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Communiqué

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Physical Therapy Board

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Glenda Clausell, Public Member

Next Board Meeting

April 21, 2017
333 Guadalupe, Suite 2-510
Austin, TX 78701

New Jurisprudence Assessment Module

In consideration of numerous comments about the redundancy of the **Jurisprudence (JP) Exam** and the **ethics/professional responsibility renewal requirement** that must include legal standards of behavior (including but not limited to the PT Practice Act and Rules) and in consideration of the disciplinary action that is taken against licensees that take an “ethics” course that does not comply with the minimum criteria set forth in rule and therefore are not approved, the PT Board has been exploring other possibilities to either replace or combine the two current renewal requirements.

After evaluating several options, the PT Board decided that a **new, improved JP examination** that also includes an **ethics/professional responsibility component** all in one assessment learning module could serve as both the JP exam and the ethics/professional responsibility requirement for individuals renewing either their PT or PTA license and as the JP exam requirement for individuals applying for initial PT or PTA licensure.

The new **Jurisprudence Assessment Module** that will be rolling out in the spring of 2017 (date TBA) will be an interactive on line learning assessment that will evaluate 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**. The completion of the module will combine and replace both the current ethics/professional responsibility continuing competence (CC) renewal requirement and the jurisprudence exam that is part of the renewal process, and will be assigned a continuing competence unit (CCU) value.

Prior to the rollout, there will be several **email campaigns** and **announcements on the website** regarding the new requirement.

Stay tuned for more information in the months to come.

Sunset Advisory Commission Renders Decision on Consolidation of the Executive Council, the PT Board, and the OT Board

On January 11, 2017, members of the **Texas Sunset Advisory Commission** (Commission) voted to; *“Continue the Executive Council of Physical Therapy and Occupational Therapy Examiners, Texas Board of Physical Therapy Examiners, Texas Board of Occupational Therapy Examiners..... for 12 years as currently structured.”*

The vote was on a modification of the Sunset staff recommendation in the **Healthcare Licensing Consolidation Project** report that would have moved both the PT Board and the OT Board to the Texas Department of Licensing & Regulation (TDLR) and reconstitute the independent boards to advisory boards and would have dissolved the Executive Council of Physical Therapy Examiners & Occupational Examiners (ECPTOTE) as a state licensure agency. The modification was proposed by Chairman Larry Gonzales and passed unanimously by the Commission consisting of 10 legislators and 2 public members.

In another modification, the Commission confirmed that the ECPTOTE is an agency whose governance and board structure are worthy of emulation. A new agency, the **Texas Behavior Health Executive Council**, with its associated Board of Examiners of Psychologists, Board of Examiners of Family and Marriage Counselors, Board of Examiners of Professional Counselors, Board of Social Worker Examiners, and Council on Sex Offender Treatment was modeled after the functional regulatory organization of the ECPTOTE.

The Sunset Commission has concluded its public hearings and deliberation for this review cycle. A **Sunset Staff Report with Commission Decisions** which documents the Commission’s decisions on the original staff recommendations and new issues raised during the hearing process has been published online at <https://www.sunset.texas.gov/reviews-and-reports/agencies/texas-board-physical-therapy-examiners>. This report will form the basis of the Sunset bill which will be considered during the 85th Texas Legislature which convened on January 10, 2017.

The ultimate outcome of the Sunset process rests in the hands of the full Legislature. Any change in statute (PT Practice Act and OT Practice Act) as a result of the Sunset process would not occur until passed by both the Texas Senate and Texas House of Representatives and signed into law by the Governor.

PT Board Meeting Highlights

At it’s January 27, 2017 meeting, the Board adopted amendments to PT Rules **§341.3. Qualifying Continuing Competence Activities** and **§346.6. License Restoration**; and proposed amendments to **§341.2. Continuing Competence Requirements** and **§341.3. Qualifying Continuing Competence Activities**. Details of the adopted and proposed amendments to the PT Rules can be found on page 4.

The Board ratified ten (10) **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):

* April 20-21, 2017

* July 27-28, 2017

* October 12-13, 2017

Disciplinary Actions

The following disciplinary actions were ratified at the January 27, 2017 Board Meeting:

- (1) **Jarvon Godley, PT #1217248 (Spring)** – 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) **Julius Ajuna, PTA #2101538 (Grand Prairie)** - 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) **John Michael Evans, PTA #2020921 (Rio Hondo)** - 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.***
- (4) **Vera Ann Nash, PTA #2092920 (Killeen)** - 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 suspended her license to practice for thirty (30) days.***
- (5) **Angela Marshall, PT #1177670 (Dallas)** – 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 her license to practice for thirty (30) days.***
- (6) **Cheryl Hemphill, PTA #2070968 (San Angelo)** – 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 her license to practice for thirty (30) days.***
- (7) **Roxanne Gonzales, PTA #2040954 (Canyon Lake)** – 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 her license to practice for thirty (30) days.***
- (8) **Utsav Brahmhatt, PT #1249657 (Dallas)** - 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 to practice for thirty (30) days.***
- (9) **Larry Willingham, PTA #2028983 (Elgin)** - 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 forty-five (45) days.***
- (10) **Matthew Walden, PT #1231871 (Round Rock)** – practiced in a detrimental manner by using drugs or intoxicating liquors to an extent that affected his professional competence; resulting in his failure of a drug test and subsequent cancellation of his travel assignment. 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 **January 27, 2017 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 February 10, 2017 issue of the *Texas Register* available at www.sos.state.tx.us/texreg/index.shtml.

Adopted Rules - to be effective February 16, 2017:

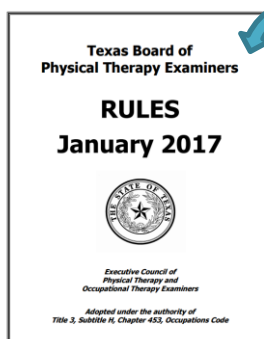
§341.3. Qualifying Continuing Competence Activities – The amendment is required to eliminate the Federation of State Boards of Physical Therapy (Federation) Practice Review Tool (PRT) as a qualifying continuing competence (CC) activity as the Federation retired both the General PRT and the Orthopedic 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 retired both the General PRT and the Orthopedic PRT on November 30, 2016.

Proposed Rules:

§341.2. Continuing Competence Requirements &

§341.3. Qualifying Continuing Competence Activities - The amendments are proposed to allow for the required jurisprudence examination for initial licensure and license renewals and the ethics/professional responsibility license renewal requirement to be combined into one jurisprudence assessment learning module. Additionally, the amendments clarify the core documents for physical therapy ethics standards; authorizes the PT Board to establish a continuing competence value for the module for license renewal credit; and eliminates the need to have an ethics/professional responsibility course approved to meet the renewal requirement.



A pdf of the current PT Rules is available online at

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

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.

Continuing Competence Corner

Recent changes have been made to the list of qualifying continuing competence (CC) activities as the result of the elimination of the Federation of State Boards of Physical Therapy (Federation) **Practice Review Tool (PRT)**. The Federation retired both the General PRT and the Orthopedic PRT on November 30, 2016. For licensees who took the assessment tool prior to November 30, 2016, CC credit can still be claimed as part of their renewal requirement.

Additionally, the PT Board has added the **Federation's self-assessment tool oPTion** to the list of qualifying CC activities with an assigned value of 3 continuing competence units (CCUs).

oPTion is a self-assessment tool created by the Federation that allows physical therapists to compare their knowledge, skills, and abilities to current entry-level general physical therapy practice. It is also an opportunity to review PT fundamentals. The tool is available online and on demand from your personal computer.

oPTion uses scenarios and multiple-choice questions that emphasize clinical application or knowledge necessary for safe, effective practice. Each scenario is followed by three to five multiple-choice questions, for a total of 100 questions. A rationale that explains the correct choice for each question is provided whether you answer the question correctly or incorrectly.

A Feedback Report is available at the end of **oPTion** and identifies performance designed to help identify knowledge, skills, and abilities as compared to current entry-level practice.

More information about **oPTion** is available online at:

<https://www.fsbpt.org/SecondaryPages/Licensees/ContinuingCompetence/oPTion.aspx>