



Communiqué

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Physical Therapy Board

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Next Board Meeting

October 25, 2024

1801 Congress Ave, Ste. 10.900
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Discharge Summary Documentation

Per the PT Rules, the professional responsibilities of the physical therapist (PT) include the final documentation for discharge of a patient. The patient's response to treatment at the time of discharge and any necessary follow-up plan must be incorporated into the discharge summary. A physical therapist assistant (PTA) may participate in the discharge summary by providing subjective and objective patient information to the supervising physical therapist.

According to the Medicare Benefit Policy Manual – Chapter 15, the discharge note (or discharge summary) is a progress report that is written by a clinician and covers the reporting period from the last progress report to the date of discharge. Clinician as described in the manual refers to only a physician, nonphysician practitioner or a therapist (but not to an assistant, aide or any other personnel) providing a service within their scope of practice and consistent with state and local law.

It is the position of the American Physical Therapy Association (APTA) that only physical therapists can complete the conclusion of the episode of care summary. In APTA's Defensible Documentation Resource, this summary is the conclusion of the episode of care based on the PT's analysis of the individual's achievement of the goals and outcomes. Important concepts that should be included are current patient/client status; attainment of goals; goals that have not been attained; and recommendations and instructions that were provided to the individual and/or caregiver such as home program, equipment provided, and training or other education.

With the advent of the use of electronic medical records (EMR) for physical therapy documentation, questions have arisen as to what portions of a discharge summary (if any) can a PTA document and remain in compliance with their licensure rules and regulations.

Discharge Summary Documentation, cont. from pg. 1

The PT Board discussed this issue during their July committee and Board meetings with the following determinations.

Can a PTA complete a Discharge Summary and the supervising PT sign off on it?

No, completion of the Discharge Summary is beyond the PTA's scope. A PTA can only contribute to the subjective and objective portions of the Discharge Summary. The Discharge Summary is the responsibility of the PT who provides an assessment of the patient's response to treatment at the time of discharge including attainment of goals and any necessary follow-up plan such as home program instructions or durable medical equipment (DME) recommendations.

Can a PTA mark that the goals have been met if the PT reviews and agrees by signing off?

No, a PTA marking that a goal is met is outside the PTA's scope as it is a final assessment of attainment of goals that is the responsibility of the PT.

Completion of a discharge summary by a PTA with the PT's signature or completion of sections beyond the PTA's scope could subject both the PT and PTA to disciplinary action by the PT Board.

Relevant sections of the PT Rules include:

§322.1. Provision of Services. (e)(4) Discharge Summary

§322.2. Role Delineation. (a)(2)(I) Discharge of a patient or discontinuation of treatment

§322.2. Role Delineation. (b) The role of a PTA (3)

A pdf of the current PT Rules is available online at <https://ptot.texas.gov/act-and-rules/>.

The Medicare Benefit Policy Manual is linked at <https://ptot.texas.gov/pt-other-resources/>.

APTA members can access Defensible Documentation Resources at <https://www.apta.org/your-practice/documentation>.



Upcoming PT Board Meetings

The following dates have been set for the Board's upcoming quarterly meetings:

- October 25, 2024
- January 17, 2025
- April 11, 2025

Committee meetings will be scheduled prior to the Board meetings as needed.

Meeting dates are subject to change. Check for updated information online at:

<https://www.ptot.texas.gov/meeting-dates>

Disciplinary Actions

PT Board Formal Disciplinary Actions taken at the July 19, 2024 Board Meeting:

- 1) **Katherine Jones, PT #1158850 (Missouri City)** - (audit) failed to properly renew license by not completing a required course prior to renewal. Violation of Section 453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required (10) hours of community service.**
- 2) **Virginia Fleming-Randolph, PTA #2070603 (Fulton)** - (audit) failed to properly renew license by not completing a required course prior to renewal. Violation of Section 453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required (10) hours of community service.**
- 3) **Gabriel Hernandez, PTA #2161303 (Lytle)** - (audit) failed to properly renew license by not completing a required course prior to renewal. Violation of Section 453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required (10) hours of community service.**
- 4) **Lobat Meftah, PT #1333097 (Oklahoma City, OK)** - (audit) failed to properly renew license by not completing required courses prior to renewal. Violation of Section 453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required (30) hours of community service.**
- 5) **Michael Rosentreter, PT #1337819 (Austin)** - (audit) failed to properly renew license by not completing the required amount of continuing education prior to renewal. Violation of Section 453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required (60) hours of community service.**
- 6) **Heather Klicka, PTA #2117270 (Round Rock)** - practiced with an expired license. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (15) days.**
- 7) **Margaret Weidenhammer, PTA #2180872 (Fort Worth)** - failed to disclose criminal history on application for licensure. Violation of Section 453.351 of the Act and Chapter 343.6 of the Board Rules. **Board Order suspended license to practice for (15) days.**
- 8) **Zion Love, PTA #2181620 (Missouri City)** - failed to disclose criminal history on application for licensure. Violation of Section 453.351 of the Act and Chapter 343.6 of the Board Rules. **Board Order suspended license to practice for (15) days.**
- 9) **Latisha Williams, PT #1258246 (Shreveport, LA)** - failed to report disciplinary action taken by another licensing authority in another state to the board within 30 days after such occurrence. Violation of Section 453.351 of the Act and Chapters 341.21 and 343.6 of the Board Rules. **Board Order suspended license to practice for (15) days.**
- 10) **Rosa Silva-Bazan, PT #1024966 (Harlingen)** - failed to respond to agency correspondence addressed to the license holder's official address within 90 days and failing to notify the board in writing of changes in address of record, and residential, mailing or business addresses within 30 days of the change. Violation of Section 453.351 of the Act and Chapters 322.4 and 329.1 of the Board Rules. **Board Order suspended license to practice for (30) days.**
- 11) **Aimee Desilet Weissmann, PT #1262402 (League City)** - practiced in a detrimental manner by failing to document physical therapy services, inaccurately recording, falsifying, or altering patient/client records. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (15) days.**

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- 12) **Jaime Sanchez, PT #1140838 (Benbrook)** - practiced in a detrimental manner by failing to document physical therapy services, inaccurately recording, falsifying, or altering patient/client records. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (30) days.**
- 13) **Kimberly Gibbs, PTA #2121237 (Groesbeck)** - practiced in a detrimental manner by failing to document physical therapy services, inaccurately recording, falsifying, or altering patient/client records. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (30) days.**
- 14) **Eric Leos, PT #1368130 (San Antonio)** - practiced in a detrimental manner by failing to document physical therapy services, inaccurately recording, falsifying, or altering patient/client records. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (45) days.**
- 15) **Vianney Lopez, PTA #2162767 (Roma)** - practiced in a detrimental manner by failing to document physical therapy services, inaccurately recording, falsifying, or altering patient/client records and practiced outside the scope of PTA license. Violation of Section 453.351 of the Act and Chapters 322.2 and 322.4 of the Board Rules. **Board Order suspended license to practice for (30) days.**
- 16) **Michelle Wald, PT #1104693 (Austin)** - practiced in a detrimental manner by failing to assess and evaluate a client's status, failing to complete an evaluation of the patient's condition prior to treatment, and providing physical therapy treatment without a referral. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (15) days.**
- 17) **Elijah St John, PTA #2098353 (Temple)** - practiced in a detrimental manner by practicing outside the scope of PTA license. Violation of Section 453.351 of the Act and Chapters 322.2 and 322.4 of the Board Rules. **Board Order suspended license to practice for (30) days.**
- 18) **Clay McCoy, PTA #2139359 (San Marcos)** - practiced in a detrimental manner by failing to document physical therapy services, inaccurately recording, falsifying, or altering patient/client records and failed to notify the board in writing of changes in address of record, and residential, mailing or business addresses within 30 days of the change. Violation of Section 453.351 of the Act and Chapters 322.4 and 329.1 of the Board Rules. **Board Order suspended license to practice for (45) days.**
- 19) **David Conner, PTA #2078060 (Dallas)** - practiced in a detrimental manner by interfering with an investigation by willful misrepresentation of facts before the agency or the board. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (45) days.**
- 20) **Michael Anastos, PT #1158320 (Tomball)** - practiced in a detrimental manner by for failing to supervise supportive personnel, failing to assess and evaluate a patient's status, and delegating responsibilities to an individual lacking the ability or knowledge to perform the function in question. Violation of Section 453.351 of the Act and Chapters 322.2, 322.3, and 322.4 of the Board Rules. **Board Order suspended license to practice for (120) days.**
- 21) **David Oaxaca, PTA #2119799 (San Antonio)** - practiced in a detrimental manner by abandoning or neglecting patient(s) under current care without making reasonable arrangements for the continuation of such care and failing to document therapy services. Violation of Section 453.351 of the Act and Chapter 322.4 of the Board Rules. **Board Order suspended license to practice for (75) days.**

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Disciplinary Action, cont. from pg. 3

- 22) **Eva Bertrand, PT, #1094589 (Arlington)** - practiced in a detrimental manner by aiding, abetting, authorizing, condoning, or allowing the practice of physical therapy by any person not licensed to practice physical therapy. Violation of Sections 453.201 and 453.351 of the Act and Chapters 322.3 and 322.4 of the Board Rules. **Board Order suspended license to practice for (45) days.**
- 23) **Angelina Donadio, PTA #2153793 (Conroe)** - failed to comply with a previous Board Order by not completing the provisions listed in the Order. Violation of Section 453.351 of the Act; Chapter 322.4 of the Board Rules. **Board Order accepted the surrender of license to practice.**
- 24) **William Dodson, PT #1072692 (Odessa)** - failed to cooperate with the agency by not furnishing requested papers or documents pertaining to alleged fraudulent documentation for services not performed. **Board suspended license at Special Meeting on July 10, 2024 and lifted the suspension at Board Meeting on July 19, 2024.**



Adopted/Proposed Rules

The Board took the following rulemaking actions at its July 19, 2024 meeting.

Adopted Rules: The Board adopted a Rule Review in accordance with Texas Government Code §2001.039.

Proposed Rules: Chapter 343. Contested Case Procedures. Specifically, §343.1. Definitions, §343.23. Hearings, §343.24. Payment of Costs for a Contested Case Hearing Resulting in the Discipline of a Licensee or the Denial of an Application for License, §343.25. Continuance, §343.26. Commutation of Time, §343.27. Probation, §343.28. Records Retention Schedule, §343.29. Failure To Appear at Informal Settlement Conference or Hearing, §343.35. Complaint Investigation and Disposition, §343.48. Dismissal of Complaint, §343.50. Application for Reinstatement of License, §343.51. Evaluation for Reinstatement, §343.52. Procedure upon Request for Reinstatement, §343.53. Board Action Possible upon Reinstatement of Revoked License, §343.55. Failure To Appear, and §343.56. Monitoring of Licensees.

The amendments are proposed in order to provide clarity to the procedures for contested cases, to correct inaccurate and outdated references, and to conform the rules in Chapter 343 with the physical therapy provisions in Chapter 453, Occupations Code; with the administrative procedures in Chapter 2001, Government Code; and with Title 1 Texas Administrative Code.

The text of the adopted Rule Review and of the proposed amendments to Chapter 343 Contested Case Procedures is available online at <https://ptot.texas.gov/act-and-rules/>. The proposed amendments will be published in the September 6, 2024 edition of the *Texas Register* for public comment. The *Texas Register* can be accessed online at <https://www.sos.state.tx.us/texreg/index.shtml>.

New Licensing System Migration

The agency continues to work on the process of migrating the custom-built licensing system to a new licensing platform with enhanced capabilities for both applicants and licensees. Automated and streamlined processes will include:

- Online completion of initial application for licensure and temporary license with payment of fees,
- Online renewal of all license status (Active, Inactive, Retired, Restoration) with payment of fees, including late renewal with late fees,
- Upload of certain associated documents directly into the system, and
- Auto-population of saved data including answers to minimum data set questions during renewal.

More information on the launch of the new system will be posted on the agency's website, included in upcoming newsletters, and distributed via email prior to the rollout.



Mandatory Renewal Requirements

Texas Jurisprudence Assessment Module (TX JAM). The TX JAM is an online and on-demand learning and assessment tool that evaluates knowledge of the Texas Physical Therapy Practice Act and Rules as well as the basis for ethical decision-making and physical therapy related code of ethics and standards for ethical conduct. Completion of the TX JAM has been assigned a value of two (2) CCUs which can be used toward the total renewal requirement. More information is available [here](#).

HHS-approved Human Trafficking Prevention Training. The renewal requirement of an HHS-approved Human Trafficking Prevention Training course was mandated by the Texas Legislature in 2019 with the Texas Human Trafficking Resource Center of the Health and Human Services (HHS) charged with the approval and online posting of courses that meet this requirement.

PTs/PTAs can choose any of the HHS-approved courses from the list available [here](#), and can claim one (1) CCU for each contact hour when entering the course during the renewal process. Courses not on the list do not meet the requirement even if they are approved by a different entity.

Both of the above are required for each and every renewal and have been assigned a pre-approval number. A list of pre-approved categories and number is available [here](#). Failure to meet either requirement could result in disciplinary action against the licensee.