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**Texas Board of Physical Therapy Examiners**

**RULES AND PRACTICE  
Committee Meeting**

**333 Guadalupe, Suite 2-510  
Austin, Texas 78701**

**January 16, 2014  
1:00 pm**

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13 **Members Present:**      **Shari Waldie, PT, Acting Chair**  
14                                    **Karen Gordon, PT**  
15                                    **Gary Gray, PT**

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17 **Staff:**                        Nina Hurter, PT Coordinator  
18                                    John Maline, Executive Director  
19                                    Mark Turek, Chief Investigator  
20                                    Cindy Machado, Licensing Manager

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22 **Guests:**                    *Paul Hardin, TPTA*  
23                                    *Stacey Mather, TPTA*  
24                                    *Amber Townsley, TPTA*

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- 27 A. Call to order
  - 28 B. Public comment
  - 29 C. Approval of minutes from the September 5, 2013 meeting
  - 30 D. Discussion and possible action on proposing changes to §341.6, License Restoration, and on
  - 31     restoration procedures for PTAs
  - 32 E. Discussion and possible action on proposing changes to §329.2, Licensure by Examination,
  - 33     regarding NPTE eligibility changes
  - 34 F. Discussion and possible action proposing changes to §329.3, Temporary Licensure for Examination
  - 35     Candidates, regarding the issuance of temporary licenses to candidates who are not working in
  - 36     Texas under the supervision of a Texas licensee
  - 37 G. Discussion and possible action on proposing changes to §329.1, General Licensure Requirements
  - 38     and Procedures, regarding allowing new licensees to work on the basis of website verification of
  - 39     licensure
  - 40 H. Discussion and possible action on making changes to the reevaluation requirements
  - 41 I. Discussion and possible action on establishing caseload limits or recommendations for PTs and
  - 42     PTAs in the school setting
  - 43 J. Discussion and possible action on the provision of physical therapy in the patient's home by PTs
  - 44     who are not employed or contracted by a licensed home health agency
  - 45 K. Discussion and possible action on a letter regarding clarification on the "daily treatment note"
  - 46 L. Discussion and possible action on future meeting dates and agenda items
  - 47 M. Adjournment
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1 **A. Call to order**

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3 Ms. Waldie called roll and determined a quorum was present. She called the meeting to order at 1:14  
4 p.m.

5

6 **B. Public comment**

7

8 There was no public comment.

9

10 **C. Approval of minutes from the September 5, 2013 meeting**

11

12 *Motion: To approve the minutes as submitted.*

13 *Made by: Karen Gordon*

14 *Second: Gary Gray*

15 *Motion passed unanimously.*

16

17 Ms. Waldie reordered the agenda.

18

19 **E. Discussion and possible action on proposing changes to §329.2, Licensure by Examination,**  
20 **regarding NPTE eligibility changes**

21

22 Staff noted that the Board received a memo from the FSBPT stating that due to issues raised by other  
23 boards, the implementation date for the exam eligibility changes had been postponed to 2016, affecting  
24 the need to make these changes immediately. The Committee decided to table further discussion of the  
25 changes until a later date.

26

27 **F. Discussion and possible action proposing changes to §329.3, Temporary Licensure for**  
28 **Examination Candidates, regarding the issuance of temporary licenses to candidates who are**  
29 **not working in Texas under the supervision of a Texas licensee**

30

31 The Committee discussed how the staff had issued a temporary license to someone in the military, who  
32 would not be working in Texas or supervised by a Texas licensee. It determined that although the logic  
33 of the law indicated that the temporary license would only be useful to a person working in Texas, it  
34 would recommend clarification with the proposed changes to the rule. It also requested staff revise the  
35 temporary license affidavits and make it clearer on those forms as well.

36

37 *Motion: To recommend changes to §329.3 as submitted.*

38 *Made by: Gary Gray*

39 *Second: Karen Gordon*

40 *Motion passed unanimously.*

41

42 **G. Discussion and possible action on proposing changes to §329.1, General Licensure**  
43 **Requirements and Procedures, regarding allowing new licensees to work on the basis of website**  
44 **verification of licensure**

45

46 The Committee discussed a staff recommendation to amend this rule at a later date to allow people  
47 getting their Texas license to work once the license could be verified on the website, instead of making  
48 them wait until they received the paper license via mail. They agreed to add this to the May agenda for  
49 action at that time.

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51 **D. Discussion and possible action on proposing changes to §341.6, License Restoration, and on**  
52 **restoration procedures for PTAs**

53

1 The Committee discussed other options for PTAs who need to restore a license and are not currently  
2 licensed in another state, specifically supervised practice. It determined that the Board also needs to  
3 reinsert the requirement for verification of licenses, which had inadvertently been deleted in the current  
4 revision. Possible amendment of this rule to address these issues will appear on the May agenda.  
5

6 **H. Discussion and possible action on making changes to the reevaluation requirements**  
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8 The Committee discussed whether it might be useful to look at revising the reevaluation requirements  
9 currently in rule. The “30-day limit” that has been part of the rule since the late 1980s was based on  
10 Medicare requirements at the time. Now that Medicare has changed its requirements, it is possible that  
11 there is a better way to define the reevaluation requirement. With agreement from Mr. Hardin of the  
12 TPTA, the Committee decided to recommend that the Board encourage TPTA to develop a taskforce to  
13 look at this issue.  
14

15 **I. Discussion and possible action on establishing caseload limits or recommendations for PTs  
16 and PTAs in the school setting**  
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18 The Committee briefly discussed the issues involved with establishing caseload limits in any setting (e.g.  
19 differences in regional needs, licensee expertise, etc.), and determined that it did not recommend  
20 addressing possible limits at this time.  
21

22 Ms. Waldie recessed the meeting from 2:03 – 2:10 p.m.  
23

24 **J. Discussion and possible action on the provision of physical therapy in the patient’s home by  
25 PTs who are not employed or contracted by a licensed home health agency**  
26

27 The Committee discussed a letter submitted by the Texas Association for Home Care and Hospice  
28 regarding the provision of home health care by PTs independent of a licensed home care agency. The  
29 TAHCH is concerned that licensees are not providing services in compliance with the Health and Safety  
30 Code (§142.002, §142.003) regarding how services can be provided to individuals in their homes, and  
31 requested that the Board establish a policy regarding the matter. The Committee determined that the  
32 Board has no authority to regulate licensees based on this statute. It agreed to post an FAQ informing  
33 licensees of those statutes.  
34

35 **K. Discussion and possible action on a letter regarding clarification on the “daily treatment  
36 note”**  
37

38 The Committee discussed a request from a licensee that it clarify what is expected in a daily treatment  
39 note either in rule or in an FAQ. The Committee agreed to develop an FAQ that discussed what should  
40 be in that type of note.  
41

42 **L. Discussion and possible action on future meeting dates and agenda items**  
43

44 The Committee agreed to discuss amendments to §329.1 and §341.6, and possible changes to the  
45 reevaluation requirements, as established above.  
46

47 **Adjournment**  
48

49 *Motion: To adjourn the meeting.*  
50 *Made by: Karen Gordon*  
51 *Second: Gary Gray*  
52 *Motion passed unanimously.*  
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54 Ms. Waldie adjourned the meeting at 2:24 p.m.  
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  - 2 **Date reviewed by the Committee: 05/01/2014**
  - 3 **Action taken by the Committee: approved as submitted**
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