

MINUTES

**UTAH
PHYSICAL THERAPY
LICENSING BOARD MEETING**

May 22, 2012

**Room 475– Fourth Floor, 10:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 10:15 A.M.

ADJOURNED: 12:02 P.M.

Bureau Manager:

Richard J. Oborn

Board Secretary:

Lee Avery

Board Members Present:

J. Trent Casper, Chairperson

Kim Cohee

Misha Bradford

Lindi Gordon

DOPL Staff Present:

Susan Higgs, Compliance Specialist

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

MINUTES

The Board reviewed the minutes from the March 6, 2012 Board meeting. Ms. Cohee motioned to approve the minutes with changes, seconded by Ms. Bradford. The motion carried unanimously.

Susan Higgs, Compliance Specialist

#1. James Nackos is in compliance with his stipulation. His drug screens have been negative and he has missed only one check in. He submitted his employer report, supervisor report and group meeting attendance records were entered into the Affinity system.

#2. Craig Bischoff is a new probationer. He was licensed in 2005 working in a home health. He admits that on at least 10 occasions between 1/11 and 7/11 he falsified PT records by documenting PT visits performed. On 7/29/11 he was terminated from employment when he falsified two visits on 7/18/11. Currently Troy Barnes is his supervisor. Mr. Barnes

signed the paperwork stating he read Mr. Bischoff's stipulation. Mr. Bischoff submitted a probation plan and his first supervisor report. His employer report and supervisor were submitted by the same person. He submitted information regarding his proposed continuing education courses.

APPOINTMENTS:

James Nackos, probation interview

Mr. Nackos met with the Board for his probation interview. Ms. Cohee conducted the interview. Mr. Nackos stated that things have been going well. He talks at least once a week with his sponsor. His job has been going well. His supervisor is back to work. One way he handles stress is to keep his job and its stresses away from home. He sets goals and enjoys reading. Mr. Nackos stated he submitted the paperwork to the courts to have his felonies reduced. Mr. Nackos stated he attends support meetings 2 to 3 times a week. He requested that the Board approve him to attend less frequently. Ms. Cohee motioned to allow Mr. Nackos to attend support meetings four times a month, his choice which one he attends, seconded by Ms. Gordon. The motion carried unanimously. The Board asked to see Mr. Nackos on December 4, 2012. **Mr. Nackos is in compliance with his stipulation.**

Craig Bischoff, new probation interview

Mr. Bischoff met with the Board. Mr. Casper conducted the interview. Mr. Bischoff introduced himself. Mr. Bischoff was first licensed on 8/5/05. He has worked at a home health agency since 11/27/07. Mr. Bischoff admitted that on at least 10 occasions between 1/11 and 7/11 he falsified patient records by documenting physical therapy visits not made. On 7/29/11 he was terminated from employment when he falsified 2 visits on 7/18/11. Mr. Bischoff stated he worked for multiple home health companies and was doing too much. When he would show up to the patient's home late, and the patient was not home or refused services, he would bill them anyway. Mr. Bischoff stated that Mr. Troy Barnes is his supervisor. He started working at Highland Care Center on March 21, 2012. He is working 40 hours a week. The setting is an open gym and 95% of the treatment is done in the gym. There are 5 PTs, 4 PTAs and 3 aids. Documentation is computer based and he completes his notes daily, and at the end of the

week he does a synopsis. Mr. Bischoff stated that when Mr. Barnes approached the company director about hiring Mr. Bischoff, Mr. Barnes was advised that he would need to sign both the employer and supervisor reports. The Board advised Mr. Bischoff that the employer still needs to sign the report stating they are aware that Mr. Bischoff's license is on probation. Then his supervisor can complete the supervision forms for the duration of his probation or employment. Mr. Casper proposed to accept the CE course for 3 contact hours, seconded by Ms. Cohee. The motion carried unanimously. The Board advised Mr. Bischoff that he will be held accountable if his supervisor does not submit the supervisor reports. These are due by the 1st of the each month. He may want to follow up with Ms. Higgs to ensure that the reports have been received.

The Board noted that Mr. Bischoff needs to:

1. send in certificate indicating that his employer knows his license is on probation; and
2. submit his supervisor's resume although he has preliminary Board approval until the next meeting. His next report is due July 1, 2012. The Board asked to see Mr. Bischoff on August 21, 2012. **Mr. Bischoff is in compliance with his stipulation.**

DISCUSSION ITEMS:

1. Margaret Gurnett, surrender of PT license

Mr. Oborn reviewed Ms. Gurnett's surrender of her physical therapy license with the Board. Ms. Gurnett cannot reapply for her physical therapy license for three years.

2. Upcoming expiration of many temporary PTA licenses

Mr. Oborn advised the Board that there are 427 licensed PTAs who have passed the exam. There are 121 temporary PTAs who still need to pass the national exam. On July 1, 2012, all temporary licenses will expire. The next exam is July 17, 2012 and scores will be released shortly after. Applicants need to pre-register to take the exam and DOPL staff approve them for the exam. Mr. Oborn stated a PTA can do the work of a physical therapy aide until they pass the exam. In November 2011, DOPL sent letters to remind them that their license will expire and that they will need to make arrangements with their employer with their clients if they do not pass the exam by July 1, 2012.

3. Update regarding rule amendments approved at the last Board meeting

Mr. Oborn reviewed the amendments the Board approved at the March 6, 2012 Board meeting. Mr. Oborn noted that he expects to have a rule hearing at the August Board meeting. Mr. Oborn reviewed R156-24b-305, Temporary Licensure, (1)(c) submit evidence of having employment conditioned upon issuance of the temporary license, and the employment is under the direct, onsite supervision of a physical therapist with an active, non-temporary license and (d) has registered to take the required licensure examination. The Board noted that direct supervision is appropriate and other states do not allow for a temporary license.

4. Selection of Board members to attend 2012 FSBPT Annual Meeting, September 20-22

Mr. Oborn noted that Mr. Casper is attending the new Board member training in June. FSBPT is covering the cost.

Ms. Cohee and Mr. Casper stated they will be able to attend the 2012 FSBPT Annual Meeting in September.

5. Update regarding aPTitute continuing education tracking program

Mr. Oborn reviewed a letter from FSBPT regarding a free continuing education service provided to PTs and PTAs. Mr. Oborn stated the Division will mail this to the licensees, noting that joining is voluntary.

6. Reminder regarding upcoming Board vacancies

The Board noted that Ms. Bradford and Mr. Sperry's term on the Board will end June 30, 2012. Nominations for replacements have been forwarded to the Governor's office. The Division hopes to have these vacancies filled by the August Board meeting.

Mr. Oborn and the Board expressed appreciation for the hard work and dedication of Ms. Bradford and Mr. Sperry during their years of service as Board members.

NEXT MEETING SCHEDULED:

The next Board meeting is August 21, 2012.

2012 Board meetings tentatively scheduled:
August 21, December 4

ADJOURN:

Motioned to adjourn at 12:02 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.

August 28, 2012
Date Approved

(ss) J. Trent Casper
Chairperson, Utah Physical Therapy Licensing Board

August 28, 2012
Date Approved

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