



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Physical Therapy Section*  
*January 9, 2014*  
*10:00 a.m.*

**Members Present**

Raymond Bilecky  
Lynn Busdeker  
Thomas Caldwell (arrived @ 10:32am)  
Matthew Creed  
Karen Holtgreffe, Secretary  
Ronald Kleinman, Chair  
James Lee  
Chad Miller

**Legal Counsel**

Cheryl Hawkinson, Assistant Attorney General

**Staff Present**

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

**Guests**

Bill Behrendt, JCARR  
Victoria Gresh, OPTA  
Halle Runion, OPTA  
Carolyn Towner, OPTA  
Logan Schaffer  
Matthew Willett  
Andrew Fawcett  
Ryan Kroflich  
Josh Boyd  
Meredith Vegh  
Matthew Bjelac  
Michelle Luchini  
Valerie Morris  
Emma Danford  
Courtney Schimmoeller

**Call to Order**

Ronald Kleinman, Section Chair, called the meeting to order at 10:05 a.m. The Section welcomed the Ohio State University DPT students and guests.

**Approval of Minutes**

**Action:** Lynn Busdeker moved that the minutes from the November 7, 2013, meeting be approved as submitted. Karen Holtgreffe seconded the motion. Thomas Caldwell was absent for the vote. The motion carried.

**Executive Director's Report**

- The Executive Director informed the Section that the Board received a quote for the purchase of new computers.
- The Executive Director gave a brief legislative update.

Andy Schultze  
A. Gregor Mackenzie  
Emily Hart  
Maggie Abrams  
Joel Sivillo  
Emily Homorosky  
Tracy Butler  
Sarah Hawk  
Sara Mrowzinski  
Katrina Casey  
Emily Borchers  
Jenny Maykut  
Lisa Gallagher  
Ryan Myers  
Cory Wilcox  
Laura Marz  
Tonya Terken  
Melanie cole  
Alicia Almond  
Joshua Kempton  
Lauren Esposito  
Mallory Sterba  
Elizabeth Kot  
Yasmine Ghoddoosi  
Michael Damo  
Mike Klein  
Morgna Alman  
Nathan Hines  
Chris Wilcor  
Scott Bobertson  
Maura Weiscubachi  
Jennifer Knox

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

### **Administrative Reports**

#### **Licensure Applications**

**Action:** Chad Miller moved that the Physical Therapy Section ratify, as submitted, the individuals approved by the Occupational Therapy, Physical Therapy, and Athletic Trainers Board to sit for the National Physical Therapy Examination for physical therapists and physical therapist assistants from November 7, 2013 through January 9, 2014, taking into account those individuals subject to discipline, surrender, or non-renewal. Mr. Miller further moved that the following persons be licensed as physical therapists/physical therapist assistants pending passage of the National Physical Therapy Examination and Ohio Jurisprudence Examination. Lynn Busdeker seconded the motion. Thomas Caldwell was absent for the vote. The motion carried.

#### **Physical Therapist – Examination**

Abdellatif., Jamal	Alford, Daniel	Bacik, Kristen
Balkan, Staci	Best, Trent	Brochetti, Kevin
Cangelosi, Gary	Charnigo, Stephanie	Clester, Cara
Cooney, Jaclynn	Crabtree, Ethan	Dey, Shounak
Febres, Tracey	Garth, Chanel	Gojani, Alma
Greeney, Katie	Grimm, Ashley	Henry, Rosalyn
Hickerson, Emily	Holtcamp, Bradley	Jarvis, Devin
Johnsen, Marie	Kelly, Patrick	Keter, Damian
King, Rebecca	Kudla, Matthew	Laine, Michelle
Lennon, Jill	MacGregor, Anita	Marks, Kristin
Martien, David	May, Eric	Meathe, Jaclyn
Mellott, Katherine	Monroe, Mary	Moore, Carrie
Petrash, Julie	Prentis, Jacqueline	Primiano, Caitlin
Probert, Joseph	Sheehan, Aarika	Smith, Jamie
Spriggs, Kyle	Stahl, Joel	Steinmetz, Tiffany
Swanker, Sarah	Tighe, Erin	Vano, Rebecca
Vogagis, Nicholas	Wade, Vanessa	Walsh, Emily
Wickens, Audrey	Yanok, Tonya	Yocca, Jason

#### **Physical Therapist Assistant – Examination**

Alexander, Diane	Barclay, Megan	Bartson, Amber
Bowersock, Thaddeus	Bromley, Caitlyn	Carver, Luke
Colbert, Naomi	Contento, Brian	Diekman, Jenna
Fenwick, Nathan	Foxhoven, Erin	Gregory, Holly
Handley, Jonda	Heffelfinger, Jason	Hilty, Darek
Hoeflinger, Kyla	Houghtlen, Jami	Hover, Richard
Ingraham, Grace	Irwin, Carl	Jack, Christy
Jones, Leslee	Kazmer, Janine	Miller, Katrina
Miller, Moss	Pennington, Margaret	Phipps, Rachel
Portik, Nathan	Santus, Olivia	Seles, Holly
Stilwell, Joshua	Taylor, Erica	Titus-Poston, Shanoa
White, Emily	Williams, Mikyla	

**Action:** Chad Miller moved that the Physical Therapy Section ratify, as submitted, the physical therapist and physical therapist assistant licenses issued by endorsement and reinstatement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from November 7, 2013 through January 9, 2014, taking into account those licenses subject to discipline, surrender, or non-renewal. Karen Holtgerfe seconded the motion. Thomas Caldwell was absent for the vote. The motion carried.

#### **Physical Therapist – Endorsement**

Dipert, Julie	Druin, Erica	Fisher, Joseph
Hormillosa, Oscar Jerome Iii	Kopsaftis, Eileen	Love, Brooke

McDonald, Kristin  
Nunn, Douglas  
Pivovar, Michelle  
Reiher, Anne  
Schmucker, Ashley  
Tuck, Amanda

Mohr, Paige  
O'Toole, Alicia  
Plotz, Karyn  
Robertson, Ryan  
Smith, Rachel

Nallanchakravarthula, Kaumudi  
Pittman, Paulette  
Ramineni, Sushma  
Schell, Amanda  
Thomas, Rosanne

Physical Therapist Assistant – Endorsement

Allums, Kelsey  
Gardner, Kinzie  
Stidd, Kara

Campbell, Rebecca  
Greene, Shana  
Weinberg, Jessica

Dierdorff, Joshua  
Shockley, Patricia

Physical Therapist Reinstatement

Coyne, Nikki

Smith, Ginnie

Vinci, Linda

Physical Therapist Assistant Reinstatement

Mikolaj, Mark

Newlun, Sarah

Request for Waiver of Licensure Requirements

Chad Miller recommended that the Section grant the waiver of the TOEFL requirement for physical therapist endorsement file #5258888 based on the documentation provided. **Action:** James Lee moved to grant the waiver of the TOEFL requirement for physical therapist endorsement file #5258888 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. Thomas Caldwell was absent for the vote. The motion carried. The Section granted the waiver of the TOEFL requirement for Pearl Hanf.

James Lee recommended that the Section allow, in lieu of retaking the National Physical Therapy Exam, physical therapist reinstatement file #5322417 to complete the practice review tool (PRT), have the applicant submit the PRT results to the Section, and have the applicant submit an action plan based on the results of the PRT for any knowledge areas and/or systems where the applicant is identified as needing improvement. **Action:** Lynn Busdeker moved that the Section allow, in lieu of retaking the National Physical Therapy Exam, physical therapist reinstatement file #5322417 to complete the practice review tool (PRT), have the applicant submit the PRT results to the Section, and have the applicant submit an action plan based on the results of the PRT for any knowledge areas and/or systems where the applicant is identified as needing improvement. Karen Holtgreffe seconded the motion. James Lee abstained from voting. Thomas Caldwell was absent for the vote. The motion carried. (Kelly Brzozowski, Reinstatement Applicant)

Testing Accommodations Requests

**Action:** Chad Miller moved that the Section ratify the testing accommodation of additional time: time and a half and zoom text that was granted to physical therapist examination file #5325623 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. Thomas Caldwell was absent for the vote. The motion carried. The Section ratified the testing accommodation request for Stacy Border.

Chad Miller recommended that the Section ratify the testing accommodation of additional time: double time, separate room, and a reader that was granted to physical therapist examination file #5309133 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section ratify the testing accommodation of additional time: double time, separate room, and a reader that was granted to physical therapist examination file #5309133 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. Thomas Caldwell was absent for the vote. The motion carried. The Section ratified the testing accommodation request for Eleanor Tyler.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half for physical therapist endorsement file #5322880 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section approve the testing accommodation of additional time: time and a half for physical therapist endorsement file #5322880 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. Thomas Caldwell was absent for the vote. The motion carried. The Section granted the testing accommodation request for Shannon Wehrman.

Chad Miller recommended that the Section grant the testing accommodation of additional time: double time and a separate room for physical therapist endorsement file #5329185 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time: double time and a separate room for physical therapist endorsement file #5329185 based on the documentation provided. Karen Holtgreffe seconded the motion. Chad Miller abstained from voting. Thomas Caldwell was absent for the vote. The motion carried. The Section granted the testing accommodation request for Rachael Attee Adams.

Chad Miller recommended that that the Section ratify the testing accommodation of additional time: double time and a separate room that was granted to physical therapist examination file #5330921 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section ratify the testing accommodation of additional time: double time and a separate room that was granted to physical therapist examination file #5330921 based on the documentation provided. Raymond Bilecky seconded the motion. Chad Miller abstained from voting. Thomas Caldwell was absent for the vote. The motion carried. The Section ratified the testing accommodation request for Kyle A. Scheidt.

#### Continuing Education Liaison Report

Ronald Kleinman distributed a copy of the minutes from the January 3, 2014 OPTA CE Committee. The Section noted that OPTA processed 2,240 sponsor applications and 389 individual applications in 2013.

Ronald Kleinman recommended that the Section deny the continuing education waiver request for physical therapist file #4195041 based on the documentation provided. **Action:** Thomas Caldwell moved that the Section deny the continuing education waiver request for physical therapist file #4195041 based on the documentation provided. Lynn Busdeker seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The Section denied the CE waiver request for Josepha Schenkelberg, PT.

Ronald Kleinman recommended that the Section grant an extension through May 31, 2014 to complete 24 hours of continuing education for physical therapist file #4196710 based on the documentation provided. **Action:** Thomas Caldwell moved that the Section grant an extension through May 31, 2014 to complete 24 hours of continuing education for physical therapist file #4196710 based on the documentation provided. In addition, the licensee cannot use any of the hours completed for the 2014 renewal period for any future renewal periods. Lynn Busdeker seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The Section granted an extension for Anthony Perzynski, PT.

Ronald Kleinman recommended that the Section grant approval of 20 hours of continuing education for completion of the course titled “FSBPT Item Writing and Test Development Workshop for the National Physical Therapist Examination (NPTE)” for physical therapist file #4198926 based on the documentation provided. **Action:** Karen Holtgreffe moved that the Section grant approval of 20 hours of continuing education for completion of the course titled “FSBPT Item Writing and Test Development Workshop for the National Physical Therapist Examination (NPTE)” for physical therapist file #4198926 based on the documentation provided. Lynn Busdeker seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The Section approved the activity for Victoria Nash, PT.

Ronald Kleinman recommended that the Section grant approval of 20 hours of continuing education for completion of the course titled “FSBPT Item Writing and Test Development Workshop for the National Physical Therapist Examination (NPTE)” for physical therapist file #4198917 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section grant approval of 20 hours of continuing education for completion of the course titled “FSBPT Item Writing and Test Development Workshop for the National Physical Therapist Examination (NPTE)” for physical therapist file #4198917 based on the documentation provided. James Lee seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The Section approved the activity for Robert Michael Blake, PT.

#### License Renewal Report

The Section reviewed the written license renewal report.

### Assistant Attorney General's Report

Cheryl Hawkinson, AAG, had no formal report.

### Case Review Liaison Report

Raymond Bilecky reported that the Enforcement Division closed thirteen and opened twelve new cases since the November 7, 2013 meeting. There are twenty-two cases currently open. There are eight disciplinary consent agreements and two adjudication orders being monitored.

### Enforcement Actions

Raymond Bilecky recommended that a notice of opportunity for a hearing be issued for case PT-FY10-045 for violations of the code of ethical conduct. **Action:** Lynn Busdeker moved that a notice of opportunity for a hearing be issued for case PT-FY10-045 for violations of the code of ethical conduct. Matthew Creed seconded the motion. Raymond Bilecky and Thomas Caldwell abstained from voting. The motion carried.

### Correspondence

1. **Maren Bannon:** Ms. Bannon asked the Section questions regarding whether a corporation or non-physical therapist is allowed to own an outpatient physical therapy clinic in Ohio. **Reply:** There is nothing in the physical therapy practice act that prevents a non-physical therapist or corporation from owning a physical therapy practice. However, the practice of physical therapy must be performed by a licensed physical therapist or physical therapist assistant. Section 4755.471 (A) of the Revised Code states that an individual whom the physical therapy section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board licenses, certificates, or otherwise legally authorizes to engage in the practice of physical therapy may render the professional services of a physical therapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under Chapter 1705. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as a physical therapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with sections 4755.40 to 4755.53 of the Revised Code, another chapter of the Revised Code, or rules of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board adopted pursuant to sections 4755.40 to 4755.53 of the Revised Code.
2. **Angel Thomas, PT:** Ms. Thomas asked the Section for questions regarding changing from an insurance based to cash-based practice. **Reply:** Your question relates to clarification/interpretation of payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association.
3. **Debbie Moesle, PT:** Ms. Moesle asked the Section for clarification on accepting a transfer of care and client responsibility. **Reply:** Yes, best practice would be for the physical therapist to whom the patient was transferred to see the patient first and/or at least review the patient chart/plan of care to determine if further re-evaluation is required.
4. **Jeffrey Taylor-Haas, PT, DPT:** Dr. Taylor-Haas asked the Section whether physical therapist can perform a general evaluation based on the scenario described. **Reply:** It is the position of the Physical Therapy Section that nothing in the Ohio Physical Therapy Practice Act prohibits a physical therapist from performing the evaluations listed. As with any specialized procedure, the physical therapist must have training and demonstrate competency with the assessments listed. The manner in which the training is obtained and competency demonstrated are not addressed in the Practice Act. Ultimately, the findings from the assessments must be interpreted by the physician on site and the medical diagnosis must be made by the physician. It is also recommended that the physician check with the State Medical Board of Ohio to see if the Medical Board's laws and rules are more or less restrictive in this matter.
5. **Jessica Green, PTA:** Ms. Green asked the Section whether it is appropriate to use aromatherapy (essential oils) in conjunction with manual therapy in physical therapy practice. **Reply:** The Ohio Physical Therapy Practice Act is silent on the use of aromatherapy/essential oils during performance of manual therapy techniques. The Physical Therapy Section suggests that when undertaking a new treatment method, you

should be able to present a reasonable rationale that includes safety and effectiveness for the selection of that procedure.

6. **Michael McNally, PT:** Mr. McNally asked the Section for clarification on documenting therapeutic ultrasound and parameters in the physical therapy plan of care. **Reply: In response to your first question,** it is not a requirement for the physical therapist to state specific treatment parameters for the use of therapeutic ultrasound if the physical therapist assistant has demonstrated the appropriate knowledge and competency with this modality. The supervising physical therapist has the responsibility of determining the extent of direction needed in the application of ultrasound treatment based on the knowledge base of the physical therapist assistant. **In response to your second question,** yes, it is within the scope of practice of the physical therapist assistant to determine the appropriate ultrasound parameters. A physical therapist assistant must be able to produce evidence of appropriate training and demonstrate knowledge and competency in any procedure, treatment, or service that the supervising physical therapist delegates to that individual.
7. **Christopher Wilson, PT, DPT:** Dr. Wilson asked the Section questions regarding CPT codes, concurrent care, supervision of unlicensed personnel, and other licensed personnel. **Reply: Your first question** relates clarification/interpretation of payer policies and not to the Ohio Physical Therapy Practice Act. It is the position of the Physical Therapy Section that any service should be billed under the most descriptive intervention and diagnostic codes available. Please check with Medicare, third-party payers and, and insurance policies to address your specific questions. You may also get information from the Reimbursement Department or Ohio chapter of the APTA. While the physical therapist's scope of practice in Ohio does not include the diagnosis of medical conditions, the physical therapy evaluation should identify impairments (i.e. rehab or physical therapy diagnoses) requiring physical therapy. **In response to your second question,** no, there are not any current positions on the subject of concurrent therapy. The Ohio Physical Therapy Practice Act is silent on this subject. **In response to your third question,** rule 4755-27-01 of the Administrative Code defines unlicensed personnel as any person who is on the job trained and supports the delivery of physical therapy services. Rule 4755-27-03 of the Administrative Code describes the routine duties that assist in the delivery of physical therapy care and operations that may be assigned to unlicensed personnel. The rule on delegation to unlicensed personnel is intended to limit the involvement of unlicensed personnel in direct patient care to assisting the physical therapist or physical therapist assistant as "a second pair of hands on the same patient." For example, the unlicensed aide may assist a physical therapist or physical therapist assistant in transferring a patient who requires the support of two people for a safe transfer, or the unlicensed aide may guard a patient while the therapist steps back to assess the patient's gait pattern. It is NOT intended that unlicensed personnel provide a component of physical therapy treatment to patient A while the physical therapist or physical therapist assistant treats patient B or performs other activities, e.g. documentation. A physical therapist or physical therapist assistant may provide administrative oversight of an unlicensed aide who is providing restorative or maintenance care in a nursing home after the termination of a physical therapy plan of care. Third party payer policies and/or federal regulations may be more or less restrictive than the Ohio Physical Therapy Practice Act. In any situation, licensees should follow the more restrictive policies. Although Medicare regulations for skilled nursing Part A permit therapy aides to perform physical therapy services provided that a physical therapist provides "line of sight" supervision, that practice is illegal in Ohio. In Ohio, therapy aides (unlicensed personnel) are not permitted to perform physical therapy services, other than serving as the second pair of hands as described in the previous paragraph of this letter. **In response to your fourth question,** a listing of most licensed health professions can be identified in Title 47 of the Ohio Revised Code. Since there are some licensed health professions that might be governed in a different Title of the Revised Code, if you have a specific question on whether a profession is licensed, you may submit it to the Board for review.
8. **Dale Michael Bodmer, PT:** Mr. Bodmer asked the Section questions regarding billing Ohio Medicaid as an independent provider. **Reply:** Your question relates to interpretation/clarification of payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the Ohio Department of Medicaid with your question about billing as an independent provider. You can reach the Department at <http://medicaid.ohio.gov>. If you are planning on providing services to students, you may also wish to contact Mark Smith, MSP Program Coordinator at the Ohio Department of Education

at (614) 752-1493 or via email at [mark.smith@ode.state.oh.us](mailto:mark.smith@ode.state.oh.us) for further clarification about what MSP requires for billing.

9. **Ashley Thurman, PTA:** Ms. Thurman asked the Section questions regarding whether there are other employment opportunities for physical therapist assistants and regulations for international treatments from physical therapist assistants. **Reply:** In response to your question, if you are practicing as a physical therapist assistant all laws and rules governing the practice of physical therapy apply. To learn about other employment opportunities for physical therapist assistants, the Section recommends that you contact the Ohio Physical Therapy Association's PTA Caucus Representative. The Physical Therapy Section cannot answer on behalf of other countries' licensing requirements. You will need to contact the respective country for further information on this topic. To learn about the regulatory requirements governing physical therapy practice in other countries, you might want to review the International Network of Physiotherapy Regulatory Authorities' website at <http://www.inpra.org>.
10. **Jennifer Albalakousky, OTA:** Ms. Albalakousky asked the Section questions regarding when a physical therapist performs an outpatient evaluation, can the same therapist concurrently treat other patients. **Reply:** There is nothing in the Ohio Physical Therapy Practice act dictating concurrent or individual therapy. However, best practice would be to evaluate and treat only the patient the physical therapist is evaluating and to not concurrently treat other patients.
11. **Johnna Deco, PT:** Ms. Deco asked the Section for clarification on billing for one time visits for gait training. **Reply:** Your question relates to clarification/interpretation of payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association. Rule 4755-27-03 (C) of the Ohio Administrative Code states an interpretation of referrals and patient evaluation is to be completed prior to any treatment being performed.
12. **Ashley Crow, PT, DPT:** Dr. Crow asked the Section to consider adding DPT to the list of licensees that are exempt from first aide/sports prevention training. **Reply:** The Ohio Department of Education is the state agency that identifies the list of licensed professions that are exempt from the training. This is not a decision that is made by the Physical Therapy Section. The Physical Therapy Section does agree that the education and training of a physical therapist should warrant inclusion on the exemption list. If the Department of Education has any questions about physical therapy, the Section would be more than willing to discuss.
13. **Diane Smith, PT:** Ms. Smith asked the Section regarding whether there is evidence/research that identifies staffing requirements for physical therapy practitioners. **Reply:** The Ohio Physical Therapy Practice Act is silent on the patient to staff ratio for physical therapists and physical therapist assistants and does not regulate caseload levels. 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. The ultimate responsibility for care of the patient lies with the evaluating physical therapist regardless of whether the therapist or physical therapist assistants provide follow-up treatment. 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. While any given employer or facility may establish work expectations including staffing ratios, the physical therapy practitioner must ensure that the highest priority patient needs are met. If staffing 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." Third party payer policies may be more restrictive than the Ohio Physical Therapy Practice Act. The therapist must comply with payer policies, such as not billing for one-on-one procedures for more than one patient at a time being treated by any one practitioner. You might also want to contact the American Physical Therapy Association and/or the Ohio Physical Therapy Association to see if the professional association has completed any research on this issue.

14. **Kyle Gayheart, PTA:** Mr. Gayheart asked the Section if a husband or wife can treat the significant other in therapy. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that prohibits treating a family member. It is the position of the Physical Therapy Section that providing physical therapy to your husband or wife is not a violation of the code of ethical conduct prohibiting a sexual relationship with a patient as delineated in rule 4755-27-05(B)(7) of the Ohio Administrative Code due to the exemption of a spousal relationship in section 4755.47(A)(25) of the Ohio Revised Code. However, there may be agency or insurance payer policies regarding treatment and billing for services for a family member that you should clarify prior to providing these services.
15. **Matthew Dill, Ed.D:** Dr. Dill asked the Section for clarification on the term “patient abandonment” how it affects a physical therapist assistant’s license. **Reply:** The scenario you described in your email would not constitute patient abandonment on the part of the physical therapist assistant. Your question regarding your employee handbook does not relate to the Ohio Physical Therapy Practice Act. You may wish to contact the Ohio Department of Job and Family Services on this matter.
16. **Carrie Reif:** Ms. Reif asked the Section if physical therapy practitioners can perform PT/INR monitoring on patient’s when nursing is not involved in the patient’s case. **Reply:** Yes, a physical therapist or physical therapist assistant can perform PT/INR tests. There is nothing in the Ohio Physical Therapy Practice Act that prohibits a physical therapist or physical therapist assistant from performing a PT/INR with a protime monitor. Even though not part of the physical therapy plan of care, finger sticks may be performed as an administrative task by any health care professional. However, no procedure should be performed by a physical therapist or physical therapist assistant unless the practitioner demonstrates competence in that procedure. However, it is not within the scope of physical therapy practice to interpret the results or recommend medication changes based on the results of the test. The Physical Therapy Section recommends that your agency have in place a mechanism that ensure physician notification of the results when the physical therapist or physical therapist assistant is performing this activity.
17. **W. Marcus Taylor, PT:** Mr. Taylor asked the Section whether physical therapist can pay for office space with a percentage of monthly revenue generated from the physical therapy practice at the facility being rented. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that would prohibit a physical therapist from paying for office space with a percentage of monthly revenue generated from the practice. According to section 4755.471(A) of the Ohio Revised Code, an individual whom the physical therapy section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board licenses, certificates, or otherwise legally authorizes to engage in the practice of physical therapy may render the professional services of a physical therapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under Chapter 1705. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as a physical therapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with sections 4755.40 to 4755.53 of the Revised Code, another chapter of the Revised Code, or rules of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board adopted pursuant to sections 4755.40 to 4755.53 of the Revised Code. The section is not statutorily authorized to provide specific legal advice and suggests that you consult your legal counsel.
18. **Laurie Thompson, PT:** Mr. Taylor asked the Section whether physical therapist take verbal phone orders for skilled nursing. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act prohibiting a physical therapist from taking phone orders. However, since your question relates specifically to taking verbal phone orders for skilled nursing services, the Physical Therapy Section recommends you contact the Ohio Board of Nursing regarding the provisions of the Ohio Nursing Practice Act.
19. **Staci Harr, PT:** Mr. Taylor asked the Section whether physical therapist assistants can progress a short-term goal. **Reply:** Yes, a physical therapist assistant may progress a patient towards established long term goals. The physical therapist assistant cannot establish goals or perform a physical therapy assessment. Goal modifications may be performed only by a physical therapist and the documentation must clearly reflect the physical therapist’s revision(s). The physical therapist assistant may assess responses to treatments rendered and make statements about progress toward goals as outlined in the plan of care and document this in the assessment portion of the daily or progress note in the medical record.

20. **Carol Fisher, PT:** Mr. Taylor asked the Section whether it is appropriate to offer kineticore dry needling training to physical therapist assistants in Ohio. **Reply:** It is the position of the Physical Therapy Section that physical therapist assistants cannot legally perform dry needling under the Ohio Physical Therapy Practice Act, as it requires activities that are evaluative in nature and outside the scope of practice of the physical therapist assistant.
21. **Carla Rumas, PT:** Mr. Taylor asked the Section for clarification on Medicare/Medicaid rules regarding physical therapists billing for students without a physician's authorization. **Reply:** Your questions relate to clarification/interpretation of payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association. However, in accordance with the laws governing the provision of physical therapy services under direct access, a physical therapist may see a patient who does not wish to have a physician or other practitioner notified. The Physical Therapy Section recommends that the patient, parent, or legal guardian be asked to sign a document declining notification of the physician. 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.

### **Joint Correspondence**

- JB1. Randi Moore:** Ms. Moore asked the Occupational and Physical Therapy Sections for clarification on conducting screens in a skilled nursing facility. **Reply:** 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, if the physical therapist assistant is performing the screen. However, if the physical therapist is performing the screen, he/she may physically examine the patient, if needed. 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. Since a screen, or identification of candidates for occupational therapy, is only data gathering and non-evaluative in nature, a screen may be performed by both the occupational therapist and the occupational therapy assistant. Screens rely on written data, verbal information and clinical observation. In accordance with rule 4755-7-02 of the Administrative Code, the occupational therapist interprets the data and makes necessary recommendations. All screens performed by an occupational therapy assistant must be cosigned by the occupational therapist, and collaboration with the occupational therapist must be documented.
- JB2. Marji Blankenship, PTA:** Ms. Blankenship asked the Occupational and Physical Therapy Sections questions regarding how many years of experience is required for occupational therapy assistants and physical therapist assistants to become clinical instructors. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act dictating the number of years of experience a physical therapist assistant is required to have before becoming a clinical instructor. The American Physical Therapy Association's guidelines for clinical instructors do state that one year of clinical experience is preferred for clinical instructors. You may also wish to contact the Commission on Accreditation of Physical Therapy Education (CAPTE) in regards to clinical instructor training. Rule 4755-7-04 of the Administrative Code addresses the supervision of occupational therapy assistant students: (A) Supervision must ensure consumer protection. The supervising occupational therapist is ultimately responsible for all clients and is accountable and responsible at all times for the actions of persons supervised, including the: (1) Occupational therapy assistant; (2) Student occupational therapist; (3) Student occupational therapy assistant; and (4) Unlicensed personnel. (E) Student occupational therapy assistant. (1) A student occupational therapy assistant shall be supervised by an occupational therapist or **occupational therapy assistant who has completed at least one year of clinical practice** as a fully licensed occupational therapist or occupational therapy assistant. The Occupational Therapy Section recommends that you contact the Accreditation Council for Occupational Therapy Education (ACOTE) regarding requirements to become a fieldwork coordinator.

- JB3. Jillian Frede, OTR/L:** Ms. Frede asked the Occupational and Physical Therapy Sections regarding displaying occupational and physical therapy wall certificates in the primary place of employment. **Reply:** In accordance with rule 4755-3-02(B) of the Ohio Administrative Code, the occupational therapist and the occupational therapy assistant shall display the original license certificate at their principal place of business. Yes, in accordance with section 4755.48(D) of the Ohio Revised Code, the certificate of license shall be conspicuously displayed in the primary clinic/office where the therapist practices. Since all licensure information can be located online, both Sections have started preliminary discussions on whether it would be appropriate to eliminate the requirements that the wall certificate be displayed.
- JB4. Kendra Reeder, OTR/L:** Ms. Reeder asked the Section questions regarding billing for acute care occupational and physical therapy evaluations. **Reply:** Your questions relate to interpretation/clarification of payer policies and not to the Ohio Physical Therapy Practice Act. The Physical Therapy Section recommends that you contact the appropriate insurance company or the Ohio Chapter or Reimbursement Department of the American Physical Therapy Association. 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.

### **Old Business**

#### **NPTE Pass Rates**

The Section reviewed the Ohio National Physical Therapy Examination pass rate by graduation year from 2011 through 2013.

### **New Business**

#### **Public Rules Hearing**

The Section held a public rules hearing from 11:15 am to 11:23 am.

#### **H.B. 98 Rules**

HB 98, which was recently signed into law by the Governor, requires all licensing agencies to adopt rules pertaining to occupational licensing for military members, spouses, and veterans by June 30, 2014. The Executive Director is working on modifying the draft language.

#### **New Licensing System Update**

The Executive Director informed the Section of the revised timelines for implementing the new licensing system. The new go live date for the new system is scheduled for December 9, 2014.

#### **Customer Service Satisfaction Survey Results**

The Executive Director reviewed the results of the customer service satisfaction survey for responses submitted between August and December 2013.

### **Open Forum**

The Section opened the floor for students and guests to ask questions.

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

Victoria Gresh informed reported that the CE Committee meeting dates have been scheduled for 2014. The OPTA Annual Conference will be held on March 27-29, 2014 in Columbus, Ohio. Ms. Gresh introduced OPTA's new Conference & Education Coordinator, Halle Runion. Carolyn Towner, gave a brief legislative report.

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

The 2014 FSBPT Jurisdiction Board Member & Administrator Training is scheduled for June 6-8, 2014.

**Trigger Point Dry Needling and FDA Requirements**

The Section reviewed the FSBPT Trigger Point Dry Needling and FDA requirements published in December 2013.

**Items for 2014 Section Retreat**

- “Shared” Ohio Approval Number for Continuing Education
- Use of the “PT” credential when not “functioning” as a physical therapist/physical therapist assistant (e.g.: health/wellness)
- Guidelines on accepted CE approvals for various FSBPT activities.

**Items for Next Meeting**

- Review Retreat Agenda

**Next Meeting Date**

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, March 6, 2014.

**Adjournment**

Lynn Busdeker moved that the meeting be adjourned. Karen Holtgreffe seconded the motion. The motion carried. The meeting adjourned at 1:21 p.m.

Respectfully submitted,  
*Diane Moore*

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

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Karen Holtgreffe, PT, Secretary  
Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board, PT Section

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

**KH:jmr:dm**