

Oregon Physical Therapist Licensing Board

NEWSLETTER

Fall 2006

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BOARD WEBSITE

www.ptboard.state.or.us

OFFICE HOURS

Monday through Friday
8:00 AM to 4:30 PM
(Closed Holidays)

***** IMPORTANT NOTICE*****

2007-2008 LICENSE RENEWAL APPLICATIONS WILL BE MAILED TO ALL LICENSEES DURING THE FIRST WEEK OF JANUARY, 2007.

All current licenses will expire on March 31, 2007.

If you do not renew your license and you practice on or after April 1, 2007, you will be subject to disciplinary action by the Board.

If you have not received your renewal application by February 1, 2007, please contact the Board to receive another application.

YOU DO NOT NEED TO PROVIDE PROOF OF COMPLETION OF CONTINUING EDUCATION IN ORDER TO RENEW YOUR LICENSE THIS YEAR.

As a reminder, the first continuing education certification period is January 1, 2006 through March 31, 2008.

The next certification period is April 1, 2008 through March 31, 2010.

All PTs must complete 24 contact hours of continuing education, and all PTAs must complete 12 contact hours of continuing education, during each applicable certification period, to maintain a current license.

See page 4, of this newsletter, for answers to the most frequently asked questions regarding the new continuing education rules.

Administrative Rules Hearing and Board Meeting

A Public Hearing, regarding the Board's proposed Administrative Rule changes, will be held at 4:30 PM on THURSDAY, JANUARY 25, 2007.

The Hearing will be held in Room 445 of the Portland State Office Building, 800 NE Oregon Street, Portland, Oregon.

At the Hearing, the Board will welcome public testimony and comments on the proposed rules. If you would like to make comments but are unable to attend the meeting, you may submit written testimony or comments to the Board. For consideration, all written comments must be presented at the Hearing or received in the Board office by noon, Thursday, January 25, 2007. The Board appreciates and encourages all comments and suggestions from licensees.

A summary of the proposed rule changes, and the statement of need and fiscal impact, can be found on pages 3 and 4 of this newsletter. The full text version, of the changes, are available on the Board website at www.ptboard.state.or.us

SUMMARY OF PROPOSED RULE CHANGES

For the past 6 months, an Advisory Committee consisting primarily of therapists, who work in the educational and early intervention settings, have been meeting to take a comprehensive look at the rules and how they relate to, and affect their practice. Following these committee meetings, a sub-committee drafted language for several proposed rule changes and additions. Most of these rules will affect therapists practicing in all areas of physical therapy, not only the educational setting. The Board urges all licensees to review the changes, regardless of the setting in which you practice.

Due to the amount of inquiries that the Board receives in regards to the performance of screenings, new rules relating to this topic were included in these proposed changes (see Division 40 below). The Board would greatly appreciate any input that licensees may have regarding this new proposed rule.

The significant proposed rule changes are as follows:

Division 15 (Physical Therapist Assistants):

- Proposed rule to allow a PTA to provide limited services to a student in a school setting before a PT performs the initial evaluation. The services provided are limited to coordination of care to insure that the student can safely access the classroom and related educational services.

Division 20 (Physical Therapist Aides):

- Proposed rule clarifying the definition of physical therapist aide (aide). Specifically the rule states that nurses aides, restorative aides, educational assistants or instructional assistants are not “aides” although they do provide services pursuant to direction or instruction from a PT or PTA.

Division 40 (Minimum Standards For Physical Therapy Practice And Records):

- Proposed rules adding or clarifying definitions for the terms: aide, patient, plan of care, IEP, IFSP, IDEA, record, permanent record, and student.
- Proposed rule allowing a PTA to perform treatment on the day that a reassessment is due, so long as a reassessment is performed by a PT sometime that day.
- Proposed rule clarifying the distinction and requirements of a “record”, verses the “permanent record”.
- Proposed rule changing the timeframe for performance of a reassessment for therapists in the educational setting, from 60 calendar days to 60 school days.
- Proposed NEW rules regarding the performance of screenings by a PT.

THANK YOU TO OUR RULES ADVISORY COMMITTEE

The Board would like to publicly thank the volunteer members of the Rules Advisory Committee. Most of these individuals attended two evening meetings and others spent several hours reviewing materials. The Committee included therapists from a wide range of pediatric settings and came with a wide range of experience. The Board greatly appreciates the group’s valuable input and suggestions.

Physical therapist committee members included: Terese Roeseler, Josie Seymour, Lisa Protsman, Bruce Alter, Julie Speck, Ann Jorling, Darla Kroll, David Komeji, Nancy Cicirello, Gail Watnick, Sharon Steele, Patty Boyd, Kerri Schweiger, and Steve Alstot.

The Board would like to especially acknowledge committee member, Diana Godwin, Attorney at Law, who spent countless hours drafting proposed rule language. Ms. Godwin represents OPTIP (Oregon Physical Therapists in Independent Practice) and has a private law practice in Portland.

STATEMENT OF NEED AND FISCAL IMPACT REGARDING PROPOSED RULE CHANGES

(State Law requires the Board to make this Statement available to all licensees)

Oregon Physical Therapist Licensing Board

Chapter 848

Agency and Division

Administrative Rules Chapter Number

In the Matter of:

848-001-0000; 848-001-0010; 848-010-0015; 848-010-0033; 848-010-0035; 848-015-0010; 848-015-0020; 848-020-0000; 848-040-0100; 848-040-0110; 848-040-0117; 848-040-0125; 848-040-0130; 848-040-0135; 848-040-0140; 848-040-0145; 848-040-0150; 848-040-0155; 848-040-0160; 848-040-0175

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.) Amend and better define scope of practice standards applicable to therapists in a school setting

Statutory Authority: ORS 688.160

Statutes Implemented: ORS 688.160(6)(c)

Need for the Rule(s): Through input from the profession, the Board determined that its administrative rules governing the scope of practice of physical therapy relative to therapists in the school setting were not always adequate, clearly defined, and achievable based on the uniqueness of the educational programs designed for children qualifying for special education. It was this need that generated the proposed changes to the rules cited above.

Documents Relied Upon, and where they are available: Current Statute and Rules, full text available on the Board's website at www.ptboard.state.or.us and input from the Advisory Committee and Board.

Fiscal and Economic Impact, including Statement of Cost of Compliance: The Board has analyzed the proposed administrative rule changes and finds that there should be no significant fiscal or economical impact to the Board, any other local government units, state agencies, schools, the public or the business community.

How were small businesses involved in the development of this rule? The Legal Counsel representing Oregon Physical Therapists in Independent Practice (OPTIP) sat on both the Advisory Committee and the Drafting Committee. OPTIP represents 125 small independent PT Clinics.

Administrative Rule Advisory Committee consulted? If not, why?: Yes, an Advisory Committee was instrumental in identifying areas of concern and proposing possible solutions. The Committee consisted of 16 members, of which 12 are therapists currently working in the school setting, one attorney, one PT Board Member in Private Practice, and two members of PT Board Staff, one of whom is a PT.

The Notice of Hearing, Statement of Need and Fiscal Impact, and full text version of the proposed Administrative Rule changes can be found on the Board website www.ptboard.state.or.us under the heading, "Proposed Administrative Rule Changes"

MOST FREQUENTLY ASKED QUESTIONS REGARDING CONTINUING EDUCATION

- ⇒ **QUESTION:** I want to take a course that is sponsored by the APTA, will it count for CE credit?
- ⇒ **ANSWER:** YES, any course that is sponsored or approved by an established and recognized medical organization or professional organization recognized, by the Board, will count for CE credit.
- ⇒ **QUESTION:** I want to take a course that is approved by the Texas Board of PT, will it count for CE credit?
- ⇒ **ANSWER:** YES, any course that is approved for CE by other states which require continuing education, will count for CE credit. Texas, Florida and Ohio all list approved courses on their professional organizations website. If the course you wish to attend is listed, then it will qualify for CE in Oregon.
- Websites: Texas– www.tpta.org/continuing_education/index.htm
Florida– www.fpta.org/accreditedcoursesearch.cfm
Ohio–www.otptat.ohio.gov/ptce.stm
- ⇒ **QUESTION:** I am a course provider who wants to offer my course to therapists in Oregon. Do I have to get my course pre-approved before I offer it?
- ⇒ **ANSWER:** NO, There is no pre-approval of courses in Oregon. As long as the course relates to the practice of PT and a completion certificate is issued, the course will count for CE. If the course is approved by another state or recognized organization, it will automatically be approved.
- ⇒ **QUESTION:** I am completing coursework for my transitional DPT, will that count for CE credit?
- ⇒ **ANSWER:** YES, any classes taken after the initial graduation from PT school will count for CE credit. In general, one semester credit equals 10 contact hours.
- ⇒ **QUESTION:** I am completing coursework for my MBA, will that count for CE credit?
- ⇒ **ANSWER:** MAYBE, contact Sherri Paru, PT at the Board office and the Board can review the coursework on an individual basis.
- ⇒ **QUESTION:** I work for a hospital or company that offers formal educational classes for staff in the evenings. Will these classes count for CE credit?
- ⇒ **ANSWER:** YES, if the content of the class relates to the practice of PT and a certificate of completion is issued.
- ⇒ **QUESTION:** I hold a current license, but I have stayed home for the past few years to raise my children, do I still have to complete the CE requirements?
- ⇒ **ANSWER:** YES, If you want to hold a current license, you must complete all of the CE requirements, there are no exceptions to this rule.
- ⇒ **QUESTION:** Do home-study and internet based courses count for CE?
- ⇒ **ANSWER:** YES, as long as the course requires an exam, issues a completion certificate, and is recognized by an institution of higher education, health-related organization, or professional organization recognized by the Board. Journal review does not qualify at for CE at this time.
- ⇒ **QUESTION:** Do I have to send all of my course completion certificates with my license renewal?
- ⇒ **ANSWER:** NO. You only need to send in your certificates if you are audited by the Board. However, you must keep all certificates for 3 years following the date of the course.

DISCIPLINARY ACTIONS

NAME & LICENSE NO.	DATE OF ACTION	ACTION TAKEN	REASON FOR DISCIPLINARY ACTION
Danielle Sutter, PTA License #8279	03/07/06	STIPULATION AND FINAL ORDER Voluntary Surrender of License Agreement to never reapply for a license in Oregon	Multiple rule violations
Gerald (Herb) Kieklak License #2156	08/08/06	STIPULATION AND FINAL ORDER Voluntary Surrender of License Agreement to never reapply for a license in Oregon	Alleged sexual impropriety
Leslie Clemmer, PT License #0765	03/31/06	FINAL ORDER BY DEFAULT License Revocation	Multiple rule violations.
Colin Hoobler, PT License #4294	09/15/06	STIPULATION AND FINAL ORDER \$5000 Civil Penalty Two years probation, with conditions	Multiple rule violations.
Eric Zamboni, PT License #4226	07/21/06	STIPULATION AND FINAL ORDER- REPRIMAND \$500 Civil Penalty, with conditions	Documentation violations
Joni Fisher Jones, PT License #1097	04/13/06	STIPULATION AND FINAL ORDER \$5000 Civil Penalty Two years probation, with conditions	Improper use of aides and students with Medicare patients
Suzanne Trebnick, PT License #1004	04/13/06	STIPULATION AND FINAL ORDER \$5000 Civil Penalty Two years probation, with conditions	Improper use of aides and students with Medicare patients & documentation violations
Carolyn Rockholm, PT License #4316	02/21/06	STIPULATION AND FINAL ORDER \$2000 Civil Penalty	Improper use of aides and students with Medicare patients
Coraleen Graves, PTA License #8395	06/12/06	STIPULATION AND FINAL ORDER \$75 Civil Penalty	Practicing one day, without a valid license
Justine Craig Rogers, PT License #2529	06/12/06	STIPULATION AND FINAL ORDER \$100 Civil Penalty	Practicing one week, without a valid license
James Bradford Licensed in CA	03/17/06	FINAL ORDER BY DEFAULT \$500 Civil Penalty	Practicing two days, without a valid license
Deborah Jones, PT License #2126	06/05/06	STIPULATION AND FINAL ORDER \$250 Civil Penalty	Practicing over one month, without a valid license

**** At the beginning of 2006, the Board had 16 open complaint cases. An additional 23 complaints were filed in 2006. Of those 39 cases, 12 were closed without violations found, 14 resulted in disciplinary action, and 13 cases currently remain open. Throughout the year, the Board received 5 additional inquiries/complaints that did not warrant Board investigation as no potential Board statute or rule violations existed.



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AVAILABLE ON THE BOARD WEBSITE: www.ptboard.state.or.us

- *THIS NEWSLETTER AND PREVIOUS NEWSLETTERS*
- *COMPLAINT, ADDRESS, NAME CHANGE & WRITTEN VERIFICATION FORMS*
- *ON-LINE LICENSE VERIFICATION*
- *COPIES OF THE PHYSICAL THERAPY STATUTES AND RULES*
- *FUTURE BOARD MEETING DATES*
- *RECENTLY ADOPTED RULE CHANGES AND PENDING RULE CHANGES*