



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section
January 14, 2010
9:30 am

Members Present

Raymond Bilecky, Chair
Thomas Caldwell (arrived @10:10 am)
Sam Coppoletti
Dale Deubler
Mary Kay Eastman
Karen Holtgreffe
James Lee
Marilyn Mount, Secretary
Kimberly Payne

Public Member

Genevieve Dennison

Legal Counsel

Yvonne Tertel, Assistant Attorney General

Staff Present

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

Guests

Shane Yates, OPTA
Carolyn Towner, OPTA
Danielle Pacheco
Kim Gregg
Brian Sabo
Luke Kuchta
Jamie Swanton
Breanne Madden
Kathleen Stuart
Lan Nguyen
Megan Donoghue
Lauren Zyla
Heather Dangerfeild
Rachel Atkin
Beth Collins
Abelardo Dorantes
Tracy Greuel
Teresa Mantz, Court Reporter
Jenelle Snyder
David Berning
Mike Johnston

Call to Order

The meeting was called to order by the Section Chair, Raymond Bilecky, at 9:58 a.m.

Raymond Bilecky welcomed the new board members Karen Holtgreffe and James Lee.

A moment of silence was observed for the victims of Haiti earthquake.

Approval of Minutes

Action: Marilyn Mount moved that the November 19, 2009 meeting minutes be approved as submitted. Sam Coppoletti seconded the motion. Thomas Caldwell was absent for the vote. The motion carried.

Executive Director Report

- The Executive Director reported that the Board continues to monitor spending and the Board is following the budget projections as planned.
- The Executive Director reported that the physical therapist renewal is moving at a steady pace. Approximately eighty percent of licensees have renewed to date. The Board will email another renewal reminder to licensees through the listserv.
- The Executive Director informed the Section that there are two hearings coming up in 2010.
- The Executive Director, Mary Stover, OT, and Mary Kay Eastman, PT, met with the Ohio Department of Education, Office of Exceptional Children to discuss school-based occupational and physical therapy issues.
- The Executive Director reported that HB62 passed out of the House. The bill would require academic programs to consider relevant military experience towards the academic requirements for veterans who are within six months of separation from active military duty.

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

Special Orders

Action: Mary Kay Eastman moved that the Section extend the current terms of officers and liaisons through the September 9, 2010 Section meeting. Kimberly Payne seconded the motion. Thomas Caldwell was not present for the vote. The motion carried.

Ohio's Delegate to the 2010 Federation of State Boards of Physical Therapy Delegate Assembly

Action: Marilyn Mount moved to elect Thomas Caldwell as Ohio's delegate to the 2010 Federation of State Boards of Physical Therapy Delegate Assembly. Mary Kay Eastman seconded the motion. Thomas Caldwell was unanimously elected as Ohio's delegate to the 2010 Federation of State Boards of Physical Therapy Delegate Assembly.

Ohio's Alternate Delegate to the 2010 Federation of State Boards of Physical Therapy Delegate Assembly

Action: Marilyn Mount moved to elect Kimberly Payne as Ohio's alternate delegate to the 2010 Federation of State Boards of Physical Therapy Delegate Assembly. Mary Kay Eastman seconded the motion. Kimberly Payne was unanimously elected as Ohio's alternate delegate to the 2010 Federation of State Boards of Physical Therapy Delegate Assembly.

Action: Thomas Caldwell moved that the Section authorize the Executive Director to accept or reject consent agreements on the Section's behalf for the period beginning January 14, 2010 and ending December 31, 2010. Sam Coppoletti seconded the motion. The motion carried.

Action: Dale Deubler moved that the Section authorize the use of signature stamps or electronic signatures by the Section Chairperson, Section Secretary, and the Executive Director for the period beginning January 14, 2010 and ending December 31, 2010. Mary Kay Eastman seconded the motion. The motion carried.

Action: Thomas Caldwell moved that the Section authorize the Executive Director to make editorial changes to motions for the period beginning January 14, 2010 and ending December 31, 2010. James Lee seconded the motion. The motion carried.

Action: Thomas Caldwell moved that the Section authorize the use of hearing officers for the period beginning January 14, 2010 and ending December 31, 2010. Dale Deubler seconded the motion. The motion carried.

Action: Sam Copploetti moved that the Section authorize the staff to issue licenses to applicants with completed applications and that the Section ratify all licenses issued by the staff at the Section meeting following the issuance of the license for the period beginning January 14, 2010 and ending December 31, 2010. Dale Deubler seconded the motion. The motion carried.

Open Forum

The Section welcomed the physical therapy students from Ohio University.

Raymond Bilecky asked the Section whether the release date and/or release documentation could be added to the disciplinary file attached to a licensee when viewing the information on the Ohio e-license online verification. The Executive Director informed Mr. Bilecky that Board staff would have to rescan all the disciplinary documentation and forward the update file to the Information Technology Department to load in the system. For all future actions, the closing letter will be scanned and uploaded.

Administrative Reports

Licensure Applications

Action: Dale Deubler 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 November 20, 2009 through January 14, 2010, taking into account those individuals subject to discipline, surrender, or non-renewal. Ms. Deubler further moved that the following persons be licensed as physical therapists/physical therapist assistants pending passage of the National Physical Therapy Examination and Ohio laws and rules examination. James Lee seconded the motion. The motion carried.

Physical Therapist – Examination

Beaudreau, William	D'Agostino, Michelle	Ellis, Tonya
Exum, Emelia	Morales, Edwin	Pearson, Laura
Rauch, Joseph	Rauch, Joseph	Reed, Lindsey
Roederer, Trent	Rothlisberger, Erin	Testerman, Ashley
Young, Kati	Zakoor, Anne	

Physical Therapist Assistant – Examination

Daley, James	Dean, Todd	Franke, Nathan
Jahns, Robert	Jones, Edward	Krishnan, Josh
Li, Peter	McKinney, Meagan	Millikan, Ashley
Myers, Amanda	Palmer, Joshua	Sable, Jeri
Saeler, Megan	Sharma, Manisha	Sharp, Tiffany
Snyder, Ashleigh	Walker, Jasun	Wills, Kimberly

Action: Dale Deubler 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 November 20, 2009 through January 14, 2010, taking into account those licenses subject to discipline, surrender, or non-renewal. Thomas Caldwell seconded the motion. The motion carried.

Physical Therapist – Endorsement

Becker, Lindsay	Drake, Rebecca	Fairbanks, Joyce
Masuraha, Arpna	McHugh, Kelly	Nicholson, William
Paz, Tallie	Rogers, Kelly	Salvador, Maria Rizza
Twarogowski, Emmanuelle	Van Karsen, Ann	

Physical Therapist Assistant – Endorsement

Bihn, Elizabeth	Corey, Sharon	Drinkard, Brianne
Fritz, Michelle	Gannon, Theodore	Hawthorne, Jeffrey
Hemenway, Erik	Jewell, Jaimee	

Physical Therapist Reinstatement

Kelly, Amy	Kreger, Alison	Paruk, Zubeda
Travis, Elisa		

Request for Waiver of English Equivalency Examinations for Licensure

Physical Therapist Applicant for Licensure by Examination

Dale Deubler recommended that the Section grant a waiver of the TOEFL English requirement for the application file #4900986 based on the documentation provided. **Action:** Mary Kay Eastman moved to grant a wavier of the TOEFL English requirement for the application file #4900986 based on the documentation provided. Sam Coppoletti seconded the motion. Dale Deubler abstained from voting. Vote: 3-yes, 5-no. The motion failed. The Section denied the wavier request for the TOEFL English requirement for Jose Monroy.

Testing Accommodations Request

Dale Deubler recommended that the Section grant a testing accommodation for the National Physical Therapy Examination and the Ohio Jurisprudence Examination for physical therapist examination application file #4916825. **Action:** Kimberly Payne moved that the Section grant a testing accommodation for the National Physical Therapy Examination and Ohio Jurisprudence Examination for physical therapist examination application file #4916825. Mary Kay Eastman seconded the motion. Dale Deubler abstained from voting. The motion carried. The Section granted a testing accommodation for Elyse Cohen.

Educational Equivalency for Licensure

Dale Deubler recommended that the Section accept reasonable equivalence of the education for the physical therapy licensure by endorsement application for file # 4700941. **Action:** James Lee moved that the Section accept as

reasonably equivalent the education for physical therapy licensure by endorsement application for file # 4700941. Kimberly Payne seconded the motion. Dale Deubler abstained from voting. Tom Caldwell voted no. The motion carried. The Section accepted the foreign education of Lea Schuldiner as reasonably equivalent to Ohio law.

Dale Deubler recommended that the Section grant credit for the foreign coursework completed that has a grade in the 75-79 percent range for physical therapist endorsement application file # 4890528. **Action:** Thomas Caldwell moved that the Section grant credit for the foreign coursework completed that has a grade in the 75-79 percent range for physical therapist endorsement application file # 4890528. Sam Coppoletti seconded the motion. Dale Deubler abstained from voting. The motion carried.

CE Requests for Approval

Action: Thomas Caldwell moved that the Section grant a one time exemption for credential file # 4199691 to use a continuing education course taken at the end of the month in January 2010 towards the licensee's 2012 renewal period based on the documentation provided. Dale Deubler seconded the motion. Kimberly Payne abstained. The motion carried. The Section granted an approval for Lori Robinson, PT.007404, to use the January 2010 CE activity towards her 2012 renewal. The Executive Director will notify the licensee of the Section's decision.

Assistant Attorney General Report

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

Case Review Liaison Report

Kimberly Payne reported that the Enforcement Division closed five and opened seven cases since the November 19, 2009 meeting. There are ten cases currently open. There are fifteen disciplinary consent agreements, one adjudication order, and one non-disciplinary agreement being monitored.

Kimberly Payne informed the Section that Deena Lambert, Brian Horak, Michael Schoen, Kellie Shurden, and Lindsay Stitt complied with all terms and conditions and were released from their disciplinary consent agreements.

Enforcement Actions

Kimberly Payne recommended that a notice of opportunity for a hearing be issued for case PT-FY10-018 for failure to report a disciplinary action taken in another state on their 2010 licensure renewal application. **Action:** Dale Deubler moved that a notice of opportunity for a hearing be issued for case PT- FY10-018 for failure to report a disciplinary action taken in another state on their 2010 licensure renewal application. James Lee seconded the motion. Thomas Caldwell and Kimberly Payne abstained from voting. The motion carried.

Hearing Officer Report and Recommendation

The Section reviewed the hearing officer's report and recommendation from Paul Stehura, Hearing Officer in the matter of Abelardo Dorantes.

Abelardo Dorantes and his attorney, Beth Collis, were in attendance, and orally addressed the Section, and were available to answer any questions from the Section. Ms. Collis requested that the Section consider a lesser sanction than the recommendation made by the hearing officer for a variety of reasons, including the fact that she believes that no physical therapy took place in Mr. Dorantes' absence and that manual treatments were provided under the chiropractor's direction and supervision. Mr. Dorantes asked the Section to take into consideration that he has no prior discipline with the Section. Mr. Dorantes further stated that he has made significant changes to practice over the past two years, and has become a member of the American Physical Therapy Association. Mr. Dorantes informed the Section that he was not aware that the employer billed patients for physical therapy for the services that were rendered in his absence. Mr. Dorantes further stated that the employer reimbursed all the patients involved. Mr. Dorantes is willing to take additional continuing education courses if it would please the Section.

Yvonne Tertel requested that the Section uphold the hearing officer's report and recommendation, as submitted.

Action: James Lee moved to go into private session for the purpose of quasi-judicial deliberation on this matter. Sam Coppoletti seconded the motion.

Jeffrey Rosa called roll:

Raymond Bilecky	Yes
Thomas Caldwell	Yes
Sam Coppoletti	Yes
Dale Deubler	Yes
Mary Kay Eastman	Yes
Karen Holtgreffe	Yes
James Lee	Yes
Marilyn Mount	Yes
Kimberly Payne	Yes

The Section went into private session at 11:19 am and came out at 12:35 pm. Tom Caldwell and Raymond Bilecky left the room during private session.

The Chair asked each member of the Section who is participating in the decision for the matter of Abelardo Dorantes if they have received, read, and considered the entire record in this matter including the transcript of proceedings, exhibits, oral testimony, and the Hearing Officer's Report and Recommendation in the Matter of Abelardo Dorantes, PT, and asked each member if they are prepared to adjudicate in this matter.

Marilyn Mount called roll:

Raymond Bilecky	Abstained
Thomas Caldwell	Abstained
Sam Coppoletti	Yes
Dale Deubler	Yes
Mary Kay Eastman	Yes
Karen Holtgreffe	Yes
James Lee	Yes
Marilyn Mount	Yes
Kimberly Payne	Yes

Action: Dale Deubler moved to adopt the Findings of Fact 1-17, as written. Kimberly Payne seconded the motion. Thomas Caldwell and Raymond Bilecky abstained from voting. The motion carried.

Action: Dale Deubler moved to adopt the Conclusions of Law A-S, as written. James Lee seconded the motion. Thomas Caldwell and Raymond Bilecky abstained from voting. The motion carried.

Action: Marilyn Mount moved to modify the Hearing Officer's recommendations concerning discipline as follows:

1. The license of Abelardo Dorantes, PT, to practice physical therapy in the state of Ohio, shall be **SUSPENDED INDEFINITELY** in accordance with Ohio Revised Code § 4755.47 and Ohio Administrative Code § 4755-21-03 due to Mr. Dorantes' violations of Ohio Revised Code § 4755.47, Ohio Administrative Code §§ 4755-21-03, 4755-27-02, and 4755-27-04 and specified provisions of the American Physical Therapy Association's Code of Ethics for Physical Therapists, as set forth in the Report and Recommendation of Hearing Examiner Paul Stehura dated November 13, 2009. Mr. Dorantes may not perform any services authorized under his physical therapy license during this suspension.
2. The period of the suspension set forth in paragraph 1 of this Order shall be at least ninety (90) days after the effective date of this Order. Mr. Dorantes must apply for reinstatement and provide evidence to the Board that he has complied with all conditions for reinstatement set forth in paragraph 3 of this Order before his license may be reinstated. Successful compliance of the conditions set forth in paragraph 3 of this Order will be determined by an appropriate representative of the Physical Therapy Section and Mr. Dorantes will be notified in writing if his application meets the requirements for reinstatement.
3. **CONDITIONS FOR REINSTATEMENT**

With any application for reinstatement of his license, Mr. Dorantes shall submit proof of the following:

- a. Passage of the Ohio Physical Therapy Jurisprudence Examination; and
 - b. Mr. Dorantes, at his expense, shall successfully complete a total of at least twelve (12) hours of educational activities in the following subject areas: documentation, standards of care, and supervision. Such activities must be approved in advanced by the appropriate Physical Therapy Section representative. The twelve (12) hours will not count toward the 24 continuing education units required for re-licensure in 2012.
4. Upon completion of the suspension and reinstatement of his physical therapist license in accordance with these conditions, Mr. Dorantes may resume practice under his physical therapy license, but his license shall be subjected to the following PROBATIONARY conditions for a period of no less than two (2) years:
- a. Mr. Dorantes shall obey all federal, state, and local laws, and all rules governing the practice of physical therapy in Ohio.
 - b. Mr. Dorantes shall advise the Physical Therapy Section of the Board of his current employer and the name of his supervisor. Any changes of employment from the initial notification to the Board, must be received within ten (10) days of said change.
 - c. The Physical Therapy Section of the Board, in its discretion, may require that Mr. Dorantes submit a random sampling of his patient files for review for compliance with requirements for physical therapists in the Ohio Revised Code and the Ohio Administrative Code. Mr. Dorantes must timely comply with all such requests.
 - d. Mr. Dorantes shall, at the request of the Physical Therapy Section of the Board, appear before the Board or its designee to discuss any specific patient file or matter reviewed by the Board or his compliance with any aspect of his probation.
 - e. Mr. Dorantes, at his own expense, shall successfully complete the Probe-PT Program offered by the Center for Personalized Education for Physicians (CPEP), or substantial equivalent, as determined by the Physical Therapy Section of the Board.
5. Upon successful completion of his probation, Mr. Dorantes' license shall be fully RESTORED.

The decision of the Physical Therapy Section of the Board shall take effect ten (10) days from the mailing date of the official Order.

Dale Deubler seconded the motion.

Rationale: The Section modified the recommended discipline based on the arguments set forth by Mr .Dorantes and his attorney, Beth Collis, as outlined above.

Marilyn Mount called roll:

Raymond Bilecky	Abstained
Thomas Caldwell	Abstained
Sam Coppoletti	Yes
Dale Deubler	Yes
Mary Kay Eastman	Yes
Karen Holtgreffe	Yes
James Lee	Yes
Marilyn Mount	Yes
Kimberly Payne	Yes

The motion carried.

Action: Mary Kay Eastman moved that, pursuant to section 4755.031 of the Ohio Revised Code, fees be assessed against Mr. Dorantes. James Lee seconded them motion. Thomas Caldwell and Raymond Bilecky abstained from voting. The motion carried.

Jeffrey Rosa reported that the costs required under section 4755.031 of the Ohio Revised Code covered a total of three invoices, (1) hearing officer, (2) court reporter, which included transcripts, and (3) hearing appearance for the expert witness. The total cost for the three vendors is \$6,197.90.

The license of Abelardo Dorantes to practice as a physical therapist in the State of Ohio is hereby subject to the previous sanction(s). The 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 Mr. Dorantes in the manner prescribed by law. This concludes the matter of Abelardo Dorantes, PT.

Affidavit Hearing

Good afternoon. My name is Raymond Bilecky, Chairman of the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Let the record show that these proceedings were called to order at 12:49 pm on January 14, 2010, at the Vern Riffe Center, 77 South High Street, Columbus, Ohio, 43215. Members of the Board present for the proceedings are:

Jeffrey Rosa called roll:

Raymond Bilecky	Present
Thomas Caldwell	Present
Sam Coppoletti	Present
Dale Deubler	Present
Mary Kay Eastman	Present
Karen Holtgreffe	Present
Marilyn Mount	Present
James Lee	Present
Kimberly Payne	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 Susan C. Kester and the eligibility to have her license to practice as a physical therapist assistant reinstated in the state of Ohio (PT-LD-FY10-001).

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

As the respondent did not properly request a hearing in this 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 Executive Director and accompanying exhibits for the Goldman Proceedings in your board packet. The affidavit contains the evidence and testimony upon which you will deliberate. I trust that each of you has had the opportunity to review the affidavit and accompanying exhibits. If not, you may review them now.

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

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

Ms. Tertel reviewed the case for the Board.

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

Action: Dale Deubler moved to accept the facts and exhibits outlined in the affidavit for Susan C. Kester, case number PT-LD-FY10-001. Sam Coppoletti seconded the motion. Thomas Caldwell abstained from voting. The motion carried.

There being no further evidence to come before the board, these proceedings are now closed at 12:56 pm.

The procedural and jurisdictional matters having being satisfied, we will now continue with the proceeding by deliberation on the sworn affidavit and exhibits. A written copy of the board's decision will be mailed to the respondent.

At this time, is there a motion to go into private session for the purpose of quasi-judicial deliberation on this matter?

Action: Dale Deubler moved to go into private session for the purpose of quasi-judicial deliberation on this matter. Sam Coppoletti seconded the motion.

Jeffrey Rosa called roll:

Raymond Bilecky	Yes
Thomas Caldwell	Abstained
Sam Coppoletti	Yes
Dale Deubler	Yes
Mary Kay Eastman	Yes
Karen Holtgreffe	Yes
James Lee	Yes
Marilyn Mount	Yes
Kimberly Payne	Abstained

The Section went into private session at 12:59 pm and came out at 1:02 pm. Tom Caldwell, Kimberly Payne and the Executive Director left the room during private session.

Action: Mary Kay Eastman moved to deny the physical therapist assistant reinstatement application for Susan Kester based on the affidavit and information before the Section. Karen Holtgreffe seconded the motion. Thomas Caldwell and Kimberly Payne abstained from voting. The motion carried.

Correspondence

The Section reviewed the correspondence received by the Board and instructed the staff to send responses. The letters and responses are on file with the Board.

1. **Jerilyn Inmon:** Ms. Inmon asked the Section questions regarding timeliness requirements for co-signing physical therapist assistant notes.
2. **Heather Lavelle:** Ms. Lavelle asked the Section if a physical therapist needs to be present when a physical therapist assistant is treating a client.
3. **Allison Swisher:** Ms. Swisher asked the Section if a physical therapist can perform a finger stick PT/INR and glucometer finger sticks and asked if a physical therapist can take a physician order to change the client's medication.
4. **Richard Haybarger:** Mr. Haybarger asked the Section a question regarding what type of penalty a physical therapist would be charged with for abandoning a patient
5. **Deb Miller:** Ms. Miller asked the Section questions regarding clarification on direct access for physical therapist.
6. **Dawn Bookshar** Ms. Bookshar asked the Section if a physical therapist assistant can perform a manual muscle test.

7. **Amanda Bamfield:** Ms. Bamfield asked the Section a question regarding whether there is a caseload maximum for physical therapist assistants.
8. **Jennifer Diehl:** Ms. Diehl asked the Section whether it is appropriate/legal for a physical therapist to co-sign for another physical therapist that is not credentialed with certain payers in order to get reimbursed.
9. **James Budiscak:** Mr. Budiscak asked the Section whether it is in the scope of practice for a physical therapist to call a physician and take a verbal order for a nurse to conduct a patient assessment in a home health setting.
10. **Duany De la Cruz:** Mr. De la Cruz asked the Section whether a physical therapist assistant can perform a screen in a SNF setting.

OT/PT Joint Correspondence

- JB1. Tara Prater:** Ms. Prater asked the Sections for clarification on the occupational therapy assistant/physical therapist assistant's role in gathering objective information for CMS 701s and discharge summary.
- JB2. Billie Potter:** Ms. Potter asked the Sections for clarification on what is a reasonable productivity expectation for an occupational or physical therapist who does both treatment and supervision.
- JB3. Carmen Weber:** Ms. Weber asked the Sections questions regarding Medicaid compliance.
- JB4. Amanda Hartzell:** Ms. Hartzell asked the Sections regarding what initial onset date should be used in a pediatric clinic.

AT/PT Joint Correspondence

- JB1. Fred Wilson:** Mr. Wilson asked the Sections questions regarding whether it is unethical/illegal for a physical therapist/athletic trainer to conduct general informational seminars for back care and body mechanics.
- JB2. Kristen Ulery:** Ms. Ulery asked the Sections questions regarding the physical therapist co-signature requirements for supervising an athletic trainer in a clinical setting.

Old Business

Public Rules Hearing

The Section held a public rules hearing from 1:30 p.m. to 1:46 p.m. to receive input on the proposed changes to rules 4755-21-02, 4755-23-04, 4755-23-05, 4755-23-06, 4755-23-10, 4755-23-12, 4755-23-15, 4755-24-05, and 4755-29-01.

New Business

Publications of PT/PTA Program NPTE Pass Rates

The Section reviewed the 2008/2009 physical therapist/physical therapist assistant NPTE passage rates for Ohio's accredited programs. In 2008, approximately eighty-six percent of physical therapist candidates and eighty-three percent of physical therapist assistants of Ohio graduates from CAPTE accredited programs passed the NPTE on the first attempt. In 2009, approximately eighty-two percent of physical therapist candidates and ninety-one percent of physical therapist assistants of Ohio graduates from CAPTE accredited programs passed the NPTE on the first attempt. Although the Section will not publish this data on the Board website, it will review NPTE passage rates on an annual basis.

Board Member Name Plates

The Section was in favor of adding the titles only for doctoral-level degrees (e.g.: DPT or PhD) to the name plate. The administrative cost to update the name plates would be minimal due to the Board staff's ability to update the name plates in the Board office.

Discussion on OPTA's Comments on Proposed BWC Rules Changes

The Section briefly discussed the proposed changes. The Section will continue to monitor this topic.

CE Audit Percentages

The Section discussed lowering the continuing education audit percentages from twenty-five percent to twenty percent. Effective January 2010, the Section will audit twenty percent of renewed licensees for continuing education compliance.

Ohio Department of Education Related Service Provider Caseloads Update

The Executive Director, Mary Stover (*OT Section Member*), and Mary Kay Eastman (*PT Section Member*) met with the Ohio Department of Education (ODE) to discuss the IEP guidance document regarding the related service provider caseloads. According to ODE, the fifty student caseload limits is applied to direct patient care. Under the ODE guidelines, a school district would not be in violation of rule 3301-51-09 (I)(3)(c) of the Administrative Code, if an occupational therapist was supervising multiple occupational therapy assistants who were each providing direct services to no more than 50 students, provided that the OT was not providing direct patient care.

In accordance with the Ohio Physical Therapy Practice Act, physical therapists are required to ensure that they accept no more students than they can provide appropriate patient management for, based on the unique needs of the students, taking into account the complexity of the population being served. The ultimate responsibility for care of the student lies with the supervising physical therapist, regardless of whether the physical therapist or physical therapist assistant provides follow-up treatment. In any given period of time, a physical therapist must not provide or supervise care for a higher number of students than that for which skilled care by licensed practitioners can be delivered. The physical therapist must assure that treatments are provided according to safe and ethical standards.

Mary Stover and Mary Kay Eastman prepared a chart summarizing the occupational and physical therapy practitioner's responsibilities. Under the ODE guidelines, the Physical Therapy Section questions whether a physical therapist can safely and effectively provide physical therapy services to the students. The Section encourages ODE to look at the total workload of the physical therapy practitioners when determining caseload ratios.

In addition, the Sections will update their standard responses for caseload ratios in the school-based settings to include this information. The Section will include this topic in the next Section newsletter. The Section identified the need to educate school directors on the role and responsibility issues for physical therapy practitioners. The Section is scheduled to present at the OT/PT School-Based Institute this summer.

CMS Letter

Marilyn Mount will draft a standard response for the CMS rules document.

Letter to Advance Magazine

Raymond Bilecky submitted the Section's response to *Advance* magazine regarding clarification on State of Ohio's endorsement/reinstatement licensure requirements for physical therapy practitioners who have not engaged in the practice of physical therapy for five years or more. The Section's response will be published in a future issue of *Advance*.

Ohio Physical Therapy Association (OPTA) Report

Shane Yates informed the Section that OPTA Advocacy Day will be held at the statehouse on April 20, 2010. Mr. Yates further reported that Nancy Garland has resigned her position with OPTA and he will serve as Interim Director for OPTA for the next six months. Carolyn Towner gave a brief legislative report.

Federation of State Boards for Physical Therapy (FSBPT) Report

The Section reviewed the 2010 FSBPT budget. The Executive Director informed the Section that FSBPT will host a new board member orientation in 2010. FSBPT is actively working on a joint effort with the American Physical Therapy Association to address the AMA scope of practice document.

Items for Next Meeting

- Retreat Planning

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, March 4 2010.

Adjournment

Thomas Caldwell moved that the meeting be adjourned. Dale Deubler seconded the motion. The motion carried. The meeting adjourned at 3:55 p.m.

Respectfully submitted,
Diane Moore

Raymond Bilecky, PT, Chair
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

Marilyn Mount, PT, Secretary
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

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

MM:jmr:dm