

MINUTES

**UTAH
PHYSICAL THERAPY
LICENSING BOARD MEETING**

December 4, 2012

**Room 474– Fourth Floor, 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:05 A.M.

ADJOURNED: 11:20 A.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

J. Trent Casper, Chairperson
Kim Cohee
Lindsay Gordon
Anne H. Jones

Introduction and swearing in of new Board member Anne H. Jones

Ms. Jones was sworn in as the new Board member and reviewed her background with the Board. The Board introduced itself.

DOPL Staff Present:

Susan Higgs, Compliance Specialist

Guests:

Steve Crandall

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

MINUTES

The Board reviewed the minutes from the August 28, 2012 Board meeting. Ms. Cohee motioned to approve the minutes with changes, seconded by Ms. Gordon. The motion carried unanimously.

Susan Higgs, Compliance Specialist,
compliance report.

#1 James Nackos is in compliance with his stipulation. He submitted a request to work part time in a clinical setting and letters of support from his proposed supervisor, Kristine Thompson. He submitted 2 employer reports and 2 supervisor reports. He continues to log his current support group meeting attendance in Affinity, the DOPL tracking system.

#2. Craig Bischoff is in compliance with his stipulation. He submitted supervisor/employer reports for September, October and November. He submitted a request to lift a restriction in his stipulation to allow him to provide home health care. He submitted a letter of support from his supervisor. He has been in compliance with his stipulation for seven months.

APPOINTMENTS:

James Nackos, probation interview

Mr. Nackos met with the Board. Ms. Cohee conducted the interview. Mr. Nackos stated that things are going well. He continues to enjoy working with his students. He is trying to get his life back in order and is requesting the Board approve him to work in a clinical setting. Mr. Nackos stated he continues attending support group meetings. He was able to have his felony convictions reduced to misdemeanors and will have them expunged when possible. Mr. Nackos stated the school is providing an ethics class to the students again and asked him to talk with the students. The Board cautioned him regarding how much of his personal experience he shares with the students. He was advised that if this course is for continuing education credit, he may contact Mr. Oborn for a list of Utah PT/PTA licensees.

Ms. Cohee motioned to approve a new supervisor and to allow Mr. Nackos to work in a clinical setting, seconded by Ms. Gordon. The motion carried unanimously. The Board asked to see Mr. Nackos on February 26, 2013. **Mr. Nackos is in compliance with his stipulation**

Craig Bischoff, probation interview

Mr. Bischoff met with the Board. Mr. Casper conducted the interview. Mr. Bischoff stated things are going well. He has an opportunity to work at Mill Creek Home Health and Hospice Care and is requesting the Board amend his stipulation to allow him to provide home health care again. The Board reviewed Mr. Bischoff's stipulation and noted that the stipulation requires only a motion by the Board. Ms. Gordon motioned to approve Mr. Bischoff to provide home health care with Millcreek Home Health and Hospice, under Robert Green, on a limited basis, seconded by Ms. Cohee. The motion carried unanimously. The Board noted that Mr. Bischoff's supervisor reports will need to be submitted quarterly,

with the next one due February 1, 2013, from both supervisors. The Board asked to see Mr. Bischoff February 26, 2013. **Mr. Bischoff is in compliance with his stipulation.**

DISCUSSION ITEMS:

1. Update regarding amendments to Physical Therapist Licensing Act Rule that became effective on Nov. 13, 2012

Mr. Oborn reviewed the amendments to Physical Therapist Licensing Act Rule that became effective on Nov. 13, 2012. Mr. Oborn noted that the student must have a degree before the temporary license is issued. Once the student passes the exam, their full license is then approved. Mr. Oborn emphasized that the temporary license is not renewable or extendable. If the student does not pass the exam in six months, the license expires and the student shall not practice in the field until they pass the exam. The Division will hold their application open for one year after they are approved to take the exam.

2. Update regarding status of temporary PTA licenses that expired on July 1, 2012

Mr. Oborn reviewed the status of temporary PTA licenses that expired on July 1, 2012, noting that he drafted a letter to UPTA stating the Board did not feel an extension of this temporary license is appropriate because PTAs had plenty of time to take and pass the exam. Mr. Oborn stated that representatives from UPTA stated that they agree with the Board.

Mr. Oborn stated that the Division has chosen to not enforce the deadline at this time. Once the 2013 legislative session ends, the Division will act upon any bill that may have passed regarding this topic. If no bill is passed, the Division will begin to prosecute those working on an expired temporary PTA license. Mr. Oborn noted that that there are only a few temporary PTAs who licenses expired on July 1, 2012 and have still not passed the exam.

3. Report regarding FSBPT Annual Meeting from Mr. Casper and Ms. Cohee

Ms. Cohee attended the FSBPT Annual meeting and reviewed the topics discussed at the meetings she attended:

1. There is a process vendors can go through for FSBPT approval to provide CEs.
2. Some states have developed a newsletter. The Board requested this be discussed at the next Board meeting.
3. FSBPT needs to do a better job in letting other

states know about discipline action taken against PTs and PTAs.

4. A presentation on the importance of health professions of data improve supply and demand projections, education and types of practice, loans and grants, etc.

Mr. Casper reviewed topics discussed at the FSBPT conference he attended including:

1. Jurisdiction of Board chair forum.
2. Discussion about foreign trained PTs and PTA's.
3. Americans with Disabilities Act (ADA)
4. Patient safety

Discussion about foreign trained PTs and PTAs.

4. Board survey of online disciplinary documents

Mr. Oborn reviewed the letter to the Board regarding the Board Survey of Online Disciplinary Documents, from DOPL Director Mark Steinagel.

Ms. Conlee motioned to recommend option #1: We believe disciplinary documents posted on DOPL's website should only be found through a search someone performs within DOPL's website. General internet searches shouldn't be allowed to display or embed disciplinary documents as a search result. The motion was seconded by Ms. Jones and carried unanimously. The Board noted the option to revisit this in the future.

5. Possible changes to FSBPT exam pre-approval process

Tabled to the next Board meeting.

6. Update regarding upcoming Board vacancy

Mr. Oborn noted that Ms. Bradford has rotated off the Board. The Board thanked Ms. Bradford for her dedication to the profession and volunteering her time on the Board. She provided a great service to the profession.

Mr. Oborn stated that names for a replacement were submitted to the Governor's office but they have not yet been approved.

7. Identification of agenda items for next meeting

1. Possible changes to FSBPT pre-approval process.
2. Profession newsletter
3. Update regarding co-signing of medicaid and tri-care.

Mr. Oborn advised the Board that this meeting may be longer than usual because there may be a hearing at regarding disciplinary action. He will advise the Board if the hearing will be at the beginning or at the end of the normal Board meeting.

NEXT MEETING SCHEDULED:

The next Board meeting is February 26, 2013

2013 Board meetings have been tentatively scheduled:
February 26, May 21, August 20, December 17

ADJOURN:

Motioned to adjourn at 11:20 A.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved

(ss) _____
Chairperson, Utah Physical Therapy Licensing Board

Date Approved

(ss) _____
Bureau Manager, Division of Occupational & Professional Licensing

Waiting Formal Approval