



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Board of Physical Therapy Examiners

**BOARD MEETING OPEN MINUTES
October 22, 2013**

The meeting was called to order at 1:16 p.m. by the Chairperson, Dr. John Baker.

Call to Order

There was a motion and a second to close the open session at 3:06 p.m. to engage in medical review committee deliberations regarding confidential information in applications for licensure, in accordance with State Government Article, Section 10-508 (a) (7) and (13). Unless recused, all Board members and staff who were present for the open session were also in attendance for both the closed and administrative sessions.

Board members present:

Rhea Cohn, PT
Lori Mizell, PT
Krystal Lighty, PT
Ved Gupta, Consumer Member
Kimberly Rotundo, PTA
Katharine Stout, PT

Absent Board Members:

Delores Alexander, Consumer Member

Also Present:

Carlton A. Curry, Executive Director
Joy Aaron, Deputy Director
Linda Bethman, AAG, Board Counsel
Brett Felter, Staff Attorney
John Bull, Compliance Manager/Investigator
Eric Jordan, Investigator
Patricia Miller, Board Secretary

Guests:

Kristen Neville, Legislative Specialist

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Absent:

Deborah Jackson, Licensing Coordinator
Nancy Staniel, Board Secretary

The minutes of the meeting held on September 17, 2013, were approved with modifications.

Minutes

Executive Director, Carlton Curry reviewed the MDNAP goals for Naturopathic Medicine. The document discusses the scope of practice of Naturopathic Practitioners. After discussion, the Board requested a copy of the DC regulations concerning the profession and Mr. Curry will develop a document to address some basic questions.

MDNAP goals
Naturopathic
Medicine

Executive Director, Carlton Curry, discussed the inquiry from Carol Wier regarding clarification on the transport/assist process for an aide. With respect to a physical therapy aide getting a patient in or out of bed, or assisting the patient into a wheelchair for transport, the Board concluded that an aide may not perform such actions without direct supervision by a physical therapist as stated in COMAR 10.38.04.3C. Additionally, the Board discussed and concluded that an aide may not assist in ambulation of a patient without direct supervision, consistent with COMAR 10.38.04.03A. Ms. Wier further inquired whether an aide may assist a patient by holding an oxygen tank or IV pole. The Board concluded that an aide may perform these activities. Finally, the Board considered whether a physical therapy aide may assist a patient in moving from one piece of exercise equipment to another. Pursuant to COMAR 10.38.0403A-C, the Board has determined that such actions may only be done under the direct supervision of a physical therapist.

Carol
Wier/Inquiry

Tamara Orr, PT, inquired as to whether PTAs are allowed to perform joint mobilizations, Grades I-IV. Yes, they are allowed and must operate within their competency.

Tamara Orr,
PT/Inquiry

Michael Twomey, PT inquired about the use of PT Aides and billing clarification concerning treating more than one patient at a time. The Board responded that these are billing questions and must be referred to the payer for clarification.

Michael
Twomey, PT/
Inquiry

Andrea Ecsedy, PT, asked whether the Board permits the use of the additional credential "BHSP" (Brennan School of Healing Science). The Board concluded that use of such credentials is a facility/employer determination.

Andrea Ecsedy,
PT/Credential
Dispute

Ginger Graham-Lewis, PT, has inquired if, when a client (patient) expresses an interest in a particular supplement, would providing information and basic instructions to that client (patient) on the supplements be acceptable to the Board. The Board responds that this should be referred to the Board of Dietetic Practice for clarification.

PT, Ginger
Graham-Lewis/
Inquiry

Melissa Schillenberg, PT inquiring about whether a PTA is permitted to complete an MDS (minimum data set). After some discussion, the Board responded completion

Melissa
Schillenberg,
PT/Inquiry

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of the MDS is a clerical function and can be performed by a PTA as long as aspects of the information do not include assessments.

Executive Director, Carlton Curry and Board Chairman, John Baker, opened up the discussion on the possibility of allowing Board members to provide an ethics course based on the Maryland Physical Therapy Practice Act. Board Counsel, Linda Bethman strongly advised against this, citing there is the potential for many pitfalls in such an arrangement. Ms. Bethman also brought to the Board's attention that there could be no payment accepted for this service. The Board agreed with the advice of Board Counsel.

Board
Members
Ethics Course

Executive Director, Carlton Curry presented a proposal received from the Board of Chiropractic & Massage Therapy Examiners to join with their Board in support of any legislative initiative to give the two Boards' respective investigative units national criminal records check authority for licensee applicants. After some discussion, the Board agreed it would be advantageous to work with the Chiropractic & Massage Therapy Examiners Board on the issue.

Proposed
Legislation,
Criminal
Records Check

Jan Dommerholt, PT, has submitted a question as to whether two Dutch PTs who are completing a required Master's degree in Musculoskeletal Rehabilitation in the Netherlands, and are scheduled to come to his clinic to complete a one-week internship, would need to apply for temporary licenses or whether can they just come and only work under direct supervision. While here, they are expected to evaluate and offer treatment options for a few patients in addition to observing assessments and treatments. The Board's response is that the visiting interns may observe, but not treat patients. They do not qualify as students under the Practice Act.

Jan
Dommerholt/
Inquiry

Terryl Rosenberg, PT, wrote to the Board with a two-part request. 1) The removal from the April 21, 2009, Board Meeting Minutes, of what she feels is undeserved derogatory commentary describing her. The Board voted to amend the minutes and remove the derogatory language. 2) A request to possibly use her participation in a study this past summer at Columbia University, studying children with hemiplegia, as credits toward CEUs for her 2015 license renewal. The Board denied this request.

PT, Terryl
Rosenberg/
Inquiry

In Deborah Jackson's absence, Mr. Curry presented an update on applications received and licenses issued in September 2013.

Licensure
Update

The Board voted to **approve** the following two course applications:

Continuing
Education

"Orofacial Dry Needling - 3," and "Jurisprudence Course – Judith Schank."

The Board voted to **deny** the following CEU course applications:

"Proven Effective Marketing and PR Strategies for the PT in Private Practice," because the course is not substantially related to the clinical practice of physical therapy.

"Personnel Management: How to Maximize Staff Efficiency" because the course is not substantially related to the clinical practice of physical therapy. *"Effective Leadership*

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and Executive Training for the Owner, CEO and Clinical Directors" because the course is not substantially related to the clinical practice of physical therapy. *"Understanding Cravings and Emotions"* because the course is not substantially related to the clinical practice of physical therapy. *"No Brain/No Game"* because the course is not substantially related to the clinical practice of physical therapy. *"2013 Critical Care Conference"* because the course is not substantially related to the clinical practice of physical therapy. *"Clinical Certification Program"* because the course does not fit current CEU regulations.

ADDED TO AGENDA

Carlton A. Curry announced, for informational purposes, that preparation for the next Newsletter would soon begin. He asks if anyone has an article they thought worthy of publishing and please check the website. Informational

Mr. Curry also gave an update on Exercise Physiologists. A meeting with representatives of the profession to discuss potential regulation is schedule for November 8, 2013. Updates

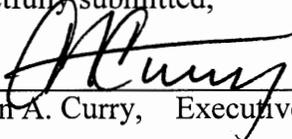
Mr. Curry asked for clarity of the Board's position as to whether Kinesiotherapists should be regulated. And, if legislature decides they are to be regulated, would this Board want oversight to of the profession. The Board discussed and concluded that the profession should not be regulated. The Board refrained from taking a position as to oversight of the profession. This issue will be monitored during the upcoming legislative session. Kinesiotherapy Regulation

Lori Mizel summarized for the Board, the recent FSBPT activity regarding changes and limitations for applicants of NPTE exams and how these changes will directly affect the Maryland Board of Physical Therapy. Ms. Mizel emphasized that it will be necessary for the Board to be ready for these changes. FSBPT

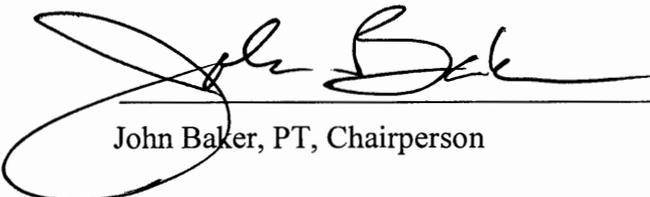
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The board meeting was adjourned at 4:01 p.m.

Respectfully submitted,


Carlton A. Curry, Executive Director

11/19/2013
Date approved


John Baker, PT, Chairperson