



# PT UPDATE

## Oregon Physical Therapist Licensing Board

### WE'VE GOT NEWS!

April 2000

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#### BOARD MEMBERS:

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Thomas Lorish, MD  
Arlene Harris, PT  
Cathy Zarosinski, PT  
Katie Isaac, PTA  
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#### BOARD TOPICS

*Topics discussed by the Board since the last meeting include:*

**Question:** May licensed PTAs supervise treatments administered by PT students if the treatments are within the scope of practice for PTAs?

**Answer:** No. While PT students might learn some specific tasks from licensed PTAs, it is inappropriate for PTAs to supervise PT students. The oversight of these individuals is the responsibility of the PT.

**Question:** May a PT employed by an assisted living facility treat patients without referral if the PT is not certified for direct access?

**Answer:** Yes, **IF** the facility meets the exemption requirements set forth in ORS 688.132(1)(b)(C)

**Question:** Is an advertisement by a personal trainer for rehabilitation services a violation of the physical therapy statute and rules?

**Answer:** No.

**Question:** Is the term "standing orders" addressed in the PT statute and rules?

**Answer:** No. While members agreed it is not the responsibility of the Board or its licensees to monitor physicians, standing orders must be signed by the physician.

**Question:** Does treating low back pain with the goal of "curing or improving a specific medical problem" by a Massage Technician violate the statute and rules?

**Answer:** Board legal counsel reviewed the massage technician statute and rules, and concluded the language is very broad. Unless an individual represents themselves to be a physical therapist or physical therapist assistant, the PT Board does not have jurisdiction to impose sanctions. Concerns are best addressed to the Massage Technicians Board, or licensees may seek relief in the legislative arena.

# HEARINGS NOTICE

**Question:** If a PT that is certified for direct access sees a patient without physician referral and completes the initial evaluation, can a PTA or PT Aide be utilized for subsequent patient visits.

**Answer:** No. The intent of the direct access law is that a PT certified for practice without referral continues treatment of that patient.

## PATIENT/THERAPIST RELATIONSHIPS

*(correction to previous response)*

This matter was addressed by the Board, and there were many comments received from therapists - so, the Board revisited the question.

Originally, members stated that a therapist could **never** have a relationship with a former patient. Legal counsel advised that this was an erroneous statement, so the Board ask him to research the subject.

While a therapist cannot enter into a personal relationship with a **patient**, Board rules are silent regarding a relationship with a **former patient** (patient has been discharged). However, should any legal actions arise from the patient/therapist relationship, the courts may impose rules addressing this issue that could prove to be adverse to the therapist.

The Board agreed that if a therapist elects to pursue a relationship with a former patient, it is done at their own risk.

## NEXT BOARD MEETING

The Board will meet on Monday, May 1, 2000, at 8:30am in Room 445 of the Portland State Office Building, 800 NE Oregon Street, Portland, OR 97232. Portions of the meeting will be conducted in Executive Session and will not be open to the public.

## NATIONAL EXAMINATION

The Board's examination rule allowed students to sit for the national licensing exam in Oregon upon completion of the didactic portion of their programs is in violation of the agreement with the Federation for use of the national exam. For this reason, the Board is in the process of amending its exam rule to comply with Federation policies and procedures that require students to complete academic and didactic requirements prior to taking the exam.

The Board will hold hearings regarding amendment of OAR 848-010-0015 and 848-010-0050 on May 1, 2000, at 9:00am and 9:15am, respectively, in Room 445 of the Portland State Office Building, 800 NE Oregon Street, Portland.

## OAR 848-010-0015

**Current Rule:** Students may take the national licensure examination upon completion of the didactic portion of their program.

**Proposed Rule:** Students must complete all requirements of their physical therapy program before they may sit for the national examination. This brings the rule into compliance with Federation rules for use of the national exam.

## OAR 848-010-0050

**Current Rule:** Maximum civil penalty the Board may assess per violation may not exceed \$1000.

**Proposed Rule:** Deletes reference to maximum amount of civil penalty in rule, since the maximum amount of \$5000 per violation is set forth in statute. This brings the rule into compliance with the law.

## FEDERATION ANNUAL MEETING

The Federation of State Boards of Physical Therapy annual meeting will be held on March 31-April 3 in New Orleans, LA.

Linda Barbee, PT, Board Chair, was elected by the membership to be the Federation-sponsored delegate from Oregon. Katie Isaac, PTA, will also attend the meeting as Alternate Delegate.

Georgia Spence, Executive Officer, will attend as the Federation-sponsored administrator delegate to the Council of Board Administrators meeting and will also attend the annual meeting.

The theme for this year's annual meeting is "Setting the Standards for the Millennium".

*HAPPY SPRING, EVERYONE!*



Georgia a call at 503-731-4047.

**FEDERATION ANNUAL MEETING AGENDA**  
*FOR YOUR INFORMATION*