

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: November 18, 2016

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
Minty Ballard, Consumer

MEMBER ABSENT: None

STAFF PRESENT: Michael Sobowale, Unit Director
Tomica Walker, Board Administrator
Thomas Aumann, Assistant General Counsel
Nichelle Dorroh, Office of Investigations
Noranda French, Finance Officer

Guests: Brigina T. Wilkerson, DPT, Board Consultant
Mike Harkreader, Tennessee Professional Assistance Program
Scott Newton, DPT

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. Approval of Minutes

After review, Ms. Childress made a motion, seconded by Mr. Finch, to approve the minutes of the August 12, 2016 meeting with suggestions for corrections as follows: amend the discussion under policy to reflect that Mr. Harris posed a question regarding the length of past criminal history taken into consideration when approving license applications, correct a name listed under OGC Consent Order to read as Riggs Harwell Horton instead of Reaves Harwell Horton, correct the designation for Erin Nicole Robinson as listed under Consent Orders to read as PTA, not PT, and under TNPAP

report, change the name of TNPAP's representative to read as Mike Harkreader instead of "the" Mike Harkreader. The motion carried.

3. 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 shall be shared with the Board so that a decision may be made regarding the need for recusal.

B. Litigation

OGC currently has thirteen (13) open cases pertaining to the Board of Physical Therapy. OGC will be presenting seven (7) Consent Orders, two (2) Agreed Orders and one (1) petition for an Order of Compliance today.

C. Rules

There are no rules pending.

D. Consent Orders

1. Olga L. Baena, PT, License # 4333 - Mr. Aumann presented a Consent Order on Olga L. Baena, PT, for falsifying documentation related to provision of physical therapy services. After discussion, Mr. Finch made a motion, seconded by Ms. Ballard, to accept the Consent Order as presented. The motion carried.

2. Donna Gail Chisholm, PTA, License # 2622 - Mr. Aumann presented a Consent Order on Donna Gail Chisholm, PTA, for failure to achieve and maintain a sufficient number of continuing competency credits. Ms. Chisholm was found deficient in the amount of 20 hours of the required continuing competency credit hours. After discussion, Ms. Childress made a motion, seconded by Mr. Finch, to accept the Consent Order as presented. The motion carried.

3. Leia A. Hahn, PTA, License # 5259 - Mr. Aumann presented a Consent Order on Leia Hahn, PTA, for practicing on a lapsed license. After discussion, Ms. Ballard made a motion, seconded by Ms. Childress, to accept the Consent Order as presented. The motion carried.

4. Douglas Jay Heming, PT License # 4554 - Mr. Aumann presented a Consent Order on Douglas Jay Heming, PT for practicing on a suspended license. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to accept the Consent Order as presented. The motion carried.

5. Karen Denise Johnson, PTA, License # 2926 - Mr. Aumann presented a Consent Order on Karen Denise Johnson, PTA, for falsifying documentation related to provision of physical therapy

services. After discussion, Ms. Childress made a motion, seconded by Mr. Finch, to accept the Consent Order as presented. The motion carried.

6. Joseph Jay Moore, PTA License # 5211- Mr. Aumann presented a Consent Order on Joseph Jay Moore, PTA. Mr. Moore was convicted in Washington County Criminal Court, Tennessee, of two (2) counts of possession of Schedule I Controlled Substance with Intent for Resale, Class B felonies under Tennessee law, one (1) count of Simple Possession of a Schedule 1 Controlled Substance, a class A misdemeanor under Tennessee law, and one (1) count of Simple Possession of a Schedule VI Controlled Substance, a class A misdemeanor under Tennessee law. After discussion, Ms. Ballard made a motion, seconded by Ms. Childress, to accept the Consent Order as presented with correction to the date of his criminal sentence listed in the Order. The motion carried.

7. Krista Dawn Barber, PTA License # 5908- Mr. Aumann presented a Consent Order on Krista Dawn Barber, PTA for failure to comply with a Board Order. Ms. Krista Dawn Barber was represented by attorney Alex Fisher. After discussion, Mr. Finch made a motion, seconded by Ms. Ballard, to accept the Consent Order as presented. The motion carried.

E. Agreed Orders

1. Andre J. Stone, PTA License # 4633- Mr. Aumann presented an Agreed Order on Andre J. Stone, PTA, for inappropriate conduct – failure to adhere to standards of ethics of the physical therapy profession. Mr. Stone was represented by attorney Sam Helmbrecht. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to accept the Agreed Order as presented. The motion carried.

2. Jennifer Carole Williams, PT License # 7068- Mr. Aumann presented an Agreed Order on Jennifer Carole Williams, PT, for practicing on a suspended license. After discussion, Ms. Childress made a motion, seconded by Ms. Ballard to accept the Agreed Order as presented. The motion carried.

F. Order of Compliance

1. Wendy Hooper-Plunkett, PT License # 3022- Mr. Aumann presented an Order of Compliance on Wendy Hooper-Plunkett, PT. After discussion, Ms. Ballard made a motion, seconded by Mr. Finch, to accept the Order of Compliance as presented. The motion carried.

4. Financial Report

Noranda French was introduced as the new financial officer for the Division of Health Related Boards. Ms. French discussed the board's financial report for the fiscal year which ended on June 30, 2016. The report reflected total expenditures in the amount of \$311,322.12 and revenue in the amount of \$389,494.50 through June 30, 2016, with \$360,818.08 in cumulative balance carryover.

5. Tennessee Professional Assistance Program (TNPAP) Report

Mike Harkreader, TNPAP Executive Director, presented the statistical report for the period July 1, 2016 through September 30, 2016. TNPAP is currently monitoring seven (7) individuals, two (2) physical therapists and five (5) physical therapist assistants. Out of the seven, three were referred from Tennessee Department of Health.

6. Investigation and Disciplinary Reports

Nichelle Dorroh, Disciplinary Coordinator in the Office of Investigations presented the investigative and currently monitored, disciplined practitioners report. There are eleven (11) open complaints on physical therapists and four (4) open complaints on physical therapist assistants as of November 16, 2016. Ms. Dorroh stated that the last review was in the month of August. She noted that all of the practitioners currently being monitored are compliant.

7. Applicant Interview/File Reviews

- A. Mary Barbour, PT Applicant-** Ms. Barbour appeared before the Board due to DUI arrest that was reduced down to a reckless driving conviction. After discussion, Mr. Finch made a motion, seconded by Ms. Ballard, to approve Ms. Barbour for a contingent license upon obtaining a TNPAP evaluation and following all recommendations of TNPAP, including entering into a monitoring agreement, should one be recommended. The motion carried.

- B. Larry Gruver, PT Applicant—**Mr. Gruver's file was presented to the Board due to discipline in the State of Arizona. After discussion, Ms. Ballard made a motion, seconded by Mr. Finch, to request Mr. Gruver provide additional information in writing or appear by phone or in person before the Board and to table until a decision on his application. The motion carried.

- C. Jonna Hansen, PTA Applicant-** Ms. Hansen appeared before the Board due to a misdemeanor child abuse conviction from approximately 20 years ago. Ms. Hansen was present. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to grant Ms. Hansen an unconditional license. The motion carried.

- D. Jonathan Harmon, PTA Applicant –** Mr. Harmon appeared before the Board due to convictions for trespassing and DUI. Mr. Harmon was present. After discussion, Mr. Finch made a motion, seconded by Ms. Childress, to approve Mr. Harmon for a contingent license upon obtaining a TNPAP evaluation and following all recommendations of TNPAP, including entering into a recommended monitoring agreement, should one be recommended. The motion carried.

- E. Tanya Johnson, PT License # 3562 –** Ms. Johnson requested reinstatement of her PT license in Tennessee. Her file was presented to the Board for a determination on approval for a provisional license. Pursuant to rule 1150-01-.10(4), a physical therapist and physical therapist assistant whose license is retired or expired for greater than three (3) years may be granted a provisional licenses for a period as determined by the Board. After discussion, Ms. Childress made a motion, seconded by Ms. Ballard, to grant Ms. Johnson a provisional

license for 480 hours of supervised practice, to be completed within 1 year from the date of issue. The motion carried.

F. Brian Reed, PT Applicant- Mr. Reed appeared before the Board due to a DUI arrest that was reduced down to reckless endangerment with a court diversion. After discussion, Ms. Ballard made a motion, seconded by Ms. Childress, to grant Mr. Reed a contingent license upon obtaining a TNPAP evaluation and following all recommendations of TNPAP, including entering into a recommended monitoring agreement, should one be recommended. The motion carried.

G. Cheryl Stewart, PT License # 7622- Ms. Stewart is requesting reinstatement of her license in Tennessee. She appeared before the Board for a determination on approval for a provisional license. Pursuant to rule 1150-01-10(4), a physical therapist and physical therapist assistant whose license is retired or expired for greater than three (3) years may be granted a provisional licenses for a period as determined by the Board. After discussion, Mr. Finch made a motion, seconded by Ms. Ballard, to grant Ms. Stewart a provisional license for 480 hours of supervised practice, to be completed within 1 year from the date of issue. The motion carried.

8. Ratifications

Ms. Ballard made a motion, seconded by Ms. Childress, to approve the following lists of PT/PTA initial, closed, and reinstatement applications:

PHYSICAL THERAPISTS

NEW LICENSES

Anand Asha	Carlock Rachel Stephens
Anderson Rachel Lauren	Clark Debbie Lynn
Ayoola Serah Iyabode	Cleavenger Anne
Baker Joshua Paul	Collazo Xavier Alexis
Beckner Timothy Bryan	Cook Kylie Michelle
Bennett Jennifer Kay	Cottrell Patricia Ann
Black Jordan Chase	Crawford Julie Beth
Blankenship Morgan Kay	Cronin Katherine Grace
Blount Hilary Elizabeth	Cude Cassandra Leigh
Bollenbacher Steve Jackson	Davis Mary Elizabeth
Bowers Jason S	Deguire Jeffrey Samuel
Brady Rhianon Borghese	Devrieze Ansley Jo
Brennan Teresa Michelle	Dillon Megan Louise
Browne Katherine Anne	Dodd Julia Marie
Buckman Amy Christine	Dunning Kristin Michelle
Carchedi Jenna Marie	Dycus Elizabeth Mcvean

Edwards Ashley Elizabeth
Fallon Ashley Anne
Farrar Lisa Michele
Fenner Erin Whitney
Fleishman Branden Jerold
Gabriel Matthew Lawrence
Garcia Ciara Renee
Gebhardt Steven Michael
Gibson Lauren Rene
Greer Stephen Leonard
Guidry Julie
Hanley Matthew Andrew
Henley Ashley Marie
Hoefflein Christopher Thurman
Holliday Alyson Paige
Hostnik Lisa Marie
Hotle Bethany Lauren
Jang Juhyun
Johnson Joshua Wayne
Johnson Meghan Colby
Johnson Rachel Lauren
Kelly Jenna Caitlyn
Keltner Sierra Rae
Kleiner Allison Marie
Land Lauren Houston
Lewis Summer Ann
Lieblong Carrie Rebekah
Lilley Katherine Quave
Linstedt Matthew Alan
Luke Tyler Michael
Luyten Katrin Maria
Mabe James Cooper
Martick Patricia Cryan
Matijevich Lindsay Anne
Mccaffrey Anna
Mccaffrey Margaret Eleanor
Meacham Derek Wilkes
Meaux Christine Nicole
Merrill Meghen Ann
Mitchell Amanda Marie

Moore Benjamin Kyle
Oliver Regina Lea
Olsen Taura Motley
Onion Jeremy Lynn
Peake Caroline Pfohl
Petrino Kristina Brinton
Pewanick Carolyn Marie
Poore Breanna Elizabeth
Primo Vanessa Marie
Proulx Laurel Elizabeth
Rasmussen Nicole Leigh
Reid Jenifer Lynn
Reynolds Donald Ray
Richardson Kelly Weaver
Riddle Adam Edward
Robinson Joseph Lee
Sarji Jonathan Daniel
Siracusa Nicole Angelina
Snider Daniel Alan
Spruell Katelyn Joy
Sta Rosa Allan Senador
Stephens Mary Blaire
Stewart Adam H
Tate Brittney Alicia
Tran Andrew Vinh
Trott Connor Davis
Vitell Amy Jane
Wardynski Jennifer Maryl
Weant Rebecca Leigh
Weeks Michelle Elizabeth
Wepfer Elizabeth Buxton
White Robert L
Whitlow Danielle Nycole
Wilcox Craig Seely
Williams Meagen Yvette
Wilson Brandon Michael
Wisdom Jeremiah Britton
Withrow Kathryn Renee
Wright Emily Rigney
Wright Ethan Lee

The motion carried.

New Licensed

Physical Therapist Assistants

Adkisson Lauryn Janice
Alkema Sarah Kathleen
Anderson Jeffrey Alan
Arrieche Emory Jarvis
Bacon Ian Douglas
Beebe Nadine Lyle
Billings Raleah Amanda
Bolden Heather Lee
Brantley Chase Aaron
Brown Kelley Anne
Buchmeyer Cynthia Picard
Burkholder Zackery Layne
Cabe Melissa Traci
Chapman Cecilia Nicole
Clifford Caleb Andrew
Compton Michelle Cheyenne
Cook Stephanie P
Cooper Tracey Lashaye
Coppock Kevin B
Culver Iii Charles Wellington
Delong Michelle
Doles Heather Michelle
Dorris Patrick Wayne
Duncan Kamela Renae
Dunning Caleb James
Durham Iii George Edward
Ellis Taylor Mcneely
Golliher Hunter Wade
Gray Brittany Leigh
Gregory Matthew Benjamin
Griechen Jocelyn
Griffis Sara Elizabeth
Groce Laura Marie
Haggard Deborah D.
Hall Amy Helen
Harlan Derek Randall

Henry Caitlin Michelle
Henson Kelly Spence
Holloway Danielle Nicole
Hornby David Lahn
Kapper Bryce Neil
Keyes Erin Marie
Lewis William K
Lone Heather Bothe'
Mehany Sally Magdy
Merrick Magyn R
Moles Casey Ryan
Moschella Mimi Lynn
Mullins Paula Beth
Murgolo Douglas Patrick
Perry-Doucette Susan Beatrice
Reed Abby Rae
Reed Paisley Anrae
Scroggins Paige Nicole
Sheeks Cathy Petrakis
Smith Ronald Joseph
South Hailey Nicole
Standback Tandra Nicole
Tarlton Melissa Simmons
Taylor Kori Brooke
Terry Victoria Leaann
Thompson Tia Danielle
Totherow Tiffany Ware
Upchurch Austin N
Vaden Maren Leigh
Watkins Davey Virginia
Watson Sarah Elizabeth
Webster Lindsey Brooke
Williams Autumn Marie
Winter Glorianne Marie
Woodward Laura Elizabeth Ashley
Zucker Natalia V

The motion carried.

Reinstatements

Physical Therapists

Lee Amber H, PT
Long Virginia Leigh, PT
Quiram Amanda
Rowland, PT
Raione Elsie Gail, PT
Tresch Lara Ruth, PT

The motion carried.

Reinstatements

Physical Therapist Assistants

Cole Alexis Marie, PTA
Field Betty Lou, PTA
Gravatt Mary Stallions,
PTA
Lee Lisa T, PTA
Lester Rebecca Sue, PTA

The motion carried.

Closed Application Files

Physical Therapist

Balaoy Archebal Alfeche, PT
Bhartiya Priyadarshini, PT
Calip Jaymee Hazel, PT
Quianzon, PT
Canova Tara A., PT
Clarkson Lisa Jayne, PT
Himes Robin Joy, PT
Ostrand Elizabeth Torsella, PT
Rhodes John Franklin JR., PT
Rutherford Keri Jo, PT
Shah Nirav Anilkumar, PT
Taylor Randall Scott, PT

The motion carried.

Closed Application Files

Physical Therapist Assistants

Burroughs Alexis Ragine, PTA
Reynolds Mitchell John, PTA
Stanfill Tiffany Nicole, PTA
Thomas Vontina Rose, PTA
Weston Dykeshia Ladahl, PTA
Brown Deidra Camille, PTA

The motion carried.

9. Provisional Licenses

A. Susanna Mekhail, PT- Ms. Mekhail'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 Ms. Ballard, to grant Ms. Mekhail 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.

10. Administrative Report

Ms. Walker presented the following administrative report:

- A. In total, there are 5450 active Physical Therapists and 3613 active Physical Therapist Assistants as of 11/11/2016.
- B. Licensure Statistics from 08/11/16 thru 11/11/16:

Physical Therapists

- New Applications Received - 74
- New Licenses Issued— 114
- Reinstated— 5
- Retired – 13
- Expired - 46
- Renewals— 600 (total) as follows:

154-paper
446-online

Physical Therapist Assistants

- New Licenses Received - 44
- New Licenses Issued— 71
- Reinstated— 5
- Retired- 9
- Expired -26
- Renewals— 432 (total) as follows:

140-paper
292 -online

C. Board Composition

With the resignation of Ms. Beth Buttrey, the Board currently has one vacancy for another physical therapist member at this time.

D. Child Support Orders

There is none to report for this period.

F. TSAC Orders

Currently, there are no newly issued Tennessee Student Assistance Corporation (TSAC) Default Orders to report. One (1) physical therapist assistant had her license suspension order lifted.

11. Unit Director's Report

Mr. Sobowale informed the Board the federation currently has 5 states that have signed and joined the compact state licensure agreement and there are others currently going through the legislative process in anticipation of forming the Compact Commission by January 2018. He also informed the Board that the Federation of State Boards of Physical Therapy (FSBPT) has upgraded its coursework evaluation tool for foreign-educated applicants to Coursework Tool 6 (CWT6). The federal government, through the United States Citizen and Immigration Service (USCIS) has informed FSBPT's Foreign Credentialing Commission on Physical Therapy (FCCPT), that they would no longer be able to grant Type 1 visa certificates in the future based on their current coursework evaluation requirements. Should FCCPT's appeal not be upheld, the Board may need to amend its current rules on foreign-educated graduates.

Mr. Harris asked for the Board to look into investing money for contracting continuing education audits to an outside entity like FSBPT's aPTitude, instead of utilizing administrative staff to process CE audits in order to achieve a higher percentage of licensees being audited and provide for an improved auditing mechanism. He stated the State of Georgia converted to aPTitude and was able to achieve a 100% audit among their licensees.

12. Other Board Business

- A. Dry Needling Course Approval - Dr. Randy Walker with the University of Tennessee at Chattanooga submitted a dry needling course titled Advance Manual Therapy being taught by Mr. Chris Myers and himself. After discussion and review of recommendations from task force members Ms. Dina Kramer and Mr. Jim Hambrick, Mr. Finch made a motion, seconded by Ms. Childress, to approve the Advance Manual Therapy Course as presented. The motion carried.

The Board also requested Mr. Aumann to inquire whether a rule-making hearing will be necessary or if the Board can adopt a policy statement on the issue of considering dry-needling courses approved for 1 or 2 years or whether they need to be reviewed periodically. The Board also asked that the issue of whether continuing education courses needs to be added to the rules for dry-needling and whether the TPTA and educational institutions needs to be added to the list of reviewers for dry-needling courses be added to the agenda for the next board meeting.

1. Dry Needling Correspondence - the Board reviewed a letter of correspondence on whether a student of physical therapy can perform dry needling under the direct supervision of a licensed physical therapist during clinical rotations. Mr. Finch made a motion, seconded by Ms. Childress, for Mr. Aumann to inquire whether it would be best for the Board to adopt a policy statement on this issue or for the Board to discuss a rule change, if necessary. The Board decided to table the discussion until the next scheduled meeting after Mr. Aumann has had time to do research on this matter. The motion carried.
- B. Correspondence on online course limitations and increased hours for physical therapist assistants - Mr. Sobowale presented his research on this issue to the Board. He reported that the Arkansas Board of Physical Therapy currently requires 20 contact hours or 2 continuing education units for physical therapists and 10 contact hours for physical therapist assistants every 2 years with no more than 50 percent of hours obtained online or through home study. The North Carolina Board of Physical Therapy requires 30 points every 25 months per renewal cycle for physical therapists with only 10 points obtained online and 20 points every 25 months per renewal cycle for physical therapist assistants with only 10 points obtained online. The Virginia Board of Physical Therapy requires 30 contact hours every 2 years for both physical therapist and physical therapist assistants with no references to online courses, of which only 10 hours can be type 2 self-directed courses.

Mr. Sobowale also reported on the boards he currently oversees. The Board of Respiratory Care requires 12 continuing education hours every calendar year and 5 of those hours must be obtained live. The Board of Nursing Home Administrators requires 18 continuing education hours and only 12 can be from online multimedia, with 6 required to be obtained live. The Board of Occupational Therapy requires 24 continuing competency credits every 2 calendar years and only 12 can be online. Also, the Board of Chiropractic Examiners requires 24 continuing education clock hours per calendar year and only 6 can be obtained online.

After discussion, Ms. Childress made a motion, seconded by Mr. Finch, for the Board to develop a task force to clarify the meaning of online education and provide input for a policy statement to be forwarded to Mr. Aumann and for a draft policy to be presented at the next scheduled meeting. The Board suggested the task force consist of a representative from TPTA, a board member, a licensed faculty representative, preferably Dr. Randy Walker of University of Tennessee at Chattanooga, and at least 1, but up to 3 licensed physical therapist(s) and physical therapist assistant(s). The motion carried.

- C. FSBPT Appeal- Mr. Sobowale presented the paperwork for Mr. Jimmy Townsend, physical therapist assistant applicant, who requested an appeal to sit for the NPTE examination one last time. After discussion, Ms. Childress made a motion, seconded by Mr. Finch, for the Board to approve the request and forward his appeal to FSBPT. The motion carried. Mr. Aumann asked that the relevant statutory provision citing the reason for the Board granting Mr. Townsend's appeal request be included on the paperwork.
- D. Discussion on the appropriateness of allowing failing, lifetime-limited, foreign-trained physical therapists (PTs) to sit for the physical therapist assistant (PTA) exam on NPTE – Mr. Harris discussed whether it was acceptable for a domestic-trained physical therapist to sit for the physical therapist assistant exam as currently allowed for foreign-trained PT applicants. After much discussion, Ms. Childress made a motion, seconded by Mr. Finch, to table further discussion on this issue until the next scheduled meeting. The motion carried.

Adjournment

There being no further business, the meeting was adjourned at 1:15 p.m.

David Harris, Board Chair

Date

These minutes were ratified by the board at the February 9, 2017 meeting.