



2003 ANNUAL REPORT



Letter to the Governor and General Assembly

Dear Governor Taft and Members of the 125th General Assembly:

On behalf of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (Board), we are pleased to submit this annual report for 2003 in accordance with section 4755.04 of the Revised Code. This report highlights the work of the three sections of the 20-member Board, supported by a staff of 9 employees.

This report reflects the efforts made by the three sections of the Board to ensure that all persons licensed by the Board are properly qualified to provide the appropriate care to the citizens of Ohio. In addition to providing information on the financial picture of the Board, this report summarizes licensure activities and enforcement activities undertaken during the previous year.

In the past year, the Board continued to meet all obligations imposed by Chapter 4755. of the Revised Code. Licenses were issued to qualified individuals and renewed according to the Board's schedule and disciplinary action was taken with licensees violated the law regulating the practice of physical therapy, occupational therapy, or athletic training, as appropriate. All activities were geared towards fulfillment of the Board's mission and are described more fully in the body of the report.

The Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board is committed to continue providing quality service to its licensees and to all citizens of Ohio. We thank you for your on-going support of the Board's efforts to enforce Chapter 4755. of the Ohio Revised Code.

Respectfully submitted,

Amy Heilmann-Rocco, PT
Joint Board President

Jeffrey M. Rosa
Executive Director

Mission of the Board

The Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board (Board) is a public service agency responsible for consumer protection. Our mission is to maintain high licensure standards for the consumers of the health care services. We consistently evaluate credentials, evaluate the formal education process, implement testing procedures, and examine candidates. Hearings are conducted for individuals who fall below our standards for safe practice and for individuals who are a part of an investigative complaint. Witnesses are routinely subpoenaed in connection with these investigations. Application for injunctions, restraining orders, or other actions are made to courts when appropriate.

To achieve our mission, the Board employs a staff of nine dedicated individuals who investigate complaints, make inspections and conduct other appropriate inquiries. Board staff also keep records of licensees, take minutes of Board meetings, process continuing education requests, publish information pertaining to Ohio's licensure law, process public inquiries, and submit an annual report to the Governor and the General Assembly to register official actions of the preceding year during each fiscal year.

History of the Board

In 1976, the 111th General Assembly established the Ohio Occupational Therapy Board for the purpose of licensing and regulating occupational therapists and occupational therapy assistants within Ohio. Chapter 4755. of the Ohio Revised Code was amended in 1977 creating the Ohio Occupational Therapy and Physical Therapy Board. Prior to 1977, the Medical Board regulated physical therapists. Physical therapist assistants were also included in the 1977 legislation, which established the Physical Therapy Section.

With the enactment of Senate Bill 80 in 1990, Chapter 4755. of the Ohio Revised Code was again amended to include the Athletic Trainers Section, thus creating the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board.

Duties of the Board

The Ohio Revised Code authorizes the Board to license practitioners of physical therapy, occupational therapy, and athletic training, either through examination or reciprocity. The licensure process involves evaluating the applicant's credentials and formal education, implementing testing procedures, and conducting hearings, if needed. The Board is also empowered to investigate complaints and concerns relative to alleged violations of Chapter 4755. of the Ohio Revised Code, which can result in the suspension or revocation of a license, or the refusal to issue or renew a license. In addition, the Board is permitted to subpoena witnesses in connection with investigations, make applications to courts when appropriate, and issue injunctions, restraining orders, or other actions, as may be appropriate and granted by a court.

Board Members and Staff

The Board is comprised of three sections that enforce the practice act of their respective profession. The Occupational Therapy Section consists of five occupational therapists. Although not an official member of the Board, one occupational therapy assistant serves as a liaison to the

Occupational Therapy Section. The Physical Therapy Section consists of nine physical therapists, while the Athletic Trainer Section has four athletic trainers and one physician. The three sections combine for the joint board to discuss budgetary and administrative matters. At the joint board, all Athletic Trainer and Occupational Therapy Section members serve, as well as five Physical Therapy Section members and one public member. Appendix A lists the members of the Board. Members are paid an hourly rate for each hour employed in the discharge of official duties. In addition, all members are reimbursed according to state travel rules for travel expenses.

In 2003, the Board employed nine full-time employees and contracted with one temporary administrative person for a limited period. The Executive Director oversees day-to-day operations. The table of organization includes:

Position	# of Full-Time Equivalents
Executive Director	1
Executive Secretary	1
Administrative Assistant	1
Certification Licensing Examiner	3
Enforcement Division Supervisor	1
Investigator	2

During parts of 2003, Board staff had vacancies in the Executive Director position and one Investigator position. The new Executive Director began employment with the Board on October 20, 2003. The new Investigator, who previously served as the Board's Administrative Assistant, begins service in her new position on December 22, 2003.

Licensure Activities

The licensure responsibilities of the three sections of the Board ensure that only individuals who meet certain standards of education, training, and competency are licensed in Ohio.

Type of License	# of New Licenses Issued in FY 2003	Total Active Licensees as of 6/30/03
Occupational Therapist	284	3,710
Occupational Therapy Assistants	190	2,149
Physical Therapist	364	5,997
Physical Therapist Assistants	218	4,019
Athletic Trainers	163	1,517
TOTAL	1,219	17,392

Fiscal Report

In fiscal year 2003, Board revenues, the majority from licensure fees, totaled \$813,841. Total spending in the fiscal year slightly exceeded \$797,000. All told, in FY 2003, Board revenues exceeded expenditures by almost \$16,600. The largest component of Board spending is for staff

payroll. Almost 65 percent of FY 2003 spending occurred in SAC 6091 (Staff Payroll Account). Total spending in this SAC also included almost \$2,000 associated with hearings held in accordance with Chapter 119. of the Revised Code. The following table illustrates the Board's revenues and expenditures for FY 2003.

<i>Expenditures</i>	
SAC 6091 (Staff Payroll Account)	\$514,334.29
SAC 6092 (Maintenance Account)	\$219,296.99
SAC 6093 (Equipment Account)	\$3,986.40
SAC 6099 (Refund Account)	\$1,120
SAC 6001 (Board Member Payroll)	\$38,150.45
SAC 6232 (Member Travel & Maintenance)	\$20,360.57
TOTAL EXPENDITURES	\$797,248.70
<i>Revenues</i>	
Income from OT Section	\$270,945.96
Income from PT Section	\$472,337.04
Income from AT Section	\$70,558.00
TOTAL REVENUE	\$813,841.00

The Board is self-sustained through fees generated from applications for initial licensure, renewal fees, and other miscellaneous sources. Fees are deposited into the Occupational Licensing and Regulatory Fund (Fund 4K9), a joint fund in which the fees from 22 other licensing boards are deposited. Each agency in the fund is required to generate revenue sufficient to meet its operating expenses. Although Board revenues exceeded expenditures, the Board may only spend up to the amount appropriated by the legislature, unless the Controlling Board approves an increase in appropriation authority.

Investigations and Enforcement

To ensure compliance with Chapter 4755. of the Revised Code, the Board employs three investigators to investigate complaints and conduct investigations. All complaints made to the Board must be in writing. When the Board receives a complaint, a case number is assigned and an investigator will determine whether the facts in the case support the alleged violation.

The investigator provides all information and a recommendation to the investigative committee of the appropriate section upon completion of the investigation. The investigative committee then reviews the complaints to determine if any disciplinary action is needed.

The following table outlines the investigation and enforcement actions taken by the Board during FY 2003. Since not all investigations result in disciplinary action, the number of investigations undertaken in FY 2003 exceed the number of disciplinary actions taken by the Board. In addition, in certain cases where the licensee entered into a consent agreement with the Board, the disciplinary action included more than one category from the table below (e.g.: suspension *and* on-going monitoring).

	Occupational Therapy	Physical Therapy	Athletic Trainers	Total
Investigations	45	55	26	126
Spot Inspections	10	16	5	31
<i>Consent Agreements</i>				
Suspensions	16	3	2	21
Reprimands	6	0	0	6
On-going Monitoring	5	1	5	11
Probation	1	0	1	2
Disciplinary Surrender	0	0	1	1
<i>R.C. 119. Hearings</i>				
Revocation	0	1	2	3
Suspension	0	0	1	1

Occupational Therapy Section

During 2003, the Occupational Therapy Section improved its communication with licensees through various methods. In addition to presentations made at the annual meeting of the Ohio Occupational Therapy Association (OOTA), various district meetings, and a clinical educators meeting at Cincinnati State, the Section submitted “Ask the Licensure Board” articles for the OOTA newsletter and put the Section’s newsletter on the Board’s website.

Responding to budgetary issues, the Section enacted various cost-savings measures, including switching the meeting schedule from monthly to every six-weeks. The Section also refined the renewal process by making changes to the renewal application.

Two Board members were reappointed to new three-year terms in 2003. All three sections of the Board also met to hire the new executive director, who began employment on October 20, 2003.

A major responsibility of the Section is on going review of the administrative rules governing the practice of occupational therapy. In 2003, the Section amended eleven rules. Most of the changes were technical changes to the Section’s licensure procedures. One major amendment, to rule 4755-3-10, made extensive changes to the biennial renewal process. An additional thirteen rules were reviewed as part of the five-year review process, after which the Section determined that no changes were necessary.

As part of its goals for 2004, the Section plans to continue implementation of various cost-savings measures and continue interaction with its licensees and the citizens of Ohio. One key goal for the upcoming year is adoption of disciplinary guidelines that the Section will use when making disciplinary decisions. In addition, the three sections of the Board collaboratively worked on suggested changes to Chapter 4755. of the Revised Code to clean up existing language and improve enforcement abilities for all three sections. Therefore, an additional goal of the three sections is to find a legislative sponsor who will reintroduce this proposed legislation.

Physical Therapy Section

The Physical Therapy Section made many improvements in procedures during 2003. Among these changes were new procedures to track applications, updates to the continuing education process, and increased accountability for continuing education for renewal applicants. The Section also reviewed and revised office policies and procedures. The Section also developed documentation guidelines.

To maintain communication with licensees, the Section presented at the Ohio Physical Therapy Association (OPTA) annual meeting and electronically published a newsletter.

A major responsibility of the Section is on going review of the administrative rules governing the practice of physical therapy. In 2003, the Section amended eight rules. The changes to most of these rules dealt with modifications in Board operations and procedures related to physical therapy. Another change amended rule 4755-23-03 to specify that the licensure exam required by the Section is the National Physical Therapy Examination (NPTE). The Section also updated the rule governing the granting of waivers of continuing education. An additional three rules were reviewed as part of the five-year review process, after which the Section determined that no changes were necessary.

In 2003, the term of Board member Anna Lou Goldblatt ended. Robert Frampton, director of the physical therapy program at the University of Findlay, replaced her. All three sections of the Board also met to hire the new executive director, who began employment on October 20, 2003.

Goals for 2004 include a review of credentialing agencies, increased communications with legislators to educate them on the role and activities of the Section. Other goals include continued dialogue with insurance companies and with other licensure boards. The Section also plans to examine a potential move towards continuing competency. In addition, the three sections of the Board collaboratively worked on suggested changes to Chapter 4755. of the Revised Code to clean up existing language and improve enforcement abilities for all three sections. Therefore, an additional goal of the three sections is to find a legislative sponsor who will reintroduce this proposed legislation.

Athletic Trainers Section

During 2003, the Athletic Trainer Section continued its enforcement of the athletic training practice act. Responding to budgetary issues, the Section enacted various cost-savings measures, including switching the meeting schedule from monthly to every six-weeks. In another cost-saving initiative, the Section electronically published its newsletter, which was available on the Board's website. In addition to the newsletter, the Section communicated with licensees through its presentation at the annual meeting of the Ohio Athletic Trainers Association (OATA).

In 2003, the term of Board member Mark Doughty ended. Vince O'Brien, an athletic trainer at Ohio State University, replaced him. All three sections of the Board also met to hire the new executive director, who began employment on October 20, 2003.

A major responsibility of the Section is on going review of the administrative rules governing the practice of athletic training. In 2003, the Section amended four rules. An additional nine rules were reviewed as part of the five-year review process, after which the Section determined that no changes were necessary.

As part of its goals for 2004, the Section plans to continue implementation of various cost-savings measures and continue interaction with its licensees and the citizens of Ohio. In addition to continued review of administrative rules, the Section plans to implement new ethics rules for athletic trainers. In addition, the three sections of the Board collaboratively worked on suggested changes to Chapter 4755. of the Revised Code to clean up existing language and improve enforcement abilities for all three sections. Therefore, an additional goal of the three sections is to find a legislative sponsor who will reintroduce this proposed legislation.

APPENDIX A

ATHLETIC TRAINERS SECTION MEMBERS

Jody Benda, AT
AT Section Secretary
Ada, OH
Appointed term expires August 27, 2005

Kurt McClurg, AT
AT Section Chair
Bowling Green, OH
Appointed term expires August 27, 2004

Paul Miller, AT
Lewis Center, OH
Appointed term expires August 27, 2005

Vince O'Brien, AT
Columbus, OH
Appointed term expires August 27, 2006

Randy Wexler, MD
Gahanna, OH
Appointed term expires August 27, 2004

Mark Doughty, AT
Newark, OH
Appointed term expired August 27, 2003

OCCUPATIONAL THERAPY SECTION MEMBERS

Lois Borin, OT
Joint Board Secretary
Powell, OH
Appointed term expires August 27, 2004

Martha Cameron, OT
OT Section Chair
Columbus, OH
Appointed term expires August 27, 2006

Rebecca LeBron
Niles, OH
Appointed term expires August 27, 2005

Hector Merced, OT
Cleveland, OH
Appointed term expires August 27, 2004

Sally C. Oberbeck, OT
OT Section Secretary
Dayton, OH
Appointed term expires August 27, 2006

PUBLIC MEMBER

Thomas G. Vignos, Public Member
North Canton, OH
Appointed term expires August 27, 2005

APPENDIX A

PHYSICAL THERAPY SECTION MEMBERS

Donna F. Baker, PT
Hamilton, OH
Appointed term expires August 27, 2006

Robert Frampton, PT
Findlay, OH
Appointed term expires August 27, 2006

Anna Lou Goldblatt, PT
Toledo, OH
Appointed term expired August 27, 2003

Amy S. Heilmann-Rocco, PT
PT Section Secretary
Joint Board President
Columbus, OH
Appointed term expires August 27, 2005

Michael P. Herbert, PT
Tiffin, OH
Appointed term expires August 27, 2004

Janet Howells, PT
Gahanna, OH
Appointed term expires August 27, 2004

Jim Hull, PT
Mansfield, OH
Appointed term expires August 27, 2004

Barb Kraynik, PT
Canton, OH
Appointed term expires August 27, 2004

Averell R. Overby, PT
Athens, OH
Appointed term expires August 27, 2004

Sandra Pomeroy, PT
PT Section Chair
Franklin, OH
Appointed term expires August 27, 2005