

Physical Therapist Licensing Board

Board Meeting

July 18, 2003

MINUTES

Present: Board Members: Cathy Zarosinski, PT, MS, Chair; Daiva Banaitis, PT, PhD; Jerry Nickell, PT, Vice Chair; Pat Moore, MD Physician Member, Nancy Wilson, PTA; Joana Freedman; Cindy Cunningham, Public Member. Staff: James Heider, Executive Director; Sherri Paru, PT, Clinical Advisor/Investigator. Legal Counsel: Carol Parks, AAG

PUBLIC (OPEN) SESSION

The meeting was convened by Board Chair, Cathy Zarosinski, PT, MS

Pursuant to ORS 192.660 (1)(k), Ms. Zarosinski took the Board into Executive Session to discuss licensee investigations.

EXECUTIVE SESSION

The Board reviewed investigatory information regarding pending cases and new complaints.

The closed door meeting of the executive session is recorded and labeled on sides A and B of two recording tapes.

Ms. Zarosinski took the Board out of Executive session and into Open Session.

PUBLIC (OPEN) SESSION

Case PT 115-1/03

Motion by Mr. Nickell to close the case. No violation.
Seconded by Ms. Wilson.
Motion passed unanimously.

Case PT 124-3/03

Motion by Mr. Nickell to close the case and send the licensee a letter of concern and send the witnesses' attorney a letter explaining HIPAA regulations.
Seconded by Ms. Wilson.
Motion passed unanimously.

Case PT 140-6/03

Motion by Mr. Nickell to close the case. No violation. Licensee to be sent a letter explaining Medicare requirements versus Oregon Law.

Seconded by Ms. Wilson.

Motion passed unanimously.

Case PT 134-4/03

Motion by Mr. Nickell to impose a civil penalty of \$100.00 on the licensee

Seconded by Ms. Wilson.

Motion passed unanimously.

Case PT 133b-4/03

Motion by Mr. Nickell to accept Stipulation and Final Order as modified by licensee and her attorney.

Seconded by Dr. Moore.

Motion passed unanimously.

Case PT 119-1/03

Motion by Mr. Nickell to issue a Final Order on default- denying application

Seconded by Ms. Wilson.

Motion passed unanimously.

Case Applicant E.R.

Motion by Mr. Nickell to grant her application for licensure.

Seconded by Ms. Wilson.

Motion passed unanimously.

Case PT 136a-5/03

Motion by Mr. Nickell to issue a notice of proposed discipline with civil penalty of \$250.00

Seconded by Ms. Wilson.

Motion passed unanimously.

TOPIC- Approval of policies and procedures and delegation of authority to issue new licenses

Motion by Ms. Wilson to approve new policies and procedures and to delegate authority to issue new licenses to Board Chair and Vice Chair.

Seconded by Ms. Banaitis.

Motion passed unanimously.

Case No. PT 111- 12/02

Motion by Dr. Moore to close the case. No violation.
Seconded by Mr. Nickell.
Motion passed unanimously.

Case No. PT 77-11/01 Chris Whetstine, LMT-

Motion by Mr. Nickell to close the case. No violation.
Seconded by Ms. Wilson.
Motion passed unanimously.

Case No. PT 90-04/02 Dan Taylor, LMT- Investigation ongoing.

Topic- Approval of Meeting Minutes- meeting minutes approved as written from May 16, 2003.

Topic- Ratification of PT/PTA Licenses- All licenses ratified for period of May 16, 2003 through July 17, 2003.

Topic- Stuart Stark, PT- requests CEU credit for yoga classes- The Board approved 32 hours of yoga classes he takes because other PT's get CEU credit for taking the classes that Stuart teaches. These hours are approved for the 1999-2002 period only, these will not count for the following three-year period. Sherri Paru will write Mr. Stark a letter and explain this to him.

Topic- Lieselotte (Lotti) Baird, foreign educated PT applying for a license- The Board found the credentialing done by the FCCPT to be inaccurate and asked the Executive Director 1) to write a letter of concern to the FCCPT and 2) to review Mrs. Baird's prior credential evaluation accepted by the PT Board of MN done by International Consultants of Delaware, Inc. for compliance to the Oregon rules. Report findings back to the Board.

Topic- Licensees self reporting to insurance companies- Carol Parks, AAG researched whether the current rules allow the Board to mandate that when a PT is disciplined for working without a current license he or she must report themselves to all insurance companies that were billed during the time that the license was lapsed. Ms. Parks found that at this time, the Board can not do that. She suggested that the Board adopt a new rule that would require a PT or PTA to self report to insurance companies. The Board plans to revise and add several rules within the next few months and they will include this one.

Topic- Miguel Alonzo-Diez, foreign educated PT applying for a license- The FSBPT report stated that Miguel must take a class in anatomy, abnormal or developmental psychology and neurological sciences. Miguel wants to take the classes at University of Oregon and submitted the course descriptions to the Board. The Board approved for Miguel to take the classes at the University of Oregon. He is aware that he needs to retake the TWE test as his score of 4.0 was not passing. He also needs to

provide the Board with proof of 800 hours of clinical affiliations. Sherri Paru will contact him and let him know that his school must send us proof that he did, in fact, complete the required affiliations.

Topic- Reporting conflict of interest- Carol Parks, AAG gave the Board members some written information regarding conflict of interest and when it may be appropriate for Board members to excuse themselves from a discussion and a vote.

Topic- Financial Report- Executive Director presented the biennium financials for 7/1/01-6/30/03. Reporting expenses over plan by \$16,841 and our income exceeded plan by \$14,609. The Executive director also presented the Board with a final copy of the 7/1/03-6/30/05 approved biennium budget.

Topic- Secretary of State Audit- Executive Director presented the Board with a final copy of the Change in Directors Audit as completed by the States Audit Division. Also presented were the policies and procedural changes that were developed as part of the Audit findings. The Board reviewed the new policies and procedures and set them aside for ratification.

Topic-Banking Relationship Analysis- Executive Director presented the Board with a business analysis on the Boards current banking relationship and options with regards to changing that relationship. Based on the detailed analysis the Director recommended addressing the current vendor issues up front and remain in the current situation. The Board chose to accept the Directors recommendation.

Topic-Healthcare Integrity and Protection Data Bank- Executive Director gave the Board a brief mini session on the HIPDB, its origin, requirements and ramifications if not kept current. Director reported to the Board that after 3 years the Board was now current and in compliance with the HIPDB. Additionally the Director has taken steps to go on-line with the HIPDB allowing for a speedier process in reporting.

Topic- Next Two Board meetings- The next two Board meetings are September 19, 2003 and November 14, 2003.

Ms. Zarosinski adjourned the meeting.