

Alabama Board of Physical Therapy Newsletter

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Tattle Tale

In an effort to improve public protection and compliance with state and federal regulatory reporting requirements, the State of Alabama Board of Physical Therapy has implemented a new policy which requires that all violations be reported to the licensee's employer. This action will assure that the licensee's employer is notified of any offences and subsequent actions which will hopefully reduce the likelihood of additional regulatory violations associated with billing federal programs or other existing statutes.



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Some Traits of a Good Therapist

Good Moral Character
Honesty
Integrity
Loyalty

INVESTMENT IN KNOWLEDGE

If a man empties his purse into his head no one can take it away from him. An investment in knowledge always pays the best interest.

- Benjamin Franklin

The Alabama Board of Physical Therapy members have availed themselves of the latest knowledge of their profession by attending conferences, forums and annual meetings since the last newsletter was put to print. The Federation of State Boards of Physical Therapy (FSBPT) had their annual meeting in Memphis TN in September and was attended by 3 members. The Citizens Advocacy Center (CAC) held their conference in Seattle WA in October and was attended by 2 members. The Alabama Association of Regulatory Boards (AARB) held its annual meeting in Florence AL and was attended by 1 board member and our investigator. The Federation of Associations of Regulatory Boards (FARB) Forum met in Santa Fe NM and was attended by 3 members. The Executive Director attended all 4 meetings. The common thread among all the meetings was public protection.

Choices for the FSBPT Pre-Meeting Workshops were Tools for Change – The Model Practice Act Workshop; Foreign Education Credentialing for Regulation; Assertiveness Skills for Managers and Supervisors. There were many other topics throughout the meeting to choose from, i.e. Referral for Financial Gain Task Force Report; Continuing Competence Program Initiation; Avoiding Legal Challenges in ADA Accommodations: A Few Ounces of Prevention; What Licensure Boards Can Teach Students; Model Licensure Application; Disciplinary Case Studies Discussion; Ethical Remediation from Recognition to Resolution: Where are we now?; Applicant and Licensure Information Confidentiality and Disclosure; Practice Re-entry Challenges; Advising Foreign Educated PT Candidates Who Are Not “Substantially Equivalent”; Exam Breaches: Impact on Boards, Candidates and the Federation; Legislative Scope of Practice Proposals: Is outsourcing the way to go?; and Educating the Public on Licensure Issues.

The CAC schedule offered licensing sessions on Continuing Competence, discipline sessions on The Value of External Review as a Catalyst for Reform; Danger Ahead: Will Raising the Legal Standard of Proof in Discipline Cases Hamper Effective Public Protection?; and Innovative Uses of Information Technology to Help Licensees Avoid Unprofessional Practice; and a rule-making session on Implementing Scope of Practice Expansions via Rulemaking.

AARB met in Florence on the heels of CAC and offered sessions on Professional Conduct; Wellness Issues – Alternative Discipline; Caught Red Handed-Unlicensed Practices; Advanced Investigative Analysis; Recent Cases Involving Regulatory Boards and Investigations; and Elements in an Investigative Report Necessary to Prove the Case.

And last, but not least, FARB’s Friday Focus was on Confidentiality and Open Meetings; Saturday brought a Legislative Session from a Legislator’s Perspective; Yea, Yea, I’m HIPDB: an update; Alternative Dispute Resolution; Exam Breaches; and Top Recent Regulatory Cases; Sunday wrapped up with Post Discipline: Board Enforcement; When is an Application or Renewal Denial Finally Final?; and Regulation in the News.

The Board of Physical Therapy members are diligently seeking the latest and best information possible in the profession so that they can regulate licensees in the interest of public protection.

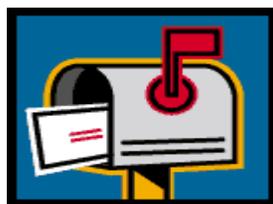
A QUESTION OF REFERRAL

It has come to the attention of the Board of Physical Therapy in recent months that there are questions regarding the acceptance of referrals from medical practitioners. The definition of who can refer to a physical therapist is listed in the Code of Alabama 1975, section 34-24-191 (a) (1). The law clearly defines that *a referral can only be accepted from a physician licensed to practice medicine or surgery and a dentist licensed to practice dentistry and shall not include radiology or electrosurgery*. In a previous Attorney General's opinion, a physician is interpreted to include podiatrists and osteopaths. However, the practitioner may not refer for an area of the body outside their scope of practice. This acceptance of referrals **DOES NOT** include chiropractors or veterinarians, at this time. There is no intent to be exclusionary to various professions. It is simply the definitions within the Practice Act with which we, as a State Board, must work and implement. If you have concerns regarding changes to the Practice Act, you should contact the Alabama PT Association or your legislator.



BEWARE – RENEWAL FINE INCREASE AHEAD

With the prevalence of numerous renewal violations the past two years, the Board has voted to increase the fine to \$500 per violation. For an example, if you fail to renew on time and continue to work prior to renewing your license, you can be fined \$500 for failing to renew and \$500 for working without a license. The moral of this story is: **RENEW YOUR LICENSE ON TIME!** *All licenses expire at midnight on September 30 every year.* You have a two month window of opportunity in which to renew on-line from August 1 through September 30. Our goal is to have **NO LATE RENEWALS** for 2008. Only **YOU** can make that happen.



Please keep your address current with the Alabama Board of Physical Therapy

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HOME STUDY VS ONSITE COURSES FOR CEUs

There have been many questions regarding what separates an onsite course from a home-study course and the approval process for both. First, in all cases, the State of Alabama Board of Physical Therapy awards continuing education course credits according to the Alabama Practice Act. The Board follows the guidelines set forth in the Administrative Code, Chapter 700-X-2.

Unlike onsite courses that are offered at a hotel site, conference center or other and include a live facilitator, a home-study course is taken in your home or in a private setting. These include book, audio, internet and/or teleconference. All courses, on-site or home-study, must be two hours in duration to be considered for CEUs. Additionally, they must include a post-test, graded by the provider or some other tangible means of evaluating participation and achievement.

Once a licensee determines a course meets these guidelines, the course must be submitted for review to ensure content and efficacy of the materials to be covered. Home Study courses are submitted to the Alabama Chapter of APTA who has agreed to provide course review services (fee involved). An application for review should be submitted prior to the completion of the course to ensure CEU credit. (The Application may be found at www.ptalabama.org). There is no fee to review onsite courses, but the application is still required; it must be submitted to the State of Alabama Board of PT along with course objectives, time breakdown, brief bio of instructor(s) and sponsoring organization.

Following review by an independent physical therapist with the Alabama Chapter of APTA, home study course sponsorship is awarded by the Chapter. This sponsorship means that all the necessary components are contained in the course offering. The course is then forwarded to the State of Alabama Board of PT with a recommendation that it be awarded CEU credit. It is the State of Alabama Board of PT that makes the final determination and awards the CEUs.

Additional questions about the process may be directed to the ALABAMA CHAPTER OF APTA office at 866.860.9277.

ALABAMA BOARD OF PHYSICAL THERAPY DISCIPLINARY INVESTIGATIONS AND ACTIONS

The Board has a three-tier system of discipline.

The lowest level of sanction involves the placing of a *letter of admonition* in a licensee's permanent file.

The intermediate level of sanction involves the licensee entering into a *guilty plea agreement* with the Board, either prior to or following a formal or informal hearing. A licensee who pleads guilty may be required to pay a fine, or be subjected to a period of license suspension, or both.

The highest level of sanction involves a finding of guilt after a *formal administrative hearing*. This level of sanction includes a fine and/or license suspension, and may include license revocation.

Disciplinary actions are matters of public record.

In addition to being included in a licensee's permanent file, disciplinary actions are also published in the Board's semi-annual newsletter and to the Healthcare Integrity Protection Data Bank. (HIPDB).

Licensees who either plead guilty, or who are found guilty after either an informal or formal hearing, have their names and the nature of their discipline published in the Board's newsletter and filed with HIPDB.

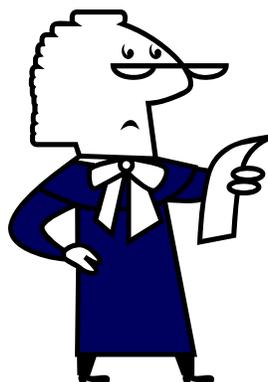
With a letter of admonition, only the nature of the disciplinary action is published.

In keeping with this policy, the following is a list of the Board's disciplinary actions since the last newsletter:

Allegation: Practicing physical therapy without a current license, caused by failure to timely renew license.

Disposition: Licensee pleaded guilty and paid fine.

<u>Case #</u>	<u>Name</u>	<u>Case #</u>	<u>Name</u>
07-09-48	Chad Harless, PTA	08-01-14	Gilaine Boykins, PT
07-12-51	Melissa Robinett, PT	08-01-15	Daisy K. Coleman, PTA
08-01-01	Michelle Abrams, PT	08-02-16	Frank Daniel, PT
08-01-02	Scott Knox, PT	08-02-17	Kimberly Sanders, PT
08-01-03	Russell Hyde, PT	08-02-18	Gina Willoughby, PTA
08-01-04	Keith Lewis, PTA	08-02-19	LaTonya E. Jackson, PTA
08-01-05	Lisa B. Smith, PTA	08-03-21	Scott Huffman, PT
08-01-06	Lisa L. Gault, PT		
08-01-07	Randal J. Aldridge, PT		
08-01-08	Derek L. Burleson, PTA		
08-01-09	Marliese Delgato, PT		
08-01-10	Jaime Terry, PTA		
08-01-11	Jack Ellis, PT		
08-01-12	Carol Byrket, PTA		
08-01-13	Misha Shaddix, PT		



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DENISE M CHAPMAN	412 HILLABEE DR, MONTGOMERY AL
ALEXIS ANNE CLARKSON	3716 HARROGATE DR, VALRICO FL
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QUINTIN LASHAWN COLE	1005 TANNER DR, TALLAHASSEE FL
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