

**AR State Board of Physical Therapy
MINUTES
November 6, 2007**

Thursday, November 6, 2007

9 Shackelford Plaza, Suite 3, Little Rock, AR

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

Representative from Attorney General's Office: Warren Readnour

Staff Attending: Nancy Worthen, Sarah Chaney

Others Present: Rob Jordan, ArPTA

CALL TO ORDER - REGULAR MEETING

Chairman Seth Coulter called the meeting to order at 10:00 a.m.

MINUTES

The minutes of the August 23, 2007 regular meeting were approved as amended.

FINANCIAL REPORT

• Financials

As of November 5, 2007 the regular checking account balance with Metropolitan Bank was reported as \$17,110.62.

As of November 5, 2007 the Money Market Funds total \$420,376.25.

Total Assets - \$437,486.87

The financial report was approved as presented.

ADMINISTRATIVE

• Licensure Information

Individuals licensed since the August 23, 2007 meeting:

PTs -

- By exam: 27
- By reciprocity: 6

PTAs -

- By exam: 25
- By reciprocity: 2

Total PTs - 1519

Total PTAs - 803

Total - 2322

INQUIRIES & COMPLAINTS

• Michael DuPriest, PT

A complaint was received on May 3, 2007 from Mary Ann Campbell against Michael

DuPriest, PT of ACFN Physical Medicine. Ms. Campbell alleged that she was injured by Alicia Rasburry during physical therapy treatment at ACFN Physical Medicine. The Board reviewed the complaint and Mr. DuPriest's response, as well as responses from ACFN employees, Alicia Rasburry and Chad Cavagnaro, at a board meeting on June 12, 2007. Further information was requested and reviewed at the August 23, 2007 board meeting. The Board requested that Warren and Nancy complete a draft Notice of Hearing for review at the next meeting. A copy of Ms. Campbell's doctor's referral was also requested. All additional information was reviewed at today's meeting and the Board determined a hearing would be conducted. The hearing will be scheduled after the Notice of Hearing is revised.

- **Total Recovery Modality**

A complaint was received from Becky Sewell of Rehab Net against Total Recovery Physical Modality. The complaint stated that Total Recovery Physical Modality appeared to advertise physical therapy treatments but did not employ physical therapists. The Board reviewed the complaint at the August 23, 2007 meeting and requested additional information. A letter was sent to Physical Therapy Modality as well as a copy to the Medical Board. The Board reviewed the additional information at today's meeting and determined a cease and desist letter would be sent to Physical Therapy Modality.

- **Cornelius Lovelace**

At the August 23, 2007 meeting Todd informed the Board that he was contacted in regards to Cornelius Lovelace, who may be practicing without a license. Mr. Lovelace's physical therapist license expired March 1, 2007. Todd obtained a letter from Mr. Lovelace to a client. The letterhead read "Cornelius Lovelace - PT - Physical Therapist - Certified Personal Trainer." A letter was mailed to Mr. Lovelace requesting a written response. A response was not received. The Board reviewed all information at today's meeting and determined there is enough evidence to proceed to a hearing. Mr. Lovelace will also be offered a Consent Agreement. A date for the hearing will be scheduled when the Notice of Hearing and Consent Agreement are complete.

- **Olie Rainwater, PTA**

The Board received a complaint on June 7, 2007 from Peggy Kleffner of RehabCare Group, Inc. against Olie Rainwater, PTA. Ms. Kleffner alleged fraudulent documentation by Ms. Rainwater. The complaint was reviewed at the June 12, 2007 board meeting but Ms. Rainwater's response had not been received at that time. The Board reviewed the response from Ms. Rainwater at the August 23, 2007 meeting and determined further information was needed from Ms. Kleffner. Additional information was reviewed at today's meeting and the Board determined there is insufficient evidence of a violation of the Practice Act to conduct a hearing. A letter will be sent to Ms. Rainwater to inform her that no action is being taken at this time but that documentation is a very serious issue and she should be certain that all documentation is complete and accurate.

- **Michael Oldham, Chiropractor**

A complaint was received on March 9, 2007 from Natasha Bizzle, PT with concerns of unethical practice by Michael Oldham, DC. The complaint was reviewed at the March 29, 2007 meeting then forwarded to the Arkansas State Board of Chiropractic Examiners

(ASBCE). A copy of the complaint was also mailed to Michael Oldham. A response was received from the ASBCE and reviewed by the Board at today's meeting. ASBCE found no violation of their Practice Act. The Board discussed the next step of pursuing the complaint in a civil proceeding. A letter will be sent to Natasha Bizzle explaining that specific names of patients willing to testify are needed before the Board can pursue the complaint in civil court.

- **Living Well Chiropractic**

An email was received from Lora Mize, PT concerning an advertisement listed on the Acxiom classifieds. Living Well Chiropractic lists "physiotherapy" as a service. A response will be sent to Lora Mize explaining that the chiropractor is not violating the Practice Act unless he advertises that he is a physical therapist.

- **Ryan Oyos, PT**

A complaint was received from Office of Long Term Care against Ryan Oyos, PT. A resident of Quapaw Care & Rehab filed a complaint of abuse against Mr. Oyos. The Office of Long Term Care determined the complaint was unfounded. No action will be taken.

- **Jim Keller, PT**

A complaint was filed by Linda Douthitt against Jim Keller, PT. The complaint involved improper billing by Jim Keller at American Physical Therapy Center. The Board determined no action would be taken. A letter will be sent to Ms. Douthitt explaining the Board does not regulate this type of billing issue. A copy of the letter will be mailed to Mr. Keller.

- **Lawrence Health Care**

A complaint was filed by Linda Douthitt against Lawrence Health Services in Walnut Ridge. The complaint alleged improper billing by Lawrence Health Care. The Board determined no action would be taken. A letter will be mailed to Ms. Douthitt.

- **Inquiry from Cheryl Jordan PTA**

An email was received from Cheryl Jordan, PTA asking about the procedure for requesting that a physical therapist assistant hold a seat on the Board. A response will be sent to Ms. Jordan explaining the procedure. This issue will be discussed when the Board revises the Practice Act and Rules and Regulations.

- **Steve Joseph Inquiry Regarding Cross Country Education CE**

Steve Joseph, PT expressed concerns to Seth regarding approval of a course given by Cross Country Education. The Board reviewed the course titled Effective Treatment of Common Cervical and Upper Thoracic Pain conditions, and determined the course is appropriate for continuing education.

- **Terri Harold - CEU Approval**

Terri Harold, manager of rehab at The Pines Nursing and Rehabilitation Center, requested continuing education approval for a course titled Building and Maintaining Teams. The Board reviewed information on the course and denied the course for

continuing education. A letter will be mailed to Terri Harold.

- **Brooke Graves, PT - CEU Approval**
Brooke Graves, PT requested approval for five courses on canine physical therapy. The Board approved the courses for continuing education.
- **Chessica Porterfield - CEU Approval**
Chessica Porterfield, PT submitted a request for continuing education for her certification with the American Academy for the Certification of Brain Injury Specialists. The Board approved the certification for 10 hours of continuing education. Future recertification will not be approved.
- **Catherine Pantig – Test Approval**
The Board reviewed Catherine Pantig’s application and credentials and gave approval for Ms. Pantig to sit for the exam.
- **Sharonda Jones-Osby – Test Approval**
Sharonda Jones-Osby failed the NPTE five times through Mississippi and Tennessee and is applying to sit for the exam through Arkansas. The Board requested that the board office obtain rules from Mississippi and Tennessee regarding the number of times candidates are allowed to take the NPTE. Ms. Jones-Osby is required to enroll in coursework at a college or a nationally recognized review course. She will be notified of this requirement and will be given information to contact Todd after she is enrolled.
- **Tiffany Floyd – Test Approval**
Tiffany Floyd is requesting to sit for the exam for the fifth time. Ms. Floyd is required to enroll in coursework at a college or a nationally recognized review course. She will be notified of the requirement and will be given information to contact Todd after she is enrolled.

OLD BUSINESS

NEW BUSINESS

- **Rob Jordan, ArPTA**
Rob Jordan addressed the Board concerning adopting language to redefine manual therapy and issues that resulted from the Teston lawsuit. The Board discussed future regulatory and rule changes and issues addressed by Rob Jordan.
- **Meeting Between ArPTA and RehabNet**
Seth informed the board of an upcoming meeting between ArPTA and RehabNet. The purpose of the meeting is to begin work toward legislative changes.
- **Shawna Remy, CMMT, LMT**
Seth received information from Shawna Remy, massage therapist, offering her massage therapy services to patients of Coulter Physical Therapy. The Board determined there is no Practice Act Violation for Ms. Remy to offer services to physical therapy clinics providing she is not performing physical therapy.

- **Retro Coursework Evaluation Tool**

The Board reviewed information regarding the Retro Coursework Evaluation Tool (CWT). The Retro CWT will be used for reciprocity applicants only. The current CWT will be used for exam applicants. A letter will be faxed and mailed to all credentialing agencies.

- **Act 633 Stakeholder's Meeting**

The Board reviewed correspondence between Eric Linson, ATC, LAT and Seth concerning Act 633. A discussion was held regarding Act 633.

ADJOURNMENT

The meeting adjourned at 4:05.

The next meeting will be scheduled at a later date.

Respectfully submitted,

Nancy Worthen
Executive Director