

Communiqué



Changes to License Renewal Continue in June

In March 2012, the Board started requiring licensees to report their continuing competence activities (CCUs) as the first step in the license renewal process.

In June, a second major change occurs. The Board will no longer mail each licensee a renewal certificate, and the renewal transaction receipt can no longer be used as proof of license renewal. Licensees, employers, and other interested parties will verify the status of a license on the Board's website, and licensees can print a statement of licensure from the same page on the website for display in their primary place of employment. (For an update on the CC Activity Report, which was introduced in the October 2011 issue of the *Communiqué*, see page 2.)

Online Verification Replaces the Renewal Certificate

The most secure way to verify license information is via the web. The data on the website is updated every business day, and only Board staff can alter it. An employer who is verifying a new employee's license, or verifying that an existing employee has renewed his license, should look to the web for that information. (Although the Board does not have a high number of cases of faked or altered renewal certificates, there are always a few.) The more employers rely on the Board's website rather than a paper document to verify licensure, the safer the public and the license holder is.

When the Board developed its new website, it added the ability to print a statement of licensure. Anyone who knows a licensee's name can verify on the website that he or she is licensed, but only a person who knows a licensee's SSN and date of birth can print the statement of licensure. This function was added so that the Board could allow the licensee or the designee to print out the statement of licensure, and display it as necessary. However, the statement of licensure does not replace online verification. Any piece of paper is easily altered.

Renewal Transaction Receipt No Longer Proof of Licensure

Before 2004, there was no online renewal. All licensees renewed by regular mail and dealt with the uncertainty and delays that occurred. Licensees were advised to send their materials to the Board at least six weeks before their expiration date, to avoid being unable to work while waiting for their renewal certificate. When online license renewal became possible, licensees were able to renew their licenses at the last minute on the last day of the month, and work with the transaction receipt as proof they had successfully renewed their license. This was a unique approach to license renewal, and encouraged a large number of people who otherwise might have resisted change to renew online.

But last minute renewals still continued to cause problems for licensees. If the transaction receipt didn't print or was lost, licensees still couldn't work until the renewal certificate arrived in the mail. Additionally, if the last day of the month occurred on the weekend, expired licensees were able to "renew" online without paying the late fee, and received a transaction receipt that they could use to "prove" they had renewed. However, their licenses were not renewed, and their new expiration dates were not updated

online, until late fees were paid. This caused problems for the licensees, their employers, and board staff. To eliminate these problems, the Board has dropped the requirement that a person have a renewal certificate or transaction receipt in hand prior to working.* A licensee now may work as long as he or she has received an original paper license, and the license expiration date shows as current on the Board's website. For people who renew their licenses before the last few days of the month, the only change will be that they do not have to worry about the transaction receipt or make sure they receive their renewal certificate in the mail. Those who wait until the last possible moment to renew will run the risk of a slight delay before their license appears as renewed on the website – though the delay will be much shorter than it was in the past.

** A person who has been issued a Temporary License, or an initial Permanent License, must still have that paper license in hand before they can work as a PT or PTA.*

How It Works as of June 2nd

When you go online to renew your license, you will complete the CC Activity Report, take the jurisprudence exam, complete the renewal application, and pay for your renewal – just as you do now. You should still print out your transaction receipt as proof of payment. All of your information will be transmitted to the Board on the following business day, and your license renewal will be processed. Once your renewal application is approved as complete, your license expiration date will be changed and the information uploaded to the Board's website within the same day. If you renew your license on a weekend or a holiday, nothing will be processed until the next business day.

Information about this process has already been posted on the homepage of the Board's website, including step by step instructions for printing out the statement of licensure. 

CC Activity Report Results in a Few Surprises

The implementation of the CC Activity Report has gone fairly smoothly, although the new website has presented challenges to licensees who use Microsoft's Internet Explorer (IE) as their web browser. If you use IE, we recommend that you read the information about browsers on the Board's Renew A License page before you try to enter your CC activities.

An unexpected side effect of the Report is that the TPTA's Continuing Competence Approval Program (CCAP) program has seen a dramatic increase in activity in the last few months. Since the January announcement that licensees would have to complete the CC Activity Report as part of renewal, applications from sponsors and individuals have significantly increased, and staff has been responding to an onslaught of phone calls from licensees.

Here are the facts:

- Until Feb of 2012, applications for single course approvals had been slowing decreasing each year, due to the increase in the number of sponsors with Accredited Provider status. (Accredited Providers do not have to submit each course they offer for approval, as they have met and agreed to maintain standards set by the Board.)
- In Feb, March, April and May of this year, the TPTA experienced a sudden and significant increase in the number of courses being submitted for approval by sponsors and individuals.
- According to staff at the TPTA, sponsors have told them that licensees are now refusing to register for a course unless it is approved.

The bad news: It is pretty clear that many licensees were either ignorant of the requirement that all continuing competence activities must be approved by the TPTA, or willing to take the chance that they would not be caught in the CC audit with activities that had not been approved. The good news: Sponsors are now seeking course approval earlier. Licensees will know sooner that a course has been approved, and can register for it with confidence that they can use it for renewal.

A Second Unexpected Effect

The TPTA reports that the number of courses submitted for approval by individual licensees has increased as well, though it is a small number compared to the number of courses submitted by course sponsors. More problematic is that a greater percentage of individual course approval submissions are being made very late in the game, i.e., just a few weeks before the licensee's license expiration date.

Before the new CC Activity Report was announced in January, TPTA averaged roughly 30 individual course approval applications a month. Generally, about three of those applications would be "rush" requests - meaning, people submitted them less than six weeks before license expiration. At the time of this report, the average number had grown to roughly 40 individual applications a month, with about 20 of them being rush requests. Many of those are requesting approval by the end of the month, i.e., before the license expiration date of the person making the request.

The TPTA has consistently helped licensees by expediting individual applications to get them reviewed as quickly as possible, usually cutting the typical 6-8 week processing time into 2-3 weeks, and it has done this at no additional charge. However, the Board has approved the addition of a "expedite" fee for rush requests, and this fee will be in place soon.

According to Stacey Mather, the CCAP Administrator at the TPTA, here is what you need to know about requesting course approval at the last minute:

- If you submit it at least 3 weeks before your expiration date, the course or activity might be approved, but if it is not approved, you have very little time to find other approved activities.
- If you submit it a week before, it is almost certain the course or activity will not be approved in time and you will have to delay your license renewal.

Avoid the Problem

The Board mails you a renewal notice approximately 3 months before your license expires. Make it a point to review your CC activities right then, when you still have time to get it approved, if it is not already approved. Make sure your certificate includes the information required: Course name, Sponsor name, your name and license number, the date the activity was completed, and the course approval number or Accredited Provider number (either one can be input into the CC Activity Report). If that information is not on the form, contact the course sponsor or provider and request that they add that information. If you are not successful, contact Ms. Mather at the TPTA.

If you will do this before it is time to complete the CC Activity Report, you will find that the renewal process is simple and quick. And if you are audited, you will have all your ducks in a row. //

Need Help Keeping Track of Your CCUs?

If you find it difficult to consistently track your CC activity and maintain your completion certificates, you may want to investigate systems offered by the Federation of State Boards of Physical Therapy and the TPTA. All licensees are invited by the Federation to use aPTitude, a free continuing competence management system, and TPTA offers a similar system to its members at no cost. Both systems have "how to" videos, and allow you to upload copies of your certificates. For information about aPTitude: <https://pt.fsbpt.net/aPTitude/public/info/licensee>. For information about TPTA's system: <http://www.continuingcompetence.org/licensees.asp>, or contact the TPTA at 512/477-1818.



Disciplinary Action Taken by the Board On January 20 and May 4, 2012

Failed the CE Audit

Wallace Sheridan, PT #1096907 (San Antonio) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Barbara Bautch-Smallbrock, PTA #2069560 (St. Joseph, MN) – failed the CE audit; ethics course taken outside the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Lisa Sue Ellis, PT #1158643 (Grapevine) – failed the CE audit; ethics course taken outside the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Diane Owens, PT #1011625 (Austin) – failed the CE audit; ethics course taken outside the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Ernestina Lightbourn, PTA #2021846 (Santa Teresa, NM) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order suspended her license for thirty (30) days.**

Linda Pearson, PT #1029122 (Brazoria) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 431 of the Board Rules. **Board Order suspended her license for thirty (30) days.**

Manolito Simbahan, PT #1082014 (Conroe) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order suspended his license for sixty (60) days and required completion of the lacking CE.**

Celeste Larkins, PT #1112456 (Frisco) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Pamela Malicoat, PT #1032035 (Dallas) – failed the CE audit; insufficient number of board-approved hours

taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Troy Turner, PT #1084457 (Laredo) – failed the CE audit; ethics course taken outside the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Laura Chase, PT #1188400 (Austin) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Linda Tingwald, PT #1044972 (San Antonio) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required sixty (60) hours of community service.**

Llerman Orellana, PTA #2050230 (San Antonio) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 431 of the Board Rules. **Board Order suspended his license for thirty (30) days and required the lacking CE.**

Shannon Briggs, PT #1149938 (San Antonio) – failed the CE audit; insufficient number of board-approved hours taken during the renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order suspended her license for forty-five (45) days.**

Treated without a Current PT Evaluation

Casondra Frey, PTA #2081779 (Oakley, KS) – practiced in a manner detrimental to the public health and welfare by treating patients who did not have current PT evaluations done. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for ten (10) days.**

Kathryn Santini, PTA #2069093 (Dayton, OH) – practiced in a manner detrimental to the public health and welfare by treating patients who did not have current PT evaluations done. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for ten (10) days.**

Dana Renee Ives, PTA #2080681 (Summerfield, FL) – practiced in a manner detrimental to the public health and welfare by treating patients who did not

have current PT evaluations done. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for ten (10) days.**

Documentation

Stephen Laperouse, PT #1179350 (Houston) – practiced in a manner detrimental to the public health and welfare by failing to accurately record treatment notes; documenting a patient's notes for a date no such treatment was rendered. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended his license for thirty (30) days**

Gabriela Macias, PTA #2068147 (Houston) – practiced in a manner detrimental to the public health and welfare by failing to accurately record treatment notes; documenting treatment notes for dates no such treatment was rendered and in some cases documenting treatments rendered by an unsupervised, unlicensed person. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for ninety (90) days**

Nicole Martinez, PT #1134757 (Lewisville) – practiced in a manner detrimental to the public health and welfare by failing to accurately record treatment notes. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for fifteen (15) days.**

Scope of Practice

Chris Miska, PTA #2021523 (Victoria) – practiced in a manner detrimental to the public health and welfare by performing a modality on a patient that was not ordered by the physician nor in the PT's plan of care; therefore practicing beyond the scope of his license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended his license for ten (10) days.**

Practiced with an Expired License

Raul De Los Reyes, PT #1173782 (Lufkin) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required fifteen (15) hours of community service.**

Zelinda Owens, PTA #2070223 (Irving) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required fifteen (15) hours of community service.**

Shane Hernandez, PT #1139004 (McKinney) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required twenty (20) hours of community service.**

Jordan Benners, PT #1161172 (Dallas) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board**

Order required thirty (30) hours of community service.

Julie Avary, PTA #2044782 (Colleyville) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service and the lacking CE.**

Roger Setliff, PT #1023976 (DeSoto) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Dustin Tabor, PT #1192177 (Dallas) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Brandon Lambie, PT #1073211 (Longview) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Facility Registration

Lizzette Magalong, PT #1187413 (Laredo) – practiced in a manner detrimental to the public health and welfare by practicing in a facility that was not properly registered with the board. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required forty-five (45) hours of community service.**

Kimberly Jo Moore, PT #1182729 (Dallas) – practiced in a manner detrimental to the public health and welfare by practicing in a facility that was not properly registered with the board. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required sixty (60) hours of community service.**

Brian Reed, PT #1161562 (Hurst) – practiced in a manner detrimental to the public health and welfare by practicing in a facility that was not properly registered with the board. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended his license for thirty (30) days**

Abandonment

Adrian Cardona, PT #1161803 (San Antonio) – practiced in a manner detrimental to the public health and welfare by abandoning his position and patients without providing sufficient prior notice. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended his license for fifteen (15) days**

Charles Rossetti, PTA #2027894 (Corpus Christi) – practiced in a manner detrimental to the public health and welfare by abandoning his position and patients without providing sufficient prior notice. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended his license for**

thirty (30) days

Louis Ancira, PTA #2052970 (Waco) – practiced in a manner detrimental to the public health and welfare by abandoning his position without providing sufficient prior notice. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended his license for thirty (30) days.**

Patient Injury

Sally Thomas, PTA #2026722 (Austin) – practiced in a manner detrimental to the public health and welfare by causing, permitting, or allowing physical or emotional injury or impairment of dignity or safety to a patient by hitting her on her left arm. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for thirty (30) days**

Lindy Gerow, PTA #2059703 (Weatherford) – practiced in a manner detrimental to the public health and welfare by failing to properly respond to the change in a patient’s condition. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended her license for thirty (30) days.**

Other

Terrill Jenkerson, PT #1047405 (Austin) – previously suspended license was reinstated with the following conditions: **24 months of on-site licensed supervision; 24 months of no supervision responsibilities; 24 months of no home health practice; compliance with all Court ordered conditions until discharged from the Court.**

Kimberley Williams, PTA #2060332 (Kilgore) – requested the reinstatement of her license to practice, previously revoked under 53.021(b) of the Occupations Code. **Board Order reinstated her license with completion of twenty (20) hours of board-approved CE; quarterly compliance reports from the Court through August 2014; and payment of costs and fees.**



PT RULE UPDATE

The Board took the following rulemaking actions at the January 20, 2012 meeting:

Adopted Amendments to:

- §321.1, Definitions
- §341.6, License Restoration
- §346.1, Educational Settings
- §346.3, Early Childhood (ECI) Setting
- §347.6, Exemptions to Registration

Proposed Amendments to:

- §329.1, General Licensure Requirements and Procedures
- §329.5, Licensing Procedures for Foreign-Trained Applicants
- §337.1, License and Renewal Certificate
- §341.1, Requirements for Renewal
- §341.8, Inactive Status
- §347.5, Requirements for Registered Facilities
- §347.8, Change in Facility Ownership
- §347.9, Renewal of Registration
- §347.12, Restoration of Registration

The Board took the following rulemaking actions at the May 4, 2012 meeting:

Adopted Amendments to:

- §329.1, General Licensure Requirements and Procedures
- §329.5, Licensing Procedures for Foreign-Trained Applicants
- §337.1, License and Renewal Certificate
- §341.1, Requirements for Renewal
- §341.8, Inactive Status (withdrawn for additional changes)
- §347.5, Requirements for Registered Facilities
- §347.8, Change in Facility Ownership
- §347.9, Renewal of Registration
- §347.12, Restoration of Registration

Proposed Amendments to:

- §329.2, License by Examination
- §337.2, Consumer Information Sign
- §341.8, Inactive Status

The full text of all proposed and adopted rules is available at:
<http://www.ptot.texas.gov/physical-therapy/pt-board/act-and-rules>.

If you would like to comment on these proposed rules, please send your written comments to nina.hurter@ptot.texas.gov, or 333 Guadalupe, Suite 2-510, Austin, TX 78701.