



Ohio Occupational Therapy, Physical Therapy,  
and Athletic Trainers Board

*Physical Therapy Section  
March 25, 2008  
10:00 a.m.*

**Members Present**

Donna Baker  
Raymond Bilecky  
Thomas Caldwell  
Robert Frampton  
Marilyn Mount  
Averell Overby (left @ 1:30 pm)  
Kimberly Payne

**Non Voting Member**

Gary Weiss

**Legal Counsel**

Yvonne Tertel, Assistant Attorney General

**Staff Present**

Andrew Snouffer, Investigator  
Diane Moore, Executive Assistant  
Jeffrey Rosa, Executive Director  
Karen Marshall, Investigator

**Guests**

William L. Hills, JCARR  
Elegra R. Davis, Court Reporter  
Carole Weiss  
Brooke Vaughn  
Michael Merriman  
Michael Short  
Mary DeCapite  
Amanda Spindler  
Nancy Garland  
Lynn Colby  
Susan Cotterman  
Molly Weigand  
Stephanie Risteff  
Grant Hoyt  
Beth Salisbury

**Call to Order**

The meeting was called to order by Section Chairperson, Robert Frampton, at 10:10 a.m.

**Approval of Minutes**

**Action:** Donna Baker moved that the January 10, 2008 meeting minutes be approved as submitted. Averell Overby seconded the motion. The motion carried.

**Executive Director's Report**

- The Executive Director reported that the physical therapy renewal was finished and 95% of licensees renewing renewed on-line. The continuing education audit notices for that renewal were mailed in February.
- The Executive Director reported that the athletic trainers renewal notices were mailed in mid-February. As of the meeting date, only fifteen percent of the licensees responded to the renewal.
- The Executive Director informed the Section that the Board will pilot the online initial application with the athletic trainers examination application. The goal is to have online applications available for all professions by the end of the year.
- The Executive Director reported that the administration's new policy regarding office hours will minimally impact the Board office.
- The Executive Director introduced the new investigator, Karen Marshall.
- The Executive Director reported that due to the implementation of hiring controls, filling the vacancy for the licensing clerk will be delayed.
- The Executive Director informed the Section that the office move is slowing moving along. Modular furniture has been selected and the Board is still waiting to get feedback on the construction schedule.
- The Executive Director reported that the criminal records checks law went into effect on March 24, 2008. He further reported that the Attorney General's Office communicated with the boards and commissions regarding policies for implementing the criminal records check. The Section will need to adopt a policy establishing the length of time that the Section will consider BCI and FBI criminal records checks to be valid. Instructions for

complying with the criminal records check requirement will be part of each initial application for licensure and will be posted on the Board's website.

- The Executive Director reported that the OBM Travel Policy was revised as of February 1, 2008. There is an increase in mileage reimbursement and the rule establishes a new statewide per diem for meal reimbursement for when overnight lodging is required.
- The Executive Director reported that the Governor appointed a new board member, Mary Kay Eastman. Ms. Eastman's background is in pediatric education. The Governor's office is working on filling the last vacancy on for the Physical Therapy Section.

### **Open Forum**

- Robert Frampton welcomed the physical therapy students from Ohio University who were in the audience.
- The Executive Director informed the Section that effective April 1, 2008, the Federation of State Boards of Physical Therapy changed the credit requirements for the coursework evaluation tool. The rationale for the changes is available on the Federation's website: [www.fsbpt.org](http://www.fsbpt.org). The Executive Director confirmed that the Section was in agreement of the new changes to the coursework evaluation tool. The Executive Director clarified with the Section that applicants who begin the credential evaluation process on or after April 1, 2008 will be required to use the new credential evaluation tool.
- Thomas Caldwell asked the Executive to post some of the correspondence responses on the website.
- The Section instructed the Executive Director to post a newsletter on the Board's website, which would include frequently asked questions.
- Stephanie Risteff addressed the Section with her concerns regarding the proposed rules for delegation. Ms. Risteff stated that proposed rules will limit the unlicensed personnel working in a physical therapy setting. The Section is sensitive of the potential issues regarding unlicensed personnel and reimbursement. However, the Section's role is to look out for consumer protection.

### **Discussion of Rule Changes**

#### **Public Rules Hearing**

The Section held a public rules hearing from 1:30pm to 1:37pm to receive input on the proposed changes to rules 4755-23-14, 4755-27-01, 4755-27-02, 4755-27-03, and 4755-27-04.

### **Administrative Reports**

#### **Education Oversight Report**

The Education Oversight Liaison reviewed the applications of the following individuals:

Fistler, Diane	Hollander, Jennifer	Leonardi, Sara
Nagligh, Dawn	Nida, Michelle	Parrish, James
Sherman, Candis	Tarrant, Carrie	Travis, Elisa
Wilson, Ashleigh	Zwegat, Craig	

Averell Overby informed the Section that Tiffany Lenk complied with all terms and conditions and was released from her conditional grant of licensure agreement

Averell Overby informed the Section that Craig Zwegat was approved to sit for the National Physical Therapy Examination for physical therapist assistant with a limited license agreement.

Averell Overby informed the Section that Sara Leonardi completed her remedial educational activities and was approved to sit for the National Physical Therapy Examination for physical therapist.

Averell Overby informed the Section that two files were closed to due no activity for over one year.

### **Physical Therapist Examination Applications**

**Action:** Donna Baker 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 from January 10, 2008 through March 25, 2008, taking into account those individuals subject to discipline, surrender, or non-renewal. Ms. Baker further moved that the following persons be

licensed as physical therapists pending passage of the national physical therapy examination and Ohio laws and rules examination. Averell Overby seconded the motion. Donna Baker abstained from voting. The motion carried.

Physical Therapist - Examination

Bennethum, Alison	Buck, Alicia	Dobre, Mihail
Failor, Allison	Fehrman, Robert	Jackson, Nichole
Kerby, Shawn	King, Myia	McCoy, Amy
Nieberding, Connie	Nieberding, Connie	Okamoto, Koji
Petkovic, Dario	Riblet, Rebecca	Riblet, Rebecca
Roman, Dorina	Rutter, Jena	Sabatka, Christi
Sanvictores, A	Simmons, Bernard	Socias, Karen Kay
Stanford, Sandra	Sulka, Daniel	Teepen, Jennah
Varghese Kizhakkemuri, Jerry	Williams, Heather	Yahner, Joseph
Young, Jo	Young, Kati	

Physical Therapist Assistants Examination Applications

**Action:** Donna Baker 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 assistants from January 10, 2008 through March 25, 2008, taking into account those individuals subject to discipline, surrender, or non-renewal. Ms. Baker further moved that the following persons be licensed as physical therapist assistant pending passage of the national physical therapy examination and Ohio laws and rules examination. Averell Overby seconded the motion. Donna Baker abstained from voting. The motion carried.

Physical Therapist Assistant - Examination

Ames, Cortney	Ashcroft, Sandy	Baldwin, Stephanie
Beal, Vicki	Bever, Jean	Brest, Ashley
Cadamia, Christopher	Carman, Ryan	Carter, Andrea
Firmi, Shauna	Gurkin, Mike	Lemke, Ashley
Meihls, Karrie	Miller, Elizabeth	Niederst, Nicole
Obeshaw, Jennifer	Parent, Janet	Ramey, Betty
Rhoads, Patricia	Saefkow, Jill	Stewart, Bryan
Tomasek, Tammie	Upshaw, Petra	Vlasov, Ashley
West, Deborah	Wrieth, Kira	

Physical Therapist Endorsement Applications

**Action:** Raymond Bilecky moved that the Physical Therapy Section ratify, as submitted, the physical therapists licenses issued by endorsement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from January 10, 2008 through March 25, 2008, taking into account those licenses subject to discipline, surrender, or non-renewal. Marilyn Mount seconded the motion. Raymond Bilecky and Kimberly Payne abstained from voting. The motion carried.

Physical Therapist – Endorsement

Basile, Kelly	Black, Stephen	Brown, Jennifer
Campbell, Tamara	Crossland, Jennifer	Decamara, Annette
Dillman, Elizabeth	Ferns, Ryan	Headrick, Christopher
Losurdo, Michelle	Resing, Julie	Russ, David
Rutledge, Katherine	Sheth, Parul	Slie, Jason
Sullivan, Sari	Tomsho, Richard	Watters, Jennifer

### **Physical Therapist Assistant Endorsement Applications**

**Action:** Raymond Bilecky moved that the Physical Therapy Section ratify, as submitted, the physical therapist assistant licenses issued by endorsement by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from January 10, 2008 through March 25, 2008, taking into account those licenses subject to discipline, surrender, or non-renewal. Thomas Caldwell seconded the motion. Raymond Bilecky and Kimberly Payne abstained from voting. The motion carried.

#### **Physical Therapist Assistant – Endorsement**

Barrall, Timothy	Bulmahn, Joseph	Busbee, Pamela
Carnuche, Laura	Ginier, Shannen	Higgins, Chad
Higgins, Chase	Kwee, Christopher	Lewis, Melissa
Logan, Donna	Schwabenbauer, Janice	

### **Physical Therapist Reinstatement Applications**

**Action:** Raymond Bilecky moved that the Physical Therapy Section ratify, as submitted, the physical therapist licenses issued by reinstated by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from January 10, 2008 through March 25, 2008, taking into account those licenses subject to discipline, surrender, or non-renewal. Marilyn Mount seconded the motion. Raymond Bilecky and Kimberly Payne abstained from voting. The motion carried.

#### **Physical Therapist – Reinstatement**

Berke, Shelley	Eifert-Mangine, Marsha	Hart, Melissa
Jones, Kevin	Kramer, Daniel	Lecker, Dorothy
Monroe, Bambi	Stratman, Colleen	White, Joshua

### **Physical Therapist Assistant Reinstatement Applications**

**Action:** Raymond Bilecky moved that the Physical Therapy Section ratify, as submitted, the physical therapist assistant licenses issued by reinstated by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board from January 10, 2008 through March 25, 2008, taking into account those licenses subject to discipline, surrender, or non-renewal. Thomas Caldwell seconded the motion. Raymond Bilecky and Kimberly Payne abstained from voting. The motion carried.

#### **Physical Therapist Assistant – Reinstatement**

Boggs, Eric	Faber, Abbey	Falk, Paula
Gallagher, Kimberly		

Raymond Bilecky recommended that the Section deny the physical therapist assistant reinstatement application for credential file number 4666434 and issue a notice of opportunity for a hearing be issued for failure to provide satisfactory proof of rehabilitation for prior disciplinary action that resulted in applicant's revocation from practice..

**Action:** Thomas Caldwell moved to propose to deny the physical therapist assistant reinstatement application and issue a notice of opportunity for hearing for credential file number 4666434 for failure to provide satisfactory proof of rehabilitation for prior disciplinary action that resulted in applicant's revocation from practice.. Donna Baker seconded the motion. Raymond Bilecky and Kimberly Payne abstained from voting. The motion carried.

### **Request for Waiver of English Equivalency Examinations for Licensure**

#### **Physical Therapist Applicant for Licensure by Endorsement**

Raymond Bilecky recommended that the Section grant a waiver of the English requirements for credential file number 4521966 based on the documentation provided. **Action:** Thomas Caldwell moved to grant a waiver of the English requirements for application credential file number 4521966 based on the documentation provided. Marilyn Mount seconded the motion. Raymond Bilecky abstained from voting. The motion carried. The Section granted a waiver to Savitha Velide.

### **Foreign Educated Credential Evaluations Review Report**

Robert Frampton reported that there were thirteen credential evaluations for foreign educated applicants reviewed since the January 10, 2008 meeting. Five credential evaluations were found to be reasonably equivalent. Eight evaluations were found to be not reasonably equivalent and additional coursework was recommended to allow the applicant to meet the educational requirements contained in Ohio law.

### **Assistant Attorney General Report**

Yvonne Tertel, AAG informed the Section that the Federation of State Boards of Physical Therapy (FSBPT) approached the Section to explore entering into an agreement to have the FSBPT serve as the reporting entity to report disciplinary actions directly to the Healthcare and Integrity Protection Databank (HIPDB) on behalf of the Section.

- The Enforcement Division of the Board currently reports to the HIPDB and the FSBPT uses the information from the consent agreement or adjudication order to recreate the information for the FSBPT's disciplinary database.
- Ms. Tertel received the agreement that the Ohio Board of Nursing has with the National Council of State Boards of Nursing for HIPDB reporting.
- The Section instructed Ms. Tertel to move forward with drafting contact language to authorize FSBPT to report directly to the HIPDB on behalf of the Section.

**Action:** Robert Frampton moved to have the Assistant Attorney General finalize contract language to authorize the FSBPT to serve as the Section's HIPDB reporting entity. Tom Caldwell seconded the motion. The motion carried.

### **Investigative Report**

The Enforcement Division closed ten cases and opened nine cases since the January 10, 2008 meeting. There are twenty-five cases currently open. There are thirteen disciplinary consent agreements and two non-disciplinary agreements being monitored.

Robert Frampton informed the Section that Kailey Winter, Kevin Strayer, and Rosiland McNeely complied with all terms and conditions and were released from their consent agreements.

Robert Frampton recommended that a notice of opportunity for a hearing be issued for case PT-07-059 for documenting physical therapy services not rendered. **Action:** Averell Overby moved that a notice of opportunity for a hearing be issued for case PT-07-059 for documenting physical therapy services not rendered. Donna Baker seconded the motion. Robert Frampton abstained from voting. The motion carried.

Robert Frampton recommended that a notice of opportunity for a hearing be issued for case PT-07-071 for working on an expired license. **Action:** Averell Overby moved that a notice of opportunity for a hearing be issued for case PT-07-071 for working on an expired license. Donna Baker seconded the motion. Robert Frampton abstained from voting. The motion carried.

Robert Frampton recommended that a notice of opportunity for a hearing be issued for case PT-07-073 for working on an expired license. **Action:** Averell Overby moved that a notice of opportunity for a hearing be issued for case PT-07-073 for working on an expired license. Thomas Caldwell seconded the motion. Robert Frampton abstained from voting. The motion carried.

Robert Frampton recommended that the Section accept the non-disciplinary surrender consent agreement for case PT-07-061 in lieu of going to a hearing. **Action:** Averell Overby moved that the Section accept a non-disciplinary surrender consent agreement for case PT-07-061 in lieu of going to a hearing. Thomas Caldwell seconded the motion. Robert Frampton abstained from voting. The motion carried. The Section accepted the non-disciplinary consent agreement for Nancy Schmitmeyer, in which Ms. Schmitmeyer agrees to voluntarily surrender her license for habitual indulgence in the use of controlled substances, other habit-forming drugs, or alcohol to an extent that affects her professional competency and the Section hereby simultaneously revokes her license.

Robert Frampton recommended that the Section accept the consent agreement for case PT-07-063 in lieu of hearing. **Action:** Averell Overby moved that the consent agreement for case PT-07-063 be accepted in lieu of going to hearing. Thomas Caldwell seconded the motion. Robert Frampton abstained from voting. The motion carried. The Section accepted the consent agreement for Rebecca Huber, PT.

Robert Frampton recommended that the Section accept the consent agreement for case PT-07-064 in lieu of hearing. **Action:** Averell Overby moved that the consent agreement for case PT-07-064 be accepted in lieu of going to hearing. Thomas Caldwell seconded the motion. Robert Frampton abstained from voting. The motion carried. The Section accepted the consent agreement for Angela Kelly, PTA.

Robert Frampton recommended that the Section accept the consent agreement for case PT-07-065 in lieu of hearing. **Action:** Averell Overby moved that the consent agreement for case PT-07-065 be accepted in lieu of going to hearing. Thomas Caldwell seconded the motion. Robert Frampton abstained from voting. The motion carried. The Section accepted the consent agreement for Nicole Fry, PT.

Robert Frampton recommended that the Section accept the consent agreement for case PT-07-066 in lieu of hearing. **Action:** Averell Overby moved that the consent agreement for case PT-07-066 be accepted in lieu of going to hearing. Thomas Caldwell seconded the motion. Robert Frampton abstained from voting. The motion carried. The Section accepted the consent agreement for Jacqueline Cox, PTA.

### Affidavit Hearings

Good afternoon. My name is Robert Frampton, Chairman 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 11:13 am on March 25, 2008, at the Vern Riffe Center, 77 South High Street, Columbus, Ohio, 43215. Member of the Board present for the proceedings are:

Jeffrey Rosa called roll:

Donna Baker	Yes
Raymond Bilecky	Yes
Thomas Caldwell	Yes
Robert Frampton	Yes
Marilyn Mount	Yes
Kimberly Payne	Yes
Averell Overby	Yes

It will be noted for the record that a majority of the members of the Board are present. There will be two adjudication proceedings today. The proceedings are in the matter of the eligibility of Rupali Atul Khasnis to be approved to sit for the National Physical Therapy Examination and be licensed as a physical therapist by Examination in the state of Ohio and case number PT-07-015, James F. VanDyke, PT.007454.

These proceedings shall be an affidavit-based jurisdiction relative to a Notice of Opportunity for Hearing mailed to the respondents 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 respondents did not properly request a hearing in the case, these proceedings will be held before the board pursuant to *Goldman v. State Medical Board of Ohio*. The individuals named do 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 affidavits from the Executive Director and the Board Investigator and accompanying exhibits for the Goldman Proceedings in your board packet.

The affidavits contain the evidence and testimony upon which you will deliberate. I trust that each of you has had the opportunity to review the affidavits and accompanying exhibits. If not, you may review them now.

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

I will now recognize Assistant Attorney General, Yvonne Tertel, for the purpose of providing a brief synopsis of each case.

Ms. Tertel reviewed the two cases for the Board.

Having heard Ms. Tertel's synopses, may I now have motion to admit the sworn affidavits and the accompanying exhibits in the aforementioned cases into evidence?

**Action:** Marilyn Mount moved to accept the facts and exhibits outlined in the affidavit for Rupali Atul Khasnis, eligibility to be approved to sit for the National Physical Therapy Examination and be license as a physical therapist by Examination in the State of Ohio. Raymond Bilecky seconded the motion. Robert Frampton abstained from voting. The motion carried.

**Action:** Marilyn Mount moved to accept the facts and exhibits outlined in the affidavit for James F. VanDyke, case PT-07-015. Raymond Bilecky seconded the motion. Robert Frampton abstained from voting. The motion carried.

There being no further evidence to come before the board, these proceedings are now closed at 11:17 am.

The procedural and jurisdictional matters having being satisfied, we will now continue with the proceeding by deliberation on the sworn affidavits and exhibits. A written copy of the board's decision will be mailed to the respondents.

At this time, is there a motion to go into private session for the purpose of quasi-judicial deliberation on these matters?

**Action:** Donna Baker moved to go into private session for the purpose of quasi-judicial deliberation on these two matters. Averell Overby seconded the motion.

Jeffrey Rosa called roll:

Donna Baker	Yes
Raymond Bilecky	Yes
Thomas Caldwell	Yes
Robert Frampton	Yes
Marilyn Mount	Yes
Kimberly Payne	Yes
Averell Overby	Yes

The Section went into executive session at 11:18am and came out at 11:50 am. Robert Frampton left the room during private session and did not participate in the deliberations.

**Action:** Averell Overby moved to uphold the previous findings of fact and conclusions of law presented in the affidavit for Rupali Atul Khasnis that indicates that Ms. Khasnis does not meet the requirements contained in Ohio law to be approved to sit the National Physical Therapy Examination and be licensed as a physical therapist by Examination in the State of Ohio. Donna Baker seconded the motion. Robert Frampton abstained from voting. The motion carried. The physical therapist examination application of Rupali Atul Khasnis is hereby denied.

**Action:** Thomas Caldwell moved to revoke the license of James F. VanDyke, PT.007454, based on the affidavit and information before us. Donna Baker seconded the motion. Robert Frampton abstained from voting. The motion carried.

### **Correspondence**

The Section reviewed the correspondence received by the Board and instructed the staff to send responses. The letters and responses are on file with the Board.

1. **Susan Morit:** Ms. Morit asked the Occupational and Physical Therapy Sections if a physical therapist can perform occupational therapy services.

2. **Jean Wendland:** Ms. Wendland asked the Occupational and Physical Therapy Sections whether a physical therapist assistant or occupational therapy assistant can perform the Tinetti and Berg Balance Test.
3. **Tom Ernst:** Mr. Ernst asked the Athletic Trainers and Physical Therapy Sections questions regarding the utilization of athletic trainers and physical therapist assistants and the completion of post offer screens.
4. **Debra Farley:** Ms. Farley asked the Occupational and Physical Therapy Sections questions regarding whether an occupational therapist can perform physical therapy services and clarification of direct supervision requirements.
5. **Gina Weiser:** Ms. Weiser asked the Occupational and Physical Therapy Sections questions regarding occupational therapy referrals, occupational therapists and physical therapist assistant supervisory requirements for home health aides.
6. **Melanie Hjort:** Ms. Hjort asked the Occupational and Physical Therapy Sections questions regarding occupational therapist and physical therapists co-treating in a nursing home setting.
7. **Amy DeVerna:** Ms. DeVerna asked the Occupational and Physical Therapy Sections questions regarding whether an occupational therapists or physical therapists can write a discharge orders in advance and hand treatment and the use of rehab techs.
8. **Kim Delfing:** Ms. Delfing asked the Occupational and Physical Therapy Sections questions regarding whether an occupational therapists can transfer the care of a patient to a physical therapists during part way through the course of treatment.
9. **Deborah Hay:** Ms. Hay asked the Athletic Trainers and Physical Therapy Sections questions regarding delegating tasks to other unlicensed personnel in the physical therapy setting.
10. **Joe Ogle:** Mr. Ogle asked the Section to consider accepting the completion of the ABPTS Certification examination for continuing education credit.
11. **Colleen Whittington:** Ms. Whittington asked the Section a question regarding the University of Akron's physical therapy aide certificate program.
12. **Nancy Ray:** Ms. Ray asked the Section questions regarding referrals and treatments.
13. **Charles Kay:** Mr. Kay asked the Section whether performing non-invasive vascular testing falls within the scope of practice of physical therapy.
14. **Karen Green:** Ms. Green asked the Section a question regarding whether it's acceptable for a physical therapy practitioner to display a notarized copy of their wall certificate.
15. **Eric Marshall:** Mr. Marshall asked the Section a question regarding whether it's in the scope of practice for a physical therapists assistant to perform ROM procedures and documentation.
16. **David Carter:** Mr. Carter asked the Section a question regarding whether the usage of a surface nerve conduction until falls within the scope of practice of physical therapy.
17. **Bridget DeMattio:** Ms. DeMattio asked to Section a question regarding clarification on the physician notification requirement contained in section 4755.481 of the Revised Code for school aged clients.
18. **Amy Schlessman:** Ms. Schlessman asked the Section questions regarding starting a physical therapy practice and practicing without a prescription/referral.
19. **Heather Miller:** Ms. Miller asked the Occupational and Physical Therapy Sections questions regarding supervision requirements for unlicensed personnel and occupational therapist and physical therapist co-treating a ROM client.
20. **Rita Guthrie:** Ms. Guthrie asked the Section questions regarding clarification on the physical therapy guidelines for editing electronic documentation.
21. **Ellen Daly:** Ms. Daly asked the Section a question regarding evaluations and billing for physical therapy services.
22. **Rachel Searcy:** Ms. Searcy asked the Section a question regarding the scope of physical therapy practice when writing a "letter of need".
23. **Brittani Withers:** Ms. Withers asked the Section a question regarding evaluation and treatment of physical therapy patients.
24. **Kathleen Whalen:** Ms. Whalen asked the Section a question regarding licensure applicant status in a physical therapy setting.
25. **Timothy Enwright:** Mr. Enwright asked the Section a question regarding physical therapy referrals
26. **Beth Poling:** Ms. Poling asked the Section a question regarding supervision of physical therapy students.
27. **Email correspondent 1:** The email correspondence asked the Section a question regarding the treatment and the scope of practice for physical therapy services. (*Referred to Enforcement Division*)
28. **Diane Klingemier:** Ms. Klingemier asked the Section a question regarding acceptable practice for physical therapists writing outcome goals for an Individual Family Service Plan.

29. **Cindy Fasline:** Ms. Fasline asked the Occupational and Physical Therapy Sections a question regarding physician supervision guidelines for a group orthopedic practice that leases to occupational and physical therapists.
30. **Mary Stilphen:** Ms. Stilphen asked the Occupational and Physical Therapy Sections a question regarding whether administering oxygen is within the scope of practice for occupational and physical therapy
31. **Stephany Wright:** Ms. Wright asked the Occupational and Physical Therapy Section a question regarding need a physician order to discontinue services.
32. **Jill Dunaway:** Ms. Dunaway asked the Occupational and Physical Therapy Sections regarding whether medication reconciliation falls within the scope of practice for occupational and physical therapy.
33. **Jessica Poteet:** Ms. Poteet asked the Section a question regarding direct access for physical therapy services in Ohio
34. **Alison Ottman:** Ms. Ottman asked the Section a question regarding whether aquatic therapy falls within the scope of physical therapy practice.
35. **Theresa Vogt:** Ms. Vogt asked the Section a question regarding whether there is a waiting period for a newly licensed physical therapist to work in a home health setting.
36. **Ruth Grant-Bailey:** Ms. Grant-Bailey asked the Section a question regarding whether physical therapist can oversee degreed professionals during repetition exercises in a universal cage with weights and floor exercises.
37. **Tammi Zappa:** Ms. Zappa asked the Section a question regarding whether medication administration falls within the scope of practice for physical therapists and clarification on guidelines for handling durable medical equipment.
38. **Email correspondent 2:** The email correspondent asked the Section a question regarding educational requirements for licensure as a physical therapist in the State of Ohio.
39. **Wesleigh Cummings:** Mr. Wesley asked the Section a question regarding whether incentive programs are legal in the physical therapy arena.

### **Old Business**

#### *Discussion on Policy and Procedure Manual*

Section members will forward comments to the Executive Director prior to the Joint Board meeting scheduled for May 15, 2008.

#### *Discussion of Conditional Grant of Licensure Agreements*

The Executive Director reported that he worked with the Assistant Attorney General on changes to the conditional grant of licensure agreements. Instead of entering into the formal conditional grant of licensure agreements, applicants meeting the specified requirements will be offered a limited license and the applicant must send the limited license acknowledgement form to the Section. This letter indicates to the applicant that if the individual does not agree to the limitations, the applicant's application will be denied in accordance with Chapter 119 of the Revised Code. There have been two applicants that signed a limited license acknowledgement statement.

The Education Oversight Liaison received clarification from the Assistant Attorney General that the limited license acknowledgement letters would be required for individuals who fall under the supervised practice requirements of rules 4755-23-03 (C) and (D), 4755-23-04 (C) and 4755-23-10 (E) of the Administrative Code.

The Executive Director will work with the Assistant Attorney General on limited license letters for applicants who need to complete remedial activities but will not be required to complete supervised practice after the license is issued

The Section discussed potential changes to the examination, endorsement, and reinstatement remediation rule language. The proposed rules for endorsement and reinstatement would be similar to the existing rules 4755-23-04 (C) and 4755-23-10 (E) of the Administrative Code

The proposal remediation language for examination applicants would be more descriptive for individuals who are retaking the National Physical Therapy Examination (NPTE) who failed the NPTE more than three times or have graduated more than three years from the date of application. The Section's proposed language would require the applicant to: develop a remediation plan with the assistance of faculty by an accredited physical therapy educational program prior to re-applying to sit for the NPTE (similar to the language used in the State of Tennessee); and would

require the physical therapist assistant examination applicants to complete observation hours in a physical therapy setting.

Averell Overby and the Executive Director will draft the proposed rules language dealing with remediation for the three application types.

Draft Language for the use of the term "Doctor"

This discussion was tabled until the May 15, 2008 section meeting.

**New Business**

Review Process for Education Equivalency for Foreign Educated Physical Therapist Applicants

This discussion was tabled until the May 15, 2008 section meeting.

Impaired Practitioner Task Force

The Board's three representatives on the Impaired Practitioner Task Force have been identified: Robert Frampton, Vince O'Brien, and Kimberly Lawler. The taskforce will research available resources for each area of practice and will report to the Section of their findings. The task force will provide remedial educational resources for persons in violation of their profession's practice act.

Testing Accommodations for NPTE

This discussion was tabled until the May 15, 2008 section meeting.

Draft rules for persons out of practice for three years for more

See Discussion of Conditional Grant of Licensure Agreement above.

Draft rules for persons retaking NPTE who failed the NPTE more than three times or who graduated more than three years from the date of application

See Discussion of Conditional Grant of Licensure Agreement above.

New Agenda Format

Robert Frampton recommended that that the meeting agenda be reorganized to group all of the administrative reports together and all administrative actions together. The Section will use the new agenda format starting with the May 15, 2008 meeting.

Criminal Records Checks Policy

The Executive Director recommended that the Section adopt a policy for criminal records checks stating that it will consider the results of criminal records checks to be valid for 6 months from the date the Board receives the results of the records check. The Section agreed to adopt the policy recommended by the Executive Director that 6 months is a reasonable length of time for the Ohio Bureau of Criminal Identification and Investigation (BCI) and Federal Bureau of Investigation (FBI) criminal records checks to be valid.

Physical Therapy Section Retreat

The Section will have a retreat in April of 2008. The Section has identified some retreat topics which are: strategic plan, revise the standard responses, discuss exemption for traveling sports team.

FSBPT Delegate Report

- Raymond Bilecky reported that a draft on the continuing competence proposal has been sent to FSBPT Board of Directors. FSBPT's long term goal is to develop an optional mechanism for physical therapists to track how many continuing competence units they completed. Raymond Bilecky will share the draft document with the Section members.

**Ohio Physical Therapy Association (OPTA) Report**

- Nancy Garland reported that HB 125, dealing with the health simplification act, was signed by the governor today.
- Nancy Garland reported that OPTA received a request from the Ohio Family Physicians group regarding whether athletic trainers should be allowed to be reimbursed for physical therapy.

- Ms. Garland reported that February was busy month for OPTA. OPTA received numerous requests for continuing education approval number from licensees that were randomly selected for the continuing education audit.
- Ms. Garland reported that a continuing education sponsor issued certificates of completion with expired Ohio Approval Numbers. OPTA requested that the Board's Assistant Attorney General compose a letter to the sponsor to address this issue.
- Lynn Colby reported that the OPTA Continuing Education Committee is reviewing the policies and procedures regarding the continuing education approval process. Ms. Colby further reported that there are minor tweaks of the policies that need to be addressed. OPTA is scheduled to review the document in May 2008. The Physical Therapy Section will review the revised documents in June of 2008.

The Section discussed the validity of authorizing continuing education credit for completion of an APTA residency program, specialty examinations, and the FSBPT competency tools without requiring the licensee to obtain an Ohio Approval Number from OPTA. The Physical Therapy Section will discuss mechanisms for assigning Ohio Approval Numbers for individuals completing the professional developmental activities listed above.

Raymond Bilecky will draft recommendation guidelines for approving the APTA residency programs, specialty examinations, and the FSPBT competency review tools for continuing education credit.

**Items for Next Meeting**

- Review process for Education Equivalency for Foreign Educated Physical Therapist Applicants
- Liaison Assignments
- Draft Language for the use of the term "Doctor"
- Update on the Impaired Practitioner Task Force
- Testing Accommodations for the NPTE
- Draft rules for persons out practice for three years or more
- Draft rules for persons retaking the NPTE who failed the NPTE more than 3 times or who graduated more than 3 years from the date of application
- CE Approval Guidelines for residency/specialty examinations and continuing competency tools

**Next Meeting Date**

The next meeting date of the Physical Therapy Section is scheduled for Thursday, May 15, 2008.

**Adjournment**

Thomas Caldwell moved that the meeting be adjourned. Donna Baker seconded the motion. The motion carried. The meeting adjourned at 3:45 p.m.

Respectfully submitted,  
*Diane Moore*

---

Robert Frampton, PT, Chairperson  
 Ohio Occupational Therapy, Physical Therapy,  
 and Athletic Trainers Board, PT Section

---

Averell Overby, PT, Secretary  
 Ohio Occupational Therapy, Physical Therapy,  
 and Athletic Trainers Board, PT Section

---

Jeffrey M. Rosa, Executive Director  
 Ohio Occupational Therapy, Physical Therapy and  
 Athletic Trainers Board

AO:jmr:dm