



■ Federation PRT Pilot Project – Update

112 Texas PTs (39% of the total number) participated in the continuing competency pilot project recently completed by the Federation of State Boards of Physical Therapy. For their participation, licensees were awarded 1.5 CEUs, or 15 hours of CE credit, as established in §341.3, Continuing Education Requirements.

Documentation for Audit

If you were a participant, you will be receiving a completion certification and performance report from FSBPT when the standard setting has been completed and the reports have been processed. In the meantime, if you are audited before you receive the certificate, the printout you received at the Prometric center stating that you completed the tool will be satisfactory. (If you did not receive the printout, notify the Federation and they will provide you with one.) Neither the certificate nor the printout will have the approval number on them; you should add the course approval number yourself. The course approval number is available at <http://tpta.org> under the CE Program page, Specialty Examinations.

Future of the PRT

The Federation is currently reviewing the data gathered via the pilot project (i.e., going through the standard setting process) to establish a standard for the PRT upon which performance feedback can be generated. Once the standard setting has been completed and the final PRT is ready to be released, the Board will decide whether to continue to allow the use of the PRT for CE credit. An announcement regarding the Board's decision will be included in the newsletter following that discussion.

■ Registered Facilities and "Ownership" Clarification

The word owner has more than one meaning; the definition depends on your perspective or the setting you are in. According to *Business Dictionary.com*, an owner can be "an entity that possesses the exclusive right to hold, use, benefit-from, enjoy, convey, transfer, and otherwise dispose of an asset or property;" it can be a "person or entity who awards a contract for a project and undertakes to pay the contractor;" or it can be "an employee or executive who has the principle responsibility for a process, program, or project." In terms of facility registration, the definition of the word "owner" takes something from all three definitions.

Specifically, if you are completing a facility registration form, it is important to know that the Board considers the facility owner to be the person or entity who has the right to receive the payment and the explanation of benefits (EOB) from the payer/insurer. This is in accordance with the definition of "owner" and "ownership interest" in Title 1, Chapter 1, Subchapter A, Section 1.002 of the Texas Business Organization Code. It ties the responsibility for the management of the facility to the profits the facility makes.

In practice, this means that the Therapist in Charge is often not the "owner" of a facility. The Therapist in Charge can be listed as the owner of the facility only when he – or the company in which he has an ownership interest - is the person/entity who has the right to the payment and the EOB. Also, a contract company providing PT or OT services to a clinic can be the owner only if it meets the same criteria. In most cases, it is easy to identify the person or entity considered the "owner" of the facility for registration purposes. If you have any questions about your existing or future registration, contact the Board. The Board's goal is to collect the appropriate information with no penalty to facilities that may currently list owners that do not meet the criteria.



Disciplinary Action Taken by the Board On April 11, 2008

Practiced with an Expired License

Carlos Torano, PT #11143295 (Kingwood) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Mary Tyson, PT #1051555 (Dripping Springs) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Juan Mimbela, PTA #2046233 (El Paso) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Melissa Clark, PT #1116291 (Irving) – 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.**

Kathleen Drees, PT #1131522 (Kingwood) – 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.**

Charlotte Ann Morrison, PT #1164833 (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.**

Julianne Sloyer, PTA #2014650 (Corpus Christi) – 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.**

William Myers, PT #1051316 (Borger) – 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.**

Terri Lynn Rogers, PT #1072957 (North Richland Hills) – 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.**

Janey Broussard, PT #1016236 (Beaumont) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required sixty (60) hours of community service.**

Practiced in an Unregistered Facility

Ann Carver, PT #1127447 (Corpus Christi) – 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.**

Maricela Garcia, PT #1028868 (Brownsville) – 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

Warren Foster, PT #1112076 (Texarkana) – failed CE audit: took the ethics course after the 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 and lacking CE hours.**

Patient Abandonment

Kelly Schiller, PT #1177478 (Houston) – 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 thirty (30) days and required lacking CE hours.**

Practiced Under the Influence of Drugs or Alcohol

Delores Rene Lake, PTA #2016127 (Deer Park) – practiced in a detrimental manner by practicing under the influence of drugs to an extent that affected her professional competence. Violation of §453.351 of the Act. **Board Order suspended her license for thirty (30) days and required other conditions to practice.**

*******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 TBPE 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.

PT RULE UPDATE

PROPOSED AMENDMENTS AND NEW RULES PENDING

The Board is currently proposing amendments to two rules. For the full text of the amendments, go to <http://www.ecptote.state.tx.us/pt/rules.html>.

- **§335.1, Licensed Physical Therapist/Licensed Physical Therapist Assistant** – *This amendment sets out the proper use of initials after your name (e.g. Jane Doe, PT, MPT, GSC) and how to use the title “doctor” if you have a doctoral degree.*
- **§347.5, Requirements for Registered Facilities** – *This amendment clarifies that a facility name or address change requires a new certificate.*

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

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

