



November 2016

Communiqué

333 Guadalupe, Suite 2-510
Austin, Texas 78701

512-305-6900
www.ptot.texas.gov

Inside This Issue

- 1 PT Board Elects New Officers
- 1 Jurisprudence/Ethics Assessment Module
- 2 Sunset Health Licensing Consolidation Project
- 3 Disciplinary Action
- 3 Renewal Reminder
- 4 Proposed/Adopted Rules

Physical Therapy Board

Harvey Aikman, PT, Chair
Barbara Sanders, PT, Vice Chair
Liesl Olson, PT, Secretary
Gary Gray, PT
Shari Waldie, PT
Jeff Tout, PT
Daniel Renya, Public Member
Philip Vickers, Public Member
Glenda Clausell, Public Member

Next Board Meeting

January 27, 2017
333 Guadalupe, Suite 2-510
Austin, TX 78701

PT Board Elects New Officers

The PT Board elected the following officers at its October 28th meeting:

- Harvey Aikman, PT, Chair
- Barbara Sanders, PT, PhD, Vice Chair
- Liesl Olson, PT, Secretary

Additionally, the Board adopted new rule **§324.4. Request for Proposals for Outsourced Services** and adopted an amendment to **§329.2. Licensure by Examination** (b) Re-examination and (d) Exam Accommodations.

Proposed PT Rules amendments included **§341.3. Qualifying Continuing Competence Activities** and **§346.6. License Restoration**. Details of the adopted and proposed amendments to the PT Rules can be found on page 4.

The Board ratified five (5) agreed orders which are listed on page 3, Disciplinary Actions.

The following dates have been set for the Board's 2017 meetings (subject to change):

- January 26-27, 2017
- April 20-21, 2017
- July 27-28, 2017



Jurisprudence/Ethics Assessment Module

Coming in 2017!

A new, improved jurisprudence examination that includes an ethics/professional responsibility component all in one assessment learning module is being developed. The module will serve as both the JP exam and the ethics/professional responsibility requirement for individuals renewing either their PT or PTA license.

More details and roll-out date to be announced.

Sunset Health Licensing Consolidation Project

At a decision hearing on August 22, 2016, the Sunset Advisory Commission (Commission) **postponed consideration of the recommendation to continue the Executive Council, PT Board, and OT Board** for 12 years pending Sunset staff's evaluation of whether to consolidate certain health licensing entities.

The Sunset staff has released its **Health Licensing Consolidation Project** report, which includes the recommendation to consolidate a number of boards, including the PT Board and the OT Board, under the Health Professions division of the **Texas Department of Licensing and Regulation (TDLR)**, and to reconstitute the boards as **advisory boards**.

Public Comment: Public participation is the cornerstone of the Sunset process. The Commission encourages public input on agencies currently under Sunset Review. **Public comments on consolidation submitted by November 29, 2016 will be included in the packets of the Commission members for their December meeting.** Comments submitted after November 29 are not guaranteed to be in the members' packets, but will be provided to the members. Sunset staff posts comments to a report until the fourth day after a hearing.

Meeting Information: The Commission will take **public testimony** on the proposed consolidation of certain health licensing boards at a meeting which is tentatively scheduled for **December 8-9, 2016** and will vote on which changes to recommend to the full Legislature at its **January 11, 2017 decision meeting**.

Meeting dates are subject to change and can be confirmed at <https://www.sunset.texas.gov/meetings>.

The **Health Licensing Consolidation Project** report and **Public Input Form** can be accessed from the following link: <https://www.sunset.texas.gov/reviews-and-reports/agencies/health-licensing-consolidation-project>

Any changes to the Physical Therapy Practice Act as a result of the Sunset Process, including legislation regarding a possible consolidation, would not occur until the 2017 Legislative Session. Current rules and regulations governing the practice of physical therapy remain unchanged.

Happy Thanksgiving

From

The PT Board

And

ECPTOTE Staff



Disciplinary Actions

The following disciplinary actions were ratified at the October 28, 2016 Board Meeting:

- (1) William Cross, PTA #2067066 (Decatur)** – failed to properly renew his license; insufficient number/type of board-approved hours timely taken. Violation of Section 453.351 of the Act and chapter 341 of the Board Rules. ***Board Order required thirty (30) hours of community service.***
- (2) Richard Lewis, PTA #2073243 (Two Rivers, WI)** - failed to properly renew his license; insufficient number/type of board-approved hours timely taken. Violation of Section 453.351 of the Act and chapter 341 of the Board Rules. ***Board Order required thirty (30) hours of community service.***
- (3) Manuel Martinez, PTA #2042661 (San Antonio)** - practiced in a detrimental manner by failing to accurately record treatment notes. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended his license for thirty (30) days.***
- (4) Kenneth Welker, PTA #2095140 (Bastrop)** - practiced in a detrimental manner by failing to accurately record treatment notes. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended his license for sixty (60) days.***
- (5) Ryan Beaty, PTA #2081703 (Arlington)** – practiced in a detrimental manner by accepting a personal check from a patient for personal use. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended his license for sixty (60) days.***

Renewal Reminder

For those PTs and PTAs who have not renewed their license during the transition period to birth-month renewal which began March 1, 2015, your current expiration date has NOT changed.

You need to timely renew your license with all of your required continuing competence and a passing score on the JP Exam. **Your new birth-month expiration date will be automatically calculated AFTER you complete the renewal process and will be effective for the following renewal period.**

If you are unsure when your license expires, check the online license verification at www.ptot.texas.gov/page/look-up-a-license.

Proposed/Adopted Rules

The Board took the following rulemaking actions at the **October 28, 2016 Board meeting**. The full text of all proposed and adopted rules is available at: www.ptot.texas.gov/page/act-and-rules. If you would like to comment on proposed rules, please send your written comments to karen@ptot.texas.gov, or 333 Guadalupe, Suite 2-510, Austin, TX 78701. The proposed rules will be published in the December 9, 2016 issue of the *Texas Register* available at www.sos.state.tx.us/texreg/index.shtml.

Adopted Rule - to be effective November 27, 2016:

§324.4. Request for Proposals for Outsourced Services – The addition is adopted to allow the Board to develop a process for outsourcing services through a request for proposal (RFP) method.

Adopted Rule - to be effective January 1, 2017:

§329.2. Licensure by Examination – The amendments to (b) Re-examination and (d) Exam Accommodations are adopted to allow for implementation of the Alternate Approval Process through the Federation of State Boards of Physical Therapy (FSBPT) for exam candidates eligibility.

Proposed Rules:

§341.3. Qualifying Continuing Competence Activities – The amendment is required to eliminate the Federation of State Boards of Physical Therapy (Federation) Practice Review Tool (PRT) as a qualifying continuing competence (CC) activity as the Federation is retiring both the General PRT and the Orthopedic PRT on November 30, 2016. Additionally, the Federation's self-assessment tool oPTION is added to the list of qualifying CC activities with an assigned value of 3 continuing competence units (CCUs).

§346.6. License Restoration - The amendment is required to eliminate the Federation of State Boards of Physical Therapy (Federation) Practice Review Tool (PRT) as a means for demonstrating competence when restoring a license as the Federation is retiring both the General PRT and the Orthopedic PRT on November 30, 2016.

A pdf of the current PT Rules is available online at

<http://ptot.texas.gov/page/act-and-rules>