

**AR State Board of Physical Therapy  
MINUTES  
May 11, 2006**

Thursday, May 11, 2006

9 Shackleford Plaza, Suite 3, Little Rock, AR

Physical Therapy Board Members Attending: Seth Coulter, Jennie Gregory, Jennifer Parks, Rob Hill and Todd Burton

Representative from Attorney General's Office: Warren Readnour

Staff Attending: Nancy Worthen and Sarah Chaney

Others Present: Becky Sewell, Rehab Net

**CALL TO ORDER - REGULAR MEETING**

Chairman Seth Coulter called the meeting to order at 1:10 p.m.

**MINUTES**

The minutes of the February 16, 2006 regular meeting were approved as amended.

**FINANCIAL REPORT**

**• Financials**

As of February 14, 2006 the regular checking account balance with Metropolitan Bank was reported as \$84,139.06

As of February 14, 2006 Money Market Funds total \$307,654.57

**Total Assets - \$391.793.63**

The financial report was approved as presented.

**ADMINISTRATIVE**

**• Licensure Information**

Individuals licensed since the 02-14-06 meeting:

PTs -

- By exam: 1
- By reciprocity: 4

PTAs -

- By exam: 2
- By reciprocity: 2

Total - 2149

- **Marshall Ney - Teston vs. ASBPT**

Invoices for legal fees from Marshall Ney were reviewed by the board. The board discussed the lawsuit. Jennie Gregory requested that members of the board be faxed correspondence from Mr. Ney to keep more up to date on the lawsuit.

## **INQUIRIES & COMPLAINTS**

- **Gregory Dockery, PTA**

An anonymous complaint was received stating Gregory Dockery, PTA began wound care on a patient before a physical therapist could evaluate the patient. Though the practice standard is that a PTA cannot begin wound care before an evaluation is performed by a physical therapist, the board determined no further action could be taken without documentation to support the allegation. A letter will be sent to Gregory Dockery informing him of the complaint and the Board's decision.

- **Maria Guzman, PT**

A Facility Investigation Report was received from Arkansas Department of Health and Human Services (ADHHS). A complaint of verbal abuse was filed against Maria Guzman, PT by a resident at Heather Manor Nursing and Rehabilitation Center. After investigation by ADHHS, the complaint was determined to be unfounded. The Board reviewed the report and determined no action will be taken. A letter will be sent to Ms. Guzman, with a copy to the nursing home.

- **Brian Jones, PT**

The Board received notice from FSBPT of an adverse action against Brian Jones, PT by the Arizona State Board of Physical Therapy. Mr. Jones entered into a consent agreement with the Arizona board for failure to respond to a Notice of Audit of Continuing Competence. Mr. Jones' Arkansas license lapsed March 1, 2004. The Board determined no action will be taken against Mr. Jones' Arkansas license.

- **William Smith, PT**

A Facility Investigation Report was received from Arkansas Department of Health and Human Services (ADHHS). An incident report was filed at the Arkansas Health Center alleging physical abuse of a resident by William Smith, PT. There was nothing in the report stating the conclusion of the investigation by ADHHS. Nancy will contact ADHHS regarding the status of the investigation and report to the Board at the next meeting.

- **Jason Zimmer**

The Board received notice from FSBPT of an adverse action against Jason Zimmer, PT by the State Board of Registration for the Healing Arts in Missouri. Mr. Zimmer's Missouri license was reprimanded by the Missouri Board on January 23, 2006 based on discipline taken against Mr. Zimmer's license by the Arkansas Board on June 4, 2004. The Board determined there will be no further action.

- **Ortho Rehab Specialties**

The Board received a copy of a letter written to Medicare Services from Edward Wooten with complaints against Orthopedic Rehabilitation Specialists. The Board reviewed the

information received and determined the allegation concerned billing issues between Mr. Wooten and Ortho Rehab Specialties, therefore no action will be taken by the Board.

- **John Paul Miller, PTA**

John Paul Miller disclosed a suspended imposition of sentence on his 2006 renewal. The Board reviewed all information received and determined no violation of the ASBPT Practice Act by Mr. Miller and no action will be taken.

- **Russ Nelson, PT**

Russ Nelson, PT disclosed disciplinary action against his Texas license by the Texas Board of Physical Therapy Examiners. The disciplinary action by the Texas Board was that Mr. Nelson's employer failed to register the facility. After review of all information received, the Board determined there was no violation of the ASBPT Practice Act by Mr. Nelson and no action will be taken.

- **Karen Frank, PT Late Fee Waiver Request**

A letter was received by the Board from Karen Frank, PT requesting that the Board waive the late fee due to problems with the mail caused by Hurricane Katrina. The Board determined the late charge will be waived if Ms. Frank renews her license within two weeks. Nancy will notify Ms. Frank of the decision.

- **Phil Weygandt, PT Jurisprudence Exam Inquiry**

A letter was received from Phil Weygandt concerning the civil penalties question on the jurisprudence exam. The Board reviewed the ASBPT Practice Act and statistical information regarding the question and determined the question will be changed. Mr. Weygandt will be notified.

- **Becky Hartsfield Inquiry**

Becky Hartsfield, PT sent a letter asking for clarification of her responsibilities if she were to accept contract work through Restore Therapy to perform evaluations only. The Board stated that as the physical therapist of record, Ms. Hartsfield would be responsible for the physical therapy services delivered when a licensed PTA is performing the treatments. If care of the patient is to be transferred to another PT, it is Ms. Hartfield's responsibility to insure that the therapist is available.

- **Catherine Pantig Review of Credentials**

Catherine Pantig's application and credentials were reviewed and approved by the Board.

- **Mark Espanola Review of Credentials**

Mark Espanola's application and credentials were reviewed and approved by the Board.

- **Maria Nieto Review of Credentials**

Maria Nieto's application and credentials were reviewed and approved by the Board.

- **Care2Learn.com Sponsor Application for CEUs**

Care 2Learn.com submitted two sponsor applications requesting continuing education

approval for courses titled Marketing in Lean Times and Marketing 101: When the Moisture in Your Mouth Goes to the Palms of Your Hands. The Board reviewed the information received and disapproved both courses.

### **OLD BUSINESS**

- **Any Willing Provider**

The Board held a discussion and reviewed letters received concerning specialty certifications required by AWP laws. The specialty certification is no longer a requirement.

### **NEW BUSINESS**

- **FSBPT Meeting**

The FSBPT 2006 Annual Meeting and Delegate Assembly will be held in Portland, Oregon September 7 -11. FSBPT will fund one voting delegate, one alternate and one administrator. The motion was made, seconded and passed for Jennie Gregory to attend as the voting delegate, Jennifer Parks to attend as the alternate and Nancy Worthen to attend as the administrator. Seth is serving on an FSBPT committee and will also be funded by FSBPT to attend the meeting. The Board will fund Warren & Rob's attendance.

- **Board Member Orientation**

FSBPT is conducting a Board Member Orientation and invited members of the Board to attend. Seth will attend the meeting.

- **Contract between AT & PT**

Nancy informed the Board that during the Board's recent audit, it was discovered the contract between the Physical Therapy Board and the Athletic Training Board expired in 2002. Nancy submitted a new contract but was informed by the Office of State Procurement that a contract was no longer required.

- **Jurisprudence Exam Deadline Extension**

Nancy requested the Board staff be given permission to grant deadline extensions to PTs/PTAs who experience problems taking the exam at the end of the year when the Board office is closed. The Board agreed to the extension.

- **Failed Letter**

Jennie informed the Board that some of the letters sent to applicants failing the exam beyond two attempts were incomplete. Nancy made changes to the letter to avoid the error in the future.

- **Select Specialty**

The Board discussed concerns produced by the Kristi Rowe hearing. The Board felt the hospital bears some responsibility for Ms. Rowe's practicing without a license. A letter will be sent to Select Specialty Hospital, with a copy to the corporate office, informing them of the outcome of the hearing and concerns discussed by the Board. A letter will also be sent to John Mills, PT outlining his responsibilities regarding PTA supervision.

- **Executive Session**

Nancy requested merit raises for both staff members. The Board met in executive session and agreed to a 2.5 merit raise for Sarah and Nancy on the next available pay period.

**ADJOURNMENT**

The meeting adjourned at 5:00

The next meeting will be determined at a later date.

Respectfully submitted,

Nancy Worthen  
Executive Director