

MINUTES

UTAH PHYSICAL THERAPY LICENSING BOARD MEETING

August 17, 2010

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

CONVENED: 9:10 A.M.

ADJOURNED: 11:10 A.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

Mark A. Anderson, Chairperson
Lindsay Gordon
Edmund L. Sperry

Board Members Absent:

Misha Bradford
J. Trent Casper

Guests:

Molly Hutsinpillar

DOPL Staff Present:

Connie Call, Compliance Specialist
Kent Barnes, Compliance Manager

TOPICS FOR DISCUSSION:

Swearing in of Lindsay Gordon as new Board member

DECISIONS AND RECOMMENDATIONS:

Ms. Lindsay Gordon was sworn in as new Board member.
Ms. Gordon introduced herself.

MINUTES

The Board reviewed the minutes from the February 23, 2010 Board meeting. Mr. Sperry motioned to approve the minutes, seconded by Ms. Gordon. The motion carried unanimously.

Preliminary review of Board business:

Mr. Oborn presented documentation to Board members that related to Ms. Peggy Gurnett's application for reinstatement of her physical therapy license. Her license in Arizona was suspended due to allegations that she took Fentanyl patches from the facility she was working at in addition to allegations of theft of Vicodin from a patient.

APPOINTMENTS:

Peggy Gurnett, applicant for reinstatement

Ms. Gurnett met with the Board to review her application to reinstate her physical therapist license. Mr. Sperry motioned to close the meeting at 9:34 A.M. to discuss the character, professional competence, or physical or mental health of an individual (52-4-205-(1)(a)), seconded by Ms. Gordon. The motion carried unanimously. The Board meeting opened at 10:17 A.M.

Discussion:

Ms. Gordon motioned to request that Ms. Gurnett submit the following items in support of her application for reinstatement of her license:

1. Verification of completion of at least 10 contact hours of continuing education in the clinical, evidence-based practice of physical therapy. Certificates verifying completion are to be submitted to Connie Call;
2. Voluntary participation in alcohol and drug screens to be conducted by the company with which the Division has contracted to do alcohol and drug screens;
3. Monthly verification of participation in AA/NA and/or PIR support groups no fewer than 3 times per week. Documentation that confirms participation in support group meetings shall be submitted to Ms. Call on a monthly basis; and
4. Completion of a psychological and chemical dependency evaluation conducted by a psychologist pre-approved by the Board and Division. The purpose of the evaluation should be to determine Ms. Gurnett's level of risk to the public as a physical therapist and potential for relapse considering her history of chemical dependency, treatment received, and current disposition. Ms. Gurnett may propose a psychologist that you prefer; however, the psychologist must be pre-approved by the Division and Board.

The motion was seconded by Mr. Sperry. The motion

carried unanimously. The Board will have a second appointment with Ms. Gurnett on December 21.

DISCUSSION ITEMS:

1. Physical Therapy Practice Act Rule change update

Mr. Oborn reviewed the Physical Therapy Practice Act Rule amendments that became effective on June 21, 2010.

2. Recent amendments to APTA Code of Ethics and consideration of adopting amendments into Physical Therapy Practice Act Rule

Mr. Oborn noted that the American Physical Therapy Association (APTA) has adopted a new version of the APTA Code of Ethics for physical therapists and physical therapist assistants. In order to require that physical therapists and physical therapist assistants in Utah comply with the new version, the Physical Therapy Practice Act Rule must be amended to incorporate the new version. Mr. Sperry motioned to recommend that the Division incorporate new versions of the Code of Ethics for Physical Therapists and the Standards of Ethical Conduct for the Physical Therapist Assistant in R156-24b-502, paragraphs (1), (2), (3), (4), and (5). The motion carried unanimously.

3. FSBPT Exam changes regarding pre-approval

Mr. Oborn reviewed information with the Board regarding ongoing security breaches of the National Physical Therapy Examination (NPTE). Significant numbers of graduates of physical therapy schools from certain foreign countries have caused the problems. Due to the security breaches, FSBPT suspended NPTE testing for all graduate schools located in those countries pending the development of a separate, secure exam to be called the NPTE-YRLY. The affected individuals include all graduates of physical therapy schools in Egypt, India, Pakistan, and the Philippines. All new registrations for both the PT and PTA version of the NPTE were suspended as of Monday, July 12, 2010 for graduates from schools in those countries.

4. Specification of passing of TOEFL exam as license requirement in Physical Therapy Practice Act Rule

Mr. Oborn reviewed the specifications of passing the TOEFL exam as a license requirement in Physical Therapy Practice Act Rule. The Board discussed the possibility of defining the requirement to include passing the TOEFL examination further in rule. The Board recommended that the Division not provide further definition in rule.

5.FSBPT new Board member training, Lindsay Gordon

Mr. Oborn advised the Board that Ms. Gordon attended the FSBPT new board member training in Virginia. Ms. Gordon reported on topics discussed at the training.

Not on the agenda:

Mr. Anderson advised the Board that the Utah Physical Therapy Association has requested a speaker on Saturday, October 30 from 7:30 A.M. to 8:30 A.M. They would like the speaker to present information about the practice act, specifically the continuing education requirements, and a short lecture on compliance issues. Mr. Oborn stated that he will prepare a power point presentation.

NEXT MEETING SCHEDULED:

December 21, 2010

2011 Board meetings tentatively scheduled:

February 22, April 5, August 16, December 6

ADJOURN:

Motioned to adjourn at 11:10 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.

December 22, 2010
Date Approved

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

December 22, 2010
Date Approved

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