



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section
January 7, 2016
10:00 a.m.

Members Present

Lynn Busdeker
Erin Hofmeyer
Ronald Kleinman
James Lee, Chair
Paul McGhee
Chad Miller
Jennifer Wissinger, Secretary
Trevor Vessels, Public Member

Legal Counsel

Melissa Wilburn, AAG

Staff Present

Diane Moore, Interim Executive Director
Lisa Ratinaud, Enforcement Division Supervisor
Shannon Gorey, Investigator
Jennifer Adams, Investigator Assistant

Members Absent

Timothy McIntire

Guests

Victoria Gresh, OPTA
M. Anthony Tanner

Call to Order

James Lee, Chair, called the meeting to order at 10:24 a.m.

Approval of Minutes

Action: Ronald Kleinman moved that the minutes from the November 5, 2015, meeting be approved as amended. Lynn Busdeker seconded the motion. The motion carried.

Executive Director's Report

- The Interim Executive Director gave the Section an update on the new eLicense Project. The Board experienced some issues with portal registrations and physical therapist renewals. The Board has completed Release 2 of the project, which completed the enforcement module. Release 3 of the project is scheduled to begin on January 11, 2016. During Release 3, the team will build the business rules for the remaining license types.
- The Interim Executive Director informed the Section that all Board vacancies will be filled by next week.

The formal Executive Directors report is attached to the minutes for reference.

Discussion of Law and Rule Changes

None

Administrative Reports

Licensure Applications

Action: Ronald Kleinman 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 5, 2015 through January 7, 2016, taking into account those individuals subject to discipline, surrender, or non-renewal. Mr. Kleinman 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. Chad Miller seconded the motion. The motion carried.

Physical Therapist – Examination

Adkins, Doulas
Atakulu, Glenda
Avsec, Olivia
Bachmayer, Amanda

Balis, Brett
Benko, Gregory
Blanton, Thomas
Blohm, Marcus

Bowman, Mackenzie
Bowman, Nickolas
Brown, Kevin
Burke, Kaylee

Casey, Nathan
Chenney, Lauren
Cooper, Ann
Costaras, Andrew
Demarke, Julie
Dey, Shounak
Ebbert, Jonathan
Eiben, Valerie
Ellis, Erin
Farrar, Spencer
Fimognari, Kathryn
Forman, Lauren
Francis, Kimberly
Frelek, Malgorazata
Frey, James
Funker, Erich
Gideon, Melanie
Grosel, Sarah
Gudel, Joseph
Harrington, Michael
Haver, Bethany
Henderson, Sara
Hepler, Jordan
Hurley, Katherine
Jackson, Sean
Jennemann, Tracy
Johns, Valerie
Johnson, Marcus

Keber, Taylor
Keller Bircher, Sonja
Kelly, Anne
Kiger, Elizabeth
King, Max
Knollinger, Anne-Julie
Koy, Christopher
Krenn, Nicole
Lehane, Mary
Lent, Olivia
Leo, Timothy
Lewis, Adam
Lightfoot, Rebecca
Ludewig, Michael
Lynch, Katherine
Maniuszko, Sean
Marsh, Jeffrey
Mauch, Devon
Meisel, Sarah
Menke, Gina
Mercado, Elizabeth
Mussard, Brianne
Neavin, David
Ofat, Alyssa
O'Neil, Bethany
Payne, Megan
Petersen, Morgan
Petit, Calle

Petit, Jamie
Petrlich, Lindsay
Radcliff, Ashley
Raley, Victor
Reynoso, Jeremy
Roberts, Michael
Root, Carrie
Ruthemeyer, Christopher
Saylor, Ryan
Shah, Margi
Shanyfelt, Christy
Sipos, Corey
Smith, Barbara
Smith, Jared
Smith, Sarah
Starr, Maryjean
Sweeney, Kari
Tararova, Evgenia
Tyler, Bianca
Wahl, Amanda
Walters, Adrienne
White, Elizabeth
Wightman, Daniel
Wiland, Tony
Wojtach, Paul
Yaney, Jessica
Yurkovic, Kristine
Zabiegala, Kaitlyn

Physical Therapist Assistants – Examination

Andes, Greg
Best, Megan
Blair, James
Bromley, Caitlyn
Butchko, JoAnn
Cajka, Breann
Cannon, Marcellus
Chukwulobe, Nathan
Conner, Ashley
Costell, Joshua
Creque, Catherine
Downard, Lauren
Easkins, Richard
Edington, Leah
Einsworht, Stephanie
Fauvie, Lauren
Fenton, Lauren
Foster, Christopher
Gasaway, Michael
Guillory, Daryl
Hartman, Dylan
Heinz, Sarah

Hessey, Allison
Holmes, Shawna
Hrutkay, Kyle
James, Tamika
Jarvis, Melissa
Kandray, William
Laman, Tara
Lubeach, Julie
Luyster, Jeri
Magyar, Michael
Marcinko, Patience
Mizner, Rachel
Morgan, Kendra
Mostoller, Aaron
Niemeyer, John
Parschen, Robert
Pristera, Michelle
Radabaugh, Jacob
Rader, Samantha
Reilly, Sarah
Ricard, Elizabeth
Roberts, Heather

Sabula, Jeanne
Schwank, Leonard
Sexton, Lisa
Shepherd, Taylor
Sherrick, Dan
Shuneh, Harrison
Simon, Erin
Simpson, Lindsay
Singleton, James
Snyder, Katherine
Sorrell, Haley
Sturgell, Eric
Swinehart, Raelle
Swonger, Melissa
Warren, Eric
Westerman, Douglas
Wohn, Staci
Wuenschel, Nancy
Zavasky, Erin
Ziemer, Jason

Action: Ronald Kleinman 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 5, 2015 through January 7, 2016, taking into account those licenses subject to discipline, surrender, or non-renewal. Matthew Creed seconded the motion. The motion carried.

Physical Therapist – Endorsement

Abraham, Caterina	Hehman, Sarah	Lumasag Ordaniza, Sophia
Adams, Kellie	Keith, Catherine	Petty, Megan
Auer, Claire	Kirincic, Ivan	Pfaff, Steven
Bartlett, Daniel	Kudelko, Ryan	Robinson, Shelby
Beavers, Cassandra	Lee, Jeffrey	Robinson, Andrew
Bhatnagar, Astha	Llemit, Lorefiel Melchor	Shepherd, Jennifer
Boggs, Megan	Malone, Kathryn	Simons, Ashley
Border, Jessica Burkland	Marshall, Elizabeth	Symington, Lisa
Brewer, Amanda Bontrager	McCully, Cassandra	Trattner, Karine L
Demenik, Matthew	Mozingo, Colby	Rodriguez Viola, Aubrey
du Preez, Anton René	Myers, Monica	von Zychlin, Kirsten
Escajadillo, Ricardo	Naser, Michael	Youtzy, Melissa
Gilbert, Elizabeth	Olsen, Thomas	
Stephen Glosner	Omandam, Val Tyrone	

Physical Therapist Assistant – Endorsement

Blanton, Stephanie	MacGregor, Kate	Wilburn, Sara
Carlson, Matthew	Shuts, Aaron	
Harden, Jessica	Tessier, Nicole	

Physical Therapist Reinstatement

Parkhurst Josiah

Physical Therapist Assistant Reinstatement

Slabaugh, Anne	Smith, Kimberly
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Ronald Kleinman recommended that the Section accept the application withdrawal request for PT-LD15-001 based on the documentation provided. **Action:** Lynn Busdeker moved that the Section accept the application withdrawal request for PT-LD15-001 based on the documentation provided. Jennifer Wissinger seconded the motion. Ronald Kleinman abstained from voting. The motion carried. The physical therapist endorsement application for Christopher Litzinger has been withdrawn.

Testing Accommodations Requests

None

Continuing Education Liaison Report

Erin Hofmeyer had no formal report for the Section.

License Renewal Update

The Section mailed out 9,448 renewals. As of January 7, 2016, there are 3,870 licensees that have not renewed on the portal. The Section authorized the Board to make available a paper renewal application to licensees, due the volume of issues with new elicense portal registration and renewal issues.

Assistant Attorney General's Report

Melissa Wilburn, AAG reported that the Attorney General's office is forming a group to focus on legislation for regulatory Boards in response to the North Carolina Dental Board Case.

Case Review Liaison Report

Chad Miller reported that the Enforcement Division closed six and opened five new cases since the November 5, 2015, meeting. There are fifteen cases currently open. There are eleven disciplinary consent agreements and one adjudication order being monitored.

Chad Miller informed the Section that Kristy Parry, PT, Laurie Livingston, PT complied with all the terms and conditions and were released from their disciplinary consent agreements.

Enforcement Actions

None

Correspondence

1. **Denise Ramos, PTA:** Ms. Ramos asked the Section questions regarding guidelines for documenting consultative services in an Early Intervention setting. **Reply:** The Ohio Physical Therapy Practice Act does not specify the format for documentation in any specific practice setting. Rule 4755-27-03 of the Ohio Administrative Code (E) (6) indicates “The physical therapist assistant shall document in the medical record according to the established protocols. All documentation shall be co-signed by the supervising physical therapist.” Your facility’s protocols or third party payer requirements for documentation may be more restrictive than the Ohio Physical Therapy Practice Act. In any situation, licensees should follow the more restrictive policies.
2. **Melissa Patterson:** Ms. Patterson asked the Section questions regarding whether a physician needs to sign a physical therapy discharge summary. **Reply:** The Ohio Physical Therapy Practice Act does not require a physician to sign a physical therapy discharge summary. However, your facility’s protocols or third party payer requirements for documentation may be more restrictive than the Ohio Physical Therapy Practice Act. In any situation, licensees should follow the more restrictive policies.
3. **George Kontakis:** Mr. Kontakis asked the Section questions regarding a diploma program for manual therapy and acupuncture. **Reply:** The Ohio Occupational Therapy, Physical Therapy, and Athletics Trainers Board regulates licensing and practice of occupational therapy, physical therapy and athletic training in the state of Ohio. Only a licensed physical therapist or licensed physical therapist assistant may practice physical therapy services in the state of Ohio. You may be able to find more information about special training programs for physical therapy by contacting the American Physical Therapy Association (www.apta.org) or the Ohio Physical Therapy Association (www.ohiopt.org).
4. **Sherry Fleming, PTA:** Ms. Fleming asked the Section regarding whether a physical therapist assistant can do a home assessment without the physical therapist present. **Reply:** A home assessment is the sole responsibility of the physical therapist. However, prior to the completion of a home assessment, the physical therapist assistant may go into the home, without patient involvement, to perform an environmental survey (architectural barriers, floor plan, etc.). If the patient is going into his/her home environment and his/her function in the home is being assessed, this assessment must be performed by a physical therapist. A physical therapist assistant may continue an established treatment plan of functional activities in the home or other non-clinical environment or may complete an environmental checklist once the patient assessment has been completed.
5. **Jackie Kible-Dotson, PTA:** Ms. Kible-Dotson asked the Section questions regarding whether physical therapist assistants can assist STNA’s to do transfers with patients not on therapy caseload in a skilled nursing facility. **Reply:** It is the position of the Physical Therapy Section that a physical therapist assistant who is providing a service other than physical therapy services would not be governed by the Ohio Physical Therapy Practice Act provided that the therapist was not holding himself out as a physical therapist/assistant, and so long as the therapist was not billing or being reimbursed for physical therapy services. In providing services other than physical therapy, the physical therapist or physical therapist assistant must make it clear to the client, family, or other staff that the therapist is acting only in this other capacity. That is, communication must be done in such a way that if the client, family, or staff is asked, he/she could clearly testify in a legal proceeding as to the role of the individual who was providing the service. The facility must also not represent this role as being more skilled due to additional education/credentials than required for that job description.

6. **Julie Smyth:** Ms. Smyth asked the Section questions regarding supervision of aides performing an HEP for patients in a long term acute care facility. **Reply:** 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. While physical therapists may not delegate physical therapy interventions to unlicensed personnel, the Physical Therapy Section recognizes that there may be a role for such personnel in working with patients/clients who are performing independent exercises separate from physical therapy services. If patients/clients are permitted to exercise on their own using equipment in a physical therapy clinic, e.g. to warm up prior to physical therapy interventions or to perform repetitions of prescribed exercises, an unlicensed employee may monitor safety and technique on the equipment. In this type of arrangement, the independent exercise must clearly NOT be represented or billed as physical therapy; i.e. the patient/client must be informed that instruction from the unlicensed personnel is not physical therapy. The Physical Therapy Section recognizes that the appropriate role of unlicensed personnel may be difficult to determine in various situations. The Section encourages licensees to contact the Section with specific questions about the role of unlicensed personnel in specific scenarios.
7. **Angie Pahl:** Ms. Pahl asked the Section questions regarding whether physical therapist assistants (PTA) can perform ambulation with a patient if walking was not included in the initial evaluation. **Reply:** Ambulation of the patient with the PTA may appropriate if ambulation was included in the initial plan of care and goals for the patient, such as in a case where the patient was not ready to stand and walk post-op, but it was anticipated that the patient would progress to standing and walking over time. If ambulation is not included in the plan of care written by the physical therapist, then a re-evaluation and new plan of care including ambulation would be required before a PTA could use ambulation in that patient's care. As with any scenario, the physical therapist and physical therapist assistant should have ongoing communication regarding the patient's status and progress within the plan of care. At any time that the PTA feels the patient should be re-evaluated before proceeding with progressing an intervention, it is the responsibility of both the physical therapist and PTA to discuss those concerns, with the physical therapist re-evaluating the patient as appropriate.
8. **Chelsey Little:** Ms. Little asked the Section questions regarding whether physical therapist assistants need documentation cosigned weekly for the first year of practice. **Reply:** Rule 4755-27-03(E)(6) of the Ohio Administrative Code states that "All documentation shall be co-signed by the supervising physical therapist" but does not specify time requirements for co-signing the physical therapist assistant's notes. It is the position of the physical therapy section that the urgency of reviewing and co-signing notes may vary with the patient population and with the acuity of the patient's condition. The physical therapist should be able to demonstrate that effective supervision was provided for the particular patient care delegated to the physical therapist assistant. Supervision of the physical therapist assistant requires that a supervising physical therapist need not be physically on-site, but must be available by telecommunication at all times and able to respond appropriately to the needs of the patient.
9. **Christine Kress, PT:** Ms. Kress asked the Section questions regarding whether it is allowable to send a copy of a PT evaluation and plan of care home to the parents to distribute to the physician. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that prohibits you from providing a physical therapy evaluation and plan of care to parents of a student who receives physical therapy in school. Your local education agency or school district may have procedures or restrictions to releasing parts of educational documents (including physical therapy evaluations that are just one component of an Evaluation Team Report), in which case, you would follow your agency's policies.
10. **Callista Grozalis:** Ms. Grozalis asked the Section questions regarding school-based physical therapy. **Reply:** To answer your questions, you may wish to "Find a PT" who practices in schools through the Section on Pediatrics of the American Physical Therapy Association (www.pediatricapta.org).
11. **David Bailey:** Mr. Bailey asked the Section questions regarding physical therapists utilizing binasal occlusion. **Reply:** The Ohio Physical Therapy Practice Act is silent on this topic. However, any intervention performed should be evidenced-based, and the physical therapist must be able to demonstrate competence in the intervention performed.

12. **Tammy Grubb:** Ms. Grubb asked the Section questions regarding frequency of reevaluations and physician signatures on plans of care. **Reply:** It is the position of the Physical Therapy Section that the frequency of re-evaluation of a patient must be individualized and based upon that patient's impairments and response to treatment, regardless of the setting in which the patient receives physical therapy services. Please refer to the payer source since payer policies may have specific rules on frequency of re-evaluation. The Ohio Physical Therapy Practice Act does not require a physician to sign a physical therapy re-evaluation or plan of care. However, your facility's protocols or third party payer requirements for documentation may be more restrictive than the Ohio Physical Therapy Practice Act. In any situation, licensees should follow the more restrictive policies.
13. **Cassie Zerkle:** Ms. Zerkel asked the Section questions regarding violating HIPAA in the course of your work as a therapy aide. **Reply:** In response to your first question, the PT Section recommends you check your employer policy and HIPAA guidelines regarding patient confidentiality. In response to your second 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 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 two paragraphs of this letter. For any perceived violations, the Physical Therapy Section recommends you contact the enforcement division of the OT/PT/AT Board or complete the complaint form on the Board's website <http://otptat.ohio.gov>, and the matter can be further investigated.
14. **Leah Johnson:** Ms. Johnson asked the Section questions regarding parent refusal of physician notification for physical therapy services in a school-based setting. **Reply:** It should be documented in the therapy record that the parent refused physician notification.
15. **Sherry Wood:** Ms. Wood asked the Section questions regarding how long a physical therapy order is valid. **Reply:** There is nothing in the Ohio Physical Therapy Practice Act that dictates the length of time that a referral is valid. If you have a case or patient where a referral is required, the Physical Therapy Section recommends that, at a minimum, referrals be renewed annually. The Section recognizes that third party payers may require physical therapists to follow more specific requirements. If you have evaluated the patient and are sending the physician plans of care for review and signature, these can be considered a new referral each time the plan of care is signed. If the patient brings in a referral that does not have a current date or there is a significant time lapse between the date the referral was written and the date the patient brings it in, it is the therapist's decision to accept the referral or request a current referral from the physician.

Old Business

None

New Business

Public Rules Hearing

The Section held a public rules hearing from 10:30 am to 10:37am.

Retreat Planning

The Section discussed possible date for the section retreat. The Interim Executive Director will send out a doodle a meeting request for potential dates. The Section is looking to hold the retreat at the Ohio Physical Therapy Association. The Section's retreat topics will include dry needling, FSBPT licensure compact, disciplinary guidelines, and standard response for concussion management.

Open Forum

None

Ohio Physical Therapy Association (OPTA) Report

Victoria Gresh reported that the OPTA won chapter of the year. Ms. Gresh further reported that OPTA launched their new website in December 2015. Ms. Gresh informed the Section that OPTA purchased a new state Advocacy through the American Physical Therapy Association. The OPTA Annual Conference is ready to go live. OPTA CE Committee is ready to conduct the 2015 CE Audit. The CE Audit results will be forwarded to the Erin Hofmeyer. OPTA and APTA sent a letter to the Ohio Attorney General's office regarding dry needling in physical therapy practice.

Federation of State Boards for Physical Therapy (FSBPT) Report

Lynn Busdeker informed the Section FSBPT Jurisdiction Board Member & Administrator Training will be held on June 24, 2016- June 26, 2016 om Alexandria, Virginia. FSBPT will host the Annual conference in Columbus, Ohio in November 2016. Ronald Kleinman will represent Ohio on the FSBPT Taskforce for the licensure compact. James Lee reported that on behalf of the PT Section, he wrote a letter of support for FSBPT's request to the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) for grant funds to help implement the physical therapy licensure compact.

Items for Next Meeting

Retreat Planning

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, March 3, 2016.

Adjournment

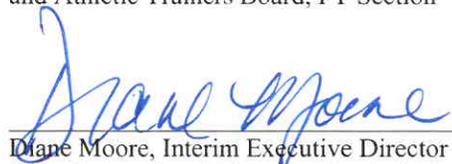
There being no further business and no objections, James Lee adjourned the meeting at 11:50 am.

Respectfully submitted,

Diane Moore


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


Jennifer Wissinger, PT, Secretary
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section


Diane Moore, Interim Executive Director
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board

JW:dm