



Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board

Physical Therapy Section Retreat
136 East Broad Street, Columbus, Ohio 43215
April 6, 2010
9:00 a.m.

Members Present

Raymond Bilecky, Chair
Thomas Caldwell
Sam Coppoletti (left @2:50 pm)
Dale Deubler
Mary Kay Eastman (arrived @9:30 am)
Karen Holtgreffe
James Lee
Marilyn Mount, Secretary

Members Absent

Kimberly Payne

Call to Order

The meeting was called to order by the Section Chair, Raymond Bilecky, at 9:08 a.m.

A moment of silence was observed for the victims of the West Virginia Mine Explosion.

Enforcement Division

Review Disciplinary Guidelines

Enforcement Division Supervisor Lisa Ratinaud gave a brief overview of the enforcement process. Ms. Ratinaud informed the Section that for all future cases, the enforcement release letter will be added to the public disciplinary records available on the Board website. Ms. Ratinaud also described the documents on the Consumer section of the website that outlines the complaint and investigation process, as well as the actual complaint form. The Section will discuss any potential changes to the disciplinary guidelines at the May 2010 Section meeting.

Expert Reviewer for Specialties Area of Practice

The Section reviewed information from the Maryland Board of Physical Therapy regarding recruiting and securing expert witnesses and peer reviewers. The Enforcement Division would use expert reviewers in cases involving standard of care issues. The expert reviewer's report will be included in the investigative report. The Executive Director will contact the Medical Board of Ohio to review their process for securing expert reviewers. The Executive Director and Thomas Caldwell will work on an email that will be sent to the listserv soliciting licensees to serve as expert witnesses. Once drafted, the Section will also ask the Ohio Physical Therapy Association to send the information to its membership.

Timeliness of Physical Therapy Evaluations

Is the position of the Ohio Physical Therapy Section that the defining characteristic of timeliness of physical therapy evaluation is adhering to the minimal standards of acceptable prevailing practice. A physical therapist initiating treatment prior to assessing and evaluating the client's condition would be inconsistent with the generally accepted practice for physical therapy. The Ohio Laws and Rules governing the practice of physical therapy are sufficient under this standard and the Section does not recommend any changes.

School-Based Issues

IEP and the Physical Therapy Plan of Care

It is the position of the Physical Therapy Section that the IEP is an educational document and not the physical therapy plan of care. Although the IEP goals can be used to create the physical therapy plan of care, the physical therapy plan of care lists detailed information on the specific interventions that will be used to reach the goals. Even

though the Ohio Medicaid in Schools Program (OSMP) accepts the IEP as the plan of care, the IEP alone is not sufficient under the Ohio Physical Therapy Practice Act. The Section will add to the existing frequently asked question on this topic what information is missing in the IEP to explain why the IEP alone is not acceptable as the physical therapy plan of care.

Ohio Department of Education Ratios

When determining caseloads pursuant to its operating standards, the Ohio Department of Education (ODE) uses a different concept of caseloads than the view held by the Occupational and Physical Therapy Sections of the Board. According to ODE, a caseload only refers to the number of students to whom an individual related service provider provides direct treatment. Under the Ohio Physical Therapy Practice Act, the physical therapist is responsible for all clients served, including the clients for whom the physical therapist assistant is providing direct care. As a result, the physical therapist's caseload would include the students being treated by the physical therapist assistant.

The operating standards also contain provisions specifying additional factors that districts must take into account when determining the actual caseload of a related service provider. There are concerns, however, that many districts only address the 1:50 ratio and are not addressing this other component of the standards.

Physical Therapy Section Educational Role

The Section will educate the physical therapy community on the importance of quality performance, the need for consulting with physical therapy personnel and family, and ensuring that the appropriate staffing is available to meet the needs of the clients being served. The Section requires the physical therapist to ensure appropriate patient management based on the unique needs of the clients, taking into account the complexity of the patient population. The ultimate responsibility for care of the client lies with the evaluating physical therapist regardless of whether the therapist or physical therapist assistant provides follow-up treatment. In any given period of time, a physical therapist must not provide or supervise care for a higher number of patients than that for which skilled care by licensed practitioners can be delivered. If productivity expectations of an employer are such that a physical therapist is unable to meet the above standards, it is the responsibility of the physical therapist to challenge those expectations.

The Section will draft an email to send to the physical therapy listserv to help practitioners to identify what elements of the client management would be compromised if the practitioner had too many clients.

Role of Personnel in Conductive Education Settings

The Section reviewed materials on Conductive Education provided by Dale Deubler. Conductive Education is an intensive, integrated curriculum that includes cognitive behavior, motor, personal care, and communication learning in real life contexts. The role of the therapists that work in conductive education is very similar to the role of a therapist in any transdisciplinary team model. The physical therapists are required to follow the standard practice guidelines for physical therapy practice. Individuals performing conductive education activities are not performing physical therapy and therefore should not represent it as such.

Physical Therapy Screens

The Ohio Physical Therapy Practice Act addresses screens in the medical model. The laws and rules do not address screens performed at wellness fairs for healthy individuals. Physical therapist assistants may perform screens under the Physical Therapy Practice Act as long as there is no direct contact with the patient. If the screen is not considered or represented as physical therapy, the physical therapist assistant, student, or layperson can perform the screen. Marilyn Mount and Mary Kay Eastman will submit revisions to the standard responses for review at the May 2010 Section meeting.

Continuing Education

Consistency versus Case-by-Case

The Section will continue to review continuing education waivers and/or extension requests on a case-by-case basis.

Continuing Competence

The Section reviewed language from Texas' new continuing competence law. The Executive Director explained to the Section that there are three components involved in the switch to continuing competence. The first step is changing the law to allow the Board to move from the current continuing education model to a continuing

competence model. As noted in the Texas law, the language will grant the Section the authority to adopt rules governing the competence program. As a result, the second component of competence is the adoption of the continuing competence model in administrative rules. The final step would be related to the certification of competence activities. Although the Federation of State Boards of Physical Therapy has plans to start certification of activities, individual jurisdictions would not be required to mandate only Federation certified activities.

Based on the information provided, the Section directed the Executive Director to seek a law change authorizing continuing competence.

Potential Law and Rule Changes

Change Continuing Education to Continuing Competence

See discussion above.

Draft Rule for How a Physical Therapist Assistant should introduce him or herself (model after position paper)

Under paragraph (B)(15) of rule 4755-27-05 (code of ethical conduct) “a licensee shall not misrepresent the credential, title, and/or specialty certifications held by the licensee.” This rule addresses concerns about the physical therapist assistant introductions. As a result, the Section does not recommend any further changes regarding this topic.

Other Potential Law and Rule changes

The Section identified potential law and rule changes which include: (1) whether continuing education should be granted for renewing a specialty certification; (2) removing the limit on the number CLEP credits a foreign educated applicant can use to correct general education deficiencies; (3) automatic acceptance for continuing education of courses completed at a CAPTE accredited or post-professional physical therapy academic program. Individuals completing these programs will not need to request an Ohio Approval Number. The Section will use the same formula that OPTA currently uses to calculate the number of hours to award for each completed academic course; (4) licensure exemption for physical therapists traveling with out of state sports teams and cultural organizations; (5) the use of telehealth technologies in physical therapy practice.

Evaluate the Customer Satisfaction Survey and Feedback

The Section reviewed the current customer service satisfaction survey and made suggestions on potential changes to the existing survey. In addition, the Executive Director will seek the input from the full Board on items to include in an annual or biennial survey that would be sent to the entire listserv.

One suggestion was to add a “Not Applicable” option if the individual only had an online interaction with the Board and did not communicate directly with a Board staff member. Other suggested questions included:

1. Did you contact the Board by phone and did you get a response?
2. What was your interaction with the Board? Was the staff courteous with you?
3. Do you understand the reason why it takes so long to get an official answer to your question?

Other suggested changes were to separate out the content questions from the customer service questions (e.g.: move the “successful resolution of your issue” question from the more general customer service questions).

Adjournment

Thomas Caldwell moved that the meeting be adjourned. Marilyn Mount seconded the motion. The motion carried. The meeting adjourned at 3:30 p.m.

Respectfully submitted,
Diane Moore

Raymond Bilecky, PT, Chairperson
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

Marilyn Mount, Secretary
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board, PT Section

Jeffrey M. Rosa, Executive Director
Ohio Occupational Therapy, Physical Therapy and
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MM:jmr:dm