



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Physical Therapy Section  
November 5, 2015  
10:00 a.m.*

**Members Present**

Lynn Busdeker  
Member Absent  
Erin Hofmeyer  
Ronald Kleinman  
James Lee, Chair  
Paul McGhee  
Jennifer Wissinger, Secretary  
Trevor Vessels, Public Member

**Members Absent**

Timothy McIntire  
Chad Miller

**Legal Counsel**

Melissa Wilburn, AAG

**Staff Present**

Diane Moore, Interim Executive Director  
Lisa Ratinaud, Enforcement Division Supervisor  
Shannon Gorey, Investigator  
Jennifer Adams, Investigator Assistant

**Guests**

Victoria Gresh, OPTA  
Abby Weisenberger  
Alexis Kirby  
Alli Cayvela  
Allison Papp  
Amy Casady  
Anna Henry  
Ariana King  
Brent Welly  
Brittany McDonnell  
Cassandra Sharp  
Cassie Lingenhoel  
Corey Block  
Daniel Thorson  
Dustin Gibson  
Elizabeth Fravel  
Grant Woodard

Healy Batton  
Holli Mueller  
Jacob S?  
James B?  
Jen Len un Dowski  
Jenna Cost  
Joe Janasek  
John Maynard  
Katelyn Schuster  
Kristina Strine  
Kyle Eakins  
Laura Geruntino  
Lindsey Brown  
Lisa Treadway  
Livia Davis  
Loren Fallet  
Marissa Nocera  
Matt Kelley

Matthew Sigler  
Megan Baker  
Meredith Ridge  
Monica Craigmile  
Nick Hohman  
Nicole Thate  
Patricia Koehl  
Rebekah Tarbutton  
Rhea Proctor  
Ryan Smith  
Sarah Barker  
Stephanie Noble  
Stephen Leflamme  
Taylor Daggett  
Tim Paulate  
Tuliaan Lim  
Tyler McLean  
Valerie Pivarnik

**Call to Order**

James Lee, Chair, called the meeting to order at 10:23 a.m.

The Section welcomed the new Board Member Paul McGhee from Wooster, Ohio.

The Section welcomed physical therapy students from Ohio State University and Ohio University.

**Approval of Minutes**

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

**Executive Director's Report**

- The Interim Executive Director reported to the Section on the Board positions filled and remaining vacant positions.

- The Interim Executive Director gave the Section an update on Release 2 of the new eLicense Project.
- The Interim Executive Director informed the Section that the Governor's office appointed a Paul McGhee to the Physical Therapy Section.

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

### **Discussion of Law and Rule Changes**

Lynn Busdeker informed the Section she will attend committee meeting for HB169 in November 2015. Ms. Busdeker further reported that she attended a BWC Committee meeting for HB 169 in October 2015.

### **Administrative Reports**

#### **Licensure Applications**

**Action:** Ronald Kleinman 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 September 10, 2015 through November 5, 2015, taking into account those individuals subject to discipline, surrender, or non-renewal. Mr. Kleinman 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. Jennifer Wissinger seconded the motion. The motion carried.

#### *Physical Therapist – Examination*

Adkins, Douglas	Gottfried, Brooke	Parkhurst, Josiah
Bachmayer, Amanda	Haidet, Brittany	Radcliff, Ashley
Bizjack, Julia	Hebda, Dawid	Raley, Victor
Blanton, Thomas	Henderson, Sara	Ray, Sandi
Bowman, Nickolas	Hopkins, Sherrice	Ricard, Elizabeth
Brown, Sarah	Iafrate, Louis	Roberts, Michael
Brown, Kevin	Johnson, Marcus	Royston, Madeline
Bucher, Katie	King, Max	Ruthemeyer, Christopher
Calvelage, Erin	Knollinger, Anne-Julie	Sada, Timothy
Cupp, Amanda	Kramer, Hannah	Saylor, Ryan
Dobaria, Nirali	Lent, Olivia	Schuler, Bethany
Dugan, Michelle	Lewis, Pamela	Shanyfelt, Christy
Ebbert, Jonathan	Lucas, Brianne	Smith, Sean
Ellis, Erin	Ludewig, Michael	Smith, Jared
Emery, Jennifer	Marsh, Jeffrey	Smith, Sarah
Enns, Lauren	Mccomish, Sara	Wahl, Amanda
Fimognari, Kathryn	Mishra, Pallavi	Walker, Rebecca
Ford, Meghann	Neavin Iii, David	White, Elizabeth
Forman, Lauren	Ofat, Alyssa	Yaney, Jessica
Frey, James	Otten, Melissa	Yoder, Kirstin
Gideon, Melanie	Palani, Thendral	Zwack, Jessica

#### *Physical Therapist Assistant – Examination*

Banford, Heather	McCann, Tara	Ricard, Elizabeth
Cook, Andrea	McCathren, Sarai	Rider, Amy
Eckinger, Noelle	Means, Elissa	Rome, Jacqueline
Leak, Chelsea	Mitchell, Emily	Scherman, Samantha
Leone, Angel	Neilley, Greta	Shaffer, Christie
Lind, Amy	Nelson, Amy	Sheriff, Hadi
Lock, Maria	Nye, Sarah	Shook, Michael
Longbrake, Ryan	Paradis, Judith	Simpson, Lindsay
Lucius, Zachary	Powell, Melissa	Smith, Eric
Lykins, Belinda	Rader, Samantha	Stinehelfer, Michelle
Maskow, Colleen	Ramey, Lauren	Ward, Anthony
McAuliffe, Stephen	Randall, Michelle	Williams, Donald

Willie, Amy  
Willis, Mary  
Wohn, Staci

Wolfe, Shawn  
Yarman, Trista  
Yauch, Caitlin

Zapp, Elizabeth  
Zeiler, Lisle

**Action:** Ronald Kleinman 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 September 10, 2015 through November 5, 2015, taking into account those licenses subject to discipline, surrender, or non-renewal. Lynn Busdeker seconded the motion. The motion carried.

Physical Therapist – Endorsement

Adams, Kellie  
Agrawal, Barkha  
Balsley, Jessica  
Bullard, Kaylin  
Caspillo, Jules Augustine  
Moscoso  
Cole, Kaleigh  
Curry, Michael

Dobkin, Jennifer  
Elchert, John  
Fiorina, Jaime  
Gabriel, Genevieve  
Hickernell, Elise  
Jean, Emily  
Kemp, Haley  
Moore, Katherine

Moore, Lindsay  
Nguyen, Andrea Laporte  
Powers, Brian  
Rubenstein, Sara  
Somerville, Catherine  
Sorensen, Drew  
Stehwien, Dana  
Tattersall, Mark

Physical Therapist Assistant – Endorsement

Baker, Timothy  
Borio, Lia  
Burgess, Dee  
Canterbury, Joshua

Cockrill, Cheyenne  
Gallagher, Shannon  
Heinzerth, Shaun  
May, Jessica

Rowing, Jacee  
Simmons, Jessica  
Watts, Bethany  
Williams, Andrew

Physical Therapist Reinstatement

Hamm, Colleen  
Kent, Christopher

Taylor, Alyssa  
Terry, Joann

Physical Therapist Assistant Reinstatement

Carter Michael

Miller Jessica

Ronald Kleinman recommended that the Section deny the request for licensure for physical therapist assistant examination applicant file# 2015110507, as the individual has failed to meet the minimum passing score for national physical therapy examination for physical therapist assistant. **Action:** Lynn Busdeker moved that the Section deny the request for licensure for physical therapist assistant examination applicant file# 2015110507, as the individual has failed to meet the minimum passing score for national physical therapy examination for physical therapist assistant. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. (Vincenzo Sidoti)

Ronald Kleinman recommended that the Section deny the application extension request for physical therapist examination file #2015110508 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section deny the application extension request for physical therapist examination file #2015110508 based on the documentation provided. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. (Erin Downing)

Ronald Kleinman recommended that the Section accept the application withdrawal request for physical therapist endorsement application file # 5482033 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section accept the application withdrawal request for physical therapist endorsement application file # 5482033 based on the documentation provided. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The physical therapist endorsement application for Melanie Taylor has been withdrawn.

Ronald Kleinman recommended that the Section approve the PRT Action Plan for physical therapist reinstatement file # A043318 with the following conditions: the applicant must demonstrate that the continuing education courses

listed in the action plan have valid Ohio Approval Numbers and the applicant show proof of completion 12 hours of continuing education. **Action:** Lynn Busdeker moved that the Section approve the PRT Action Plan for physical therapist reinstatement file # A043318 with the following conditions: the applicant must demonstrate that the continuing education courses listed in the action plan have valid Ohio Approval Numbers and the applicant show proof of completion 12 hours of continuing education. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. (Kellie Shurden)

Ronald Kleinman recommended that the Section deny the appeal request to sit for the NPTE for physical therapist examination file 3645283, based on the documentation provided. **Action:** Lynn Busdeker moved that the Section deny the appeal request to sit for the NPTE for physical therapist examination file 3645283, based on the documentation provided. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. (Rebecca King)

#### Testing Accommodations Requests

Ronald Kleinman recommended that the Section grant the testing accommodation of additional time: time and a half for physical therapist examination file #2015110503 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time: time and a half for physical therapist examination file #2015110503 based on the documentation provided. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The Section granted the testing accommodation request for Kathryn Fimognari.

Ronald Kleinman recommended that the Section grant the testing accommodation of additional time: double time and separate room for physical therapist examination file #2015110502 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time double time and separate room for physical therapist examination file #2015110502 based on the documentation provided. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The Section granted the testing accommodation request for Glenda Atakula.

Ronald Kleinman asked the Section deny the request to allow a physical therapist to be a qualified evaluator for completing a testing accommodation for physical therapist file #2015110501. **Action:** Lynn Busdeker moved that the deny the request to allow a physical therapist to be a qualified evaluator for completing a testing accommodation for physical therapist file #2015110501. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried.

#### Continuing Education Liaison Report

**Action:** Erin Hofmeyer moved that the Section grant approval to use the continuing education course taken towards the continuing education requirement for your 1/31/2016 licensure renewal, provided that the course: (a) You took the course during between 2/1/2014 to 1/31/2016 and (b) The CE course had a valid Ohio Approval Number for the date in which you took the CE course. Ronald Kleinman seconded the motion. Erin Hofmeyer abstained from voting. The motion carried. The Section approved the continuing education waiver request for Lisa Johnstone.

**Action:** Erin Hofmeyer moved that the Section deny the continuing education waiver request for file 2015110504 based on the documentation provided. Ronald Kleinman seconded the motion. Erin Hofmeyer abstained from voting. The motion carried. The Section denied the continuing education waiver request for Kristin Noll.

**Action:** Erin Hofmeyer moved that the Section deny the continuing education waiver request for file 2015110505 based on the documentation provided. Ronald Kleinman seconded the motion. Erin Hofmeyer abstained from voting. The motion carried. The Section denied the continuing education waiver request for Jeffery Frankart.

#### Assistant Attorney General's Report

Melissa Wilburn, AAG, informed the Section of the impact of the on a new 10<sup>TH</sup> District Court case regarding appeals process for licensure denials.

### Case Review Liaison Report

James Lee reported that the Enforcement Division closed six and opened five new cases since the September 10, 2015, meeting. There are fifteen cases currently open. There are eleven disciplinary consent agreements and one adjudication order being monitored.

James Lee informed the Section that Christine Forristal, PT, Emily Wasik, PT, William Anderson, PT, Michael Duncan, PT, and Brittany Overman, PT complied with all terms and conditions and were released from their disciplinary consent agreements.

### Enforcement Actions

James Lee recommended that the Section accept consent agreement PT-FY15-051 in lieu of hearing. **Action:** Lynn Busdeker moved that the Section accept consent agreement PT-FY15-051 in lieu of hearing. Ronald Kleinman seconded the motion. James Lee abstained from voting. The motion carried. The Board accepted the consent agreement or Krista Flanagan, PT.

### Correspondence

1. **Edward Trefl, PT:** Mr. Trefl asked the Section questions regarding offering incentives in physical therapy practice. **Reply:** First, your correspondence addresses the Ohio Physical Therapy Association (OPTA). You have contacted the Physical Therapy Section of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board. The two entities are distinctly different agencies. In response to your second question, 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. There is nothing in the Practice act that prohibits a referral program as long as incentives are not used.
2. **Brittany Sheehan, PT, DPT:** Dr. Sheehan asked the Section questions regarding physical therapists caseloads in a school setting. **Reply:** The Ohio Physical Therapy Practice does not dictate caseloads. However, the Section requires the physical therapist to ensure appropriate patient management based on the unique needs of the clients, taking into account the complexity of the patient population. In any given period of time, a physical therapist must not provide or supervise care for a higher number of patients than that for which skilled care by licensed practitioners can be delivered.
3. If productivity expectations of an employer are such that a physical therapist is unable to meet the above standards, it is the responsibility of the physical therapist to challenge those expectations. The code of ethical conduct for physical therapy practitioners established in rule 4755-27-05 of the Ohio Administrative Code states that "An individual licensed by the physical therapy section has a responsibility to report any organization or entity that provides or holds itself out to deliver physical therapy services that place the licensee in a position of compromise with this code of ethical conduct." The rule further requires that "Regardless of practice setting, the physical therapist shall maintain the ability to make independent judgments." You may also be able to gather more information regarding caseload/workload expectations and limitations by physical therapists in the educational environments by contacting the Ohio Department of Education at [www.education.ohio.gov](http://www.education.ohio.gov).
4. **Jill Lombardo, PT, DPT:** Dr. Lombardo asked the Section questions regarding the physical therapy continuing education approval process and application fee. **Reply:** In accordance with section 4755.52(C) of the Ohio Revised Code, the physical therapy section may approve continuing education courses, programs, and activities that have been approved by an agency in another state that governs the licensure of physical therapists and physical therapist assistants if the section determines that the standards for continuing education courses established by the agency are comparable to those established pursuant to this section. The physical therapy section may also contract with the Ohio chapter of the American Physical Therapy Association for assistance in performance of the section's duties under this section. Please contact the OPTA website at <http://www.ohiopt.org> to view CE policies and procedures. Individuals may also submit for approval of courses attended. 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.

5. **Michael Schnall, PTA:** Mr. Schnall asked the Section questions regarding the frequency of supervision and documentation for physical therapist assistant's working in a continuing care community. **Reply:** The requirements of the Ohio Physical Therapy Practice Act do not vary by practice setting or form of employment. The physical therapist, in all cases, must conduct the initial patient evaluation for physical therapy. The physical therapist shall select the appropriate portions of the program to be delegated and shall direct the physical therapist assistant in the delegated functions. Such direction shall include precautions, special problems, contraindications, goals and anticipated progress, plans for re-evaluation, and actual re-evaluation of the patient and adjustment of the treatment plan. The patient is the ultimate responsibility of the physical therapist. 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. In all practice settings, the physical therapist should re-evaluate a patient in accordance with the needs of the patient/client. The frequency of re-evaluation of a patient must be individualized and based upon that patient's impairments and response to treatment. A physical therapist is to see the patient/client upon request of the physical therapist assistant for re-examination, when a change in treatment plan of care is needed, prior to any planned discharge, or in response to a change in the patient/client's medical status. 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.
6. **Deanna McComish, PT:** Ms. McComish asked the section questions regarding whether chiropractor's can perform physical therapy. **Reply:** It is the position of the Physical Therapy Section that the definition of other health care professionals, for the purpose of section 4755.50 of the Ohio Revised Code, includes only a medical or osteopathic physician, chiropractor, dentist, nurse practitioner or podiatrist. Services rendered by such persons or by any person employed by or acting under the supervision or in the employment of a licensed health care professional in the scope of their practice shall be designated as within the scope of their profession. These services are not identified as physical therapy, but may include procedures, modalities and treatments that are also (in whole or in part) performed by a physical therapist as part of the profession of physical therapy. If the prescription is written for physical therapy, then the patient must be under the care of a Licensed Physical Therapist. Complaints should be directed to the insurance provider. You may also contact the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association as well as the State Chiropractic Board and the State Medical Board to voice your concerns.
7. **JoAnn Szippel:** Ms. Szippel asked the Section questions regarding physical therapist assistants can lead training sessions for assisted living facility, where they are not employed. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that prohibits a physical therapist assistant from providing education to the facility staff on body mechanics and injury prevention as part of a special education program as long as these are not represented or billed as physical therapy services.
8. **Kave Smith:** Ms. Smith asked the Section questions regarding supervision requirements for physical therapist assistants. **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. In all practice settings, the physical therapist should re-evaluate a patient in accordance with the needs of the patient/client. The frequency of re-evaluation of a patient must be individualized and based upon that patient's impairments and response to treatment. A physical therapist is to see the patient/client upon request of the physical therapist assistant for re-examination, when a change in treatment plan of care is needed, prior to any planned discharge, or in response to a change in the patient/client's medical status. 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.
9. **Sharon Walsh:** Ms. Walsh asked the Section questions regarding the use of student physical therapists in a home health setting. **Reply:** In response to your first question, in the scenario you describe, the students would be functioning as unlicensed personnel, as they are not providing physical therapy services under the

supervision of a licensed physical therapist, as they would be when functioning in the capacity of a clinical education scenario. In response to your second question, the capacity of the students would not change if the contact was initiated by the family of a former patient of physical therapy. In response to your third question, unlicensed individuals can carry out a home exercise program with an individual, given they have an understanding of the home program. In response to your third question, changes to a home program would indicate skilled service, and cannot be performed by unlicensed personnel. In response to your fourth question, The Section is not statutorily authorized to provide specific legal advice and suggests that you consult your legal counsel. In response to your fifth question, suggesting exercises and techniques could be interpreted as skilled physical therapy services, so cannot be performed by individuals in the scenario you describe.

10. **Amy Patterson, PT:** Ms. Asked the Section questions regarding how often physical therapists are required to physically see/treat a student on a physical therapist assistant's caseload in a school based 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. In all practice settings, the physical therapist should re-evaluate a patient in accordance with the needs of the patient/client. The frequency of re-evaluation of a patient must be individualized and based upon that patient's impairments and response to treatment. A physical therapist is to see the patient/client upon request of the physical therapist assistant for re-examination, when a change in treatment plan of care is needed, prior to any planned discharge, or in response to a change in the patient/client's medical status.
11. You may also wish contact the American Physical Therapy Association for best practices in supervision of physical therapist assistants in the school setting [www.apta.org](http://www.apta.org), or the Ohio Department of Education [www.education.ohio.gov](http://www.education.ohio.gov).
12. **Marilyn Namola, PT:** Ms. Namola asked the Section questions regarding practicing physical therapy in a school based setting and frequency of reevaluation and referrals. **Reply:** In response to your first question, the Ohio Physical Therapy Practice Act does not specify the content of the physician notification when a student is seen for physical therapy services without a prescription. In response to your remaining questions, 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. There is nothing in the Ohio Physical Therapy Practice Act that indicates where the student's diagnosis should be recorded.
13. **Sean Murphy, PT:** Mr. Murphy asked the section questions regarding requirements for a valid physical therapy prescription. **Reply:** According to the Ohio Administrative Code 4755-29-01, "(B) Physical therapists may directly receive such referrals by telephone, fax, e-mail, or other electronic means. Physical therapist may accept faxed referrals as an original. The therapist may at anytime require an original written referral from the referring practitioner with a signature for inclusion in the patient's official record." It is the position of the Physical Therapy Section that there is nothing in the law prohibiting a physical therapist from accepting a stamped or typed signature, or a referral that arrives via electronic mail, from a person who is licensed in Ohio or another state 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, or a physician assistant within the scope of such practices, and whose license is in good standing. However, the physical therapist always has the discretion to require original signatures for documentation, prescriptions, orders, or referral needs. Please keep in mind that accrediting bodies, third party payers, or facility may have requirements that prohibit you from accepting a stamped or typed signature.
14. **Missy Eynon:** Ms. Eynon asked the section questions regarding whether newly licensed physical therapist assistants can work in a home health setting. **Reply:** There is nothing in the Physical Therapy Practice Act that would prohibit a recently graduated, licensed physical therapist assistant from working in the home health care setting. However, employer policy may be more restrictive and require a specific amount of clinical experience prior to being hired to work in the home health care setting for that employer. In accordance with rule 4755-27-02 (A) of the Ohio Administrative Code, the physical therapist assistant is a skilled, technical person who assists in physical therapy treatment as assigned by the physical therapist.

These duties are carried out under the supervision, as defined in division (D) of section 4755.40 of the Revised Code and rule 4755-27-04 of the Administrative Code, of the physical therapist to whom the assistant is responsible. The Ohio Physical Therapy Practice Act does not vary with practice setting. As with any physical therapy practice setting, there should be appropriate supervision and mentoring available for an individual new to that practice setting.

15. **Kathleen Kristoff, OTR/L:** Ms. Kristoff asked the section questions regarding whether physician assistant students can take vitals and transport physical therapy clients. **Reply:** In the scenario you describe, the individual would be functioning as unlicensed personnel. According to Ohio Administrative Code 4755-27-03 “(G) The unlicensed personnel may be assigned routine duties that assist in the delivery of physical therapy care and operations, such as: (1) Maintenance and care of equipment and supplies; (2) Preparation, maintenance, and cleaning of treatment areas; (3) Transportation of patients; (4) Office and clerical functions; (5) Assisting patients preparing for, during, and at the conclusion of treatment (such as changing clothes, assisting during transfer, and altering position during treatment);” There is nothing in the Ohio Physical Therapy Practice Act that prohibits a physician assistant student from performing vitals and transporting patients as long as they have demonstrated competence in these tasks and is aware of any contraindications that may apply. 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.
16. **Whitney Williams, PT, DPT:** Dr. Williams asked the section questions regarding whether physical therapist assistants can re-evaluate clients for physical therapy services in the scenario described. **Reply:** No, physical therapist assistants cannot re-evaluate clients. 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 treatment plans; and (5) Perform the discharge evaluation, and complete the final discharge summary. Rule 4755-27-03(C) of the Ohio Administrative Code states, in part, that the physical therapist shall perform personally the following activities, which may not be delegated, regardless of the setting in which the service is given: Interpretation of referrals; Initial patient evaluation; Initial and ongoing treatment planning; *Periodic re-evaluation of the patient*; Adjustment of the treatment plan; Identifying channels of communication; Assessing the competence of physical therapist assistants or other licensed personnel; and Discharge evaluations and follow-up plans of care. The physical therapist shall select the appropriate portions of the program to be delegated and shall direct the physical therapist assistant in the delegated functions. Such direction shall include precautions, special problems, contraindications, goals and anticipated progress, plans for re-evaluation, and actual re-evaluation of the patient and adjustment of the treatment plan. The patient is the ultimate responsibility of the physical therapist. Relying solely on information gathered by the physical therapist assistant during treatment does not constitute a re-evaluation, and may not fulfill the physical therapist's obligation to the appropriate standard of care. 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 with a comma. For example, a nametag or signature might read Pat Doe, PT, DPT, OCS.

#### **Joint Correspondence**

- JB1. Katie Russell, PTA:** Ms. Russell asked the Occupational Trainers and Physical Therapy Sections questions regarding clarification on occupational therapy assistants and physical therapist assistant's role in home visits. **Reply:** In accordance with rule 4755-27-02 (A) of the Ohio Administrative Code, the physical therapist assistant is a skilled, technical person who assists in physical therapy treatment as assigned by the physical therapist. These duties are carried out under the supervision, as defined in division (D) of section 4755.40 of the Revised Code and rule 4755-27-04 of the Administrative Code, of the physical therapist to whom the assistant is responsible. The Ohio Physical Therapy Practice Act does not vary with practice

setting. 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 (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.

**JB2. Vinny Scaia, SPT:** Ms. Scaia asked the Occupational and Physical Therapy Sections Athletic questions regarding occupational and physical therapy co-treatments. **Reply:** There is nothing in the Ohio Occupational and Physical Therapy Practice Acts that prohibits occupational therapists or physical therapists from providing services at the same segmented time. However, the Sections recommend that you communicate with the facility and payer to determine if they have requirements that are more restrictive than the Ohio Occupational and Physical Therapy Practice Acts. Please refer to Medicare rules or other payer policies to answer your specific questions. Frequently asked questions that were published by the Centers for Medicare and Medicaid Services (CMS) have clearly stated that a patient cannot be charged for two separate one-on-one services during the same segment of time, regardless of skill level required. Joint evaluations between occupational therapy and physical therapy may be done; however, the physical therapist and physical therapist assistant may only treat pursuant to the physical therapy evaluation and plan of care and the occupational therapist and occupational therapy assistant may only treat pursuant to the occupational therapy evaluation and plan of care. Occupational therapy and physical therapy practitioners may not treat pursuant to an evaluation and plan of care established by the other discipline.

**JB3. Terri Bendele:** Ms. Bendele asked the Occupational and Physical Therapy Sections questions regarding whether it is ethical for occupational therapy assistants with physical therapy patients and be supervised by a physical therapist/physical therapist assistant. **Reply:** 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. Pursuant to rule 4755-27-03 (F) of the Ohio Administrative Code, "Delegation of tasks related to the operation and delivery of physical therapy to other licensed personnel must be done in accordance with the scope of practice of the other licensed personnel's professional license, education and training, the level of competence as determined by the supervising physical therapist, and in consideration of the patient's overall needs and medical status." The patient contact by the delegating physical therapist or supervising physical therapist assistant may be to provide portions of treatment or to assess the patient's progress within the existing plan of care. When needed, only the physical therapist may make adjustments to the plan of care. Please refer to Medicare rules or other payer policies about reimbursement for treatment by other licensed personnel since some insurers do not cover services other than those provided by a physical therapist or physical therapist assistant. You may also get information from the Reimbursement Department or Ohio chapter of the APTA. On another topic, the Physical Therapy Section is working to educate physical therapists and physical therapist assistants in the correct credentials to use in professional signatures. Since PT or PTA is the regulatory designation allowing practice, rule 4755-27-07 of the Administrative Code requires that only those letters should immediately follow the person's name. Academic degrees may then follow the regulatory credential. For example, a nametag or signature might read Pat Doe, PT, MS, OCS. It is the position of the Occupational Therapy Section that this practice is NOT acceptable.

**JB4. Heather Jennings PT, DPT:** Dr. Jennings asked the Athletic Trainers and Physical Therapy Sections questions regarding athletic trainers working in a physical therapy clinic. **Reply:** 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 Ohio Administrative Code, the supervising physical therapist or physical therapist assistant is accountable and responsible at all times for the direction of the actions of the persons supervised, including other licensed personnel. A physical therapist assistant can provide direct supervision of other licensed personnel even if the physical therapist is not on-site but is available by telecommunication at all times and able to respond appropriately to the needs of the patient. However, only a physical therapist can determine that a patient may be delegated to other licensed personnel. Other licensed personnel cannot be assigned their own physical therapy caseload without the supervising physical therapist or physical therapist assistant having direct contact with each patient during each visit. It is the responsibility of the physical therapist to determine and document the extent of contact necessary to assure safe patient care. Pursuant to rule 4755-27-03 (F) of the Ohio Administrative Code, "Delegation of tasks related to the operation and delivery of physical therapy to other licensed personnel must be done in accordance with the scope of practice of the other licensed personnel's professional license, education and training, the level of competence as determined by the supervising physical therapist, and in consideration of the patient's overall needs and medical status." The patient contact by the delegating physical therapist or supervising physical therapist assistant may be to provide portions of treatment or to assess the patient's progress within the existing plan of care. When needed, only the physical therapist may make adjustments to the plan of care. Please refer to Medicare rules or other payer policies about reimbursement for treatment by other licensed personnel since some insurers do not cover services other than those provided by a physical therapist or physical therapist assistant. You may also get information from the Reimbursement Department or Ohio chapter of the APTA. It is the position of the Physical Therapy Section that when a patient presents with a prescription or referral for both physical therapy and athletic training, each professional shall complete their own evaluation. In addition, each professional should make every reasonable attempt to consult with the other and thereby coordinate the treatment program for the benefit of the patient. In accordance with rule 4755-27-03 (D) of the Ohio Administrative Code, a physical therapist may choose to refer a patient to another discipline, including physicians, for services. This referral shall be documented by the physical therapist in the medical record to clearly demonstrate a referral for that service. Such referral will not be a delegation of tasks or duties of physical therapy. For example, if a patient is referred for evaluation and treatment and an athletic trainer performs the initial evaluation, the patient is under athletic training care and guidelines. If the patient is initially seen by a physical therapist, the patient would be a physical therapy patient and fall under their guidelines. The prescription by the referring medical practitioners must state that the referral is for athletic training. The physical therapist may also refer the patient to the care of the athletic trainer for athletic training services. However, the physical therapist may still continue with the patient under a separate physical therapy plan of care. If the patient is receiving services pursuant to an athletic training referral, the athletic training functions independently and does not need supervision or co-signature by the physical therapist and the services should be represented and billed as athletic training. 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.

- JB5.** **Mandy Griffin:** Ms. Griffin asked the Occupational and Physical Therapy Section questions regarding screening for occupational and physical therapy services. **Reply:** According to rule 4755-27-03 (E)(5) of the Ohio c a patient to perform a screening that is non-evaluative in nature. Screens include a review of the patient's medical information and/or verbal contact with other health care practitioners, family, or the patient to review the patient's medical history and past functional ability but do not include physical contact with the patient. Interpretation of this information, including the need for a physical therapy evaluation, is the responsibility of the physical therapist. Under the Ohio Physical Therapy Practice Act, physical therapists and/or physical therapist assistants may perform screens without a physician's referral and without notification of a health care professional under direct access rules. Any screen conducted by a physical therapist assistant must be cosigned by the physical therapist. Screens, or identification of candidates for therapy, may be performed by an occupational therapy assistant since a screen is only data gathering and non-evaluative in nature. All screens must be co-signed by the occupational therapist with collaboration documented.

**Old Business**

None

**New Business**

**Ohio State Chiropractic Board Letter -Dry Needling**

The Section reviewed the Ohio State Chiropractic Board Letter on Dry Needling. The Section will write a response to the letter.

**Open Forum**

The Section was informed that Timothy McIntire, PT Board member was called to active duty and will not return for approximately four months. The Board will track his attendance. Board Members are required to attend approximately 60% of the scheduled meeting.

The Board has received several requests for the Board Presentations. Jennifer Wissinger and Ronald Kleinman volunteered to give Board presentations to academic programs. The Board will handle the requests on a case-by-case basis to see who is available on the dates requested.

Paul McGhee will join Lynn Busdeker as Rules Liaison for the PT Section.

The Section opened the floor for students to ask questions.

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

Victoria Gresh, gave a brief report on HB 169. PTA is in transition of revamping their website, the continuing education process will be completing done electronically. The Advocacy Day will be April 21, 2016. The OPTA scientific symposium was sold out and well received by its' members.

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

Lynn Busdeker and Matthew Creed attended the FSBPT Delegate Conference. Lynn Busdeker reported to he Section that the State of Ohio received a Fiver Star rating with FSBPT. Thomas Caldwell was elected to secretary. FSBPT Advisory Taskforce is working on draft language for licensure compact. FSBPT published a white paper on dry needling. The FSBPT Annual Meeting will be held in November 2016 in Columbus, Ohio. Lynn Busdeker provided a handout on 2015 FSBPT Environment Assessment.

**Items for Next Meeting**

Retreat Planning

**Next Meeting Date**

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, January 7, 2016.

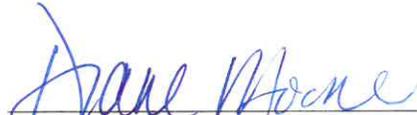
**Adjournment**

There being no further business and no objections, James Lee adjourned the meeting at 1:11 pm.

Respectfully submitted,  
*Diane Moore*

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

  
Jennifer Wissinger, PT, 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

JW:dm