



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section
January 8, 2015
9:00 a.m.

Members Present

Lynn Busdeker
Matthew Creed
Erin Hofmeyer
Ronald Kleinman, Chair
James Lee
Chad Miller
Trevor Vessels, Public Member
Jennifer Wissinger

Members Absent

Karen Holtgreffe

Legal Counsel

Melissa Wilburn, AAG

Call to Order

Ronald Kleinman, Chair, called the meeting to order at 9:43 a.m. The Section welcomed the new Board Member Erin Hofmeyer, PT, DPT.

Approval of Minutes

Action: Ronald Kleinman moved that the minutes from the November 6, 2014, meeting be approved as submitted. Lynn Busdeker seconded the motion. The motion carried.

Executive Director's Report

- The Executive Director informed that Section that the Governor's Executive Budget will be released in February 2015.
- The Executive Director informed the Section that he testified before the Ohio Youth Sports Concussion and Head Injury Return to Play Guidelines Committee regarding the scopes of practice for athletic trainers and physical therapists.
- The Executive Director informed the Section that the State is still exploring alternate solutions for the new licensing system.

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

Discussion of Law and Rule Changes

The Section reviewed the 2015 Five Year no change rules and proposed rule changes.

Action: Lynn Busdeker moved that the Physical Therapy Section file rules 4755-23-01, 4755-23-05, 4755-23-07, 4755-23-08, 4755-23-11, 4755-23-13, 4755-23-14, 4755-23-15, 4755-23-16, and 4755-23-17 as no change rules. Ms. Busdeker further moved that the Physical Therapy Section file proposed changes to rules 4755-23-02, 4755-23-03, 4755-23-04, 4755-23-06, 4755-23-09, 4755-23-10, and 4755-23-12. James Lee seconded the motion. The motion carried. The Section will hold a public rules hearing at the March 2015 meeting pending the feedback from the Common Sense Initiative Office.

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 6, 2014 through January 8, 2015, 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. James Lee seconded the motion. The motion carried.

Physical Therapist – Examination

Almazan, Krystalyn	Alt, Amber	Bachmayer, Amanda
Baxter, Christie	Blanton, Thomas	Boggs, Danielle
Brickman, Jessica	Brown, Amy	Brown, Jennifer
Brown, Jennifer	Carter, Adam	Cecez, Nenad
Choufani, Kawsar	Cogswell, Russell	Combs, Whitney
Cooksey, Benjamin	Craig, Shannon	Crockett, Cody
Diantonio, John	Dunning, Heidi	Dvoroznak, Myra
Ely, Matthew	Etler, Nathan	Flensburg, Callie
Fox, Gabrielle	Frelek, Malgorzata	Fyock, Christopher
Gareau, Bridget	Garth, Chanel	Gauthier, Ashli
Griebel, Katherine	Jastal, Megan	Joseph, Nicholas
Kaminski, Daniel	Kramer, Hannah	Kuchta, Natalie
Lowery, Bridgette	Malik, Scott	Manuel, Sharon
Martin, Colleen	McCullagh, Luke	Montgomery, Ryan
Palani, Thendral	Paras, Leslie	Patel, Nishant
Phillips, James	Rice, Natasha	Roberts, Michael
Schierling, Cassandra	Schordock, David	Shroll, Kyle
Slivka, Scott	Stefano, Stephanie	Stephens, Megan
Stuhler, Robert	Subler, Kevin	Sullivan, Alyssa
Swiers, Jeffrey	Tripodi, Kelly	Turoff, Lauren
Vest, Tracy	Waddell, Logan	Walsh, Teresa
Walthour, Colin	Welly, Erin	Wirt, Alisha

Physical Therapist Assistant – Examination

Baumgartner, Bridget	Betzner, Danielle	Blair, James
Bowersock, Thaddeus	Brooks, Nicole	Brosius, Megan
Brown, Leshawn	Burke, Casey	Carlson, Danielle
Cofer, Melissa	Conde, Mason	Denniston, Rachel
Dreslinski, Pamela	Frey, Amanda	Gagne, Jomarie
Greer, Carol	Griggs, Schanelle	Harris, Alexis
Harrison, Anthony	Harvey, Ashley	Heatwole, Gabriel
Herman, Kelly	Hutson, Dana	James, Tamika
Jones, Leslee	Kinat, Anastasia	Kingzett, Emma
Kopczak, Stefania	Lewis, Justin	Minnick, Lisa
Moore, Patricia	Moudjed, Hadjira	Pavisich, Edward
Peck, Philip	Poulson, Daniel	Simpson, Lindsay
Slapnick, III, Paul	Smith, Elizabeth	Stilwell, Joshua
Swanger, Elizabeth	Tareke, Haregeweyni	Wallace, Melissa
Zuelke, Bryton		

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 6, 2014 through January 8, 2015, taking into account those licenses subject to discipline, surrender, or non-renewal. Lynn Busdeker seconded the motion. The motion carried.

Physical Therapist – Endorsement

Adams, Kathryn	Antonio, Kim	Bobbala, Pavani
Brewer, Lindsay	Carothers, Allison	Dishauzi, David
Flordeliz, Jasfer	Gaddis, Courtney	Habash, Andrew
Houseman, Jordan	Kosboth, Cathy	Moehring-Schmidt, Jennifer
Ryan, Joan	Shamblin, Erin	Shevchik, Michael
Stoner, Jennifer	Traxler, Amy	Walker, Joann

Physical Therapist Assistant – Endorsement

Olsen, Leanne	Orschell, Andrea	Posadny, Daniel
Walter, Joan		

Physical Therapist Reinstatement

Kinney, Jared	Lauderback, Wesley	Weisenberger, Bethany
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Physical Therapist Assistant Reinstatement

Freyman, Thomas

Testing Accommodations Requests

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half, separate test room, reader, and no scantron forms for physical therapist assistant examination file #5426027 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time: time and a half, separate test room, reader, and no scantron forms for physical therapist assistant examination file #5426027 based on the documentation provided. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Grant Hoyt.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half, separate room, and candidate supplied diabetic supplies including food and water for physical therapist examination file #5428620 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section approve the testing accommodation of additional time: time and a half, separate room, and candidate supplied diabetic supplies including food and water for physical therapist examination file #5428620 based on the documentation provided. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Steven Walls.

Chad Miller recommended that the Section grant the testing accommodation of additional time: double time and zoom text for physical therapist examination file #20150102 based on the documentation provided. **Action:** Matthew Creed moved that the Section approve the testing accommodation of additional time: double time and zoom text for physical therapist examination file #20150102 based on the documentation provided. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Megan Smith.

Chad Miller recommended that the Section grant the testing accommodation of additional time: time and a half for physical therapist examination file #20150103 based on the documentation provided. **Action:** James Lee moved that the Section approve the testing accommodation of additional time: time and a half for physical therapist examination file #20150103 based on the documentation provided. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried. The Section granted the testing accommodation request for Kathryn Fimognari.

Continuing Education Waiver/Extension Requests

Ronald Kleinman recommended that the Section grant the continuing education extension- undue hardship for physical therapist assistant file #4204094 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section grant the continuing education extension- undue hardship for physical therapist assistant file #4204094 based on the documentation provided. James Lee seconded the motion. Ronald Kleinman abstained from voting. The Section granted a six month extension for Stacy Stearley, PTA to complete 12 hours of continuing education. The deadline to submit proof of completion of CE is July 8, 2015.

Ronald Kleinman recommended that the Section grant the continuing education extension- undue hardship for physical therapist assistant file #4683664 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section grant the continuing education extension- undue hardship for physical therapist assistant file #4683664 based on the documentation provided. Matthew Creed seconded the motion. Ronald Kleinman abstained from voting. The Section granted a six month extension for Petra Upshaw, PTA to complete 12 hours of continuing education. The deadline to submit proof of completion of continuing education is July 8, 2015.

Assistant Attorney General's Report

Melissa Wilburn, AAG, gave a brief report.

Case Review Liaison Report

Chad Miller reported that the Enforcement Division closed twenty-two and opened four new cases since the November 6, 2014 meeting. There are nineteen cases currently open. There are twenty disciplinary consent agreements and one adjudication order being monitored.

Chad Miller informed the Section that Cheryl Levering, Lori Holtzworth-Brohm, Lea A. Snyder, and Jennifer A. Gaul complied with all terms and conditions and were released from their disciplinary consent agreements.

Enforcement Actions

Chad Miller recommended that the Section rescind the notice of opportunity for hearing for case number PT-15-029 based on new information received. **Action:** James Lee moved that the Section rescind the notice of opportunity for hearing for case number PT-15-029 based on new information received. Lynn Busdeker seconded the motion. Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that rescind the notice of opportunity for hearing for case number PT-15-021 based on new information received. **Action:** Lynn Busdeker moved that the Section rescind the notice of opportunity for hearing for case number PT-15-021 based on new information received. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that a notice of opportunity for a hearing be issued for case PT-LD15-001, proposing to deny reinstatement application due to suspension and restriction of authority to practice in another jurisdiction. **Action:** Lynn Busdeker moved that a notice of opportunity for a hearing be issued for case PT-LD15-001 proposing to deny reinstatement application due to suspension and restriction of authority to practice in another jurisdiction. Ronald Kleinman seconded the motion. Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that a notice of opportunity for a hearing be issued for case PT-FY15-021 for failure to obtain continuing education requirements for license renewal and falsification of continuing education documents. **Action:** Lynn Busdeker moved that a notice of opportunity for a hearing be issued for case PT-FY14-028 for failure to obtain continuing education requirements for license renewal and falsification of continuing education documents. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section accept the consent agreement for case PT-FY15-019 in lieu of going to a hearing. **Action:** Lynn Busdeker moved that the consent agreement for case PT-FY14-045 be accepted in lieu of going to a hearing. Ronald Kleinman seconded the motion. Chad Miller abstained from voting. The motion carried. The Section accepted the consent agreement for Michael Duncan, PT.

Chad Miller recommended that the Section accept the consent agreement for case PT-FY15-020 in lieu of going to a hearing. **Action:** Lynn Busdeker moved that the consent agreement for case PT-FY15-020 be accepted in lieu of going to a hearing. Matthew Creed seconded the motion. Chad Miller abstained from voting. The motion carried. The Section accepted the consent agreement for William D. Anderson, PT.

Chad Miller recommended that, in the matter of case number PTFY15-031, the license of Michael Geddes, PTA.05223, be immediately suspended pursuant to RC 4755.47(E) and RC 119.07 due to the Board's receipt of a report that indicates he poses an immediate threat to the public. **Action:** Ronald Kleinman moved to go into executive session to consider discipline against a licensee (ORC 121.22(G)(1)), to discuss matters required to be

kept confidential by federal law, federal rules, or state statutes (ORC 121.22 (G)(5)). Lynn Busdeker seconded the motion.

The Executive Director Called Roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Karen Holtgreffe	Absent
Ronald Kleinman	Yes
James Lee	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

The Section went in to executive session at 10:47am and came out at 10:51 am. The Board staff was asked to stay in the room and all other guests left the room.

Action: Ronald Kleinman moved to enter an Order of Summary Suspension in the matter of PT-FY15-031 in accordance with sections 4755.47(E) and 119.07 of the Ohio Revised Code, and to issue a notice of summary suspension and notice of opportunity for a hearing. Lynn Busdeker seconded the motion.

The Executive Director Called Roll:

Lynn Busdeker	Yes
Matthew Creed	Yes
Erin Hofmeyer	Yes
Karen Holtgreffe	Absent
Ronald Kleinman	Yes
James Lee	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

Correspondence

- 1. Tim McIntire, PT, DPT:** Dr. McIntire asked the Section if physical therapist assistants can perform functional capacity evaluations. **Reply:** No, a physical therapist assistant cannot perform a functional capacity evaluation. Functional capacity evaluations are evaluative in nature and may only be performed by a physical therapist in the practice of physical therapy. A supervising physical therapist may find opportunities in the performance of a functional capacity evaluation to utilize a physical therapist assistant to assist in the collection of the base information. However, the physical therapist must interpret the results of the findings of collected data.
- 2. Tom Davis, PTA:** Mr. Davis asked the Section if physical therapists assistants can issue TENS units. **Reply:** A physical therapist assistant may issue a TENS unit only if a physical therapist has already conducted a physical therapy evaluation and established a physical therapy plan of care that includes the usage of the TENS unit. The physical therapist assistant may also educate the patient on the use and placement of the TENS unit and may also make a recommendation on a trial use of the TENS unit. As with any specialized procedure, the physical therapist and physical therapist assistant must have training and demonstrate competency in the modality. The manner in which the training is obtained and competency demonstrated are not addressed in the Practice Act. On another topic, the Physical Therapy Section is working to educate physical therapists and physical therapist assistants in the correct credentials to use in professional signatures. Since PT or PTA is the regulatory designation allowing practice, rule 4755-27-07 of the Administrative Code requires that only those letters should immediately follow the person's name.

Academic degrees may then follow the regulatory credential. For example, a nametag or signature might read Pat Doe, PT, MS, OCS. “L” should not be used in front of “PT” or “PTA” since no one may use the “PT” or “PTA” credential in Ohio without a valid license.

3. **Rossana Cielo, PT:** Mr. Buckner asked the Section if a physical therapist can sign a LMN in Ohio. **Reply:** The Ohio Physical Therapy Practice Act is silent on this topic.
4. **Gretchen Dacey-Zavalianos:** Ms. Dacey-Zavalianos asked the Section if physical therapists can prescribe home durable medical equipment, such as TENS units. **Reply:** therapist; however, it is up to the payer source to determine if they will reimburse for DME ordered by a physical therapist. The DME can include many devices that are not associated directly with the practice of physical therapy. It is the individual physical therapist’s responsibility to produce evidence of appropriate training and demonstrate knowledge and competency in the delivery of any procedure, treatment, or service.
5. **Kristen LaCrosse, PT:** Ms. LaCrosse asked the Section if physical therapists can function as wellness coordinators. **Reply:** **In response to your first question**, there is nothing in the Ohio Physical Therapy Practice Act that prohibits a physical therapist or physical therapist assistant from giving health and wellness lectures, demonstrations, or general information on the benefits of different types of exercise provided the practitioner is knowledgeable in the content. Health screenings at public health fairs may also be performed, provided that specific treatment recommendations are not provided other than a recommendation to consult with the appropriate health care providers. Fitness tests with results compared to norms can be performed by laypeople, students, physical therapists, or physical therapist assistants. However, under current Ohio law, a physical therapy practitioner providing fitness or wellness services to individual clients or groups must follow regulations for physical therapy practice if the services are represented as physical therapy, if the provider is identified as a physical therapist or physical therapist assistant, or if he/she signs “PT” or “PTA” after his/her name. If any of these conditions exists, the physical therapist must perform an evaluation prior to providing services and must maintain documentation of care provided. If physical therapist assistants, other licensed personnel, or students are involved in providing fitness or wellness services as physical therapy, the rules in the Ohio Administrative Code for delegation and supervision apply. If fitness or wellness programs or group exercises are not represented as physical therapy, they do not fall under the jurisdiction of the Physical Therapy Practice Act. While physical therapists or physical therapist assistants providing such services may include their educational degrees in published materials, they should not use the credentials “PT” or “PTA” and should not state that the programs are led by physical therapists or physical therapist assistants. The Physical Therapy Section recommends that the appropriate medical screenings are in place prior to exercise to ensure the safety of the participants, but the fitness/wellness records should be stored separately from physical therapy or medical records. **In response to your second question**, whether to purchase insurance for a wellness coordinator position is outside the scope of the Physical Therapy Practice Act. You may wish to contact the Ohio Physical Therapy Association in regards to purchasing insurance.
6. **Diane Rammel, PTA:** Ms. Rammel asked the Section questions regarding whether it is appropriate for a physical therapist assistant who is dually functioning as a rehabilitation services director (RSD) to sign SOAP notes as a RSD instead of PTA. **Reply:** Based on the information provided, the Physical Therapy Section recommends that the physical therapist assistant should sign the documentation as a physical therapist assistant and not an RSD. The Section further recommends that the use of the *Rehabilitation Services Director* title be completely written out rather than abbreviated as it may be misconstrued with other medical terminology using the same abbreviation. If the physical therapist assistant feels the need to use this abbreviation, it should only be used for non-clinical documentation such as in emails, business cards, etc., and not for patient documentation.
7. **Corey Modrowski, PTA:** Mr. Modrowski asked the Section questions requesting clarification on the use of kinesio taping in physical therapy practice. **Reply:** **In response to your first question**, no, the Frequently Asked Questions located on the Board’s website that you referenced would not apply to kinesio-taping. Kinesio-taping is a modality that is utilized in the delivery of physical therapy practice to aid in the healing process. The two FAQ questions you reference specifically refer to wellness and the provision of wellness services. **In response to your second question**, this question relates to the 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. **In response to your third question**, there are many organizations that certify individuals in the use of kinesio-taping. If having a license to practice as a physical therapist or physical therapist assistant was the requirement to obtain such certification and competency, then the credentials of PT or PTA would be required to be utilized and the individual must follow the laws and rules governing physical therapy. If the individual was not required to be a physical therapist or physical therapist assistant to obtain the competency or certification in kinesio-taping and is not holding themselves out to be a physical therapist or physical therapist assistant, then this service would not fall within the scope of physical therapy practice and therefore not be governed by the Physical Therapy Practice Act.

8. **Gary Johnson, PT:** Mr. Johnson asked the Section questions regarding wellness and prevention services and whether an insurance company can require a physician referral for physical therapy services. **Reply:** **In response to your first question**, there is nothing in the Ohio Physical Therapy Practice Act that prohibits a physical therapist or physical therapist assistant from giving health and wellness lectures, demonstrations, or general information on the benefits of different types of exercise provided the practitioner is knowledgeable in the content. Health screenings at public health fairs may also be performed, provided that specific treatment recommendations are not provided other than a recommendation to consult with appropriate health care providers. Fitness tests with results compared to norms can be performed by laypeople, students, physical therapists, or physical therapist assistants. Providing treatment interventions that are not warranted by the patient's condition, or continuing treatment beyond the point of reasonable benefit to the patient would be a "failure to adhere to minimal standards of practice, whether or not actual injury to a patient occurred" under the code of ethical conduct contained in the Board's rules. The Physical Therapy Section recommends that the primary physical therapist evaluate whether self-pay maintenance services are of "reasonable benefit to the patient." However, under current Ohio law, a physical therapy practitioner providing fitness or wellness services to individual clients or groups must follow regulations for physical therapy practice if the services are represented as physical therapy, if the provider is identified as a physical therapist or physical therapist assistant, or if he/she signs "PT" or "PTA" after his/her name. If any of these conditions exists, the physical therapist must perform an evaluation prior to providing services and must maintain documentation of care provided. If physical therapist assistants, other licensed personnel, or students are involved in providing fitness or wellness services as physical therapy, the rules in the Ohio Administrative Code for delegation and supervision apply. If fitness or wellness programs or group exercises are not represented as physical therapy, they do not fall under the jurisdiction of the Physical Therapy Practice Act. While physical therapists or physical therapist assistants providing such services may include their educational degrees in published materials, they should not use the credentials "PT" or "PTA" and should not state that the programs are led by physical therapists or physical therapist assistants. The Physical Therapy Section recommends that the appropriate medical screenings are in place prior to exercise to ensure the safety of the participants, but the fitness/wellness records should be stored separately from physical therapy or medical records. The Section agrees that physical therapy practitioners should be able to use their credentials when they are leading health/wellness programs and not functioning as a physical therapist/physical therapist assistant. It is the position of the Physical Therapy Section that if a licensee wants to use his/her credentials, then the individual must follow the Ohio Physical Therapy Practice Act. The Section noted that there are some challenges with direct access and physician notification. If physical therapist assistants are providing health/wellness services, then all the supervision requirements still apply. **In response to your second and third questions**, these questions relate to the clarification/interpretation of payer policies and reimbursement 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. **In response to your fourth question**, again this question relates to clarification/interpretation of payer policies and reimbursement and not 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. **In response to your fifth question**, this question also relates to clarification/interpretation of payer policies and reimbursement 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. Although the insurance companies' policies effectively nullify the direct access provisions, there is nothing in the law that requires

an insurance company to reimburse for physical therapy services that do not have a physician referral. Please be aware that third party payer policies and/or Medicare policies may be more restrictive or less restrictive than the Physical Therapy Practice Act. The therapist must always comply with the more restrictive requirements. The Board does maintain a listserv, in addition to the Facebook and Twitter pages identified below. To join the Board's listserv, please go to <http://otptat.ohio.gov/Consumers/BoardListservs.aspx>.

9. **Sean Murphy, PT:** Mr. Murphy asked the Section questions regarding the requirements for a valid physical therapy prescription. **Reply:** Rule 4755-29-01 of the Ohio Administrative Code states: (A) Pursuant to division (H) of section 4755.48 of the Revised Code, physical therapists may provide services to a patient upon a referral from a person who is licensed in this state or any other state to practice medicine and surgery, chiropractic, dentistry, osteopathic medicine and surgery, podiatric medicine and surgery, to practice as a physician assistant, or to practice nursing as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse midwife, or certified nurse practitioner. (1) The individual making the referral must be licensed in good standing with the relevant board; and (2) The individual making the referral must act only within the individual's scope of practice. (B) Physical therapists may directly receive such referrals by telephone, fax, e-mail, or other electronic means. Physical therapist may accept faxed referrals as an original. The therapist may at anytime require an original written referral from the referring practitioner with a signature for inclusion in the patient's official record. The Physical Therapy Practice Act does not have any other specific requirements regarding information included in a physical therapy prescription. However, best practice would be to have the name, date, diagnosis, and prescriber signature on the prescription. Ultimately the physical therapist is the individual responsible for receiving, interpreting, and accepting the directive or order as part of the care of the patient. Please keep in mind that accrediting bodies, third party payers, or an individual facility may have their own specific requirements regarding information to be included in a physical therapy prescription.
10. **Michael McNally, PT, DPT:** Dr. McNally asked the Section questions regarding whether it's acceptable to leave protected health information on another clinician's personal cell phone voice mail. **Reply:** The Physical Therapy Practice Act is silent on this subject; however, accrediting bodies, third party payers, or the employment facility may have their own specific confidentiality requirements for the various modes of communication of pt. information between providers. For more information on HIPAA security as it relates to messages left on voice mail, please visit: <http://www.hhs.gov/ocr/privacy/hipaa/faq/securityrule/2010.html>.
11. **Todd Elwent:** Mr. Elwent asked the Section questions regarding the requirements for physical therapists to perform dry needling. **Reply:** Dry needling is a technique using the insertion of a solid filament needle, without medication, into or through the skin to treat various impairments including, but not limited to: scarring, myofascial pain, motor recruitment and muscle firing problems. Goals of treatment vary from pain relief, increased extensibility of scar tissue to the improvement of neuromuscular firing patterns. The term "dry needling" may be confusing. It refers to the fact that nothing was injected with the needle. Physical therapists using dry needling: Do not and cannot claim to practice acupuncture; Do not use acupuncture traditional Chinese medicine theories, meridian acupoints and terminology; and Do not use acupuncture diagnosis like tongue and pulse. It is the position of the Physical Therapy Section that nothing in the Ohio Physical Therapy Practice Act prohibits a physical therapist from performing dry needling techniques. As with any specialized procedure, the physical therapist must have training and demonstrate competency in the modality. The manner in which the training is obtained and competency demonstrated are not addressed in the Practice Act. The Section recommends that you contact the Ohio Physical Therapy Association (OPTA) at <http://www.ohiopt.org> for approved coursework in dry needling.
12. **Julie Moore, OT:** Ms. Moore asked the Section questions regarding whether physical therapist assistants can write progress notes for short and long term goals. **Reply:** No, the physical therapist assistant is unable to update/upgrade any goals. It is not within the scope of practice for a physical therapist assistant to modify, change, or update any goals established by the physical therapist.
13. **Ellesha LeCluyse:** Ms. LeCluyse asked the Section questions regarding the use of telehealth in physical therapy practice. **Reply:** It is the position of the Physical Therapy section that the physical therapist or physical therapist assistant must be licensed in the state in which the patient resides. In addition, as with all practice settings, a physical therapy evaluation and the establishment of a physical therapy plan of care is a

requirement, including when the physical therapy is provided via telehealth. The Federation of State Boards of Physical Therapy (FSBPT) is currently developing a guidance document to identify policy recommendations for appropriate regulation of telehealth in physical therapy. When that document is finalized, the Board will determine if any additional regulations in Ohio are warranted.

14. **Michelle Metzinger, PT:** Ms. Metzinger asked the Section questions regarding the impact of a name change in electronic medical records. **Reply:** In response to your question, the EMR system should have a way for your new name to start on a specific date.
15. **Bob Swinehart, PT:** Mr. Swinehart asked the Section if a physical therapist assistant can own a physical therapy practice. **Reply:** Although you are correct that the authorized forms of business entities for providing physical therapy services are listed in section 4755.471 of the Ohio Revised Code, your question is asking for a legal opinion regarding the legally correct way to form a business entity for providing physical therapy services. The provision of legal advice is outside the scope of the Physical Therapy Section. Therefore, the Section recommends that you contact your legal counsel regarding your question.

Joint Correspondence

JB1. Cathy Bookser-Feister, PT: Ms. Bookser-Feister asked the Occupational and Physical Therapy Sections questions regarding whether occupational and physical therapists are required to write discharge summaries for deceased hospice patients. **Reply:** Yes, a physical therapy discharge summary still needs to be written in this scenario. Best practice would be to provide a brief physical therapy discharge summary including the diagnosis, problem list that was being addressed during the period of active treatment, summary of treatment provided, and the reason for discharge. In the example you provide, the reason for ending physical therapy services would be because the patient expired during the plan of care. Occupational therapists are not required to have a specific note to discharge clients in the State of Ohio. A discharge summary would document final discharge date and disposition, as well as the reason for discharge. However, hospital or facility policies, accrediting bodies, and/or reimbursement agencies may be more restrictive than the Ohio Occupational and Physical Therapy Practice Acts. They may have other requirements and guidelines which need to be met for accreditation and/or reimbursement of occupational therapy services. In any situation, licensees should follow the more restrictive policies. You may also want to review the AOTA position paper that highlights recommendations for this specific scenario.

JB2. Janet Cimino, OT: Ms. Cimino asked the Occupational and Physical Therapy Sections questions regarding occupational and physical therapists' roles in transdisciplinary teams. **Reply:** It is the position of the Physical Therapy Section that if you are providing physical therapy services, then this is physical therapy and all rules and laws apply, regardless of setting in which the services are provided. **Only a physical therapist or physical therapist assistant can provide physical therapy services. However, any service provided by a physical therapist or physical therapist assistant may be documented as physical therapy.** It is the opinion of the Occupational Therapy Section that collaborative teamwork, including multidisciplinary, interdisciplinary, and transdisciplinary approaches are appropriate forms of service delivery. Please refer to the AOTA Practice Advisory on Occupational Therapy in Early Intervention (AOTA, 2010) at <http://www.aota.org> for discussion of this topic. The occupational therapist determines the aspects of the occupational therapy intervention plan that may be carried out by other team members. Instructing team and family members on ways to implement appropriate activities may be part of the intervention plan. When working with other service providers and following suggestions provided for specific clients, the occupational therapist continues to use their professional judgment during this service. **Only services provided by an occupational therapist or occupational therapy assistant may be called occupational therapy. However, any service provided by an occupational therapist or occupational therapy assistant may be documented as occupational therapy.**

JB3. Jean Howard, PT: Ms. Howard asked the Occupational and Physical Therapy Sections questions regarding electronic co-signatures for occupational therapy assistant and physical therapist assistant documentation. **Reply:** Yes, a physical therapist's co-signature would be required according to rule 4755-27-03(E)(6) of the Ohio Administrative Code, which states that "All documentation shall be co-signed by the supervising physical therapist". The physical therapist's co-signature should be entered into an electronic medical record prior to the time established by the facility to close the record to further entries. It is the position of the Occupational Therapy Section that for any electronic documentation, the supervising occupational therapist must co-sign and reference the dates of the entries into the patient/client medical

record. If needed, the occupational therapist may make a separate entry, referencing the date of the note(s) that are being reviewed with documentation referencing the review, noting agreement, and/or changes needed in the treatment plan. In accordance with rule 4755-7-04 of the Administrative Code, it is the position of the Occupational Therapy Section that if patient/client documentation includes any type of treatment grid, a single co-signature and date of review on the form is sufficient. Co-signature verifies that the supervisor reviewed the document and agrees with its content, which may document the absence of the client or therapy assistant.

Old Business

None

New Business

Retreat Planning

The Executive Director will doodle potential meeting dates for the section retreat. The Section will be looking for a retreat location.

Licensure Reinstatement Requirements

The Section discussed the continuing education requirements for in-state /out-of-state reinstatement applicants. It is the position of the Section, that all continuing education activities are required to have a valid Ohio Approval Numbers. The continuing education activities for reinstatement must meet the same standards as the continuing education requirements for the licensure renewal.

Open Forum

The Section assigned Dr. Erin Hofmeyer, PT as the new Continuing Education Liaison to OPTA.

The Section discussed sending out an email to licensees on how to utilize aPTitude for storing and tracking continuing education activities.

The Executive Director informed the Section that Adam Pennell, Investigator Assistant, accepted a new position with the Attorney General's office. The Section thanked Adam Pennell for his service to the Board.

Ohio Physical Therapy Association (OPTA) Report

Halle Runion reported that OPTA 2015 Annual Conference registration is now open. Ms. Runion furthered that the OPTA webinar series will begin on Tuesday, January 13, 2015. Amanda Sines, gave a brief legislative report.

Federation of State Boards for Physical Therapy (FSBPT) Report

Jeff Rosa reported that he will be on the FSBPT survey taskforce. Mr. Rosa informed the Board of the upcoming FSBPT new board member training in June 2015.

Items for Next Meeting

- Rules Hearing
- Retreat Planning

Items for Retreat 2015

Medication Reconciliation

Use of Credentials when Conducting Health/Wellness Programs

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, March 5, 2015.

Adjournment

Lynn Busdeker moved that the meeting be adjourned. James Lee seconded the motion. The motion carried. The meeting adjourned at 12:11 p.m.

Respectfully submitted,
Diane Moore

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

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

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

KH:jmr:dm