

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: November 13, 2015

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
David Finch, PT
Bethany Buttrey, PT
Minty Ballard, Secretary

MMEBERS ABSENT: Brigina T. Wilkerson, PT, Chair

STAFF PRESENT: Michael Sobowale, Unit Director
Lakita Taylor, Unit Manager
Tomica Walker, Board Administrator
Mary Bratton, Interim Assistant General Counsel
Thomas Auman, Assistant General Counsel
Nichelle Dorroh, Office of Investigations

1. Call To Order

With a quorum of members present, a motion was made by Mr. Harris, seconded by Ms. Buttrey, to call the meeting to order. Minty Ballard, Board Secretary, called the meeting to order at 9:20 a.m.

2. Approval of Minutes

After review, Ms. Buttrey made a motion, seconded by Mr. Finch, to approve the minutes of the August 14, 2015 meeting. The motion carried.

3. Office of General Counsel Report

Ms. Katherine Bratton, Interim Attorney in the Office of General Counsel (OGC) introduced the new Board Attorney, Mr. Thomas Aumann. Mr. Aumann presented the OGC report as follows:

A. Conflict of Interest

Pursuant to its conflict of interest policy, OGC reminded board members to recuse themselves from discussing or participating in any case or Board decision in which they might have a personal or financial interest as this may pose a conflict of interest for members.

B. Litigation

There are eight (8) pending cases pertaining to the Board of Physical Therapy. OGC will be presenting one (1) consent order. Additionally, OGC will be presenting one (1) petition for an Order of Modification today.

C. Rules

The amendment to the continuing competence rule and the new dry needling rule have been forwarded to the Governor’s office for review and approval. Once the Governor approves the rules, a notice of rulemaking hearing will be submitted to the Secretary of State’s Office, with a rule making hearing to be held at least fifty (50) days after the submission of notice per state law.

D. Consent Order

Dana Fussell, PTA, License # 2152- Mr. Aumann presented a Consent Order on Dana Fussell, PTA, for failure to timely renew her license and practicing on an expired license for approximately seven and a half (7 ½) months. After discussion, Mr. Harris made a motion, seconded by Ms. Buttrey, to accept the Consent Order as presented. The motion carried.

E. Order of Modification

Thomas Cantrell, PTA, License # 49- Mr. Aumann presented an Order of Modification on Mr. Cantrell, PTA, due to Mr. Cantrell moving out of State and TNPAP terminating his contact. Mr. Cantrell has indicated he will no long reside in the State of Tennessee. After discussion, Ms. Buttrey made a motion, seconded by Mr. Finch, to accept the Order of Modification as presented. The motion carried.

4. Tennessee Professional Assistance Program (TNPAP) Report

The Mike Harkreader, TNPAP Executive Director presented the following statistical report for the period July 1, 2014 through June 30, 2015:

		PT	PTA
	Monitoring	1	4

5. Investigation and Disciplinary Reports

Nichelle Dorroh, Disciplinary Coordinator in the Office of Investigations presented the investigative and currently-monitored, disciplined practitioners report:

Monitored Practitioners Report:

	PT		PTA
Total	7	Total	8
On Probation	3	On Probation	5
Suspended	1	Suspended	3
Revoked License	2	Revoked License	1
Board Order	2	Board Order	0
TSAC Suspension	0	TSAC Suspension	2

Investigative complaints as of October 26, 2015:

	PT		PTA
Open	13	Open	14
Received	7	Received	8
Closed	14	Closed	17
No Action	6	No Action	1
Letter of Warning	1	Letter of Warning	1
Letter of Concern	3	Letter of Concern	3
Referred to OGC	4	Referred to OGC	11
Total Open	13	Total Open	14

6. Applicant Interview/File Reviews

- A. Brian Betz, PTA-** Mr. Betz appeared before the Board due to a history of multiple misdemeanor convictions on his license application. After discussion, Mr. Harris made a motion, seconded by Mr. Finch, to grant Mr. Betz an unconditional license to practice, contingent upon obtaining a favorable TNPAP evaluation and following all TNPAP recommendations or, a license conditional upon signing a TNPAP monitoring agreement should one be required. The motion carried.
- B. Mary Gabinet, PT**—Ms. Gabinet appeared before the Board requesting a waiver of her education evaluation and Type 1 certification. After discussion, Mr. Finch made a motion, seconded by Ms. Buttrey, to grant Ms. Gabinet a provisional license for 480 hours to practice and provide proof of completing a course in wound care. The motion carried.
- C. Tyler Geib, PT-** Mr. Geib appeared before the board due to history of multiple misdemeanor convictions on his license application. After discussion, Ms. Buttrey made a motion, seconded by Mr. Finch, to grant Mr. Geib an unconditional license to practice, contingent upon obtaining a favorable TNPAP evaluation and following all TNPAP recommendations. The motion carried.
- D. Lance Hale, PTA**—Mr. Hale appeared before the board due to a history of multiple misdemeanor convictions on his license application. After discussion, Mr. Harris made a motion, seconded by Ms. Buttrey, to grant Mr. Hale an unconditional license to practice,

contingent upon obtaining a favorable TNPAP evaluation and following all TNPAP recommendations. The motion carried.

E. Amelia Haselden, PT- Ms. Haselden appeared before the board requesting a waiver of her exam score licensure requirement. Ms. Haselden was unable to retrieve her exam score from the State of Alabama. After discussion, Mr. Harris made a motion, seconded by Mr. Finch, to grant Ms. Haselden a license to practice. The motion carried.

F. Christopher Moore, PTA- Mr. Moore appeared before the board per the Board's request at its August 14, 2015 meeting due to multiple misdemeanor convictions on his license application. After discussion, Mr. Harris made a motion, seconded by Mr. Finch, to grant Mr. Moore a 480 hour provisional license to practice, in addition to obtaining 20 hours of continuing education to include 2 hours of ethics and 2 hours of Tennessee Jurisprudence and contingent upon obtaining a favorable TNPAP evaluation including following all TNPAP recommendations. The motion carried.

G. Stephanie O'Connell, PT – Ms. O'Connell appeared before the board due to a record of multiple misdemeanor convictions on her license application. After discussion, Mr. Finch made a motion, seconded by Ms. Buttrey, to grant Ms. O'Connell an unconditional license to practice, contingent upon obtaining a favorable TNPAP evaluation and following all TNPAP recommendations. The motion carried.

H. Kathleen Weller, PTA- Ms. Weller appeared before the board due to having a record of a deferred court adjudication on her pre-licensure, criminal background check pertaining to possession of drugs (LSD) in the first degree. Ms. Weller marked "no" on her application to the question of a prior criminal conviction because she believed that the charges had been expunged. After discussion, Ms. Buttrey made a motion, seconded by Mr. Harris, to grant Ms. Weller an unconditional license to practice, with a requirement that she must provide the board with a signed court expungement order, and also contingent upon receiving a favorable TNPAP evaluation and following all TNPAP recommendations. The motion carried.

I. Lyndsay Pawlikowski, PT- Ms. Pawlikowski's application was presented to the board due to her request for a waiver as a result of her inability to obtain an FCCPT Type 1 certification pursuant to a requirement in board rules for foreign-trained applicants. After discussion, Mr. Finch made a motion, seconded by Mr. Harris, to deny her request for a waiver pending her completion of the recommendations of FCCPT. The motion carried.

7. Ratifications

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

PHYSICAL THERAPISTS

Physical Therapy Minutes
November 13, 2015

NEW LICENSES

ASHMORE KAYLA ROSE	KIRBY JILL MCDONALD
ATCHISON LAUREN M	KIRSCH JONATHAN MARTIN
AYER KIMBERLY BAILEY	KLEIN JOSEPH PATRICK
BASILAN ARCHIE PHILIP BOCO	KOGUT MARIANNA CATHERINE
BERRA NATALIE MARIE	LANTZ ASHLEY DAWN
BESECKER MICHAEL IAN	LECKRONE KELLY OH
BINKLEY KYLE DANIEL	LOMAX ASHLEY MARIE
BLASCOE NIKOLAS MICHAEL	LOUDERMILK COURTNEY NICOLE
BLEVINS DENNIS RAY	LUCK HEATHER NICOLE
BOLTHOUSE EMILY JEAN	LUCKENBAUGH AUBRIE MICHELLE
BRADEN LEAH SHARP	MCCRAW ASHLEY MARIE
BRINLEY NATALIE JEAN	MEADE ELISE ANNE
BROWNE MORGAN LEIGH	MICHAEL SARA ELLEN
BURNS DUSTIN JAMES	MILAM DALE ERIC
BYRON MATTHEW STEVEN	MILAM SARAH WINSLOW
CARSON STEPHANIE FLOWERS	MILLER CATHERINE MARIE
CHEWNING BRANDON DAVID	MOORE SYDNEY ROSSER
CLIFFT ELIZABETH MARIE	MULCHRONE PAIGE ALYSSA
CURRY LOGAN WHITFIELD	NICHOLS NICOLE ANGELINE
DEESE CARA LYNN	NICHOLSON ERICA MOORE
EICKHOLTZ ERIC NEAL	NIEHAUS BRETT ROSS
FEE ANNA DEBORAH	OLEN RACHEL LINN
FLEMING LAUREN SCOTT	PADE ELIZABETH MARY
FOWLER ALLISON DESHON	PAPROCKI LINDSEY MARIE
FROMMERT DAVID	PARKINSON CHRISTINA MARIE
FULTZ JORDAN DAVID	PHILLIPE JAY MICHAEL
GAINES BENJAMIN WARD	PRICE AMANDA GAYLE
GROHOVSKY BRADLEY LAWRENCE	RESHA KELLY ELIZABETH
GUNZENHAEUSER ALLISON LYNN	REYNOLDS BROOKE ELIZABETH
HARTMAN MICHAEL RYAN	RICE ERIK SCOTT
HENRY CORTNEY ELIZABETH	ROANE STEPHANIE ANN
HIGGINS JAMES DYLAN	SACHSE DAVID ALAN
HIGH AARON THOMAS	SALMON RYAN TODD
HOGAN MARY ELIZABETH	SCHEER NICOLE ANNETTE
HOUSER PAYDEN GENE	SCHMIDT CHELSEA LYNN
JAMES KAYLA RENEE	SELLERS BRITTNEY NICOLE
JENNINGS JUDITH L	SOBCZAK RACHEL ALLISON
JOHNSON RYAN SCOTT	SPEAR ASHLEY KUKURA
JONES WILLIAM HENRY	STEWART RANDALL CLARENCE
KENNEDY JESSICA LYNN	STOWERS ALLISON YOUNGBLOOD
KHAVARI SHIREEN M	TAYLOR CHELSEA L.
KIM THOMAS I	TODARO KAREN LOUISE

USERY ANNA MARIE
VALENTA LYDIA ANNE
VAN VALKENBURGH REBECCA AUDIE
VANLANDINGHAM JUSTIN ALLEN
VIETH AMY LYNN

VOIRIN EMILY AGNES
WALLACE KENDRA LYNNE
WENZEL AMY ELIZABETH
WOJKOWSKI LAYLA ALEXANDRA

REINSTATEMENTS

GUIDRY, MATTHEW OWEN
HALL, DINAH
HAYNES, MRCUS JOHNSON

MCCULLEY, HOLLIE
NAPEEK, SANNY SAPAEN

The motion carried.

PHYSICAL THERAPIST ASSISTANTS

NEW LICENSES

ALCOZER PAUL RICHARD
BADDAR MANAF SAAD
BIRD JENNIFER KNIGHT
BLAKE KEITH ALLEN
BOWMAN PATRICK NICHOLAS
BROADWAY RACHEL CHASTAIN
BROWN LINDA JEAN
BROWN REGINA LOU
CHEATHAM CAMERON ALEXANDER
CHURCH MICHAEL BRANDON
COPPLE JENNIFER MARIE
CUPP JAMES
DRACE NANCY DENISE
EHLERT ERICA CORBIN
ELLIOTT MATTHEW ALLEN
ELLIS AMBER NICOLE
FIELDS JESSICA C
FLETCHER BUFFIE GRANGER
GARRIDO DIEGO FELIPE
GORDON WILL JUNIOR
HACKETT CLIFTON LEE
HARDEE STEPHEN THOMAS
HARRIS LATOYA NEWSON
HAYES MADISON CASEY
HEIDLE JODI MICHELLE
HOLMAN ROBERT ALAN
HUMBARD JACKLYN EILEEN
HUNTER CHARLANA CHALEGRE

JANKOVSKY HAYLEY BROOKE
KINSEY CYNTHIA MARIE
KUTZ ANGELA MARIE
LAGON KAREN
LATOCHA JACOB HUNTER
LINK DAVID CHARLES
LLOYD JARNESIA MONET
MACK SHERRI LYNN
MAGNESS JENNIFER ELIZABETH
MARTEL MARY BETH NIELSEN
MAZURIK WENDY GAY
MEDLEY TRICIA DENISE
MILLEVILLE MARK HAROLD
MITCHELL BALLARD SARA KATHRYN
MOORE ANNA MARIE
NORTON VICTORIA RUTH
PARIS KATHRYN LYNN
PLEMONS KAYLA NICOLE
SEWARD SAMANTHA GAYLE
SHUMATE BRITNEY DANIELLE
SIMS KELLI ANNE
SMITH STEPHANIE LEANN
SPEED MONICA ANN
STEPHENS STEPHANIE MARIE
STORIE TYLER WAYNE
SWARTWOUT ELIZABETH ANN
TETER VIRGIL
TIMMERMAN JACQUELINE RENEE

TURPIN KIM DENISE
VINCENT ERIKA NICOLE
VINCENT MARGARET LEIGH ANN
WALKER STACEY KENDALL

WATKINS REBECCA JUNE
WEBB JASON E
WHITE ANNA PEREKRESTOVA
ZONTA CARRIE ARIANE

The motion carried.

REINSTATEMENTS

FOX, SHANE LAWRENCE
FRAZIER, DONNA V

FUSSELL, DANA C
SATURDAY, CASEY NICOLE

The motion carried.

8. Correspondence

- A. Ms. Missy Williams sent a letter and documentation requesting a clarification on what she enumerated as dual regulatory compliance requirements of Tennessee Practice Act for Physical Therapists as well as Tennessee Education laws for physical therapists practicing in a school setting. After discussion, the board determined that the Tennessee Board of Physical Therapy Practice Act is clear on the scope of practice for physical therapists and advised that Ms. Williams may seek additional input on the subject matter from expert resources in this field or from the Association.

9. Administrative Report

Ms. Walker presented the following administrator's report:

- A. In total, there are 5234 active Physical Therapists, and 3498 active Physical Therapy Assistants as of 10/29/15.
- B. Licensure Statistics from 08/1/15 thru 10/29/15:

Physical Therapists

- New Applications Received - 78
- New Licenses Issued— 93
- Reinstated— 3
- Retired – 11
- Expired - 47
- Renewals— 587 (total) as follows:

175-paper
412 -online

Physical Therapist Assistants

- New Licenses Received - 40
- New Licenses Issued— 64
- Reinstated— 6
- Retired- 2
- Expired - 25
- Renewals— 392 (total) as follows:

275-paper
117 -online

C. Continuing Education Audit

Verification and Audit Period January 2014 thru December 2014:

Physical Therapists

- 107 Licensees Audited 105 Licensees Compliant = 98%
2 Licensees Non-Compliant = 2 %

Non-Compliant Breakdown:

- 1 Licensee deficient in the required number of C.E. hours
- 1 Licensee who failed to contact the compliance unit after receiving “ second notice of audit” letter via certified mail.

Physical Therapist Assistants

- 68 Licensees Audited 63 Licensees Compliant = 93 %
5 Licensees Non-Compliant = 7 %

Non-Compliant Breakdown:

- 1 Licensees deficient in the required number of C.E. hours
- 4 Licensee failed to contact compliance unit after receiving a second “notice of audit letter” via certified mail.

D. Board Members

All positions are currently filled.

E. Child Support Orders

There was none to report.

F. Tennessee Student Assistance Corporation (TSAC) Orders

For this reporting period, three (3) physical therapist assistants license and one (1) physical therapist license were suspended due to educational loan Default Order issued by the TSAC. These license suspensions were lifted after proofs of compliance were received.

11. Other Board Business

A. Presentation from FSBPT on Exam Licensure Discipline Databased (ELDD) and PT Compact

Mr. Seif A. Mahmoud, the Managing Director of Information Systems with the Federation of State Boards of Physical Therapy (FSBPT), discussed Tennessee fully participating in the federation's Exam Licensure and Disciplinary Database (ELDD) and the benefits the Board stands to gain from doing so, along with the benefits currently available to member states.

Mr. Jeff Rosa, Managing Director with FSBPT discussed the Federation's desire to see Tennessee become part of the national compact state licensure for physical therapists that is currently being reviewed for implementation by the states, especially since Tennessee is bordered by a lot of states, some of whom are looking to implement the compact.

After discussion, the board requested the Board Director, Mr. Michael Sobowale, to come up with a cost analysis of the impact of fully implementing the ELDD as well as the PT compact.

Adjournment

There being no further business, the meeting was adjourned at 2:10 p.m.

These minutes were ratified by the Board at the March 10, 2016 meeting.