

**AR State Board of Physical Therapy
MINUTES
February 20, 2003**

Thursday, January 9, 2003

9 Shackleford Plaza, Suite 1, Little Rock, AR

Physical Therapy Board Members Attending: Seth Coulter; Jennie Gregory; Rob Hill; Starla Denton and Jennifer Parks.

Representative from Attorney General's Office: Warren Readnour

Staff Attending: Jennifer Coleman and Nancy Worthen.

Others present: Lisa Cingolani, PT, Gentiva

CALL TO ORDER

- Chairman Seth Coulter called the meeting to order at 10:15 a.m.

• Gentiva Presentation

Lisa Cingolani and her associate made a presentation and requested the Board approve PT's and PTA's to perform fingerstick blood specimens for analysis of "Pro-times". They presented a letter of support from Ben Massey, Jr., Executive Director of North Carolina Board of Physical Therapy Examiners. The letter stated this was not in the scope of practice for physical therapy; however, it would not be a violation of the NC Physical Therapy Practice Act for a PT or PTA to do a fingerstick with a physician's order provided that the physical therapist has been properly trained and is competent, and makes it clear to the patient that this procedure is not physical therapy. The motion was made, seconded and passed to approve the language of North Carolina Board as the opinion of ARPTB.

MINUTES

- The minutes of the January 9, 2003 regular meeting were approved as presented.

FINANCIAL REPORT

• Financials

- As of 02/19/03 the regular checking account balance with Metropolitan Bank was reported of \$62,769.94.
- As of 02/19/03 Bank of the Ozarks certificate of deposit has a balance of \$29,770.86.
- As of 02/19/03 Regions certificate of deposit has a balance of \$76,651.42.
- As of 12/30/02 Money Market Funds total \$145,178.91

Total Assets - \$314,371.13

The financial report was approved as presented.

ADMINISTRATIVE

• Licensure Information

Individuals licensed since the 01/09/03 meeting:

- Total 7 PT's - By exam: 5 Reciprocity: 2
- Total 3 PTA's - By exam: 0 Reciprocity: 3
- 582 licensure renewals not received.
- 151 have not submitted continuing education requirements
- 121 have renewed via internet

INQUIRIES & COMPLAINT

- **Wayne Baker Complaint – Dr. Bud Dickson**

- The complaint is still under investigation by the Medical Board. No new information has been received.

- **Sherry Lynn Ray Complaint – Dr. Bud Dickson**

- The complaint is still under investigation by the Medical Board. No new information has been received. Another letter will be sent to Junior McAteer advising him against referring to himself as a physical therapist.

- **Kelley Sims Complaint – NovaCare.**

- The Board received a letter from Kelley Sims concerning NovaCare Clinic. After making a phone call to the clinic to inquire about a job opening, Ms. Sims was under the impression that NovaCare is billing for physical therapy without a licensed physical therapist present. The Board will send a letter to NovaCare outlining they are in violation of the ARPTB Practice Act if a massage therapist is treating as a physical therapist without a physical therapist or physical therapist assistant present.

- **The Matter of William K. Williams**

- Mr. Williams was previously given a 60-day extension due to the death of his attorney. His new attorney appealed to have Mr. Williams' actions exonerated from the record. Warren now has 30 days to respond (by March 10th). William Williams' attorney has two weeks after March 10th to respond. A three member decision will follow.

- **The Matter of Phillip Bass**

- No violation of physical therapy was found. A letter of inquiry was sent to Mr. Bass and no response has been received.

- **The Matter of Elmer Clorina**

- Mr. Clorina failed to complete his continuing education in the required time frame. The motion was made, seconded and passed to offer a consent order agreement to Mr. Clorina. He will be required to pay a civil penalty of \$100.00 to have his license renewed. Mr. Clorina will be given 30 days to return the signed consent order and the fee.

- **The Matter of Luzminda Jimenez**

- Ms. Jimenez failed to complete her continuing education in the required time frame. The motion was made, seconded and passed to offer a consent order agreement to Ms. Jimenez. She will be required to pay a civil penalty of \$100.00 to renew her license. Ms. Jimenez will be given 30 days to return the signed consent order and the fee.

OLD BUSINESS

None

NEW BUSINESS

- **Legislative Update**

- The Healing Arts Arbitration Act has been proposed. Under the Act, if a board receives a complaint against a profession that is not under their Board, it must be forwarded to the appropriate Board. This Act will prevent administrative hearings of licensed members of another Board. For example, in the case of Michael Teston, the Chiropractic Board would have been required to take action in court and not their own administrative hearing. The Act has passed the House and Senate. It was referred back to the House for amendments. When the act goes into effect, ARPTB will no longer have authority to send "cease and desist" letters but inquiry letters will be accepted. APTA has stated they will wait for the Healing Arts Act to pass before pursuing changes to the ARPTB Practice Act.

- **Revision of Rules and Regulations**

- Revisions to the Rules and Regulations such as adding definitions or assessing penalty fees for late completion of continuing education was tabled until a later date.

- **Uniform Pathway**

- FSBPT has put the Uniform Pathway on hold at this time.

• **Executive Director Position**

- The hiring committee selected six candidates to interview for the Executive Director position on February 20th. Candidates will be selected from the six for the Board to interview on the next meeting date. Warren will send a list of questions that are to be avoided during the interview procedures.

• The meeting adjourned at 1:50 p.m.

• The next meeting is tentatively scheduled for March 20, 2003 at 10:00 a.m.

Respectfully submitted,

Nancy Worthen, Assistant Director