



▀ The Consequences of a Felony

Chapter 53 of the Texas Occupations Code, regarding Consequences of Criminal Conviction, does not affect many licensees, but it's important that all licensees be aware of this section of state law. Section 53.021, regarding the Authority to Revoke, Suspend, or Deny License, states:

(a) A licensing authority *may* suspend or revoke a license, disqualify a person from receiving a license, or deny to a person the opportunity to take a licensing examination on the grounds that the person has been convicted of a felony or misdemeanor that directly relates to the duties and responsibilities of the licensed occupation.

(b) A license holder's license *shall* be revoked on the license holder's imprisonment following a felony conviction, felony community supervision revocation, revocation of parole, or revocation of mandatory supervision.

It's important to note that subsection (b) states that the license shall be revoked for imprisonment for a felony. Although the Board **may** revoke a license for a felony, it **must** revoke a license if the holder has gone to jail as part of the sentencing for a felony conviction, **regardless** of the nature of the felony.

▀ States with No PTA Licensure

PTAs are not licensed in four states: Colorado, Hawaii, Michigan and Utah. That means that a PTA licensed in Texas could move to one of those states and work without ever getting a license in that state, and without renewing their Texas license. There is one consequence to that move, however, that many PTAs aren't aware of until they decide to return to Texas. When they call the Board to start the process of restoring an expired license, they discover that coming back to Texas requires one of two things: a current license in another state, or reexamination. If the PTA has no current license in any other state, they may not restore the license, but must retake the licensure exam and get a new license (§341.6, License Restoration). If you are a PTA and decide to work in Colorado, Hawaii, Michigan, or Utah, make sure you keep your PTA license current while you are gone if you have any plans to work as a Texas PTA in the future.

PT RULE UPDATE

The Board currently has no proposed amendments on file with the Texas Register.

If you have comments or questions about the Board's rules, please contact Nina Hurter, PT Coordinator, at nhurter@mail.capnet.state.tx.us or 512/305-6900.



Disciplinary Action Taken by the Board On July 25, 2008

Practiced with an Expired License

Danielle Ayala, PT #1166023 (Port Arthur) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required fifteen (15) hours of community service.**

Patricia Barnett, PT #1104842 (Wellington) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Tony Hoyle, PT #1090751 (Dallas) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Practiced in an Unregistered Facility

Joseph Duazo, PT #1067494 (McAllen) – practiced in an unregistered facility. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Sanat Bhatt, PT #1013001 (Houston) – practiced in an unregistered facility. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Failed the CE Audit

Felicia Kelley, PTA #2051015 (Midland) – failed CE the audit; insufficient number of approved hours taken during renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Susan Marksburly, PT #1021111 (Liberty Hill) – failed the CE audit; insufficient number of approved hours taken during renewal period.

Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Leta Hollis, PTA #2024180 (Grand Saline) – failed the CE audit; insufficient number of approved hours taken during renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required forty-five (45) hours of community service.**

J'Lyn Robinson, PT #1129260 (Abilene) – failed the CE audit; insufficient number of approved hours taken during renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order suspended her license for thirty (30) days.**

Christopher Zivney, PTA #2025187 (Whitehouse) – failed the CE audit; insufficient number of approved hours taken during renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order suspended his license for thirty (30) days.**

Pio Araneta, PT #1069813 (Euless) – failed the CE audit; insufficient number of approved hours taken during renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order suspended his license for sixty (60) days.**

Patient Abandonment

Gloria Stephens, PT #1159680 (Fort Worth) – practiced in a detrimental manner by abandoning her position and patients without providing sufficient prior notice. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for sixty (60) days.**

Documentation

Jill Scott, PT #1145340 (Abilene) – failed to accurately record treatment notes; recording

patient treatment times that did not reflect the actual times that the treatments were rendered. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for fifteen (15) days.**

Supervision

Aubrey Schroeder, PTA #2061730 (Austin) – failed to properly supervise an unlicensed person (aide); allowing that aide to initiate a treatment modality. Violation of §453.351 of the Act and

Chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service.**

NOTICE OF REVIEW OF CE APPROVAL PROGRAM

The Texas PT Association (TPTA) is in the process of reviewing the existing Continuing Education Approval Program (CEAP) in order to make recommendations to the Board regarding upgrading and improving the system. The TPTA has created an Ad Hoc Task Force headed up by the TPTA Practice Chair. A staff liaison from the TBPTE will be working closely with the task force. If you would like to have input into this process, go to <http://tpta.org/> to complete TPTA's survey.

Useful Phone Numbers

Trailblazer Health Enterprises (Medicare Program administrator) www.trailblazerhealth.com

Medicare Part A 888/763-9836 (rehab depts, hospitals)

Medicare Part B 903/463-0720 (independent practitioners)

Medicaid 800/252-8263

TX Dept. of State Health Services (DSHS) Licensing and certification of many Health and Safety Code facilities (including hospitals), and of many other health professions www.dshs.state.tx.us
512/834-6650

TX Dept. of Aging & Disability Services (DADS) www.dads.state.tx.us

*long term care **800/458-9858**

*nursing home **800/252-8016**

*home health agency **800/228-1570**

TX Dept. of Assistive & Rehabilitative Services (DARS), Division for Early Childhood Intervention (ECI) www.dars.state.tx.us/ecis
800/250-2246

TX Education Agency (TEA)

www.tea.state.tx.us

512/463-9734

**Division of Workers' Compensation
at the Texas Department of Insurance (TDI)**

www.tdi.state.tx.us

00/578-4677

State of Texas website - links to all state info

www.texasonline.com

