright violations. The Section briefly discussed the motions for the upcoming FSBPT Delegate Assembly.

Items for Next Meeting

None

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, November 5, 2015.

Adjournment

There being no further business and no objections, Ronald Kleinman adjourned the meeting at 1:55pm.

Respectfully submitted,

Diane Moore

Ronald Kleinman, PT, Chair
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

James Lee, PT, DPT, Secretary
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

Diane Moore, Interim Executive Director
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board

JL:dm