

South Carolina Board of Physical Therapy Examiners
Quarterly Meeting Minutes
Thursday October 14, 2004 10:00 A.M.
Synergy Business Park, Kingstree 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
Dargin Ervin, P.T., Member
Diane Funderburk P.T., Member
Eric A. Schmidt, P.T., Member
Marilyn Swygert, P.T., Member
Roy Christopher Junkins, P.T.A., Member

Darlene Pope, P.T., Member

BOARD MEMBERS ABSENT

Dale Reeves, Public Member (Unexcused)

OTHERS PRESENT

Veronica Reynolds, Administrator
Ken Woodington, Counsel
Tanya King, Board Assistant
Louis Rosen, Advice Counsel

Public notice of this meeting was properly posted at the Board of Physical Therapy Examiners office, lobby of the Kingstree 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.

1. CALL TO ORDER

Ms. Ellis – Witherspoon, Chair Member, called the meeting, held in Room 111, Kingstree Bldg., 110 Centerview Dr., Columbia, South Carolina, to order at 10:12 a.m.

2. ADOPTION OF AGENDA

The October 14, 2004 Quarterly Meeting Agenda was presented for review and approval.

Motion: Ms. Funderburk made a motion to revise the agenda by moving the administrator's report under new business. The motion was seconded and approved.

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3. APPROVAL OF MINUTES

The minutes for July 8, 2004 were presented for review and approval.

Motion: Mr. Ryan moved to approve the minutes for July 8, 2004. The motion was second and approved.

4. CALL FOR EXECUTIVE SESSION

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

5. DISCIPLINARY REPORT

The Board resumed public session and voted as follows:

Complaint 2003-04 In open session, Mr. Ervin made a motion to accept the terms of the consent agreement and the ethic course as presented. In addition, a letter of concern is sent to the supervisor. The motion was seconded and approved.

6. NEW BUSINESS

1. Reconsideration of a Prior Consent Order

Mr. Thomas made a personal appearance before the Board and was represented by Legal Counsel, Mike Kelly. Mr. Thomas requested that the Board re- review the prior order and remove all restrictions placed on his license.

Motion: Mr. Schmidt made a motion that the Board go into Executive Session to obtain 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.

Motion: In open session, Mr. Schmidt made a motion to continue consideration of the matter until respondent has secured from Dr Goldschmidt a report that addresses the danger to the public of unrestricted practice. Respondent must provide Dr. Goldschmidt with copies of the consent order for 2000, along with the formal accusations and the supplemental order of 2003. Dr. Goldschmidt must acknowledge that he reviewed these documents in preparing his report. The Board will review Dr. Goldschmidt report at its next meeting in January 2005. The motion was seconded and approved.

2. Application Hearings

a. Ms. Woodman did not make an appearance before the Board.

Motion: In open session, Ms. Swygert made a motion the applicant provides additional information to the Board in reference to taking the exam four (4) times. The Administrator will contact Rhode Island Board to obtain clarification on its statutes allowing individuals to take the NPTE beyond three (3) times and if Ms. Woodman was approved as an ADA candidate. The motion was seconded and approved.

b. Ms. Johnson did not make an appearance before the Board.

Motion: In open session, Mr. Schmidt made a motion to accept Ms. Johnson math course to satisfy the deficit for the education requirements as required by the South Carolina Statutes and Regulation Section 40-45-220 for Physical Therapists and approval to take the National Physical Therapy Exam. The motion was seconded and approved.

ADMINISTRATOR'S REPORT

Ms. Reynolds stated the Board staff would mail renewal application in two weeks. Ms. Reynolds stated she had received some correspondence in the board office asking questions on practice issues. One of the questions related to pre-screening of students before entering a Physical Therapy programs. Mr. Junkins stated some student questioned if their was a prior criminal conviction would it exclude them from receiving license. Mr. Rosen stated that the Board could only make an inquiry for information on felony convictions only after the Board has received an application for licensure.

7. CONTINUED BUSINESS

1. Status on Sloan Vs S.C Board of P.T. Examiners

Ms. Ellis Witherspoon stated the case had been presented to the Judge on October 4, 2004. She stated the Judge would release his answer by December 1, 2004.

2. Report on FSBPT Annual Meeting on September 10-13

The Board discussed the meeting held in Philadelphia. Ms. Ellis Witherspoon announced Mr. Ervin had been elected as the new President of the Federation of State Boards of Physical Therapy. Mr. Ervin stated several practice issues along with some housekeeping issues had been topic of discussions at the annual conference.

3. Report on Visit to Greenville Technical College

Mr. Ervin briefed the board on the Interactive Network teleconference held on October 5 at Greenville Tech. The teleconference included Aiken Tech and Darlington-Florence Technical College. The conference allowed the students an opportunity to ask Board staff and Board members questions regarding the licensing process, Practice Act and the National Physical Therapy Exam. The presentation included information on the Freedom of Information Act, Family Privacy Protection Act of 2002, and the disciplinary process.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 2:48 p.m.

Next Meeting: January 13, 2005, Kingtree Building, Room 111

Administrator

Date