

BOARD OF PHYSICAL THERAPY

DATE: August 9, 2019

TIME: 9:00 a.m. Central Time

LOCATION: Poplar Room
665 Mainstream Drive
Ground Floor, Iris Conference Room
Nashville, TN 37243

MEMBERS PRESENT: David C. Harris, PTA, Board Chair
David C. Finch, PT, Vice Chair
LeAnn Childress, PT
Kelly O'Connor, Citizen Member
Ronald Barredo, DPT

STAFF PRESENT: Michael Sobowale, Unit Director
Mary V. Webb, Board Manager
Lacey Wilkerson, Board Administrator
John Tidwell, HRB Director
Lara Gill, Assistant General Counsel

GUESTS: Lori Leonard, Disciplinary Coordinator
Patrick Powell, Representative
Brigina Wilkerson, Board Consultant

1. Call to Order

Lacey Wilkerson conducted a roll call. With a quorum being present, Mr. Harris called the meeting to order at 9:01 AM.

2. Minutes

A motion was made by Kelly O'Connor, seconded by LeAnn Childress, to approve the minutes from the May 10, 2019, board meeting. The motion carried.

3. Contested Case(s)

A. Reginal Minnis, PTA ; Docket. No. 17.22-155167A

All board members voted in favor of finding Reginal Minnis in default of the proceedings (not present).

Lara Gill called to witness investigator Brandy Blair, public health nurse consultant.

After testimony and board review, Lara Gill requested the board enter an order finding that discipline is warranted against the respondent in the form of probation for two years, eight hours of additional coursework in ethics and jurisprudence, penalties for each violation of \$150 (type B penalties) for a total of \$1200 in penalties as well as costs not to exceed \$20,000.

David Finch made a motion to accept the findings of fact as presented, seconded by Kelly O'Connor. The motion carried.

Kelly O'Connor made a motion to approve the conclusions of law as stated, seconded by LeAnn Childress. The motion carried. LeAnn Childress made a motion to approve the reasons for the decision, seconded by Kelly O'Connor. The motion carried. David Finch made a motion to approve the order with an amendment to number nineteen to state one thousand two hundred dollars (\$1200.00), seconded by Ronald Barredo. The motion carried.

B. Erin N. Robinson, PTA; Dkt. No. Dkt No. 17.22-153201A

Erin Robinson informed the Board that she would represent herself in the case. After testimony from Disciplinary Coordinator Lori Leonard and Board review, Ron Barredo made a motion to accept the findings of fact as presented, seconded by Kelly O'Connor. The motion carried. Kelly O'Connor made a motion to approve the conclusions of law as written, seconded by LeAnn Childress. The motion carried. David Finch made a motion to accept the reasons for decision as written, seconded by Kelly O'Connor. The motion carried. Ron Barredo made a motion to accept the order with the applicant being suspended until they comply with all terms of the August 12, 2016 consent order.

Kelly O'Connor made a motion to hear further argument from Lara Gill, seconded by David Finch. The motion carried.

David Finch seconded Ron Barredo's motion to accept the order with the applicant being suspended until they comply with all terms of the August 12, 2016 consent order. The motion carried. Ron Barredo made a motion to accept items nine and ten of the order as written, seconded by David Finch. The motion carried.

4. Administrator's Report

Board Administrator Lacey Wilkerson reported licensing activities from May 8, 2019, through August 6, 2019.

PT Active Licensees – 5859

PTA Active Licensees – 3899

PT Compact - 38

PTA Compact - 24

PT

New applications received – 192
New licenses issued – 135
Reinstated – 4
Number of renewals – 658
Number of renewals on line – 501
Number of Provisional License- 1
Number of licensees who retired - 16
Licensees Expired - 51
Closed Files - 5
New PT Compact- 18

PTA

New applications received - 259
New licenses issued – 124
Reinstated - 1
Number of renewals - 412
Number of renewals on line – 324
Number of Provisional License- 2
Number of licensees who retired – 9
Licensees Expired – 31
Closed Files - 1
New PTA Compact- 3

For PTs, the number of renewals online during this period constituted a usage rate of 76%. For PTAs the number of online renewals constituted a usage rate of 79%.

Dates of future board meetings were reported as November 1, 2019, February 7, 2020, May 8, 2020, August 7, 2020, and November 19, 2020.

5. Board Consultant, Regina Wilkerson – Ms. Wilkerson advised the board that if individuals have submitted a PTA foreign trained application and then submit the PT application to ensure that the PTA application is complete and that all hours for the provisional license has been satisfied, before approving the PT application.

6. Office of General Counsel Report

Lara Gill, Assistant General Counsel, presented the Office of General Counsel report. Ms. Gill reported that there are currently no pending appeals and no civil suits. There were two contested cases brought before the board. As of July 29, 2019, Office of General Counsel had twelve (12) open cases. Seven (7) cases against PTs, and five (5) cases against PTAs.

FSBPT Board of Directors has announced a discontinuation of aptitude proserst and option.

PT Compact meeting before TN state legislature regarding sunset provision August 20, 2019.

The board of physical therapy has been renewed until June 30, 2025. The board was approved for another seven (7) years.

Consent Orders

A. Bonnie Carr - fined \$2250 for practicing on a lapsed license for approximately nine (9) months. Ron Barredo made a motion to accept the consent order as written, seconded by LeAnn Childress. The motion carried.

Orders of Compliance

A. Bobbie Bowling

Lara Gill stated that the licensee presented documentation showing that they met all requirements to lift probation from their license. David Finch made a motion to accept the order of compliance as presented, seconded by LeAnn Childress. The motion carried.

B. Shantel Hackett

Lara Gill stated that the licensee had met all requirements imposed from their previous consent order. LeAnn Childress made a motion to accept the order of compliance, seconded by David Finch. The motion carried.

7. Office of Investigations

Lori Leonard, disciplinary coordinator for all non-nursing boards, presented the investigative and disciplinary report as follows: Ms. Leonard is currently monitoring two (2) licenses under reprimand or board order, eight (8) licensees on probation, three (3) under suspension, one (1) under revocation, and one (1) surrendered. Currently monitored Physical Therapist Assistants, one (1) under board order or reprimand, nine (9) under probation, five (5) under suspension, and three (3) revocations. So far in 2019, Investigations has received and opened twelve (12) complaints, two (2) were for falsification of records, one (1) for malpractice negligence, two (2) for unlicensed practice, three (3) for unprofessional conduct, one (1) for a violation of order, one (1) for practicing with a lapsed license, one (1) for practice beyond the scope, one (1) for outside the investigative scope. Investigations has closed a total of eighteen (18) complaints. Five (5) were closed with insufficient evidence to discipline. Six (6) were closed and sent to the Office of General Counsel for formal discipline. Two (2) were closed with no action. Two (2) were closed with a letter of concern. Three (3) were closed with a letter of warning. Currently there are eleven (11) open cases under investigations.

For Physical Therapist Assistants so far in 2019, investigations has received five (5) new complaints, one (1) for an allegation of falsification of records, one (1) for fraud or false billing, one (1) for malpractice negligence, one (1) for unprofessional conduct, and one (1) for violation of order. Investigations has closed a total of three (3) complaints. Two (2) complaints have been closed and sent to OGC for formal discipline and one (1) was sent a letter of warning. Currently they have eight (8) complaints open under investigation or review.

8. Reports and/or request from the Division of Health Licensure and Regulations

No report available at this time.

9. Applicant Interviews/File Reviews

A. Provisional License Foreign Trained Applicants

1. Mariana Tondo - Foreign trained PT requesting provisional license

Applicant was present. After file review and discussion, Ron Barredo made a motion to approve a provisional license with 480 supervised hours under a Tennessee licensed PT to be completed in 48 weeks, seconded by Kelly O'Connor. The motion carried.

2. Alan Escano - Foreign trained PTA requesting provisional license by reciprocity

Applicant was present. After file review and discussion, Ron Barredo made a motion to approve a provisional license with 480 supervised hours under a Tennessee licensed PT to be completed in 48 weeks, seconded by David Finch. The motion carried.

Ron Barredo later made a motion to amend the previous motion on this licensee to allow the supervisor to be a TN licensed PT or PTA, seconded by LeAnn Childress. The motion carried.

3. Anna Diaz Lara - Foreign trained PT requesting provisional license

Applicant was not present. After file review and discussion, David Finch made a motion to approve a provisional license with 480 supervised hours under a Tennessee licensed PT to be completed in 48 weeks, seconded by LeAnn Childress. The motion carried.

B. Applicant Interviews

1. Perry Smith - License had been voluntarily surrendered

Applicant was present. After file review and discussion, applicant decided to withdraw.

10. Legislative Update

Legislative Liaison for the Dept. of Health, Patrick Powell, gave a report of legislative updates.

Public chapter fourteen (14) extends the physical therapy board to June 30, 2025 (Six years).

Public chapter sixty-one (61) states that an entity responsible for an AED program is immune from civil liability for personal injury caused by maintenance or use of an AED. if such conduct does not rise to the level of willful or wanton misconduct or gross negligence.

Public chapter one hundred and forty-four (144) is regarding the prevention of youth access to tobacco and vapor products act by limiting the places you can use vapor products.

Public chapter one hundred and ninety-five (195) allows for the spouse of active military members to have eligibility to the expedited licensure process without current employment.

Public chapter two hundred and twenty-nine (229) allows for bartering for exchange of services for all health care professionals (excluding pain management clinics).

Public chapter two hundred and forty-three (243) mandates that an agency that requires a person applying for a license to take a test have accommodations in accordance with the Americans with Disabilities Act.

Public chapter four hundred and forty-seven (447) permits law enforcement agencies to subpoena materials and documents pertaining to an investigation conducted by the Department of Health prior to formal disciplinary charges being filed against the provider.

C. Returning to Applicant Interviews

2. John Davis - Past criminal conviction(s)

Applicant was present. Ron Barredo recused himself due to conflict of interest. After file review and discussion, David Finch made a motion to approve the applicant for licensure, seconded by Kelly O'Connor. The motion carried.

3. Madison Bulla - Past criminal conviction(s)

Applicant was present. After file review and discussion, Ron Barredo made a motion to grant the applicant a license contingent on a TNPAP evaluation and their recommendation, seconded by Kelly O'Connor. The motion carried.

4. Leilani Cantrell - Past criminal conviction(s)

Applicant was present. After file review and discussion, LeAnn Childress made a motion to approve the applicant for licensure, seconded by Kelly O'Connor. The motion carried.

5. Phillip Everett - Past criminal conviction(s)

Applicant was present. After file review and discussion, Kelly O'Connor made a motion to approve the applicant contingent upon an evaluation from TNPAP and their recommendation, seconded by David Finch. The motion carried.

6. Jared Prall - Past criminal conviction(s)

Applicant was present. Ron Barredo recused himself due to conflict of interest. After file review and discussion, LeAnn Childress made a motion to approve the applicant for licensure, seconded by David Finch. The motion carried.

7. Mitchell Pratt - Past criminal conviction(s)

Applicant was present. Ron Barredo recused himself due to conflict of interest. After file review and discussion, Kelly O'Connor made a motion to approve the applicant contingent upon an evaluation from TNPAP and their recommendation, seconded by David Finch. The motion carried.

8. Kendrick Gailes - Past criminal conviction(s)

Applicant was present by phone. After file review and discussion, the applicant decided to withdraw his application.

9. Joshua Hartless - Past criminal conviction(s)

Applicant was present by phone. After file review and discussion, Kelly O'Connor made a motion to approve the applicant contingent upon an evaluation from TNPAP and their recommendation, seconded by LeAnn Childress. The motion carried.

11. Ratification of Initial Determinations

A motion was made by LeAnn Childress, to approve the newly licensed PTs and PTAs for new, reinstated, closed files, and compact PTs and PTAs for the time period of May 8, 2019 through August 6, 2019, seconded by David Finch. The motion carried.

Ratification of Initial Determinations		
<u>Compact Physical Therapist</u>		
Altena Lisa Anne	Lyons Kristyn	
Amos-Jones Melissa Lea	Minton Lisa	
Bourque Sarah Natherese	Ortega Catherine	
Gieselman Jennifer	Paxton Brian S	
Goumas Jason Arthur	Stephens Kaylee Lynn	
Grimsley Alexander Kellen	Stevens Tiffany Nicole	
Hagerty David James	Terrell Emily Michele	
Hagerty Mary Katherine	Walker-Wilson Paula Jean	
Jesse Kara Heath	Wright Katherine	

<u>Compact Physical Therapist Assistants</u>		
Bryant Brelon		
Pham Ashley Le		
Soma Dipesh		

Cordova Kaitlin	Johnson Amanda Rochelle	Sessions Kinsey Caroline
Core William Jesse IV	Jones Allison	Shaddix Misha
Costa Meghan	Joyce Corinne	Shamblin Ryan
Cox Lindsay	Joyce John	Shelton Stacey Renea
Cross Raymond Michael	Kelley Elizabeth Marie	Sivley Kelsey
Cummings Justin	Kelley Megan Elizabeth	Smith Autumn Mrs.
Cunningham Kelsey	Kennedy Alexandra	Smith Brenton Randall
Curtis Jessica Ann	Knoer Lindsey	Smith Kirby Elizabeth
Daugherty Austin	Lively Megan	Smith Mitchell James
Cordova Kaitlin	Johnson Amanda Rochelle	Sessions Kinsey Caroline
Core William Jesse IV	Jones Allison	Shaddix Misha
Costa Meghan	Joyce Corinne	Shamblin Ryan
Cox Lindsay	Joyce John	Shelton Stacey Renea
Cross Raymond Michael	Kelley Elizabeth Marie	Sivley Kelsey
Cummings Justin	Kelley Megan Elizabeth	Smith Autumn Mrs.
Cunningham Kelsey	Kennedy Alexandra	Smith Brenton Randall
Curtis Jessica Ann	Knoer Lindsey	Smith Kirby Elizabeth
Daugherty Austin	Lively Megan	Smith Mitchell James
<u>Physical Therapists</u>		
Alexander Cale	Gallagher Erin	Miccile Lauren Ashley
Alford Tyler Duane	Garrels Teresa Lizbeth	Million Evan
Arnold Jennifer	Gedeon Janet M.	Monger Duncan Lloyd
Askew Brannon Lewis	Granger Kristi Michelle	Morton Abby
Aycock Ashley	Graves John Payton Jr	Mosher Cindy Logsdon
Bambrough Jennifer Lynn	Greene Whitney	Murray Meagan Love
Barrett Courtney Evans	Grove Lindsey	Nelson Holly Brooke
Blackwelder Casey	Grzybowski Michelle Elise	Nyland Lauren
Bogart Laura	Gursakal O. Gurel	O'Malley Meghan Marie
Bohr Sarah Beth	Haeflinger Kelly	Oberle Nicholas Keller
Boyd Annie Kellner	Harmon Rachel	Parrish Shelby Hayes
Boyd Travis	Harris Lakena Washay	Perkins Heaven
Bridgewater Lauren	Heismann Robert Cody	Piersanti Alexandra Marie
Brinkmeier Liana	Honea Jacob	Polk Chelsea Herion
Callins Anna	Hopkins Scott Donald	Rada Stephanie Kraft
Carter Cristin Michelle	Howell Cortney	Raines Wilson Mr.
Choffin Breanna	Hurdle Anna Elizabeth	Reichard Glory Dawn
Clarke Lisa	Hutchins James Andrew	Risner Kelsey
Clemens Zachary Lee	Ishii Rina	Roach Courtney
Clouse Jackson	Jenkins Austin	Roherty Linda Sue

Cordova Kaitlin	Johnson Amanda Rochelle	Sessions Kinsey Caroline
Core William Jesse IV	Jones Allison	Shaddix Misha
Costa Meghan	Joyce Corinne	Shamblin Ryan
Cox Lindsay	Joyce John	Shelton Stacey Renea
Cross Raymond Michael	Kelley Elizabeth Marie	Sivley Kelsey
Cummings Justin	Kelley Megan Elizabeth	Smith Autumn Mrs.
Cunningham Kelsey	Kennedy Alexandra	Smith Brenton Randall
Curtis Jessica Ann	Knoer Lindsey	Smith Kirby Elizabeth
Daugherty Austin	Lively Megan	Smith Mitchell James
Daunis Abigail Gorman	Lockert Jake Alexander	Snader Lourdes Ortiz
Dehope Joseph Frederick	Long Ashley Nicole	Soltis Tyler John
Delgenio Jaime	Maddox Jennifer Mackenzie	Spellings David Tarak
Dugan Leigh Cattaneo	Malloy Brooke Ashley	Stamps Jeremy Stamps
Ebner Emily	Mancino Samantha	Stojakovich Jeremy
Eller Matthew Roy	Manown Gerald Keith	Thompson Breanna
Eppolito Brian Adam	Mater Karlee	Todd Tyler Jacob
Escobar Fabiola	Matheson Jennifer	Trew Tyler Eric
Falkowitz Katherine	Mathews Lauren	Trice Drake
Feamster Shannon	Mattis Autumn	Tutor James David
Federico Ashley Vitrano	May Michael Wesley	Vosotas Jennifer Lynn
Federico Bryan	Mccalops Kelsey Marie	Wright Julia M
Felkley Allison Kristine	Mcclure James Burton	Wynk Jamie Lynn
Flammang Sarah Flammang	Mccord Shannon Kate	Zigelsky Morgan
Foster Kelsey Dishroon	Mcdurmon Matthew Chase	
French Heidi	Messer Nickolas Ketron	

<u>Physical Therapist Assistant</u>		
Akers Cody	Graham Amanda Nicole	Overbey Kayleigh Joann
Bailey Abby Elise	Griffin Benjamin	Perry Felicia
Basham Breanna Foster	Groft Theresa	Pinder Dylan
Batson Wade Scott	Gross Nathan	Pittenger Jaime
Beagle Ali Mrs	Grosso Sheila	Prok Deana
Bennett Steven Gregory	Hairfield Jessica Lynne	Purdin Natasha
Berry Savannah	Halvaei Mohammad Reza	Reed Tyler
Biggs Kellie	Harris Hannah	Renner Jordan Ray
Brown Cody	Henson Zachary Tyler	Robertson Melissa Kathryn

Burdine Katelyn	Iverson Stuart	Schiebler John
Camper Whitlee	Jett Shade	Seeber Sarah
Cantrell Mattie	Johnson Andrew	Self Jacob
Carey Rebecca	Kaminski Danielle	Shaw Brandon H.
Carney Le Vesta Shawn	Kaufman Seth	Sheppard Katie Nicole
Cerrati Meaghan	Kempf Sebrina Renee	Sims Andrew David
Conger Lauren	Ketner Dylan	Smith Anne Marie
Cooper Kristin	Kimmel Joshua	Smith Madelyn F
Copeland Cassidy	Kirks Jason Tyler	Smith Michael Randy
Court Emily	Koithan Kaitlyn Ann	Smith Natalee Rebekah PTA
Crowe Travis	Leach Hannah	Sobasky Heather Michelle
Davis Alyssa Marie	Maness Danny Colleen	Steinberg Alexandra
Davis Timothy	Masters William Clayton	Storie Kaitlyn
Day Jessica	Maxwell Macy	Stumpf Brenn Hope Gilley
Deleo Francis	Maxwell Morgan	Sturgill Brittany Danielle
Dellinger Taylor	Mccolloch Micah D	Sveback Laurana K.
Dockery Gregory L	Mcdade Taylor	Taylor Lindsey
Elsea Rebekah Ruth	Mcgregw Linda Jean	Tenney Amy
Exum Shannon Alene	Mckeehan Kayla Jordan	Vandrew Monica
Fischer Michael	Mckie Christopher Michael	Varney Derrick
Fletcher Levi Pope	Mclenithan Katherine J	Venton Laurence
Fowler Andrew Jacob	Mcnichols Sara Beth	West Chloe
Fox Lynda Marie	Medford Maris	White Nicole Renea
Franco Ashton	Menza Delia Veloro	Wich Jennifer
Fuchs Shelly	Millen Katharine	Wilhoit Samuel Adam
Gaddie Alexander Lee	Miller John A.	Williams Brooke
Galbreth Rebecca	Miller Rylie Alexis	Williams Jessica
Garcia Rory Ellis	Morris Anna Marie	Williams Kennedy
Gardner Noah	Musser Ashley Nicole	Woodard Brinlea
Gibbs Seth	Myers Melody	Wright Austin Tyler
Gibson Ryan	Nelson Edward James IV	Zelepugas Kelly
Glasscock Sarah Caitlin	Niswonger Lydia	
Glover Alexander Christian	Nordhoff Jennifer Lauren	

<u>Reinstatements</u>		
PT	Wellborn Kimberly L	
PT	Wisse Danielle Christine	
PT	Miner Julie Kay	
PT	Kroll Julie Renee	
PT	Ligon Patricia Rotella	
PTA	Loftis Patty Michelle	
<u>Closed Files</u>		
PT	Bhartiya Priyadarshini	
PT	Fontenault Kari Michelle	
PT	Hudson Jerry Ross	
PT	Roberts Justin Taylor	
PT	Ryals Andrew Keith	
PT	Sharma Nidhita	
PTA	Mayes Sarah Elizabeth	

12. Action Regarding Correspondence

A. Sarah MacLeod - Licensee requesting an extension for completing continuing education due to unforeseen circumstances. David Finch made a motion to deny the applicant's request, seconded by Kelly O'Connor.

B. Heather Brown - Licensee requesting an extension for completing continuing education. David Finch made a motion to approve an extension until May 2020, seconded by Kelly O'Connor. The motion carried.

13. Rulemaking, Amendments, and Policies

Board members discussed scheduling an extra meeting by phone. Kelly O'Connor made a motion to call an emergency meeting within the next thirty (30) days to review rule changes due to a key board member's absence, seconded by David Finch. The motion carried.

14. New/Old Business

A. Following board discussion, Kelly O'Connor made a motion to approve Noranda French to attend FARB and CLEAR conferences, seconded by David Finch. The motion carried. After further discussion, Kelly O'Connor made an amendment to include both FARB conferences (2019 and 2020 dates), seconded by David Finch. The motion carried.

15. Adjournment

There being no further business, a motion was made by Kelly O'Connor, seconded by David Finch, to adjourn the meeting at 5:34 pm. The motion carried.

David Harris, PT, Chair

Date

These minutes were ratified by the Board at the November 1, 2019 meeting