

**AR State Board of Physical Therapy
MINUTES
September 29, 2005**

Thursday, September 29, 2005

9 Shackleford Plaza, Suite 3, Little Rock, AR

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

Representative from Attorney General's Office: Warren Readnour

Staff Attending: Nancy Worthen and Sarah Chaney

Others present: Charlotte Fant, UCA, Twala Maresh, UCA, Becky Sewell, Rehab Net, Dede Cravens, McCain Park Family Services, Beth Cravens, McCain Park Family Services and Denise Reel, McCain Park Family Services.

CALL TO ORDER - REGULAR MEETING

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

MINUTES

The minutes of the July 7, 2005 regular meeting were approved as presented.

The minutes of the July 7, 2005 hearing were approved as amended.

FINANCIAL REPORT

• Financials

As of September 28, 2005 the regular checking account balance with Metropolitan Bank was reported as \$76,453.96.

As of September 28, 2005 Money Market Funds total \$266,691.53.

Total Assets - \$343,145.49

The financial report was approved as presented.

ADMINISTRATIVE

• Licensure Information

Individuals licensed since the 07-07-05 meeting:

PTs

- By exam: 24
- By reciprocity: 8

PTAs

- By exam: 23
- By reciprocity: 3

Total PTs - 1454

Total PTAs – 718

Total = 2172

INQUIRIES & COMPLAINTS

- **Sheri Allen, PTA Complaint**

The Board reviewed additional information from Laura Ross. Patients and the supervising physical therapist will be contacted for further information. Board members will be contacted with the information to determine the next step.

- **Kristi Rowe Complaint**

A complaint was received from Caroline Moore, COTA and Kerri Odom, PTA concerning Krisit Rowe working as a PTA without a license at Select Specialty Hospital. The Board reviewed the complaint, the response from Kristi Rowe and the response from Cindy McLain, CEO of Select Specialty Hospital and determined additional information was needed. Additional information will be gathered and presented at the next meeting.

- **Anonymous Complaint**

An anonymous complaint was received with a copy of a help wanted ad for a physical therapy tech. A letter and copy of the ad was faxed to Geyer Springs Chiropractic. A response was received from Matt Huneycutt, D.C stating the job title is Public Relations/Chiropractic Assistant but they are seeking a person with physical therapy tech experience. A letter will be sent to Matt Huneycutt cautioning him against advertising that will mislead the public. No further action will be taken.

- **Rick Byrd Complaint**

A letter was received from James Spencer with complaints concerning Rick Byrd, employed by Functional Testing Centers. Mr. Byrd performed a functional capacity evaluation on Mr. Spencer at Northside Physical Therapy Clinic. After review of the complaint and response from Mr. Byrd, the Board determined Mr. Byrd did not profess to be a physical therapist, therefore the complaint does not fall under the jurisdiction of the Physical Therapy Board. A letter will be sent to Mr. Byrd cautioning him to be sure he clarifies to the public that he is not a physical therapist and is not practicing as a physical therapist while performing functional capacity evaluations. A letter will also be sent to James Spencer explaining the Board's position.

- **Blake McBride Inquiry**

Blake McBride called Seth with concerns that Blue Cross Blue Shield is requiring a higher standard for some physical therapists to treat patients through the any willing provider provision by requiring that therapists receive a specialty certification unless they work in a hospital setting. A letter will be sent to Blue Cross Blue Shield and to the Insurance Commission.

- **Stephen Joseph Inquiry (PT Corporations)**

An e-mail was received from Stephen Joseph, PT, concerning a certificate of registration for a professional corporation. He also asked if physical therapists and occupational therapists are allowed to own a corporation together. Warren informed the Board that a

professional corporation cannot be owned by multiple professions. Warren also gave the Board an example of a certificate of registration.

- **Marty Jacobs Inquiry**

Marty Jacobs called the board office and asked if his felony charge and time spent in prison would keep him from receiving a physical therapist license if he were to attend school and obtain a PTA degree. The Board determined there is nothing in the Practice Act that specifically requires an applicant be denied a license based on a felony charge, however, determination of licensure must be made by the board members serving on the board at the time of application. The current board members cannot approve or deny an application that will be received in the future. Should Mr. Jacobs decide to pursue a degree and apply for licensure, his application would need to be accompanied by records describing all the facts surrounding his felony charge for review by the board in place at the time of licensure.

- **Beth Cravens Inquiry**

Beth Cravens, PT and Dede Cravens, PT from McCain Park Family Services spoke to the Board on behalf of employee Denise Reel, PT. Ms. Reel received a letter of reprimand from the Board in 1997. Beth and Dede Cravens asked the Board to remove the action from Ms. Reel's record. Warren explained that once a complaint is received and action is taken, it becomes a permanent record and cannot be removed.

- **Continuing Education for Russ Nelson**

Russ Nelson, PT sent published articles to the Board requesting approval for continuing education. The Board approved 10 hours of continuing education for Mr. Nelson.

- **Continuing Education for Susan Wallace**

Susan Wallace, PT sent a transcript from NSU Web Services requesting continuing education for courses taken. The Board approved the courses, which will complete continuing education requirements for Ms. Wallace.

OLD BUSINESS

- **ADA Requests**

Nancy presented the Board with a new form for special accommodations and additional special accommodations information received at the recent FSBPT meeting. The Board reviewed the information and approved the form.

- **Chiropractors**

The Board discussed options regarding conflicts between the Physical Therapy Board and the Arkansas State Board of Chiropractic Examiners. The motion was made, seconded and passed to request that the Attorney General authorize the Board to hire private counsel to further pursue these options. Seth talked to attorney Marshall Ney in Rogers and the Board will consider hiring him if approval for outside counsel is received.

- **Citizen Advocacy Center & FARB Annual Meetings**

The Board reviewed information from the Citizen Advocacy Center and FARB annual meetings and determined Nancy would attend the FARB annual meeting in February 2006.

NEW BUSINESS

- **SS Numbers for Foreign Educated**

Nancy raised the question of accepting applications and issuing licenses to foreign educated physical therapists who do not have a social security number. Warren informed the Board that Arkansas Code § 17-1-104 requires that licensing entities record social security numbers of each person applying for a license. The Board determined that applications will no longer be accepted without social security numbers and licenses will not be issued to pending applicants without social security numbers.

- **Foreign Educated Degrees**

Twala Maresh and Charlott Fant from UCA discussed foreign educated degrees with the Board. There is a concern that the Masters level does not carry the same content required by UCA. A letter will be sent to FSBPT voicing concerns about the Coursework Evaluation Tool. Twala will send information from UCA to be sent along with the letter. The motion was made, seconded and passed to send a packet to FSBPT spelling out the concerns of the Board.

The Board also determined the information from UCA will be used to develop a credentialing criteria that supports the Masters level. ASU will be asked if they would like to contribute information for the development of the credentialing tool. The motion was made, seconded and passed.

The Board agreed that all foreign educated applications will be reviewed by the Board for approval.

- **IBT/Next Generation TOEFL Scores**

At the FSBPT meeting in September, the Delegate Assembly voted to adopt iBT passing scores of Writing: 24; Speaking: 25, Reading Comprehension: 18; Listening Comprehension: 21; Total Score: 89. The motion was made, seconded and passed for the Board to adopt these scores.

- **Giving Pass/Fail Over the Phone**

Nancy asked if there were objections to candidates being told whether they passed or failed the exam over the phone. There were no objections from the Board provided proper identification was received to verify information is being given only to the candidate.

ADJOURNMENT

The meeting adjourned at 3:15 p.m.

The next meeting is scheduled for December 1, 2005.

Respectfully submitted,

Nancy Worthen
Executive Director