

**Physical Therapist Licensing Board  
Administrative Rules Hearing  
December 02, 2005**

**MINUTES**

**Friday, December 02, 2005**

**Board Members Present:** Jerry Nickell, PT, Chair; Steve Alstot, PT Member; Nancy Wilson, PTA Member; Pat Moore, MD, Physician Member; Cindy Cunningham, Public Member

**Board Members Absent:** Daiva Banaitis, PT, PhD; Joana Freedman, PT, Vice Chair

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

**Legal Counsel:** Carol Parks, AAG

The Proposed Administrative Rules Hearing was held Friday, December 02, 2005, in Room 445 of the Portland State Office Building, 800 NE Oregon Street, Portland, OR. The Hearing was convened at 8:44 AM by Jim Heider, Board Executive Director and Presiding Hearing Officer.

Mr. Heider presented an opening statement asking all guests to sign the attendance log, which is on file with the Board. The Hearing was recorded on Tape 1, Sides A and B, titled, 12.02.05 Public Hearing Administrative Rules Hearing and is available in the Board office.

Mr. Heider instructed the Board/Staff panel and the audience of the procedure he would use to conduct the Hearing. Each Rule Division would be addressed, in sequential order, starting with Division 1. Mr. Heider would read the Rule Summary from the Notice of Proposed Rulemaking Hearing form. He would then open the floor up for testimony regarding the proposed rule changes for that Division, or any issues with regards to the Rules in that Division.

**Division 1 Procedural Rules**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

No comments or testimony with regards to changes in Division 1.

**Division 5 Board Administration**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

Testimony for consideration was presented by: Tracy Fritts, PT, representing the Oregon Physical Therapy Association (OPTA); Rhonda Hynes, PT; Karen Walz, PT; Jeff Whinery, MPT; Julie Richard, PT; Elizabeth Zastrow, DPT; and, Jeff Cuscumano, MPT.

**Division 10 Licensing of Physical Therapists, Physical Therapist Assistants, and Temporary Permit Holders**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

Testimony for consideration was presented by: Karen Walz, PT.

### **Division 15 Physical Therapist Assistants**

Housekeeping changes only to Division 15.

### **Division 20 Physical Therapist Aides**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

Testimony for consideration was presented by: Diana Godwin, Attorney, on behalf of Oregon Physical Therapists in Independent Practice (OPTIP) and Jane Cedar, PT, Mt. Hood Community College (MHCC).

### **Division 30 Practice Without Referral**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

Testimony for consideration was presented by: Jeff Whinery, MPT; Julie Richard, PT; Elizabeth Zastrow, DPT; Jeff Cuscumano, MPT; and, Mary Halpert, PT.

### **Division 35 Continuing Education**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

Testimony for consideration was presented by: Tracy Fritts, PT, OPTA; Jane Cedar, PT MHCC; Jeff Whinery, MPT; Julie Richard, PT; Elizabeth Zastrow, DPT; Jeff Cuscumano, MPT; Karen Walz, PT; Julie Segura, PT; Rosalyn Beesley, PT; Sabrina Tusing, PTA; Cathy Fritz, PT; and, Cheryl Sears, PT. Comments made by Carol Parks, AAG; Dode Jackson, PT; and, Diana Godwin, Attorney.

### **Break 10:05 AM**

**The Hearing was re-convened at 10:18 AM.**

### **Division 40 Minimum Standards for Physical Therapy Practice and Records**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

Testimony for consideration was presented by: Diana Godwin, Attorney, OPTIP and Karen Walz, PT.

**10:25 AM Joana Freedman, PT , Board Vice Chair, joined the hearing.**

### **Division 45 Grounds for Discipline and Sanctions**

After Mr. Heider read the Rule Summary, the floor was opened for testimony.

Testimony for consideration was presented by: Dode Jackson, PT; Diana Godwin, Attorney, OPTIP; Tracy Fritts, PT, OPTA; Trevor Todd, PT; Jane Cedar, PT, MHCC; Karen Walz, PT; and, Jeff Giulietti, MPT.

### **Division 50 Substance Abuse Diversion**

No proposed changes submitted for Division 50.

Mr. Heider opened the floor for comments, on any of the rules, that may not have been presented or brought forth earlier.

Without further comments, Mr. Heider closed the floor to testimony and adjourned the Hearing at 10:46 AM.