



Fall 2004

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Volume VII

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Board Members

Donna Baker, PT
Hamilton

Robert Frampton, PT
Findlay

Beth Gustafson, PT
Urbana

Amy Heilmann-Rocco, PT
Secretary
Columbus

Mike Herbert, PT
Tiffin

Janet Howells, PT
Gahanna

Barb Kraynik, PT
Canton

Averell Overby, PT
Athens

Sandra Pomeroy, PT
Chair
Franklin

Message from the Chairperson, Sandra Pomeroy

Direct access is now a reality in Ohio for many physical therapists. With the privilege of direct access comes more responsibility.

Physical therapists must realize their obligation to read and understand the law and implement procedures in their facili-

ties that adhere to all of the components required in the new law if they choose to see patients under this statute.

The new direct access legislation has specific qualifications about the practice of physical therapy without a prescription. The Board is excited about the

changes created by this new law and looks forward to the challenges of direct access.

For the complete language of the new direct access provision for physical therapists in Ohio, please review the information on page 6 of this issue of Information Access.

Board Welcomes Beth Gustafson

On August 28, 2004 Beth Gustafson, from Urbana, was appointed to the Physical Therapy Section by Governor Bob Taft for a term ending on August 27, 2007.

Beth is currently an assistant professor of health and human services at Clark State Community College, where she heads

the physical therapist assistant program.

Beth received her undergraduate degree from Quinnipiac College and her Master of Education from the University of Dayton.

Please join the Section in welcoming Beth to the Section.

In addition to Beth, Mike Herbert, Janet Howells, Barb Kraynik and Averell Overby were reappointed to the Section. Their terms expire August 27, 2007.

Board Welcomes New Executive Director

On October 20, 2003, Jeffrey M. Rosa started as the Board's new executive director. Originally a native of Long Island, NY, Jeff comes to the Board with extensive experience in state government in Ohio.

After receiving a B.A. from Yale University and a Master of Public Policy from the University of Michigan, Jeff spent over six years as a Senior Budget Analyst for the Ohio General Assembly. In addition to his work for the legislature, Jeff spent just over a year as the Legislative/Regulatory Specialist for

the Ohio Board of Nursing. The Board is glad to have Jeff as the new executive director.

In addition to a new director, the Board hired two new investigators and a new administrative assistant.

Joseph Kirk, the new administrative assistant, graduated from Ohio University with his B.A. in Political Science. Joe comes to the Board from the Ohio Board of Nursing, where he served as a licensure clerk.

Jason Schutte, one of the new investigators, served in the

same role for the Counselor and Social Worker Board. Jason graduated from Ohio State University with his B.A. degree in Criminology.

The other new investigator, Gina Longstreth, served as the administrative assistant with the OT PT AT Board prior to starting her new position. Gina graduated from Ohio State University with a B.A. degree in Business/Marketing and is currently working towards her MBA at Ohio University.

Please welcome these individuals to the Board staff.

Message From The Executive Director, Jeffrey Rosa

It is your professional responsibility to stay informed on changes to your profession.

Things have been quite busy since I started as the Board's executive director in October 2003. In addition to learning about the professions of physical therapy, occupational therapy, and athletic training, I have examined the current operations of the Board office in an attempt to improve customer service for the individuals licensed by the Board. However, it is important to note that the Board does not exist to serve the licensees. The OTPTAT Board is statutorily required to protect the consumers of physical therapy services through the effective regulation of the practice of physical therapy. By comparison, the Ohio Physical Therapy Association exists to advocate for the profession. That is the main difference between the licensure board and the professional association.

In response to tighter fiscal situations facing all state agencies, the Board is in the process of emphasizing greater use of the website. Recently, the Board's website design received a major overhaul, in addition to receiving a new web address: <http://www.otptat.ohio.gov>. With the new design of the website, any information pertaining to physical therapy, including the laws and rules and licensure applications, is available at the click of a mouse. Remember, it is your **professional responsibility** to stay informed on changes to your profession! In addition, in order to better meet our mission of protecting the public, the Board will post disciplinary actions and expired license lists to the Board following each Board meeting.

Please contact us by email at board@otptat.state.oh.us if you have suggestions for improving our website.

Continuing Education

Rule 4755-23-08 of the Administrative Code requires all licensed physical therapists and physical therapist assistants to complete continuing education during each two-year renewal period. Physical therapists must complete 24 clock hours of con-

tinuing education, while physical therapist assistants must complete 12 clock hours. Although physical therapist and physical therapist assistant licenses expire on January 31, all continuing education must be completed by December 31 preceding the expiration date of the license. For example, for individuals whose licenses expire in January 2005, all continuing education hours must be taken between January 1, 2003 and December 31, 2004.

In addition to completing the required number of continuing education hours, the rules governing the practice of physical therapy require all licensees to obtain a continuing education approval number from the Ohio Physical Therapy Association (OPTA). The Physical Therapy Section of the licensure board and the OPTA have an agreement in which the continuing education approval process is carried out by OPTA. Since you must have the approval number when you submit your renewal application, please submit approval requests to OPTA early enough to allow them time to process your request. If you do not have a valid CE approval number from OPTA, you may not count those hours towards the requirements contained in the Administrative Code.

Please note that there is a difference between OPTA and the licensure board. During renewal periods, licensees often contact the licensure board asking if their continuing education request was approved. In addition, licensees often mistakenly send their renewal applications to the OPTA. If the Board does not receive your renewal application on time, your license will expire, even if you sent it to OPTA prior to the expiration date.

Rules Changes

Effective May 1, 2004, the Physical Therapy Section amended the following rules: 4755-23-10: Reinstatement of License

To ensure consistency with other rules, the Section amended

this rule to state that licenses expired for three years or more may be subject to additional requirements when reinstating the license.

4755-24-01: Examination Fees

Reflecting the scheduled increase in the NPTE exam fee charged by the Federation of State Boards of Physical Therapy, the change to this rule states that the licensure examination fee shall not exceed \$600.

4755-27-04: Delegation of Tasks

This amendment states that individuals required to complete a re-entry program as part of a reinstatement application may function in the likeness similar to student status of a licensure applicant and should be designated as a re-entry applicant.

4755-29-01: Referrals

In light of the enactment of direct access, this rule was amended to state that physical therapists may provide services upon a referral. Previously, the rule stated that physical therapists shall provide services upon a referral. The rule was also changed to specify that physical therapists may accept referrals from advanced practice nurses, a change that was included in the direct access legislation.

Help Us Keep in Touch

The Board office is currently in the process of building an email server list to improve our ability to communicate with licensees and the public in a timely manner. To this end, we are requesting that you send an email to the Board's email address, board@otptat.state.oh.us, so we can add your email address to our distribution list. **This information will not be shared, sold, or otherwise given to any entity, unless required by law.** Indicate in your message that you would like to be added to the mailing list, as well as which profession you are licensed as.



Disciplinary Actions: August 1, 2003 through June 30, 2004

Disciplined for Working With an Expired License:

Robert Cowell, PT
Vickie Fairchild, PT
Karen Hill, PT
Douglas Patch, PT
Rosanne Tucker, PT
Bryan Casto, PTA
Sean Kimmey, PTA

Disciplined for Delegating Tasks to Unlicensed Supportive Physical Therapy Personnel Without On-site Supervision, Including Immediate Availability and Ongoing Involvement in the Direction and Supervision of the Delegated Tasks:

Ramon Lim, PT

Disciplined Due to Felony Convictions and for Obtaining a License by Fraud or Deception:

Susan Willis, PTA

Cease and Desist Orders:

Michael Brown, D.C.
Sean Caine, D.C.
Mike Tucciarone

To obtain additional information regarding the above actions, you may submit a public records request to the Enforcement Division via mail or fax. Please include the individual's name and profession, and your name and address or fax number. Pursuant to section 149.43 of the Revised Code, individuals who wish to have the documents forwarded to them via mail will be charged a fee not to exceed the actual cost of record duplication and postage. There is no charge for records returned via fax.

The Enforcement Division conducts investigations of complaints filed against physical therapists and physical therapist assistants. The Board requires that all complaints be

submitted in writing. You may access a complaint form via the Board's website at www.otptat.ohio.gov.

Upon receiving a writing complaint, the Enforcement staff sends notification that the complaint has been received. After conducting the investigation, the Enforcement staff presents the information to the Physical Therapy Investigative Committee who then determines whether or not a violation of the laws and rules that govern the practice of physical therapy has occurred. If the individual is found to be in violation of the laws and rules, the Committee will determine whether or not disciplinary action is warranted.

Please be advised that no specific information can be released regarding the outcome of the investigation, unless disciplinary action is taken.

Professional Liability

When making a professional practice decision regarding the provision of physical therapy services, physical therapists and physical therapist assistants must accept responsibility for their actions and judgments.

As a licensed professional, all practice decisions rest solely with the physical therapist and should not be dictated by corporate administrative policy. These provisions are outlined in the Physical Therapy Practice

Act, which you can access on the Board's website at www.otptat.ohio.gov.

Special Thanks to Jim Hull

The members of the Physical Therapy Section would like to thank Jim Hull for his service to the Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Jim was a member of the Physical Therapy Section from September 15, 1987 August 27, 2004.

Jim worked tirelessly to protect, regulate, and raise the standards of physical therapy services for citizens of the State of Ohio.

While on the Section, Jim served as a board member on the Physical Therapy Section and as a member of the Physi-

cal Therapy Investigative Committee.

The Physical Therapy Section commends Jim for his outstanding service as a member of the Physical Therapy Section and wish him much continued success in his future endeavors.

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If you have had your license for two years, but have only worked for one year prior to the December 31, 2003 deadline, you cannot practice under direct access.

The Physical Therapy Section receives numerous letters requesting interpretation of the Physical Therapy Practice Act. These letters typically reflect current issues and problems experienced by licensees in the delivery of services.

The following is a list of frequently asked questions and general responses given by the Section. This is by no means a complete list. If you have any questions related to physical therapy practice, please do not hesitate to contact the Section for guidance.

Can a physical therapy practitioner provide wound care, including sharp debridement?

It is within the scope of practice for a physical therapist to provide wound care, including sharp debridement and the application of topical medications. Please reference the APTA's Guide to Physical Therapy, which outlines wound care. A physical therapist may delegate this component of care to a physical therapist assistant.

The Board recently updated its website. There are many items that are currently available that have never been available from the site before.

For example, you will soon be able to view a list of final disciplinary actions taken by the Section following each meeting. You can also verify a license to determine if a physical therapy practitioner has a valid Ohio physical therapy or physical therapist assistant license.

Frequently Asked Questions

As with any specialized treatment technique, both the physical therapist and physical therapist assistant must demonstrate competency in the provision of the service.

Can a physical therapist practice under direct access with a Bachelor's degree if they have had their license for two years or do they need two years of work experience?

Ohio Revised Code section 4755.48(F)(2) states that "on or before December 31, 2003, the person has completed at least two years of practical experience as a licensed physical therapist." Therefore, you must give evidence that you have worked for two years. If you have had your license for two years, but have only worked for one year prior to the December 31, 2003 deadline, then you could not practice under direct access.

Can a physical therapist assistant perform a home assessment? If an occupational therapist is going into the home

for an assessment, can the physical therapist assistant perform the assessment under the supervision of the occupational therapist?

A physical therapist assistant may go into a patient's home, without the patient, to perform an environmental survey (ie: architectural barriers, floor plan of the home, etc). If the patient is going into his/her home environment and his/her function in the home is being assessed, the assessment must be performed by a physical therapist. A physical therapist assistant may continue an established treatment plan of functional activities in a non-clinical environment. A physical therapist assistant may only be supervised by a physical therapist, regardless of the setting in which physical therapy care is rendered.

Website Updates

The application, name change form, address change form, complaint form, and meeting dates are all available online.

The Board also has a new web address. You can visit us at: www.otptat.ohio.gov to get the most current information on your profession or to see what is happening in occupational or physical therapy, or athletic training.

Please remember that it is your

professional responsibility to remain current on physical therapy practices and regularly visiting the Board's website is one way to ensure that you are knowledgeable about current practice and updated regulations governing the practice of physical therapy in Ohio.

You can email the Board at any time at board@otptat.state.oh.us with questions, updates or suggestions.

Board Office Staff

The Board office employs nine people to assist licensees and applicants. The current Board staff consists of:

Jeffrey Rosa
Executive Director
Lisa Foor
Enforcement Div. Supervisor
Stephanie Youst
Executive Secretary

Gina Longstreth
Investigator
Jason Schutte
Investigator
Joseph Kirk
Administrative Assistant
Mary Jane Langlois
Cert. Licensing Examiner
Diane Moore
Cert. Licensing Examiner

Thanh "Mai" N. Vo
Cert. Licensing Examiner

Please visit the Board's website for information on what each person is responsible for in the Board office. You can also contact the office via email at: board@otptat.state.oh.us.

Address Change Reminder

Pursuant to rule 4755-23-07 of the Administrative Code, all physical therapy practitioners licensed in Ohio are required to submit any change in address, name, or employment to the Board office in writing. This must be done within 30 days of the change.

You can fax your changes to the Board office at (614) 995-0816, email them to the Board office at

board@otptat.state.oh.us, or send them via mail to 77 South High Street, 16th Floor, Columbus, OH 43215-6108.

Please be certain to include your name, license or social security number, new address or employment information, and phone number. If you are submitting a name change, please be sure to include a notarized copy of the name change form from the Board's

website and a copy of the supporting name change documentation.

New pocket identification cards can be purchased for \$10.00/card and new wall certificates can be purchased for \$20.00/certificate. Please make cashier's checks or money orders to the Board office payable to the "Treasurer, State of Ohio".

2004-2005 Meeting Dates

All Board meetings are open to the public and anyone is welcome to attend. Please contact the Board office at (614) 466-3774 or board@otptat.state.oh.us to verify the time and place of any meeting you wish to attend.

The following is a tentative schedule and is subject to change.

September 23, 2004

October 26, 2004

December 2, 2004

January 6, 2005

February 17, 2005

March 10, 2005

May 5, 2005

June 16, 2005

August 11, 2005

September 22, 2005

November 17, 2005

The meetings are typically held at the Vern Riffe Center for the Government and the Arts, 77 South High Street, 31st Floor, Columbus, Ohio.

License Verification

The fee to verify your license to another state is \$30.00 per request. Please send a cashier's check or money order made payable to the "Treasurer, State of Ohio" in the appropriate amount.

Please include your name, Ohio license number or social security number, and the address of the entity where you would like the Board to mail the verification.

Processing takes approximately two weeks and the verification will be mailed directly to the address specified on the request. All requests are sent via the US Postal Service.

If, at any time, the physical therapist has reason to believe that the patient has symptoms or conditions that require treatment or services beyond the scope of practice of a physical therapist, the physical therapist shall refer the patient to a licensed health care practitioner acting within the practitioner's scope of practice.

Treating patients without a referral became possible for physical therapists on May 4, 2004. The new law states:

4755.481

Physical therapy services without a referral.

(A) If a physical therapist evaluates and treats a patient without the prescription of, or the referral of the patient by, a person who is licensed to practice medicine and surgery, chiropractic, dentistry, osteopathic medicine and surgery, podiatric medicine and surgery, or to practice nursing as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner, all of the following apply:

(1) The physical therapist shall, upon consent of the patient, inform the patient's physician, chiropractor, dentist, podiatrist, certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner of the evaluation not later than five business days after the evaluation is made.

(2) If the physical therapist determines, based on reasonable evidence, that no substantial progress has been made with respect to that patient during the thirty-day period immediately following the date of the patient's initial visit with the physical therapist, the physical therapist shall consult with or refer the patient to a licensed physician, chiropractor, dentist, podiatrist, certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner, unless either of the following applies:

(a) The evaluation, treatment, or services are being provided for fitness, wellness, or prevention purposes.

(b) The patient previously was diagnosed with chronic, neuromuscular, or developmental

conditions and the evaluation, treatment, or services are being provided for problems or symptoms associated with one or more of those previously diagnosed conditions

(3) If the physical therapist determines that orthotic devices are necessary to treat the patient, the physical therapist shall be limited to the application of the following orthotic devices:

- (a) Upper extremity adaptive equipment used to facilitate the activities of daily living;
- (b) Finger splints;
- (c) Wrist splints;
- (d) Prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays and other prefabricated soft goods requiring minimal fitting;
- (e) Nontherapeutic accommodative inlays;
- (f) Shoes that are not manufactured or modified for a particular individual;
- (g) Prefabricated foot care products;
- (h) Custom foot orthotics;
- (i) Durable medical equipment.

(4) If, at any time, the physical therapist has reason to believe that the patient has symptoms or conditions that require treatment or services beyond the scope of practice of a physical therapist, the physical therapist shall refer the patient to a licensed health care practitioner acting within the practitioner's scope of practice.

(B) Nothing in sections 4755.40 to 4755.56 of the Revised Code shall be construed to require reimbursement under any health insuring corporation policy, contract, or agreement, any sickness and accident insurance policy, the medical assistance program as defined in section 5111.01 of the Revised Code, or the health partnership program or qualified health plans established pursuant to sections 4121.44 to 4121.443 of the Revised

Code, for any physical therapy service rendered without the prescription of, or the referral of the patient by, a licensed physician, chiropractor, dentist, podiatrist, certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.

(C) For purposes of this section, "business day" means any calendar day that is not a Saturday, Sunday, or legal holiday. "Legal holiday" has the same meaning as in section 1.14 of the Revised Code.

Pitfalls of the PT/PTA Renewal Process

With every renewal cycle there are physical therapy practitioners who do not receive their license because the renewal procedures are not followed or they fail to abide by rule 4755-23-07 of the Administrative Code, which requires any address changes to be submitted to the Board within thirty days of the change.

The following is a list of some of the pitfalls that every licensee can easily avoid so the renewal process can be completed on time and without error:

- Rule 4755-23-04 states that a licensee shall notify the Physical Therapy Section in writing of any change of name, place of business, employment or mailing address within 30 days of the change. Failure to do this may cause a licensee's renewal application to be returned to the Board office and could ultimately cause the expiration of their license.
- Each year there are numerous licensees who fail to correctly complete the

renewal application. Regardless of the number of times a licensee has renewed their license, all of the directions should be read because the Board does make changes to the renewal application each year.

- The continuing education reporting form, which is required for license renewal, is not complete. The form can be incomplete for the following reasons: 1) Ohio approval numbers were not obtained and/or reported for the continuing education activities; or 2) The continuing education credits were obtained prior to the appropriate date, which corresponds with the expiration date of your license.
- The deadline for renewals is January 31. Any renewal postmarked after that date will not be processed and the license will expire.
- Many times licensees indicate that they mailed their renewal materials to the

Board, but there is no record of the application. To avoid this problem, use the enclosed envelope to return your renewal to the Board, keep your receipt from your cashier's check or money order, and make a copy of all renewal materials mailed to the Board office.

- Please be aware that if you mail your renewal in the last two weeks of January, you may not have your updated pocket ID card for the February 1 deadline. Processing takes at least two weeks, but toward the end of the renewal cycle, the Board office is busy with processing last minute renewals. During January, the processing time may increase from two to four weeks.

By following these simple suggestions, the renewal process can be a smooth one. Please e-mail any questions to: board@otptat.state.oh.us.

Inspections

To ensure consumer protection, the Enforcement Division conducts random, unannounced inspections of physical therapy facilities and personnel. These visits are a proactive approach to affirm compliance with the Ohio Physical Therapy Practice Act. Visits include, but are not limited to: verifying the credentials of physical therapy personnel, reviewing patient documen-

tation of physical therapy services, verifying proper supervision of unlicensed support personnel, and checking the display of wall licenses.

Inspection information is reviewed by the Physical Therapy Investigative Committee each month and a follow-up letter is sent to the licensee or facility. The Committee clarifies any

misinterpretations of the law and makes recommendations for changes that are necessary to be in compliance with the Ohio Physical Therapy Practice Act.

With every renewal cycle there are physical therapy practitioners who do not receive their license because the renewal procedures are not followed or they fail to abide by rule 4755-23-07 of the Administrative Code

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

77 South High Street
16th Floor
Columbus, Ohio 43215-6108

Phone: 614-466-3774
Fax: 614-995-0816
E-mail: board@otptat.state.oh.us

Visit Us On The Web At:
www.otptat.ohio.gov

The mission of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board is to actively promote and protect the health of the citizens of Ohio through effective regulation of the professions of occupational therapy, physical therapy, and athletic training.

Goals to achieve this mission include:

- Ensuring that the individuals practicing occupational therapy, physical therapy, and athletic training meet sufficient standards of education, training, competence, and ethics, as defined in the laws and rules governing the profession.
- Investigate and discipline licensees whose practice falls below the minimal standards of care.
- Define and advocate for standards of safe OT, PT, AT practice, and ensure that the laws and rules governing the practice accurately reflect current standards.
- Provide information about the licensees of the OT, PT, AT Board, the Board's functions and operations, and the laws governing the practice of OT, PT, and AT.
- Achieve and maintain the highest possible levels of organizational efficiency.

Census Count

As of July 21, 2004 there are 6,153 physical therapists, 4,104 physical therapist assistants, 3,877 occupational therapists, 2,208 occupational

therapist assistants, and 1,602 athletic trainers licensed in the State of Ohio.

The Licensing Board and the Professional Association

The Physical Therapy Section often receives correspondence addressed to the Ohio Physical Therapy Association (OPTA). The OPTA is the professional organization and

membership is voluntary. The Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board regulates and licenses all

physical therapy practitioners in Ohio.

Licensure in Ohio is mandatory if you wish to practice physical therapy or physical therapy assisting.

Correspondence Regarding Physical Therapy Practice

Professional concerns regarding the practice of physical therapy should be forwarded, in writing, to the Physical Therapy Section at any of the addresses listed above.

Please be sure to read the Physical Therapy Practice Act, meeting minutes and previous newsletters before forwarding any correspondence to the Section.

This information is available on the Board's website at www.otptat.ohio.gov.