

**Oregon Physical Therapist Licensing Board  
Special Board Meeting  
July 11, 2007**

**MINUTES**

**Wednesday, July 11, 2007**

**Board Members Present:** Joana Freedman, PT, Chair; Steve Alstot, PT, Vice Chair; Daiva Banaitis, PT, PhD; Burke Selbst, PT; Nancy Wilson, PTA

**Board Members Absent:** Jason Fiske, PT; Cindy Cunningham, Public Member

**Staff:** James Heider, Executive Director; Sherri Paru, PT, Clinical Advisor/Investigator; Mindy Tucker, Investigator

**Legal Counsel:** Carol Parks, AAG

**EXECUTIVE (CLOSED) SESSION**

The Special Board Meeting was held via telephone conference. Interested parties were notified, by mail, and Notice was posted on the Board website.

At 3:00 PM, Board Chair, Joana Freedman convened the Board, into Executive Session, citing ORS 192.660(2)(k). Pursuant to ORS 192.660(2)(k), this portion, of the Meeting, is closed to the public.

In Executive Session, the Board reviewed investigatory information and possible settlement of a current case pending Hearing. The Board also considered legal advisement, from Board Counsel, regarding the case.

The closed door Executive Session is digitally recorded and stored electronically on the Board's file server.

At the completion of the Executive Session, Board Chair, Joana Freedman closed the Executive Session and convened the Board, into Public Session, to entertain any Motions, publicly vote on any actions so moved, before the Board, and cover any other Public Session business.

**PUBLIC (OPEN) SESSION**

The public and interested parties are invited to attend this portion of the meeting. The Public Session is digitally recorded and stored electronically on the Board's file server. Audio copies are available, to the public or interested parties, for the administrative cost to reproduce the audio file.

**Board Motions**

**Case PT 202-8/05**

Motion, by Joana Freedman, to issue Stipulation and Final Order citing multiple violations of the Statutes and Rules and stipulating to the following:

1. Suspension of physical therapy license until all conditions of the Order are met, but not less than one year.
2. Assess civil penalty, of \$5000, payable prior to the Board lifting the Suspension.
3. Licensee must complete an evaluation and course of treatment as recommended by Board approved chemical dependency/pain management facility.
4. Licensee must complete a professional boundary program approved by the Board.
5. Within 14 days of the Board's execution of the Stipulated Order, the Licensee will provide the Board with a course of action of how treatment will be provided to patients at Licensee's clinic. This course of action must be approved by the Board.
6. Licensee must advise the Board, of any clinic personnel changes, within 5 days of the hiring or termination.
7. Licensee shall refrain from performing any activity which requires a PT practitioner to be a licensee of the Board.
8. Licensee shall agree to cooperate with the Board.
9. Licensee and treatment providers shall provide the Board with quarterly reports of Licensee's status and progress.
10. Licensee shall stipulate that she can not contest underlying Notice of Revocation and, if she fails to timely comply with conditions of Stipulation, the Board may revoke her license. At a Hearing regarding revocation, Licensee can only contest whether she complied with the Stipulation, and whether she can safely practice physical therapy. Licensee shall have the burden of proof.
11. Licensee shall stipulate that she committed the following violations:
  - a. Practice beyond the scope of physical therapy
  - b. Failure to maintain appropriate therapist/patient boundaries
  - c. Failure to be available to provide treatment/supervision
  - d. Inappropriate use of aides and assistants
  - e. Failure to properly document aide training
  - f. Failure to perform and document required reassessments
  - g. Failure to maintain adequate medical records
  - h. Failure to cooperate with the Board

Upon completion of all conditions of the Stipulation, but not sooner than one year from the execution date of the Stipulation, Licensee's license, to practice physical therapy, will be reinstated and licensee will be on probation for five years.

Seconded by Daiva Banaitis

Motion passed, by quorum; absent, for the vote, were Board members Cindy Cunningham and Jason Fiske.

### **Other New Business**

The Board Chair called for other new business. With none noted, Board Chair, Joana Freedman adjourned the Board Meeting at 4:11 PM.