PT UPDATE

Oregon Physical Therapist Licensing Board

WE'VE GOT NEWS!

July 1999 Vol 4 No 1

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Welcome to New Board Member

BOARD MEMBERS:

Linda Barbee, PT, Chair
Dorthea Petersen, Public Member
Thomas Lorish, MD
Arlene Harris, PT
Cathy Zarosinski, PT
Katie Isaac, PTA
Jerry Nickell, PT

BOARD STAFF:

Georgia Spence, Executive Officer
Dot Danovich, Administrative Assistant

800 NE Oregon Street, Suite 407
Portland, OR 97232
Phone: 503-731-4047
E-Mail: Georgia.A.SPENCE@state.or.us
Web: www.ptboard.state.or.us

BOARD TOPICS

Topics discussed by the Board since the last newsletter include:

Question: Is completion of the OASIS form regarding medications within the scope of practice for a PT?
Answer: Yes. Completion of this form does not constitute assessing or determining medication management issues. The PT is assessing whether the patient has the ability to take the medications as instructed, and this is within the PT scope of practice.

Question: May bilingual PT Aides be used to gather information from patients who do not speak English?
Answer: Bilingual PT Aides may perform for non-English speaking patients the same functions that may be performed for English speaking patients. Additionally, the PT Aide may interpret for the therapist, while the therapist performs the evaluation.

Question: May PTAs be utilized as PT Aides?
Answer: Yes, if the PT Aides work under the supervision of a PT and meet all of the requirements set forth in OAR 848-020-0000. The amount of compensation paid to these individuals is not an issue for the Board.

Question: Does the Board have an informed consent form to share with licensees, or can members recommend language to use?
Answer: The Board does not have a form and recommends that licensees consult with legal counsel regarding the development of this document.

Question: Is it within the PT scope of practice for therapists to discuss human-potential issues with patients?
Answer: No. To engage in counseling regarding personal growth, spiritual, emotional, and psychological needs is inappropriate and a violation of the statute and rules.

GOOD BYE TO BOARD MEMBER

Rose Dusan-Speck, PT from Bend, has completed her term on the Board. During her tenure, she was Board Chair and donated a great deal of her time to complaint investigations and Federation business. She will continue to serve on the Federation Ethics and Practices Oversight Committee.

The Board would like to wish Rose a happy summer. Her children are active in sports, and this keeps Rose and her husband very busy. Recently, their son was drafted by the San Diego Padres minor league.

Thank you, Rose, for all the time you have donated to the Board. We will miss your smile and sense of humor, as well as your skills of discernment.

MANDATORY REPORTING OF VIOLATIONS

Just a reminder that the physical therapy law requires licensees to report all suspected violations of the statute or rules to the Board (ORS 688.230). Failure to do so could result in sanctions.

BOARD WEB SITE

The Board has a web site, and we hope that you find it helpful and informative. You may review information such as patient rights, and link directly to the PT statute and rules. The site is located at www.ptboard.state.or.us.

NEW HOURS

Effective April 1, 1999, the Board office is open 8:00 am to 4:30 pm. The Board anticipates these extended hours will better serve the needs of all constituents.

NEXT BOARD MEETING

The Board will meet on Tuesday, July 20, 1999, at 8:00 am 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.

WELCOME TO NEW BOARD MEMBER

Jerry Nickell, PT from Baker City, has been appointed by Governor Kitzhaber to serve on the Board. He is the Director of Rehab Services at St Elizabeth Health Services.

The Board welcomes Jerry and is delighted to have representation from Eastern Oregon.

NOTICE

TWO PROPOSED RULE AMENDMENTS

OAR 848-040-0000
Minimum Standards for Records

Old: Only a licensed PT may authenticate chart entries of PT or PTA students.
New: A licensed PTA may authenticate chart entries of PTA students.

OAR 848-030-0000
Practice Without Referral

Old: Licensee must submit course completion certificate and copy of CPR card to Board within 60 days after taking and passing the **18-hr medical screening course.** Initial date of certification is the date Board receives documentation. Board notifies licensee regarding date of initial certification.
New: Course provider will send course completion certificate to the licensee and the Board. Initial date of certification is the date licensee takes the course. Board will notify licensee regarding initial date of certification and other practice without referral requirements.

Old: Licensee must submit course completion certificate and copy of CPR card to Board within 60 days after taking and passing the **10-hr refresher course**. Board notifies licensee regarding receipt of documentation.
New: Course provider will send course completion certificate to the licensee. Board will ensure compliance through the random audit process.

Old: If licensee fails 18-hr or 10-hr course, licensee is allowed one re-take exam .
New: If licensee fails 18-hr or 10-hr course, licensee must re-take the course.

Old: Certification date is date that Board receives course completion certificate.
New: Certification date is date licensee took 18-hr course.

The Board currently conducts monthly audits to ensure compliance with continuing education requirements regarding direct access. Monthly audits will be expanded to include monitoring of all requirements regarding practice without referral.

If you have any comments, would like to request a hearing or would like a copy of the formal Notice filed with the Secretary of State, please give Georgia a call at 503-731-4047. The deadline for submitting your comments to the Board office is July 31, 1999.

DIVISION 30
PRACTICE WITHOUT REFERRAL
[MARKED-UP COPY]

Practice Without Referral

848-030-0000 Prior to administering physical therapy to a person without prior referral as allowed by ORS 688.130(1), a licensed physical therapist shall meet the following additional requirements:

(1) Hold a CPR certificate, Level C, issued by the American Heart Association, or equivalent, which shall be kept current.

(2) Complete a course which provides at least 18 hours of instruction designed to enable the physical therapist to identify signs and symptoms of systemic disease, particularly those that can mimic neurological or musculoskeletal disorders, and to recognize conditions which require timely referral to a medical doctor, osteopathic physician, chiropractic physician, podiatrist, dentist, licensed physician assistant or licensed nurse practitioner. The course provider and course criteria shall be approved by the Board. The content of the course shall include, but not be limited to:

(a) Subjective and objective evaluation, including interview techniques and screening examination;

(b) An overview of systemic symptoms;

(c) An overview of pain;

(d) A regional/systemic review (e.g., the cardiopulmonary system, spine, etc);

(e) Pharmacology, including drug precautions, interactions and side effects;

(f) Overview of diagnostic imaging techniques;

(g) Significant conditions associated with chronic pain, acute athletic injuries, geriatric patients and cancer;

(h) Case studies.

(3) Within the three years immediately following the completion of the requirements in section (2) of this rule, a physical therapist who is administering physical therapy without prior referral shall complete at least an additional 32 hours of continuing education. Thereafter, such physical therapist must complete at least 50 hours of continuing education every three years. Ten of these 50 hours may be a refresher course that includes the criteria set out in subsection (2) of this rule. All 10-hour refresher courses must comply with the following:

(a) Course providers must be approved by the Board;

(b) Course criteria must be approved by the Board;

(c) Approval of a 10-hour refresher course is independent from approval of the initial 18-hour medical screening course; and

(d) Course providers may offer approved refresher courses without having presented the medical screening course.

(4) The content of courses taken to satisfy the continuing education requirement specified in section (3) of this rule must relate to the delivery of clinical physical therapy services. Courses which may be taken include:

(a) Courses, seminars, and workshops sponsored or approved by an established and recognized medical or dental health-related organization or professional association recognized by the Board;

(b) Courses approved for continuing education by other states which require continuing education for physical therapists;

(c) Courses certified for continuing education units (CEU) by a recognized physical

therapy professional association;

(d) Courses provided by an accredited institution of higher education;

(e) Individual study courses requiring an examination and recognized by an accredited institution or recognized health-related organization or professional association recognized by the Board;

(f) Courses approved by the Board by special request.

(5) Activities which will not satisfy the continuing education requirement include:

(a) Orientation and inservice programs;

(b) Professional association meetings for purposes of business or policy decision making;

(c) Entertainment or recreational meetings;

(d) Attending meetings, holding office, or representing a professional association as a lobbyist or delegate;

(e) Publishing or presenting lectures.

(6) The Board shall require all or any percentage of physical therapists who are administering physical therapy without prior referral to provide documentation in a format approved by the Board that the Physical therapist has met or is meeting the requirements of sections (1), (2) and (3) of this rule.

(7) The requirements of this rule shall not apply to licensed physical therapists who are administering physical therapy to individuals described in ORS 688.132(1)(b) where no prior referral is required.

(8) The Board shall include on the yearly license a notation that a physical therapist has met the requirements for practice without prior referral.

(9) **[***Licensee***]** **Course provider** shall furnish **licensee and** the Board written documentation **when licensee passes the 18-hr course exam** **[***upon completion of the 18-hour course prior to implementing practice without referral***]**. **Licensee may implement practice without referral upon receipt of documentation from course provider stating that licensee passed the course exam. Licensee must also hold a current CPR Level C, or equivalent, certificate prior to implementing practice without referral. Upon receipt of written documentation from course provider, the Board shall furnish licensee information regarding certification for practice without referral. Continuing education requirements and 10-hr refresher course requirements are based on the date licensee took the 18-hr medical screening course.** **[***The documentation must be received by the Board within 60 days following taking and passing of the screening course exam. Licensee shall furnish the Board written documentation upon completion of all future 10-hour refresher courses required under section (3) of this rule. The documentation must be received by the Board within 60 days following taking and passing of the refresher course exam.***]**

(10) Any licensee who fails to pass the 18-hour medical course examination with a score of 80 percent or higher **[***shall be allowed one re-take examination***]** **must re-take the course and the exam**. **[***If licensee fails the re-take examination, the licensee must re-take the 18-hour course.***]** Any licensee who fails to pass the 10-hour refresher course examination with a score of 80 percent or higher **[***shall be allowed one re-take examination***]** **must re-take the course and the exam**. **[***If licensee fails the re-take examination, the licensee must re-take the 10-hour refresher course.***]**

[*(11) Licensee shall furnish the Board written documentation that licensee holds a current CPR certificate, Level C, issued by the American Heart Association, or equivalent, prior to implementing practice without referral. This must accompany the documentation required in section (9) of this rule.***]**

[*(12)***]** **(11)** Violation of this rule shall subject licensee to disciplinary action set forth in

OAR 848-10-050.

Stat. Auth.: ORS 688.160 Stats. Implemented: ORS 688.134
<u>Underlined text to be added</u> [Bracketed text to be deleted]

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PRACTICE WITHOUT REFERRAL
[CLEAN COPY]

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(3) Within the three years immediately following the completion of the requirements in section (2) of this rule, a physical therapist who is administering physical therapy without prior referral shall complete at least an additional 32 hours of continuing education. Thereafter, such physical therapist must complete at least 50 hours of continuing education every three years. Ten of these 50 hours may be a refresher course that includes the criteria set out in subsection (2) of this rule. All 10-hour refresher courses must comply with the following:

(a) Course providers must be approved by the Board;

(b) Course criteria must be approved by the Board;

(c) Approval of a 10-hour refresher course is independent from approval of the initial 18-hour medical screening course; and

(d) Course providers may offer approved refresher courses without having presented the medical screening course.

(4) The content of courses taken to satisfy the continuing education requirement specified in section (3) of this rule must relate to the delivery of clinical physical therapy services. Courses which may be taken include:

(a) Courses, seminars, and workshops sponsored or approved by an established and recognized medical or dental health-related organization or professional association recognized by the Board;

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(10) Any licensee who fails to pass the 18-hour medical course examination with a score of 80 percent or higher must re-take the course and the exam. Any licensee who fails to pass the 10-hour refresher course examination with a score of 80 percent or higher must re-take the course and the exam.

(11) Violation of this rule shall subject licensee to disciplinary action set forth in OAR 848-10-050.

Stat. Auth.: ORS 688.160
Stats. Implemented: ORS 688.134

DIVISION 40

MINIMUM STANDARDS FOR PHYSICAL THERAPY PRACTICE AND RECORDS

848-040-0000
Standards for Records in General

(1) The physical therapist shall contemporaneously prepare and maintain in a readily accessible form a separate written record for each patient of every physical therapy service evaluation, treatment, test and instruction provided. A physical therapist who receives an oral diagnosis or referral of a patient by a medical provider identified in ORS 688.130(1)(b) or (c) shall include written documentation of the diagnosis or referral in the written record of that patient. The physical therapist may delegate any and all record preparation and maintenance tasks to a physical therapist assistant, in which case both the physical therapist and the physical therapist assistant shall be responsible for the accuracy and completeness of each of the physical therapist assistant's entries, or lack thereof. Although the physical therapist may delegate record preparation and maintenance tasks to a physical therapist assistant, the physical therapist may not delegate to a physical therapist assistant performance of initial evaluations, development of treatment plans, or reassessments or adjustments to treatment plans.

(2) Each record of physical therapy services shall comply with the following:

(a) All entries shall be legible, in ink and abbreviations kept to a minimum;

(b) All errors shall be **[e]** crossed out and initialed by the author;

(c) Late entries or additions to entries shall be documented when the omission is discovered with the following written at the beginning of the entry: "late entry for (date)" or "addendum for (date)";

(d) Each entry shall be dated and authenticated by the physical therapist or physical therapist assistant, including title (e.g., PT or PTA). Authentication may be by written signatures or initials, rubber-stamp signatures or computer key. When rubber-stamp signatures or computer key is authorized, the individual whose signature the stamp represents or whose computer key is authorized signs a statement that he or she alone will use the stamp or the code for the computer key. This statement is filed in the organization's administrative offices;

(e) Documentation by students (SPT, SPTA) shall be authenticated by the licensed physical therapist. **Documentation by physical therapist assistant students (SPTA) may also be authenticated by the licensed physical therapist assistant.**

(3) Non-licensees may prepare and maintain attendance and billing records based on physical therapy services records.

Stat.Auth.: ORS 688.160
Stats. Implemented: ORS 688.010

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