



Communiqué

May 2018

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www.ptot.texas.gov

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Next Board Meeting

July 27, 2018
333 Guadalupe, Suite 2-510
Austin, TX 78701

Update on Criminal Background Checks

In order to comply with a statutory amendment to the PT Practice Act made during the 85th Legislative Session regarding criminal background checks, **the PT Board and staff have been developing rules and procedures to implement Criminal Background Checks (CBC) through fingerprinting as part of the requirement for all new applicants for licensure and licensees as part of their renewal process.** The projected rollout for this new requirement is January 1, 2019.

What does this mean for a new licensee? Fingerprinting will be required for all applicants for licensure either by exam or endorsement whose application is submitted on or after January 1, 2019 as part of the licensure requirements.

What does this mean for licensees renewing their license? Current licensees who renew their license on or after January 1, 2019 will have fingerprinting as a renewal requirement.

What if an applicant or licensee has had to be fingerprinted for some other reason? Previously undergoing a CBC through fingerprinting does not exempt an applicant or a current licensee from this requirement.

Information regarding this rollout and the procedures to follow will be updated on the Board's website at www.ptot.texas.gov, will be disseminated through the email list, and will appear in upcoming editions of the *Communiqué*.

PT Compact Update

The PT Compact Commission (PTCC) continues working to get all the processes in place to begin issuing compact privileges and is on track to begin issuing compact privileges in mid-2018. Member boards, including Texas, are currently implementing the final rules and procedures that need to be in place before compact privileges can be issued for licensees of those states.

The PTCC has issued the following Public Notice: [PT Compact Commission Public Notice of Proposed Rules Amendments](#)

Updates will be available online through the following:
www.ptcompact.org and www.ptot.texas.gov/page/Compact

Proper Use of Physical Therapy Terms and Titles

One only has to look at the **myriad of letters behind a licensee's name** these days to become perplexed as to what it all means in terms of the provision of physical therapy.

To avoid confusion not only within the profession, but especially to outsiders such as the consumer public, other healthcare practitioners, and third party payers and as a means of term and title protection, **the Texas PT Practice Act and the PT Rules set forth the legalities regarding the use of the terms** "physical therapy," "physical therapist," and "physical therapist assistant" as well as the appropriate abbreviations and licensure designations.

Unless an individual holds a license issued by the Texas Board of Physical Therapy Examiners (PT Board), they cannot use the terms "physical therapy," "physical therapist," or "physical therapist assistant" or any derivatives or abbreviations of the terms in connection with their name or business entity. As way of example, a personal trainer cannot use "PT" after their name as this would indicate licensure as a physical therapist. Additionally, a facility cannot claim that physical therapy is offered if there is no physical therapist involved in the treatment.

Licensure as a physical therapist in Texas authorizes the individual to **use the title "physical therapist" or the initials "PT"** immediately following their name. Likewise, licensure as a physical therapist assistant authorizes the **use of the title "physical therapist assistant" or the initials "PTA."** No other titles or initials are conferred by a license from the PT Board. "Therapist" is not recognized as a substitute for the term "physical therapist" or "physical therapist assistant" as the term is too generic to provide an adequate indication of the qualifications of the individual involved in the provision of physical therapy service.

A licensee can use **other letter designations** such as an academic degree or specialty certification as long as the initials follow the licensure designation of "PT" or "PTA." A licensee who graduates with a Doctor of Physical Therapy degree may use "Your Name, PT, DPT" or who completes a certification as a Wound Care Associate from the American Board of Wound Management may use "Your Name, PTA, CWCA."

Use of the prefix "Dr." is not authorized by licensure as a physical therapist. However, the **Healing Arts Identification Act** states that if a person has an academic or honorary degree, they may use the title granted by that degree as long as they clearly designate the degree as well. To be compliant with the licensure rules and regulation, a licensee must use their licensure designation "PT" followed by the academic/honorary degree designation such as "DPT" or "PhD" when using the prefix "Dr." for signature, on business cards, or in written advertisement. When using "Dr." during verbal communication, it is incumbent upon the licensee to ensure that there is no misunderstanding that the title is associated with the profession of physical therapy.

The relevant section of the **PT Practice Act is Sec. 453.201. LICENSE REQUIRED; USE OF TITLE** and of the **PT Rules is §335.1. Use of Title**. A pdf of both the PT Practice Act and the PT Rules is available online at <https://www.ptot.texas.gov/page/act-and-rules>.

The **Healing Arts Identification Act** is available online at <http://www.statutes.legis.state.tx.us/Docs/OC/htm/OC.104.htm>.

Disciplinary Actions

The following disciplinary actions were ratified at the April 13, 2018 Board Meeting:

- (1) Laura Nanette Shull, PTA #2097906 (Corpus Christi)** – practiced with an expired license. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order required eight (8) hours of community service.***
- (2) Joshua Paul Gobin, PTA #2116668 (McKinney)** – practiced with an expired license. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order required thirty (30) hours of community service.***
- (3) Nathan Brown, PTA #2063316 (Victoria)** – 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 suspended his license to practice for sixty (60) days.***
- (4) Whitney Allison Polk, PTA #2083491 (Temple)** - failed to properly renew her 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.***
- (5) Shannon Hamilton, PTA #2091970 (Plano)** - practiced in a detrimental manner by inaccurately documenting treatment notes. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended her license to practice for thirty (30) days.***
- (6) Curtis Foote, PTA #2075892 (Madisonville)** - practiced in a detrimental manner by fraudulently documenting treatment notes. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended his license to practice for thirty (30) days.***
- (7) Elaine Hanes Wilson, PT #1099992 (Lubbock)** - practiced in a detrimental manner by inaccurately documenting treatment notes. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended her license to practice for sixty (60) days.***
- (8) Leigh Ann Carpenter, PTA #2016481 (Amarillo)** – practiced in a detrimental manner by abandoning her job/position without providing sufficient prior notice. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended her license to practice for thirty (30) days.***
- (9) Christian Azocar, PTA #2129669 (Katy)** – practiced in a detrimental manner by abandoning his job/position without providing sufficient prior notice. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended his license to practice for thirty (30) days.***

Proposed/Adopted Rules

The Board took the following rulemaking actions at the April 13, 2018 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.

Proposed Rules:

CHAPTER 348. PHYSICAL THERAPY LICENSURE COMPACT - the addition is proposed in order to define the Physical Therapy Compact and Compact Privilege in §348.1 and to specify violations that could result in disciplinary action in §348.2 pursuant to Senate Bill (SB) 317 addition of Sec. 453.501. PHYSICAL THERAPY LICENSURE COMPACT of the Occupations Code during the 85th Legislative Session.

Adopted Rules: There were no adopted rules.

A current pdf of both the PT Practice Act and the PT Rules is available at www.ptot.texas.gov/page/act-and-rules.

PT Board Meeting Highlights

At its April 13, 2018 meeting, the Board **proposed the addition of CHAPTER 348. PHYSICAL THERAPY LICENSURE COMPACT to the PT Rules** in order to comply with statutory changes to the Physical Therapy Practice Act made during the 85th Legislative Session and in preparation for PT Compact privileges to be issued. See above for summary of the proposed addition to the PT Rules.

The Board ratified nine **(9) agreed orders** which are listed on page 3, Disciplinary Actions.

Liesl Olson, PT was elected as the Board's delegate to the Federation of State Boards of Physical Therapy Annual Meeting, and Harvey Aikman, PT was elected as the alternate.

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

***July 26-27, 2018 *October 18-19, 2018 *January 17-18, 2019 *April 11 -12, 2019**

TX Jurisprudence Assessment Module

Individuals applying for their initial TX license and licensees who are renewing their license are now required to take the PT Board's new **Texas Jurisprudence Assessment Module (TX JAM)**. The **TX JAM** replaces both the previous Jurisprudence (JP) Exam and the ethics/professional responsibility renewal requirement. An approved ethics course is no longer required for renewal, and the TX JAM has an assigned value of 2 CCUs.

If you have **already taken an ethics course** within your renewal period, it can be **counted toward the total number** of required CCUs, but **cannot be counted instead of the new TX JAM requirement**.

The PT Board, in collaboration with the Federation of State Boards of Physical Therapy (FSBPT), is reviewing the current module for possible improvement. **If you have any constructive recommendations, please send to emailpt@ptot.texas.gov.**

For more information on the **TX JAM**, click **[here](#)**.

Have you Renewed in Your Birth-Month?

Phase I of the transition to birth-month renewal which began on March 1, 2015 has been completed. **Licensees should now have a license expiration date that corresponds with the last day of the month in which they were born.** As no license was transitioned for less than two (2) years, some licensees gained additional months (1 – 11 mos.) on their transitional renewal period. No additional fee was assessed, and no additional CCUs are required for renewal. CCUs can be obtained at any time during the transitional renewal period, including the **TX JAM**.

Phase II of the transition is renewal by the new birth-month expiration date. If you are unsure of your new birth-month expiration date, you can **look up the status of your license through the Board's license verification system** which is available online at www.ptot.texas.gov/page/look-up-a-license.

Do PT Facilities Still Need to Register and Renew?

The PT Practice Act was amended during the 85th Legislative Session as the result of Senate Bill 317 and included the deregulation of physical therapy and occupational therapy facilities. **The effective date of this provision is not until September 1, 2019** at which time facilities that are offering physical therapy (and/or occupational therapy) will no longer need to register or renew their registration.

Until then, facility registration and renewal requirements continue unchanged. Additionally, practicing in an unregistered physical therapy facility which is not exempt remains a violation of the PT Practice Act/Rules that could subject a licensee to disciplinary action.