



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

*Physical Therapy Section
November 10, 2016
10:00 a.m.*

Members Present

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

Members Absent

Matthew Creed

Legal Counsel

Melissa Wilburn, AAG

Staff Present

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

Guests

A. Chelsie McKenzie
Aaron Hannigan
Adam Diamond
Alicia Lavelle
Alyssa Olp
Andrew Lioi
Aylssa Goins
Becca Crouch
Brooke Berlan
Brooke Smint
Christina White
Clinton Boring
Cody Chabola
Cody Smith
Dana Tomasello
Daniel Snider
Danielle Capetillo
Denise Boyd
Elaine Sumbuco
Emily Ellerbrock
Emily Kaufman
Eryn Simon
Frank Baker
Hiroyoshi Tanda

Jacob Kelay
James Christoffel
Jeanette Witherspoon
Jen Semans
Jenna Reichman
Jimmy Wackerly
Kathyn Higgins
Katie Coughlin
Katie McConkle
Kayla Francis
Kayle Quinter
Kelleen Scott
Kelsey Musson
Kevin Lohbeck
Kevin Peterson
Kevin Yu
Kyle O'Donnell
Lori Pelfry, OPTA
Matthew Lioi
Megan Gill
Megan Swayne
Meghan Atterbury
Michelle Kelley
Mikayla Pollitt
Nickole Hornbeck
Nicole Coberly
Noelle Debolt
Paige Prato
Rebecca Cmar
Rosa Giardian
Ryan Blankenship
Ryan Kaya
Santiago Casanova
Sara Rillero
Sarah Buffer
Sarah Johnson
Sarah Vinson
Sarah Wells
Shaunisha Winter
Sonia Shah
Stephanie Herman
Stephanie Mattei
Tyler Perkins
Yazan Ashrawl
Zach Kinnick

Call to Order

James Lee, Chair, called the meeting to order at 10:06 a.m. The Section welcomed the physical therapy students from The Ohio State University and Ohio University.

Approval of Minutes

Action: Timothy McIntire moved that the minutes from the September 8, 2016 meeting be approved as submitted. Ronald Kleinman seconded the motion. The motion carried.

Action: Lynn Busdeker moved that the retreat minutes from the August 18, 2016 meeting be approved as submitted. Ronald Kleinman seconded the motion. The motion carried.

Executive Director’s Report

- The Executive Director informed the Section that the FY 18-19 biennial budget was submitted to OBM.
- The Executive Director reported that the athletic trainer renewal was successfully implemented on the new elicense portal. There were some technical issues with setting passwords.
- The Executive Director discussed exploring a common method to tracking continuing education for the Board’s licensees.
- The Executive Director reported that he will be working on the rule revisions.

The formal Executive Director’s 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 September 8, 2016 through November 10, 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. Timothy McIntire seconded the motion. The motion carried.

Physical Therapist – Examination

Shannon Lee Buchwald	Chelsea Marie Conzett	Liana Marie DeFuria
Staci Hicks	Dana Lynn Knapik	Hannah Kramer
Matthew Allen McGinnis	Stephanie Moeller	Jodi Marie Richards
Amy Frances Scelza	Christopher Thomas Stevens	Rebekah Hope Tarbutton

Physical Therapist Assistants – Examination

Lauren Michelle Ailes	Gregory Ellis Andes	Alexandra Barbosa
Whitney Barnett	Marshall J. Brink	Scott Joseph Brown
Christopher Stephen Bundy	Michael Joseph Burnes	Ashley Marie Carroll
Marc Christopher Carter	Deanne Marie Cassano	Jill Nicole Cekada
Curt William Chumat	Kellee Ann Cianni	Roche Alan Croy
Kammie Nicole Daugherty	Bobbie Lee Grace Dawkins	Cora Rae Derexson
Nisha Dhamankar	Heather Churchill Dijulius	Kendyl d Dodson
Sophia L Dunlavy	Brittany Ann Ellenberger	Kelly Marie Fleming
Kelly Erin Forshey	Kevin Gallagher	Zachary Graham
Charles Forrest Hall	Brandon Munich Halsey	Nicole Hartman
Kyle Cole Hensley	Timothy M. Hoynes	Chayna Denean Jones
Samantha Marie Jordan	Katelyn Joan Keleman	Courtney Lorraine Kenney
Kathryn Celeste Koly	Carly Louise Koss	Samantha Nicole Kozbial
Jeffrey Alan Lewis	Jordan Marvin	Jefferson Wayne Meadors
Mallory Elizabeth Meckstroth	Amie Jo Michel	Jeffrey Glenn Miller
Rachel Katherine Miller	Lacy Elizabeth Mynhier	Kylie Michelle Patterson
Eileen Marie Perry	James Calvin Peters	Deandra Lynn Pisano
Lisa Plassman	Kayla Diane Purdum	Kaylee Ann-Marie Reed
Tiffany R Rhoades	Jessica Ellen Ruder	Kelly Marie Ruscini-Feudo
Lisa Marie Salvador	Shivani Sapre	Christine Marie Sayre
Jacquelyn N. B. Scharringhausen	Angela Lynn Schluneker	Caitlin Elizabeth Schudel
Aubrey Aleece Siefert	Phillip J Smith	Anna Michelle Snapp
Denver Erin Snyder	Patricia Dianne Stevens	Debra Ann Stevenson
Sean Patrick Teknipp	Megan Renee Thompson	Christine S. Tiell
Cody Ryan Troyer	Shelby Nicole Turner	Manon Lee Wallace
Ryan Charles Walter	Amy Catherine Willie	Susan Renee Woerner
Laura Marie Wylie	Melissa Dawn Yancey	Julie Anne Zachar

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 September 8, 2016 through November 10, 2016, taking into account those licenses subject to discipline, surrender, or non-renewal. Lynn Busdeker seconded the motion. The motion carried.

Physical Therapist – Endorsement

Padam Bahadur Bogati	Haily Buonomo	Wendy Jane Carranco
Leslie Perry Collins	Lucy Cox	Mary Elizabeth Foss
Alexis Patrice Goedde	Jeremy Frederick Harris	Matthew Emerson Herrick
Robert Hyde	Stacia Laine Jamieson	Sally J Kappen
Jonathan Eric Kern	Sharon Lynn Lee	Brianna Louise LeGrand
Sheena Nicole Long	Kaitlin McFarlane	Raquel Santiago Minarsch
Edward Multerer	Renee Cecilia Noll	Cameron Barber Pikula
Zaranaben Maheshkumar	Cizelle Maria Rodrigues	Mary Kathleen Rudy
Lauren Michele Sberna	Megan Nicole Stewart	Kyle Hunter Webb

Physical Therapist Assistant – Endorsement

Jason David Archer	Michael Duane Carpenter	Jessica Lynn Cianfaglione
Nicole Corbin	Shawtay Day	Mary Katherine Earley
Autumn Rose Eppley	Rachel Elizabeth Fretz	Adam Blake Gist

Emily Nicole Justice
Rachel Ann Slone
Clifton Augustus Willoughby

Crystal Rose Kurtz
Tyler James Smith

Jaclyn Katerine Mees
Adam Michael Williford

Physical Therapist Reinstatement

None

Physical Therapist Assistant Reinstatement

None

Ronald Kleinman recommended that the Section approve the physical therapist examination application to sit for the National Physical Therapy Examination for physical therapist for file APP-000004382. **Action:** Timothy McIntire moved that Section approve the physical therapist examination application to sit for the National Physical Therapy Examination for physical therapist for file APP-000004382. Chad Miller seconded the motion. Ronald Kleinman abstained from voting. The motion carried.

Ronald Kleinman informed the Section that for physical therapist file number 00001422 foreign application was extended until March 17, 2017 to allow time to obtain a social security card, which is required for licensure.

Continuing Education Liaison Report

None

Assistant Attorney General's Report

Melissa Wilburn, AAG reported that the Chapter 119 appeal process was shortened. Ms. Wilburn informed Board Staff to forward appeal requests to the Attorney General's office immediately.

Case Review Liaison Report

James Lee reported that the Enforcement Division closed zero cases and opened eleven new cases since the September 8, 2016, meeting. There are sixteen cases currently open. There are two disciplinary consent agreements and one adjudication order being monitored.

James Lee informed the Section that James P. Long, PT, complied with all the terms and conditions and his released from their disciplinary consent agreements.

Enforcement Actions

James Lee recommended that the Section withdraw the notice of opportunity for hearing for case number PT-FY14-028 due to case developments and advice of legal counsel. **Action:** Timothy McIntire moved that the Section withdraw the notice of opportunity for hearing for case number PT-FY14-028 due to case developments and advice of legal counsel. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommend that the Section accept the consent agreement for case number PT-FY16-006 in lieu of going to hearing. **Action:** Lynn Busdeker moved that the Section accept the consent agreement for case number PT-FY16-006 in lieu of going to hearing. Ronald Kleinman the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section issue a notice of opportunity for hearing for case number PT-FY17-005 for failure to complete continuing education required for license renewal. **Action:** Timothy McIntire moved that the Section issue a notice of opportunity for hearing for case number PT-FY17-005 for failure to complete continuing education required for license renewal. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section issue a notice of opportunity for hearing for case number PT-FY17-006 for failure to complete continuing education required for license renewal. **Action:** Timothy McIntire moved that the Section issue a notice of opportunity for hearing for case number PT-FY17-006 for failure to complete continuing

education required for license renewal. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section issue a notice of opportunity for hearing for case number PT-FY17-007 for failure to complete continuing education required for license renewal. **Action:** Timothy McIntire moved that the Section issue a notice of opportunity for hearing for case number PT-FY17-007 for failure to complete continuing education required for license renewal. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section issue a notice of opportunity for hearing for case number PT-FY17-008 for failure to complete continuing education required for license renewal. **Action:** Timothy McIntire moved that the Section issue a notice of opportunity for hearing for case number PT-FY17-008 for failure to complete continuing education required for license renewal. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section issue a notice of opportunity for hearing for case number PT-FY17-047 for failure to complete continuing education required for license renewal. **Action:** Timothy McIntire moved that the Section issue a notice of opportunity for hearing for case number PT-FY17-047 for failure to complete continuing education required for license renewal. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section issue a notice of opportunity for hearing for case number PT-FY17-048 for failure to complete continuing education required for license renewal. **Action:** Timothy McIntire moved that the Section issue a notice of opportunity for hearing for case number PT-FY17-048 for failure to complete continuing education required for license renewal. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Chad Miller recommended that the Section issue a notice of opportunity for hearing for case number PT-FY17-049 for failure to complete continuing education required for license renewal. **Action:** Timothy McIntire moved that the Section issue a notice of opportunity for hearing for case number PT-FY17-049 for failure to complete continuing education required for license renewal. Lynn Busdeker seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

Affidavit Hearing

Good afternoon. My name is James Lee, Chairperson of the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board. Let the record show that these proceedings were called to order at 10:15 am on November 10, 2016, at the Vern Riffe Center, 77 South High Street, Columbus, Ohio, 43215. Members of the Board present for the proceedings are:

The Executive Director called roll:

Lynn Busdeker	Present
Matthew Creed	Absent
Erin Hofmeyer	Present
Ronald Kleinman	Present
James Lee	Present
Paul McGhee	Present
Timothy McIntire	Present
Chad Miller	Present
Jennifer Wissinger	Present

It will be noted for the record that a majority of the members of the Board are present. There will be one adjudication proceeding today. The proceeding is in the matter of case number **PT-16-035, Robert Paul Jahns.**

This proceeding shall be an affidavit-based adjudication relative to a Notice of Opportunity for Hearing mailed to the respondent in the aforementioned cases and believed to have been properly serviced according to the Administrative Procedures Act (Chapter 119. of the Ohio Revised Code).

As the respondent did not properly request a hearing in the case, this proceeding will be held before the board pursuant to *Goldman v. State Medical Board of Ohio*. The individual named does not have the ability to present written or oral testimony today, but may be present to hear the proceedings and outcome.

You have already received sworn affidavit from the Board's Enforcement Division Investigator and accompanying exhibits for the Goldman Proceeding in your board packet. The affidavit contains the evidence and testimony upon which you will deliberate. Please take a few moments to review the evidence and testimony.

In lieu of a stenographic record being made, let the minutes reflect the original sworn affidavit and exhibits shall be kept as the official record of the proceedings in the aforementioned matter in the Board office.

I will now recognize Assistant Attorney General, Melissa Wilburn, for the purpose of providing a brief synopsis of the case.

Ms. Wilburn reviewed the case for the Board.

Melissa Wilburn moved to admit the facts and exhibits outlined in the sworn affidavit for case number PT-16-035, Robert Paul Jahns into evidence.

Action: Lynn Busdeker moved to admit the facts and exhibits outlined in the sworn affidavit for case number PT-16-035, Robert Paul Jahns into evidence. Ronald Kleinman seconded the motion. James Lee and Chad Miller abstained from voting. The motion carried.

There being no further evidence to come before the board, this proceeding is now closed at 10:26 am.

The procedural and jurisdictional matters having being satisfied, we will now continue with the proceeding by deliberation on the sworn affidavit and exhibits.

At this time, is there a motion to recess the meeting in order to go into private session for the purpose of quasijudicial deliberation on case number PT-16-035, Robert Paul Jahns, and to reconvene the meeting after deliberations are complete?

Action: Timothy McIntire moved to recess the meeting to go into private session for the purpose of quasi-judicial deliberation on these matters. Lynn Busdeker seconded the motion.

The Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Absent
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Abstained
Paul McGhee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The Section went into private session at 10:27 a.m. and came out at 10:45 a.m. James Lee and Chad Miller left the room during private session and did not participate in the deliberations.

In the matter of case number PT-16-035, Robert Paul Jahns, after review of the evidence the Board makes the following findings of fact:

1. The Board had jurisdiction to conduct a hearing in this matter pursuant to *Goldman v.State Medical Board of Ohio*, 110 Ohio App. 3d 124; 673 N.E.2d 677 (1996).
2. About May 17, 2016, the State of Florida revoked Jahns' license to practice as a physical therapy assistant due to his termination from the PRN treatment program for impaired practitioners. The Florida Department of Health, Board of Physical Health Practice (Florida Board) found Jahns had violated his mandated monitoring contract.
3. About May 20, 2014, the Florida Board granted Jahns a physical therapist assistant license contingent upon his evaluation with the Professional Resource Network (PRN) and his compliance with any PRN recommendations. Based on a recommendation from PRN, Jahns entered into a Chemical Dependency Monitoring Contract about June 30, 2014.
4. About September 2014, Jahns tested positive for alcohol in violation of his Chemical Dependency Monitoring Contract. The Florida Board terminated Jahns from the PRN program and instructed Jahns to refrain from practicing, but he continued to practice, regardless.
5. About July 12, 2016, Jahns submitted a written statement to the Board about his Florida licensure revocation. He discussed the high cost of random urine screens and stated, "I complied with all stipulations until one day I forgot to call in for my daily check in and was ordered a blood test at \$80 cost because of this, the blood test came back positive for alcohol although all previous RANDOM urine screens were negative ... I have worked extremely hard to achieve my goals of becoming a Physical Therapist Assistant and what the state of Florida put me through is extremely demeaning and caused much stress since this issue."
6. Jahns did not request a hearing on the aforementioned charge.

Action: Lynn Busdeker moved to accept the findings of facts in the matter of case number PT-16-035, Robert Paul Jahns. Paul McGhee seconded the motion.

The Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Absent
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Abstained
Paul McGhee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

In the matter of case number PT-16-035, Robert Paul Jahns, after review of the evidence the Board makes the following conclusions of law:

1. Jahns was properly served with the Notice of Opportunity for Hearing pursuant to R.C. 119.07.
2. R.C. 119.07 required Jahns to request a hearing within thirty (30) days of the mailing of the Notice. Jahns failed to request a hearing within that time, nor did he request a hearing at any time in this matter.
3. A preponderance of the evidence demonstrates that Jahns' licensure revocation in Florida permits the Board to revoke his Ohio license pursuant to R.C. 4755.47(A)(6), (9), and Ohio Admin. Code 4755-21-03(B).

4. A preponderance of the evidence demonstrates that Jahns' failure to stop practicing when the Florida Board ordered him to do so is an aggravating factor, as is the lack of personal responsibility expressed in his July 12, 2016 statement.

Action: Lynn Busdeker moved to accept the conclusions of law in the matter of case number PT-16-035, Robert Paul Jahns. Ronald Kleinman seconded the motion.

The Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Absent
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Abstained
Paul McGhee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

Action: Lynn Busdeker moved to revoke the physical therapist license of Robert Paul Jahns. Timothy McIntire seconded the motion.

The Executive Director called roll:

Lynn Busdeker	Yes
Matthew Creed	Absent
Erin Hofmeyer	Yes
Ronald Kleinman	Yes
James Lee	Abstained
Paul McGhee	Yes
Timothy McIntire	Yes
Chad Miller	Abstained
Jennifer Wissinger	Yes

The motion carried.

The physical therapist assistant license of Robert Paul Jahns, is hereby revoked, effective immediately.

The Executive Director is hereby instructed to prepare an adjudication order to carry out the mandates of this Board and serve the order on PT-16-035, Robert Paul Jahns, in the manner prescribed by law.

This concludes the Matter of PT-16-035, Robert Paul Jahns.

Correspondence

The Section reviewed the correspondence and provided feedback to the PT Correspondence Liaisons.

Old Business

None

New Business

FSBPT JAM (Jurisprudence Assessment Module)

Tony Tanner and James Lee will work on rule changes pertaining to the FSBPT JAM.

Open Forum

The Section answered questions from the visiting students.

Ohio Physical Therapy Association (OPTA) Report

Lori Peffly informed the Section that the Scientific Symposium Leadership Conference will be held on March 24-25, 2017. Ms. Peffly also reported that in early 2017 OTPA'S new continuing education system will be available online.

Mikayla Pollitt gave a brief legislative update.

Federation of State Boards for Physical Therapy (FSBPT) Report

James Lee informed the Section that the FSBPT Practice Review Tool will no longer for this tool. The Section will need to remove this language in the laws and rules.

The Section discussed using the FSBPT Option for CE credit.

The Section review the FSBPT Annual report.

The Section will invite FSBPT to speak with the Section regarding the Examination Licensure and Disciplinary Database (ELDD).

The Section briefly discussed the FSBPT Licensure Compact. Currently, there are 20 states in process of joining the compact and there are 4 states already in the compact.

Items for Next Meeting

Early Intervention document

Next Meeting Date

The next regular meeting date of the Physical Therapy Section is scheduled for Thursday, January 19, 2016.

Adjournment

There being no further business and no objections, James Lee adjourned the meeting at 1:28 pm.

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


Tony Yanner, Executive Director
Ohio Occupational Therapy, Physical Therapy
and Athletic Trainers Board

JW:dm