

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: February 9, 2017

TIME: 9:00 a.m. C.D.T

LOCATION: 665 Mainstream Drive
Poplar Conference Room, 1st Floor
Nashville, TN 37243

MEMBERS PRESENT: David Harris, PTA, Chair
David Finch, PT, Secretary
LeAnn Childress, PT
Ronald Barredo, DPT
Minty Ballard, Consumer

MEMBERS ABSENT: None

STAFF PRESENT: Michael Sobowale, Unit Director
Jared Smith, Unit Manager
Tomica Walker, Board Administrator
Thomas Aumann, Assistant General Counsel
Nichelle Dorroh, Office of Investigations

Guests: Alan Meade, DPT
Brigina T. Wilkerson, DPT, Board Consultant
Hal Heninger, PT, Board Consultant
Mike Harkreader, Tennessee Professional Assistance Program

1. Call To Order

A roll call of board members and administrative staff present was taken. With a quorum present, Mr. Harris called the meeting to order at 9:11 a.m.

2. Election of Officers

Mr. Finch made a motion, seconded by Mr. Childress, to nominate Mr. Harris for Board Chair Motion passed. Ms. Childress made a motion, seconded by Dr. Barredo, to nominate Mr. Finch for Board Secretary. The motion passed.

3. Approval of Minutes

After review, Mr. Finch made a motion, seconded by Ms. Childress, to approve the minutes of the November 18, 2016 meeting as written. The motion passed.

4. Office of General Counsel Report

Mr. Aumann presented the Office of General Counsel (OGC) report as follows:

A. Conflict of Interest

Mr. Aumann reminded Board members of the Board's conflict of interest policy. If a member has any personal or financial interest which might appear to be a conflict of interest, whether it relates to a contested case, a rulemaking issue, or any other Board decision, that fact should be shared with the Board so that a decision may be made regarding the need for recusal.

B. Statutes

Senate Bill 0240 was filed for introduction on January 31, 2017 and passed by the Senate on Second Consideration on February 2, 2017. This bill is now being referred to the Senate Government Operations Committee. The bill, if passed, would change from mandatory, to discretionary, for the governor to appoint new Board members from lists of nominees submitted by interested physical therapy groups like the Tennessee Physical Therapy Association. The bill mirrors changes in statutory language passed for a number of other Health Related Boards.

C. Rules

There are no rules pending

D. Litigation

OGC currently has nine (9) open cases pertaining to the Board of Physical Therapy. OGC will be presenting four (4) Consent Orders today.

E. Consent Orders

1. Alexis Marie Cole, PTA, License # 5486 - Mr. Aumann presented a Consent Order on Alexis Marie Cole, PTA, for practicing on a lapsed license. After discussion, Ms. Childress made a motion, seconded by Mr. Barredo, to accept the Consent Order as presented. The motion carried.

2. Rebecca Tumlin Jordan, PTA, License # 2365 - Mr. Aumann presented a Consent Order on Rebecca Tumlin Jordan, PTA, for a conviction of Reckless Driving, a Class B misdemeanor under Tennessee law. After discussion, Ms. Childress made a motion, seconded by Ms. Ballard, to accept the Consent Order as presented. The motion carried.

3. Rebecca L. Lipsey, PTA, License # 2280 - Mr. Aumann presented a Consent Order on Rebecca L. Lipsey PTA, for failure to disclose on her initial application for licensure that she had been convicted of felony crimes in the State of Georgia in 1986 and 1987. She had also been convicted of the offense of violating an active order of protection, a Class A misdemeanor in the State of Tennessee. Additionally, Ms. Lipsey failed to show proof that she had obtained any of the twenty (20) hours of required continuing competence in the twenty-four (24) months preceding her July 2015 licensure renewal month. After discussion, Ms. Ballard made a motion, seconded by Mr. Finch, to accept the Consent Order as presented. The motion carried.

4. Elsie Gail Raione, PT License # 5556 - Mr. Aumann presented a Consent Order on Elsie Gail Raione, PT, for practicing on a lapsed license. After discussion, Mr. Finch made a motion, seconded by Ms. Ballard, to accept the Consent Order as presented. The motion carried.

5. Financial Report

Michael Sobowale informed the board there was no new financial report to present to the Board at this time, but the Financial Officer, Noranda French, will be present at the next scheduled meeting.

6. Tennessee Professional Assistance Program (TNPAP) Report

Mike Harkreader, TNPAP Executive Director presented the statistical report for the period July 1, 2016 through December 31, 2016. TNPAP is currently monitoring seven (7) individuals, two (2) physical therapists and five (5) physical therapist assistants. Out of the seven, two were referred from Tennessee Department of Health.

7. Investigation and Disciplinary Reports

Nichelle Dorroh, Disciplinary Coordinator in the Office of Investigations presented the investigative and currently-monitored, disciplined practitioners report. There are eight (8) open complaints on physical therapists and two (2) open complaints on physical therapist assistants as of February 8, 2017.

8. Applicant Interview/File Reviews

A. Nageh Barsoum, PT, MD, Applicant- Mr. Barsoum applied for reinstatement of his license. Mr. Barsoum voluntarily retired his license in 1993 and was requested to appear before the Board due to prior board discipline in the State of Florida as a licensed Medical Doctor.

Pursuant to Rule 1150-01-.10(4) a physical therapist or physical therapist assistant whose license has expired for more than three (3) years will be issued a provisional license to complete a period of supervised clinical practice under the supervision of a Tennessee licensed physical therapist. The provisional license is valid for a period as determined by the Board and may not be renewed. After discussion, Mr. Finch made a motion, seconded by Mr. Barredo, to grant Dr. Barsoum a provisional license for four hundred and eighty (480) hours of supervised practice, to be completed within one (1) year. The motion passed.

B. Sandra Brown, PT Applicant- Ms. Brown's file was presented to the Board due to seeking approval to sit for the NPTE exam. Ms. Brown completed her physical therapy education and obtained her PT license in Germany. According to FCCPT, she has achieved the requirements of the Type 1 certification process. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to grant Ms. Brown permission to sit for the NPTE exam. The motion carried.

C. Larry Gruver, PT Applicant—Mr. Gruver applied for a license by reciprocity from Arizona. His file was presented the Board due to discipline in the State of Arizona. The Board had tabled a decision on his application from the November 18, 2016 board meeting. After discussion, Mr. Finch made a motion, seconded by Mr. Barredo, to grant Mr. Gruver an unconditional license. The motion carried.

D. Kristi Ibrahim, PT Applicant- Ms. Ibrahim appeared before the Board for approval to reinstate her license which expired in 2013. Ms. Ibrahim stated, however, that she does not intend to practice in Tennessee and will be moving to Florida to apply for a license.

Pursuant to Rule 1150-01-.10(4) a physical therapist or physical therapist assistant whose license has expired for more than three (3) years will be issued a provisional license to complete a period of supervised clinical practice under the supervision of a Tennessee licensed physical therapist. The provisional license is valid for a period as determined by the Board and may not be renewed. After extensive discussion, Mr. Finch made a motion, seconded by Ms. Childress, to grant Ms. Ibrahim a provisional license for four hundred and eighty (480) hours of supervised practice, to be completed within one (1) year. The motion carried.

E. Shana Jimerson, PT Applicant – Ms. Jimerson applied for a license by reciprocity. Her file was presented to the Board due to information in the file which shows that she was issued a Letter of Warning by the Arkansas Board of Physical Therapy for violations of Arkansas Board rules and regulations – charging unreasonable fees for services performed or not performed. After discussion, Mr. Finch made a motion, seconded by Mr. Barredo, to grant Ms. Jimerson an unconditional license. The motion carried.

F. Adam Meidinger, PT Applicant – Mr. Meidinger appeared before the Board due to multiple misdemeanor convictions. He applied for a license by reciprocity. After discussion, Mr. Barredo made a motion, seconded by Ms. Childress, to grant Mr. Meidinger an unconditional license. The motion carried

8. Ratifications

Ms. Childress made a motion, seconded by Mr. Finch, to approve the following lists of PT/PTA initial, reinstatements, and closed applications as follows:

PHYSICAL THERAPISTS

NEW LICENSES

Amagliani Ruth Marie
Barbour Mary Shannon
Becke Brookly Jean
Best Chase Alan
Black Danielle Alyse
Brock Megan Elizabeth

Brown Jennifer Dixon
Chonko Hallie Lyn
Clark Lauren Leigh
Crystal Brigid M
Davis Megan Susan
Donahue Gerad Francis
Edwards James Andrew
Ekkebus Kevin Thomas
Flenorl Jennifer Ann
Gutierrez Sarah Dawn
Headen Alexandra Heileman
Hopkins Ashley Truitt
Hull Andrea Elizabeth
Huston Andria Metz
Johnson Keeley Nicole
Johnson Kerry Dawn
Kavanagh Elizabeth
Kieta Meghan Coty
Kostes Allison Michelle
Krogmann Monica Luise
Loyd Dustin James
Marrast Beres Jeff
Mccormick Meggon Noel
Morgan Dawn Melissa
Morse Courtney Lane
Pippen Amber Brianne
Poore Allison Christine
Popivchak Julianne Marie
Rains Thomas Ryan
Reed Brian Michael
Renna Erin Marie
Sampson Katharine Susan
Sarji Kayla Garrison
Scheer Jamie Renee
Silverberg Maria Ann
Stoner Travis Hunt
Swieboda Stella
Voss Kaitlyn J
Wakwe Stanley
Weiher Hannah Marie

Weiss Jeffrey Robert
Youse Emily Rose

The Motion Carried.

PHYSICAL THERAPIST ASSISTANTS
NEW LICENSEES

Anderson Lorian Marthel
Cantu Lane Jessica May
Curvin Jennifer Anna
Daniels Melissa Shawn
Gee Cassandra Beth
Goodwin Matthew Blake
Hansen Jonna K
Harmon Jonathan Scott
Kittredge Lisa Nicole
Mcclintock Tamara Darlynn
Mcdaniel Ricci D
Petersen Stephanie Hayward
Renders Heather Marie
Robinette Jenna Kathleen
Robinette Ryan
Ruiz Lauren Ashley
Sawyer Traci Lynn
Skiles Cherie Gay
Smartt Hannah Catherine
Soni Crystal Faye
Valentine Alecia Carlene
Williams Karen F
Woosley Dylan Alexandra

The Motion Carried.

REINSTATEMENTS

PHYSICAL THERAPIST and PHYSICAL
THERAPIST ASSISTANTS

Allan Sonia Renee
Graczyk Hillary R.
Bailey Connie D.
Howell Bertha M.
Shelton Lori Renee

The Motion Carried.

Physical Therapist Add On's

Allison James Lee
Bragg Jennifer Ruth
Brown, LeslieEllyn
Collins Preston Todd
Easley Joseph Lee
Everts James Randall
Field Abigail Marie
Field Eliana Marie
Ford Megan Olivia
Howard Horace Gordon
Hughes Emily Christine
Kiser Taylor Marshall
Lowe Christin Joy
Lynch Zachary Carson
Moelenbrock Chelsea Marie
Proctor Emerald Taylor
Savage Alex Michael
Scandlyn Judson Dylan
Stevenson Alex Clower
Stopka Ryan Benjamin
Street Michale Eugene

The Motion Carried.

9. Provisional Licenses

A. Sonal Barad, PT- Ms. Barad's file was presented to the Board for review. She requested a provisional license as a foreign-educated applicant by reciprocity. After discussion, Mr. Finch made a motion, seconded by Mr. Barredo, to grant Ms. Barad a provisional license with 480 hours of supervised practice under the supervision of a Tennessee licensed physical therapist, to be completed within 48 weeks. The motion carried.

B. Allan Escano, PTA- Mr. Escano's file was presented to the Board for review. He requested a provisional license as a foreign-educated applicant by reciprocity. After discussion, Ms. Ballard made a motion, seconded by Mr. Finch, to table a decision on his application until he is able to submit a PTA educational equivalency evaluation result from FCCPT. The motion carried.

C. Shella Jaurigue, PTA- Ms. Jaurigue's file was presented to the Board for review. She requested a provisional license as a foreign-educated applicant by reciprocity. After discussion, Ms. Ballard made a motion, seconded by Mr. Barredo, to table a decision on her application until she is able to submit a PTA educational equivalency evaluation result from FCCPT. The motion carried.

D. Dhanashree Joshi, PT- Ms. Joshi's file was presented to the Board for review. She requested a provisional license as a foreign-educated applicant by reciprocity. After discussion, Ms. Ballard made motion, seconded by Mr. Barredo, to grant Ms. Joshi a provisional license with 480 hours of supervised practice under the supervision of a Tennessee licensed physical therapist, to be completed within 1 year. The motion carried.

10. Administrative Report

Tomica Walker presented the following administrator's report:

- A. In total, there are 5430 active Physical Therapists and 3602 active Physical Therapist Assistants as of 1/31/2017.
- B. Licensure Statistics from 11/11/16 thru 1/31/17:

Physical Therapists

- New Applications Received - 90
- New Licenses Issued— 44
- Reinstated— 3
- Retired – 10
- Expired - 51
- Renewals— 549 (total) as follows:

119-paper
430-online

Physical Therapist Assistants

- New Licenses Received - 27
- New Licenses Issued— 21
- Reinstated— 3
- Retired- 10
- Expired -17
- Renewals— 373 (total) as follows:

87-paper
286 -online

C. Board Composition

All Board positions are filled at this time. Ms. Walker welcomed Dr. Ronald Barredo as a new appointee to the Board. She also congratulated Mr. Harris and Mr. Finch on their re-appointments to the Board.

D. Child Support Orders

There is none to report for this period.

F. TSAC Orders

Currently, One (1) Physical Therapist Assistant has been issued a Tennessee Student Assistance Corporation Default Order. The license suspension has since been lifted after the Health Department received notice of compliance.

11. Agreed Citation

Rachel Amos, PTA- Mr. Sobowale presented an Agreed Citation for Ms. Amos. Ms. Amos was non-compliant with the Board's continuing competence requirements having obtained an insufficient amount of continuing competence credit hours. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to accept the Agreed Citation for Ms. Amos as presented. The motion carried.

12. Unit Director's Report

Mr. Sobowale asked if the Board would like to continue utilizing the dry-needling task force to make recommendations on dry-needling courses submitted to the Board for approval. After discussion, Mr. Barredo made a motion, seconded by Ms. Childress, to table discussion on this issue until the May 19, 2017 meeting. The motion carried.

13. Correspondence

1. The Board received several inquiries to provide clarification on the question of what constitutes online continuing education (CE) and electronic media courses. Mr. Harris reported that a task force was formed by the Board to address this issue. The task force met and determined that there was a lot of misunderstanding on the part of licensees as to what the Board required for continuing education. A licensee needs a minimum of twenty (20) hours of Class 1 type activities in person, and up to ten (10) CE hours may be taken online over a two (2) years period. A licensee also has the ability to partake in Class II activities. Mr. Harris suggested that before a policy is crafted, perhaps, better education needs to be offered to licensees on what the Board requires for compliance with CE.

Mr. Harris further discussed that the only question left for the task force to decide was what constituted an online course. The task force determined that a course can be offered either face to face, or offered in a live session where both the presenter and the participant have the ability to interact. Any livestreamed course is counted as a live course, as long as the licensee has the ability to communicate with the presenter at the same time the course is being held. An electronic media course presented by any live method with the ability to interact with the presenter at the time the course is being presented in real-time is considered a live course.

After extensive discussion, Mr. Finch made a motion, seconded by Ms. Ballard, to table further discussion to allow for Mr. Aumann to draft a policy statement clarifying what the board considers an online course, specifically as it relates to continuing education, to define what is considered a live course and what is considered an online course as it relates specifically to the new online rule restriction. The motion carried.

2. Revised Continuing Education Enforcement Policy- Mr. Aumann presented a revised continuing education enforcement policy which corrects the required number of hours for physical therapist assistants audit compliance requirement from five (5) hours to eight (8) hours. The policy also allows the licensee ninety (90) days to make up any deficit continuing education without any penalties. After discussion, Ms. Ballard made a motion, seconded by Mr. Finch, to approve the revised continuing education enforcement policy as presented. The motion carried.

14. Other Board Business

1. Dry Needling Course Approval- The recommendation from the dry-needling task force on the North American Institute of Orthopedic Manual Therapy (NAIOMT) course was presented to the Board for review. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to grant approval for the NAIOMT dry needling course to be added to the list of approved and pre-approved dry needling course providers. The motion carried.

2. Dry Needling Correspondence- The Board reviewed a letter of correspondence regarding whether a student during clinical rotation can perform dry needling under the direct supervision of a licensed physical therapist. After discussion, Mr. Aumann stated a rulemaking hearing was not necessary but a policy statement would suffice to address the issue. Mr. Aumann then presented a policy statement for consideration and approval by the Board. After review of the proposed draft policy statement, Ms. Ballard made a motion, seconded by Ms. Childress, to add subsection (b) to Rule 1150-01-.22(2) (a) (b) and change the language used therein from, “on-site supervision” to “direct on-site supervision.” It was also a part of the motion to change the title of the policy statement to read as follows: “Physical Therapy Clinical Students Performing Dry Needling.” The motion carried.

3. The Board discussed the question of whether a domestic-trained, physical therapist applicant has the ability to ability to downgrade to the PTA exam on the NPTE as currently allowed under the rules for foreign-trained applicants. Mr. Harris asked whether the Board was being fair to domestic-trained applicants in this process. Ms. Childress made a motion, seconded by Mr. Barredo, to table the discussion until the board advisory attorney has researched what other states are doing in this situation and presented his findings to the Board.

15. 2018 Board Meeting Dates

The 2018 Board meeting dates were presented as follows:

February 9, 2018
May 18, 2018
August 10, 2018
November 16, 2018

After discussion, Ms. Ballard made a motion, seconded by Mr. Finch, to ratify the 2018 board meeting dates as presented. The motion carried.

Adjournment

There being no further business, Dr. Barredo moved to adjourn the meeting and motion was seconded by Ms. Childress. The meeting was adjourned at 1:15 p.m.

David Harris, Board Chair

Date

These minutes were ratified by the board at the May 19, 2017 meeting.

