

MINUTES

**UTAH
PHYSICAL THERAPY
BOARD MEETING**

August 19, 2008

**Room 474 – 4th Floor – 1:00 P.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:10 A.M.

ADJOURNED: 12:03 P.M.

Bureau Manager:
Board Secretary:

Rich Oborn
Lee Avery

Board Members Present:

Mark A. Anderson, Chairperson
J. Trent Casper
Edmund L. Sperry
Misha Bradford

Members Absent:

Margo Jones Brady

Guests:

Kim W. Reid

DOPL Staff Present:

F. David Stanley, Division Director
Kent Barnes, Compliance Manager
Ray Walker, Reg./Compliance Officer

TOPICS FOR DISCUSSION:
MINUTES

DECISIONS AND RECOMMENDATIONS:

The minutes from April 2008 were reviewed.
Mr. Sperry motioned to approve the minutes, seconded
by Mr. Casper. The motion carried unanimously.

Discussion of option to elect a new Board
Chairperson

Mr. Casper motioned to retain Mr. Anderson as the
Chairperson for the next year, seconded by Mr.
Sperry. The motion carried unanimously

Division's new work schedule

Mr. Oborn reviewed the new work schedule for Utah
State Employees.

COMPLIANCE REPORT

Kent Barnes

Mr. Barnes reviewed the forms the probation unit will
be using. Mr. Barnes stated the Board will be given a
complete list of all probationers at each meeting.

- #1. Mr. Sabey is in compliance with his stipulation.
 1. Comment on his favorable supervisor reports.
 2. Discuss change in his supervisors. He changed from Lyle Black to Steve Christiansen.
 3. Follow up on CE Credits. Has he started any classes?
 4. Discuss new part-time work.

Discussion:

Have someone at the facility sign stating they are aware of his Stipulation and Order.

- #2. Mr. Nebeker is not in compliance for this quarter.
 1. Review psychological evaluation from psychologist
 2. Based on review of evaluation determine if therapy is needed.
 3. Comment on favorable reports from supervisor.

Discussion:

The Board reviewed Mr. Nebeker's psychological evaluation, continuing education and Stipulation and Order. The Board noted he needed to complete twenty hours of continuing education within eight (8) months. The Board wants his continuing education to focus on physical and sexual boundaries.

NOTE* it was later determined that Mr. Nebeker has completed all of his continuing education.

- #3. Mr. Byron M. Thompson is living in California and is in compliance with the California State Board.

APPOINTMENTS:

Laine Sabey, Probation Interview

Mr. Sabey presented himself to the Board. Mr. Sperry conducted the interview. Mr. Sabey advised the Board that things were going well. He is not seeing a therapist at this time. He continues to work at Crosslands Rehabilitation. He works about thirty-eight (38) hours a week. Mr. Sabey stated he enjoys working at this facility. Everyone there works as part of the team. Mr. Sabey stated his supervisor resigned from the facility. His new supervisor is Steven Christiansen. The Board advised Mr. Sabey it would need a resume from Mr. Christiansen. Mr.

Christiansen will need to note on the supervisor forms that he has read Mr. Sabey's Stipulation and Order. Mr. Sabey advised the Board he has completed several continuing education courses and is waiting for the certificates. They will be mailed to him. The Board reminded Mr. Sabey to provide a copy to the Board when he receives them. Mr. Sabey stated he is not currently doing home health; however, he would like to. The Board advised Mr. Sabey it would like him to wait and see how things go with Crosslands first. Mr. Sabey talked with the Board about pre-employment therapy. The Board stated he could continue with this. Mr. Sabey stated he gets involved with family and sports to help with the stresses in life. The Board asked to see Mr. Sabey December 16, 2008. **Mr. Sabey is in compliance with this Stipulation and Order.**

John Nebeker, Probation Interview

Mr. Nebeker presented himself to the Board. Mr. Anderson conducted the interview. Mr. Nebeker stated things are still the same. He is working at Wasatch Rehabilitation. The Board advised Mr. Nebeker the Board has certificates showing he has completed only eight (8) hours of continuing education (CE). Mr. Nebeker provided the Board with copies of certificates documenting he has completed twenty (20) hours of continuing education. The Board advised Mr. Nebeker there is a book on boundaries it would like him to read. The Board would like him to report to the Board after he finishes it. Mr. Oborn will provide him with the specific name of the book and author. The Board meeting closed at 10:40 A.M. to review Mr. Nebeker's psychological evaluation. There were no notes taken. The Board meeting opened at 11:00 A.M. The Board reviewed Mr. Nebeker's reports, noting they are very positive. The Board advised Mr. Nebeker it appreciated him getting his reports in. Mr. Nebeker stated he would like to move his reports to quarterly as stated in his stipulation. After a short discussion, the Board advised Mr. Nebeker that his next report will be due the end of November for the December meeting. **Mr. Nebeker is in Compliance with his stipulation.**

Proposed changes to Physical Therapy Act

Mr. Kim Reid, Utah Physical Therapy Association (UPTA) President reviewed the proposed statute

changes with the Board. Mr. Reid noted some of the changes are housekeeping and other changes will need to be discussed with other professions. One of the biggest changes will be with the development of a Physical Therapist Assistant License. Mr. Walker encouraged the association to reference Physical Therapy Assistant and Physical Therapy Aid license in statute within the scope of practice and then further define these in rule. Mr. Walker stated it would be better to get a sponsor and open a bill file well in advance of the legislative session. The Association must also decide if they want the bill to be open or confidential. Get a draftsman from the Office of Legislative Research and General Council. They will put the bill in bill form. Taking these steps will help keep the bill moving forward. Mr. Walker recommended the association involve representatives from other professions throughout the process. Mr. Walker stated the Division usually does not take a position or sponsor bills; however, the executive branch is responsible to enforce the laws and the Division will be asked the following questions by state legislators:

1. How does the bill affect safety and welfare of the public?
2. Can the Division enforce the bill?
3. What resources are needed to effectively enforce the bill?
4. What does the Division think of the bill?

Mr. Walker stated that the Division tries to work with the professional associations. Mr. Reid stated he will try to have a draft ready for Mr. Anderson to take to the Federations of State Board of Physical Therapy (FSBPT) to the September 11th 2008 convention and thanked the Board and Division for their suggestions and meeting with him.

Discussion:

Mr. Oborn advised the Board that because of the recent travel freeze adopted by the Department of Commerce he would not be able to attend the FSBPT convention. After further discussion, Mr. Oborn stated he will check with Federations of State Board of Physical Therapy (FSBPT) and see if Mr. Reid would be able to attend at his own expense.

DISCUSSION ITEMS:

Review Physical Therapist Board Member Training, Mr. Sperry

Mr. Sperry gave the Board a handout from the FSBPT Physical Therapist Board Member training he completed. Mr. Sperry stated this training was very helpful and encouraged everyone to attend.

Update on Federation State Boards of Physical Therapy (FSBPT) Annual Convention

Mr. Oborn advised the Board that the Federation State Boards of Physical Therapy (FSBPT) Convention is coming up.

CORRESPONDENCE:

None

NEXT MEETING SCHEDULED FOR:

December 16, 2008.

2009 Board meetings tentatively scheduled:
February 17, April 21, August 18, December 15

ADJOURN:

Motioned to adjourn at 12:03 P.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.

December 16, 2008
Date Approved

(ss) Mark A. Anderson
Mark A. Anderson, Chairperson, Utah Physical Therapy Licensing Board

November 26, 2008
Date Approved

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