



Communiqué

June 2015

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Board Meeting Highlights

The Texas Board of Physical Therapy Examiners (TBPE) met on April 24, 2015 and adopted amendments to the following Rules:

- **§322.4. Practicing in a Manner Detrimental to the Public Health and Welfare**
- **§341.9. Retired Status; Performing Voluntary Charity Care**
- **§346.3. Early Childhood Intervention (ECI) Setting**
- **§329.2. Licensure by Examination**

Additionally, the Board proposed an amendment to **§341.6 License Restoration.**

Summaries of all of the adopted and proposed Rules amendments from the Board's April 24th meeting can be found on page 5. The full text of adopted and proposed Rules is available online at <http://www.ptot.texas.gov/page/act-and-rules>.

Ongoing topics of discussion by the Board include:

- **Provision of Physical Therapy via Telehealth**
- **Participation in a Physical Therapy Licensure Compact**
- **Implementation of Email Communication with Licensees**

Physical Therapy Board

Gary Gray, PT, Chair

Shari Waldie, PT, Vice Chair

*Melinda Rodriguez, PT, DPT,
Secretary*

Jeff Tout, PT

Harvey Aikman, PT

Barbara Sanders, PT, PhD

Philip Vickers, Public Member

Daniel Renya, Public Member

Next Board Meeting

August 28, 2015

333 Guadalupe, Suite 2-500

Austin, TX



PT Board Chair, Gary Gray presents a token of appreciation to outgoing member, René Peña.

Board Member News

René Peña has completed his term on the Texas Board of Physical Therapy Examiners, and has been appointed by Governor Greg Abott to the Texas Optometry Board. Mr. Peña was appointed as a Public Member to the Texas Board of Physical Therapy Examiners by Governor Rick Perry in 2008 and most recently served as the Chair of the Board's Vision Committee and as a member of the Board's Education Committee. He is a Certified Public Accountant licensed by the States of Texas and New Mexico and is the Audit Principal and President of Peña Briones McDaniel & Co. His term expired January 31, 2015, and a replacement has not been named.

Our loss is the Texas Optometry Board's gain.

Best Wishes, René!

Birth-Month Renewal Recap

The transition to birth-month renewal launched on March 1, 2015. PTs and PTAs who have renewed their license on or after that date had their license expiration month automatically updated to the last day of their birth month. The converted renewal period is no less than twenty-four months with additional months added to get the birth month. As way of example, a PT whose license was to expire on April 30, 2015 renewed his license on March 25, 2015. His birth month is November, so his next license expiration date is November 2017.

There was a glitch in the communication with Texas Online where the payment process of the online renewal occurs. The receipt was not showing the converted birth-month renewal as the expiration date. This problem has been corrected.

For those PTs and PTAs who have not renewed yet, 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 renewal will be automatically calculated after you complete the renewal process.

Renewal postcards are still being mailed as a reminder, but it is the responsibility of each licensee to renew their license on time. If you are uncertain when your license expires or if it has been converted to the birth-month renewal, check the online verification at www.ptot.texas.gov/page/look-up-a-license.

Disciplinary Actions

The following disciplinary actions were taken at the April 24, 2015 Board Meeting:

- (1) **Cara Hartoon, PT #1203179 (Plano)** – practiced with an expired license. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended her license for ten (10) days.***
- (2) **Pooya Motaghedi, PT #1171253 (Austin)** – practiced with an expired license. Violation of Section 453.351 of the Act and chapter 322 of the Board Rules. ***Board Order suspended his license for fifteen (15) days.***
- (3) **Abbi McClellan, PTA #2047330 (Dickinson)** – failed the CE audit; insufficient number 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.***
- (4) **Maria Caldwell, PT #1060606 (Plano)** – failed the CE audit; insufficient number 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) **Catherine Mallari, PT #1196199 (Huntsville)** – failed the CE audit; insufficient number of board-approved hours timely taken. Violation of Section 453.351 of the Act and chapter 341 of the Board Rules. ***Board Order required sixty (60) hours of community service.***
- (6) **Luis Del Carpio, PTA #2029452 (McAllen)** – failed the CE audit; insufficient number 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 for thirty (30) days.***
- (7) **Kenneth Hogan, PT #1186143 (San Antonio)** – failed to properly renew his license; lacked a timely taken board-approved ethics course. Violation of Section 453.351 of the Act and chapter 341 of the Board Rules. ***Board Order required thirty (30) hours of community service.***
- (8) **Eugene Reamico, PTA #2099633 (Houston)** – practiced in a detrimental manner by failing to accurately record treatment notes; documenting treatment notes for treatments on dates not rendered. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. ***Board Order suspended his license for thirty (30) days.***
- (9) **Nnamdi Iyeh, PTA #2073863 (Richmond)** – practiced in a detrimental manner by treating a patient without a current plan of care; thereby practicing beyond the scope of his license. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. ***Board Order suspended his license for thirty (30) days.***
- (10) **Keri Finch, PTA #2055641 (Hallsville)** – practiced in a detrimental manner by using drugs or intoxicating liquors to an extent that affected her professional competence; resulting in her inability to remain on the job and treat patients. Violation of Section 453.351 of the Act. ***Board Order suspended her license for thirty (30) days; and restricted practice for two (2) years.***
- (11) **Lori Williamson, PT #1098671 (Fort Worth)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. ***Board Order suspended her license for five (5) days.***
- (12) **Michael Perez, PT #1150163 (Corpus Christi)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. ***Board Order suspended his license for five (5) days.***
- (13) **Jonathan Montez, PT #1240000 (Paramount, CA)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. ***Board Order suspended his license for five (5) days.***

Disciplinary Actions, cont.

- (14) Misty Minor, PT #1174997 (Trophy Club)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended his license for five (5) days.**
- (15) Ryan O’Malley, PT #1191411 (Fort Worth)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended his license for five (5) days.**
- (16) Heath Dittfurth, PT #1191480 (Saginaw)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended his license for five (5) days.**
- (17) Jennifer York, PT #1232506 (Fort Worth)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended her license for five (5) days.**
- (18) Monica Moseley, PT #1153129 (Fort Worth)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended her license for five (5) days.**
- (19) Jeffrey Rau, PT #1135044 (Euless)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended his license for five (5) days.**
- (20) Kelly DeRuvo, PT #1223120 (Irving)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended her license for ten (10) days.**
- (21) Ronald Carlton, PT #1108033 (Dallas)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended his license for ten (10) days.**
- (22) Ronald Barkman, PT #1057321 (Keller)** – practiced in a detrimental manner by practicing in a facility not properly registered with the board. Violation of Section 453.351 of the Act and chapter 322 of the Board rules. **Board Order suspended his license for twenty-one (21) days.**

Rule Reminder

Did you know that you can be disciplined by the Board for practicing in a non-exempt facility if the facility registration has expired?

§322.4. Practicing in a Manner Detrimental to the Public Health and Welfare.

(b) (15) practicing in an unregistered physical therapy facility which is not exempt

§347.2. Requirement for Practice Setting of Licensees.

All licensees of this Act who practice in Texas can practice only in registered facilities or in practices or facilities that are exempted by the Act and rules.

Proposed/Adopted Rules

The Board took the following rulemaking actions at the **April 24, 2015 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.

Adopted Rules - to be effective May 17, 2015:

§322.4. Practicing in a Manner Detrimental to the Public Health and Welfare - The amendment adds language to include failing to maintain confidentiality as detrimental practice.

§341.9. Retired Status; Performing Voluntary Charity Care - The amendment eliminates the need for a notarized application and modifies the language concerning requirements for reinstatement from retired status to active status.

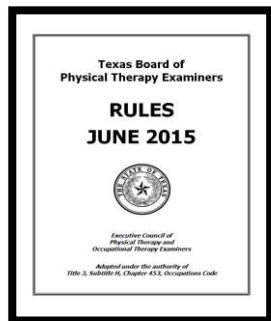
§346.3. Early Childhood Intervention (ECI) Setting - The amendment changes the requirement for review of the plan of care from at least every 30 days to at least every 60 days or concurrent with every visit if the child is seen at intervals greater than 60 days.

Adopted Rule - to be effective January 1, 2016:

§329.2. Licensure by Examination - The amendment establishes a lifetime maximum of attempts and a low score maximum for taking the National Physical Therapy Examination (NPTE) to comply with changes in the eligibility requirements which will be implemented January 1, 2016 by the Federation of State Boards of Physical Therapy (FSBPT) who owns and administers the test, and eliminates the requirement for remediation after two (2) or more unsuccessful attempts.

Proposed Rule:

§341.6 License Restoration - The amendment transitions renewal of a restored license to birth-month expiration to be consistent with the conversion to birth-month expiration for all renewals; and eliminates the options for demonstration of competency for military spouses seeking to restore a license as the section is no longer as inclusive as the expanded options for demonstration of competency in (d)(E), and adds new language which mirrors existing language in §329.6.(c) for issuance of a license to a military spouse and which will allow for expediting the restoration of licensure.



New

Updated PT Rules pdf

Available at:

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