

South Carolina Board of Physical Therapy Examiners
Quarterly Meeting Minutes
Thursday, January 9, 2003, 10:00 A.M.
Synergy Business Park, Kingtree Building
110 Centerview Drive, Room 111
Columbia, SC 29211

BOARD MEMBERS PRESENT

Cindy Ellis Witherspoon, P.T., Chairperson
James Ryan Jr., P.T.A., Vice Chair
Diane Funderburk P.T., Member
Eric A. Schmidt, P.T., Member
John M. LaRochelle, P.T., Member
Roy Christopher Junkins, P.T.A., Member

OTHERS PRESENT

Veronica Reynolds, Administrator
Ruby Brice McClain, Asst. Deputy Director, POL
Wendy H. Cartledge, General Counsel
Larry Atkins, Investigator
Harvey Shiver, Board Assistant

BOARD MEMBERS ABSENT

Dargin Ervin, P.T., Member [Excused]

Public notice of this meeting was properly posted at the Board of Physical Therapy Examiners office, lobby of the Kingtree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. A quorum was present at all times.

CALL TO ORDER

Ms. Ellis Witherspoon, Chairperson, called the meeting to order at 10:10 a.m. The meeting was held in Room 111, Kingtree Bldg., 110 Centerview Dr., Columbia, South Carolina.

ADOPTION OF AGENDA

The January 09, 2003 Quarterly Meeting Agenda was presented for review and approval.

Motion: Mr. Schmidt moved to adopt the agenda as printed with the following changes: Administrator's report to be placed after the Disciplinary Report and two editorial corrections - to correct the numbering under New Business and under Continued Business.

The motion was seconded and approved. The agenda was adopted with changes.

APPROVAL OF MINUTES

The minutes for October 10, 2002 were presented for review and approval.

Motion: Mr. Ryan moved to approve the minutes for October 10, 2002. The motion was seconded and approved.

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CALL FOR EXECUTIVE SESSION

Motion: Mr. Schmidt made a motion that the Board go into Executive Session to obtain legal advice on disciplinary matters, in compliance with Section 30-4-70 of the South Carolina Freedom of Information Act. The motion was seconded and approved.

Motion: After obtaining legal advice in Executive Session a motion was made to come out of Executive Session. The motion was seconded and approved. No votes were made in Executive Session.

DISCIPLINARY REPORT

The Board resumed public session and voted as follows:

Complaint PT 0120-12: Motion: Mr. Schmidt moved to accept the IRC recommendation for dismissal. The motion was seconded and approved.

Complaint PT2002-16: Motion: Mr. Schmidt moved to accept the IRC recommendation for a formal complaint. The motion was seconded and approved.

Complaint PT102-11: Motion: Mr. Schmidt moved to accept the IRC recommendation to accept the consent order with instructions to the Board Chair not to formalize the order until receipt of the employment notice. Mr. Ryan and Ms. Funderburk recused themselves from complaint 102-16. The motion was seconded and approved.

ADMINISTRATOR'S REPORT

Ms. Reynolds informed the Board Mr. Ervin called to notify the Board he would be unable to attend the Board meeting today. Ms. Reynolds stated she had received a notification from the Governor's office that Dr. Clark had submitted her letter of resignation from the Board

Ms. Reynolds informed the Board that Ms. Driggers had failed the NPTE for a fourth time. Ms. Reynolds stated that she spoke with the Federation regarding the exam and explained the point system used to calculate the exam scores. Ms. Driggers was mailed notification of the exam scores.

Ms. Reynolds stated the renewal period ended December 31, 2002 and the Board was continuing to receive renewal applications. She briefed the Board on the total number of licenses renewed to date, 2,936, out of that number 667 renewed online and 100 licensees had requested to be placed on an inactive status. She stated another 1,000 licensees had failed to renew. Ms. Reynolds reminded the Board of the Random Audit that was scheduled for February 2003. Ms. Reynolds was instructed by the Board to randomly select 5 % from PT's and PTA 's and 100% of the licensees that renewed late.

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Ms. Reynolds advised the Board on an application she received. Ms. Dilts made an appearance at the meeting but was not on the agenda to address to the Board. Ms. Reynolds advised the Board the item would be placed the February 27, 2003 agenda for discussion.

Motion: Mr. Schmidt made a motion that the Board go into Executive Session for the purpose of obtaining legal advice in compliance with Section 30-4-70 of the South Carolina Freedom of Information Act. The motion was seconded and approved.

Motion: After obtaining legal advice in Executive Session a motion was made to come out of Executive Session. The motion was seconded and approved.

Ms. Dilts was given permission to be heard by the Board but advised the Board could not discuss or vote on the issue since it was not on the agenda. Ms. Witherspoon thanked Ms. Dilts for appearance.

NEW BUSINESS

1. *Request an Extension on License Renewal.*

a. **Elizabeth Holland:** Ms. Holland was present and given the opportunity to address the Board. Ms. Holland requested an extension on renewing her License. She stated she completed home study courses and they were mailed in for grading on January 9, 2003. Ms. Witherspoon explained the regulations to Ms. Holland. Ms. Witherspoon stated all required CEU's must be completed prior to renewal of a license. The Board advised Ms. Holland of several websites she might want to visit to get the required CEU's. Ms. Witherspoon advised Ms. Holland to read the Regulations on approved courses for a reference. She also advised Ms. Holland to send the course descriptions along with certificate of completion to the Board as soon as possible and she would be required to pay the renewal fee plus the late fees.

2. *Request to Have Licensure Restrictions Removed.*

a. **John Thomas:** Mr. Thomas was present and given the opportunity to address the Board. Mr. Thomas requested the Board remove all sanctions off his records. The Board recommended that all requested documents be on file with the Board prior to any decisions being made. Mr. Thomas asked if the order that he is under would be extended for another year since it was already extended one year from the original order. Ms. Witherspoon stated that the order would stand as it is until further review of reports from Dr. Heffler and after reviewing the documents. The Board will contact Mr. Thomas with its decision.

Motion: Ms. Funderburk made a motion that the Board go into Executive Session to obtain legal advice, in compliance with 30-4-70 of the South Carolina Freedom of Information Act. The motion was seconded and approved

Motion: After obtaining legal advice in Executive Session a motion was made to come out of Executive Session. The motion was seconded and approved.

Motion: Mr. Schmidt made a motion that the Board review the reports at its February 2003 meeting. The motion was seconded and approved.

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3. *Request for an Extension on License Renewal.*

a. Diane Eschenberg: Ms Eschenberg appeared and but left prior to appearance before the Board. The Board reviewed all documents submitted by Ms. Eschenburg and a letter requesting an extension of renewal period.

Motion: Mr. Schmidt made a motion Ms. Eschenberg be mailed a letter outlining the required items for compliance of her CEU requirements and to remind her she could not work without a license and her license would be reinstated after she had meet Continuing Education Requirements. The motion was seconded and approved.

4. *Development of Board Training Course.*

Ms. Witherspoon asked Ms. Reynolds to develop a PowerPoint presentation that the Board could use at conferences, schools and anywhere needed to educated students, applicants and licensees on the Physical Therapy Practice Act and the licensure process. Ms. Reynolds stated that the presentation would improve communication between the Board, schools and Physical Therapists licensed in the state of South Carolina.

5. *Random Audit Selection Process.*

Ms. Witherspoon discussed the Regulations requiring the Random Audit. Ms. Holmes, Administrator of Chiropractic and Veterenarian Board shared information regarding their prior random audits. The Board thanked Ms. Holmes for her appearance.

6. *Board Representative Selection for 2003 Spring Education Meeting – Salt Lake City, UT*

Ms. Reynolds reminded the Board of the 2003 Spring Education Meeting March 14-16, 2003 in Salt Lake City, Utah. Ms. Funderburk will be attending as the delegate.

CONTINUED BUSINESS

1. *Possible Legislation Changes to Practice Act in 2005.*

Ms. Reynolds reminded the Board she needed to schedule a working day to review changes to the Practice Act. Board members will contact Ms. Reynolds with dates that they may be available to meet.

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2. *Possible Jurisprudence Examination.*

The Board discussed the Jurisprudence Examination process and fees issues. Mr. Ervin had more details on the status of Florida and the Federation's joint venture in developing an examination. .

3. *Review Continued Competency Model Practice Act*

Mr. Schmidt gave a brief overview on the Continued Competency Model Practice Act.

4. *Election of Board Officers.*

Ms. Witherspoon was re-elected as Board Chairperson and Mr. Ryan as Vice - Chairperson

5. **ADJOURNMENT**

Next Meeting is scheduled February 27, 2003, Kingstree Building Room 108

There being no further business, the meeting adjourned at 2:30 p.m.

Administrator

Date