



Physical Therapy Board of California

PROGRESS NOTES

News from the Physical Therapy Board of California



Spring 2011

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Continuing Competency and Guidelines

It has been over a year since the Physical Therapy Board of California introduced the regulations that require all physical therapists and physical therapist assistants to complete a required number of continuing competency hours before being eligible for license renewal. Here is a refresher for old and new licensees alike!

REQUIRED NUMBER OF HOURS

► New Licensees

If you are in your first 13–24 months of licensure in California and are renewing your license for the first time, use this chart to help you determine the number of continuing competency hours required (if you are not a new licensee use the chart below under NOT a New Licensee).

Renewal Payment was Submitted to the PTBC	Basic Life Support Hours	Ethics, Laws and Regulations Hours	Other Hrs of Coursework Needed*	Total Hours Required
On or Before the License Expiration Date	4 Hours	2 Hours	9 Hours	15 Hours
After the License Expiration Date	4 Hours	2 Hours	24 Hours	30 Hours

** Other as used here means continuing competency activity from a traditional or alternate pathway pursuant to Section 1399.94 of the California Code of Regulations.*

► NOT a New Licensee

If you are a licensee who has renewed your license one or more times, use this chart to help you determine the number of continuing competency hours required.

License Expiration Date	Renewal Payment Was Submitted to the PTBC	Basic Life Support Hours	Ethics, Laws & Reg. Hrs	Other Hrs of Coursework Needed*	Total Hours Required
On or Before 9/30/2010	N/A	None	None	None	None
Between 10/31/10 and 10/31/11	On or Before the Expiration Date	4 Hours	2 Hours	9 Hours	15 Hours
	After the Expiration Date	4 Hours	2 Hours	24 Hours	30 Hours
On or After 11/1/11	Before OR After the Expiration Date	4 Hours	2 Hours	24 Hours	30 Hours

** Other as used here means continuing competency activity from a traditional or alternate pathway pursuant to Section 1399.94 of the California Code of Regulations.*

Continuing Competency and Guidelines

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ACCEPTABLE COURSEWORK

Authorized coursework may be either traditional or alternate.

Traditional Pathway

- ▶ Continuing Education Courses
Continuing competency coursework completed must be offered by either a PTBC Recognized Continuing Competency Approving Agency or by a provider that has been approved by one of the approval agencies.
- ▶ The Board does not approve continuing competency course providers.

- ▶ College coursework taken at an accredited institution.

Alternate Pathway

- ▶ Acceptable alternate pathways to obtain continuing competency credits are listed on the chart offered in CCR Section 1399.94(b).

CONTINUING COMPETENCY COURSEWORK APPROVAL

The Board is not approving individual courses or providers. The Board is recognizing approval agencies that approve providers of continuing competency courses. The recognized approval agencies may also be continuing competency coursework providers. In this case the recognized agencies would use their authority as an approval agency to approve their own courses.

If you are a continuing competency course provider and would like your course(s) approved, contact one of the Board's Recognized Continuing Competency Approving Agencies or if you would like to become an approval agency submit

the Application for Recognition as an Approval Agency to Approve Providers for Continuing Competency Courses.

DETERMINING IF THE COURSE YOU TAKE IS APPROVED

Continuing competency coursework must be offered by an approved provider (having met the requirements in CCR Section 1399.96) or by a Board-recognized continuing competency approval agency. If the provider is not a recognized approval agency, that provider must be approved by a Board-recognized approval agency (pursuant to CCR Section 1399.95)

Since the Board is not approving individual courses, the Board is unable to verify if a specific course is approved for credit or not. To verify if a course has been approved you should:

- ▶ Visit the Board's Web site and access the list of Recognized Continuing Competency Approving Agencies. Verify if the provider of the course is listed there. If the provider is listed as a recognized continuing competency approval agency, then the approval agency has used their authority as an approval agency to approve their own course. In this case the course is acceptable coursework for continuing competency credit.



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Continuing Competency and Guidelines

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- ▶ If the provider of the course is NOT listed on the Board's list of Recognized Continuing Competency Approving Agencies, ask the provider of the course who is their approver. Verify on the Board's Web site using the list of Recognized Continuing Competency Approving Agencies if the approver they are naming is listed there. If the approver appears on the Board's list, then the course is acceptable coursework for continuing competency credit. If the approver is NOT listed then it is NOT acceptable coursework for continuing competency credit.

DOCUMENTATION AND RECORD KEEPING OF COURSEWORK COMPLETED

- ▶ Retain documentation of continuing competency activity completion for a period of five years after the course or activity concludes. You must submit the evidence of completion if you are audited by the Board. Failure to provide records documenting completion of the continuing competency requirements is grounds for action taken by the Board.
- ▶ You do not need to submit documentation of your continuing competency hours with your license renewal payment.

CONTINUING COMPETENCY EXEMPTIONS

At the time of applying for renewal of a license, a licensee may request an exemption from the continuing competency requirements pursuant to CCR Section 1399.99. An exemption can be granted if the licensee can provide evidence of meeting at least one of the following reasons:

- 1) Total physical and/or mental disability for one year or longer of an immediate family member for whom the licensee had total responsibility, as verified by a licensed physician or surgeon or licensed clinical psychologist.
- 2) Total physical and/or mental disability for one year or longer of an immediate family member for whom the licensee had total responsibility, as verified by a licensed physician or surgeon or licensed clinical psychologist.

Retain documentation of continuing competency activity completion for a period of five years after the course or activity...

1. The licensee was residing in another country for one year or longer during the renewal period prior to the expiration of the license, reasonably preventing completion of the continuing competency requirements.
2. The licensee was absent from California because of military service for a period of one year or longer during the renewal period, preventing completion of the continuing competency requirements.
3. Reasons of health or other good cause which include:
 - 1) Total physical and/or mental disability for one year or more during the renewal period and the inability to work during this

To request an exemption from continuing competency requirements, submit the Continuing Competency Exemption Application PRIOR to submitting the license renewal payment. Once mailed to the PTBC, the exemption application will be reviewed and the licensee will receive a notice informing of the decision on the request.

An exemption under this section shall not be granted for two consecutive renewal periods. In the event a licensee cannot complete continuing competency requirements following an exemption, the licensee may only renew the license in an inactive status.

*For more information, visit the Board's Web site at www.ptbc.ca.gov.



How a DUI Can Affect Your License

by David Laxton

Every year, approximately 200,000 Californians are arrested for DUI or DUI-related offenses. That's 200,000 different people from 200,000 different walks of life sharing the same humiliating experience of being arrested and charged with a misdemeanor or felony, depending on the circumstances under which they had been arrested. The majority of those arrested will accept the consequences of their actions, complete all court requirements, and move on with their lives. For others, including physical therapists, the situation is more complicated.

The Physical Therapy Board of California (PTBC) considers a DUI to be substantially related to the practice of physical therapy. The offense constitutes unprofessional conduct and therefore is punishable through disciplinary action imposed by the Board. It should be noted that each case is reviewed individually since the Board takes into consideration the final disposition of the case, the arrest records, court records and the licensee's written response to the circumstances surrounding the event.

Upon final review of all information gathered, a determination will be made as to whether disciplinary action will be pursued or an administrative citation will be issued. If pursued, disciplinary actions remain on a licensee's public record indefinitely while administrative fines remain for a term of five years.

The disciplinary process, like a DUI conviction, is stressful, costly, and time-consuming. Probationary licenses may include terms and conditions to require the licensee to enter into the PTBC-contracted diversion program. When the diversion program is required as a term of probation, all program expenses are paid for by the licensee.

It is the hope of the PTBC that Physical Therapists and Physical Therapist Assistants everywhere become aware of the far-reaching effect that a DUI can have on their lives, both professionally and personally. It remains in the best interest of the people of California to improve safety on our roads and to employ professional, competent licensees to provide the best service possible.

*For more information regarding the diversion program, refer to the PTBC's Web site at www.ptbc.ca.gov.

Diversion Hotline

Do you know an employer or associate who is a Physical Therapist or Physical Therapist Assistant who is struggling with a drug or alcohol problem?

Do you have a problem?

If so, the PTBC has a voluntary and confidential program to help licensees overcome the disease of addiction.

Just pick up the telephone and call Maximus, Inc. 1-800-522-9198

What is a Citation?

by Carole Phelps

What is a citation? Citations are not a disciplinary action, but they can be issued by the Board for a violation of the Physical Therapy Practice Act. Some common causes for citations are, but are not limited to: Failure to report a residence address change within 30 days of the move; conviction of any misdemeanor or felony charge in any court; and disciplinary actions by other boards. Fines associated with citations can range from \$100 to \$5,000, depending on the severity of the violation.

What should you do if you receive a citation? It is very important that you read everything in the packet that accompanies your citation, because it will help you understand the process and your rights and responsibilities. Included in the citation packet are:

- ▶ **Citation and Order:** This is the citation itself. It explains the specific cause(s) of the citation and orders a fine, if any, to be paid.
- ▶ **Order of Abatement:** Orders the licensee to cease the violation. Some citations will not include an Order of Abatement, depending on the violation.
- ▶ **Statement of Rights:** Explains the citation process, including the appeal process, and your rights regarding the citation.
- ▶ **Notice of Appeal:** Instructs you how to request an informal conference and/or an

administrative hearing. You have 10 days from receipt of the citation to request an informal conference, and 30 days from issuance of the citation to request an administrative hearing.

Citations are issued based on information received by the Board. The appeal process is the licensee's opportunity to provide the Board with new information and/or extenuating circumstances that may allow a citation to be withdrawn or modified. Citations are not generally withdrawn based on lack of knowledge of the regulation involved.

How does a citation affect your license? Citations appear on the licensee's public record only when they are finalized. A citation is considered final in any of the following circumstances: When the fine is paid (and no request for appeal is made); when no request for appeal is received within the time allowed by law; or, if appealed, when the final decision is issued by the Executive Officer of the Board, or by the Board Members, depending on what type of appeal was requested. Once finalized, a citation is a matter of public record for five years. After that, if no further violations occur, the citation is destroyed.

What's on the Horizon

2011 BRINGS NEW ISSUES TO THE BOARD.....

- ▶ Follow newsworthy activities of the PTBC on Facebook and Twitter.



- ▶ Amendments to the regulations governing the supervision of the physical therapist assistant, supervision of the physical therapy aide and physical therapy provider identification.



Corporations

Currently, there are two separate issues receiving significant attention regarding the provision of physical therapy by corporations in California. The first issue is the practice of physical therapy by a general corporation, and is a result of an action taken by the Physical Therapy Board of California (PTBC) on November 3, 2010. The PTBC rescinded its 1990 resolution titled "Physical Therapy Corporation Ownership by a Layperson." The 1990 resolution allowed for the provision of physical therapy services by a corporation that is not organized as a professional corporation. The Board rescinded the resolution due to concerns that the resolution may be considered an underground regulation and be in conflict with provisions of the Moscone-Knox Professional Corporation Act.

The second corporation issue is in regard to the employment of physical therapists by a professional medical corporation. This issue was the subject of a Legislative Bill in 2009, and is the subject of an opinion issued by the Legislative Counsel Bureau in 2010. The Department of Consumer Affairs is currently reviewing the laws regarding the provision of health care by professional corporations by all health care professionals. The PTBC is awaiting the results of this review before taking any action on this issue.

To access a copy of the opinion issued by the Legislative Counsel Bureau visit the PTBC Web site at www.ptbc.ca.gov.

Continuing Competency Compliance

by Ilda Romo

"I certify I have accumulated at least the minimum continuing competency hours required by Section 1399.91 of Title 16 of the California Code of Regulations within my renewal period and prior to my license expiration date. If I am audited by the PTBC, I can submit evidence of my completion of the continuing competency hours."

The continuing competency compliance statement above is an agreement included with the license renewal application. Since continuing competency audits have commenced, PTBC staff have found that many licensees are misunderstanding the compliance statement for continuing competency requirements.

By signing the statement, licensees are certifying that their continuing competency hours were completed PRIOR to the license expiration date. This means that all continuing competency hours should be

completed within the two years BEFORE the compliance statement is signed.

It is important for all licensees to thoroughly read the information included with your license renewal and to be aware of all requirements necessary to complete it. The PTBC would like to prevent licensees from being put in the unfortunate situation of being in non-compliance with continuing competency requirements.

*For more information on continuing competency visit www.ptbc.ca.gov.



The Informed Professional

by Debra J. Alviso, PT, DPT, PTBC Vice-President

It is a sign and responsibility of a professional to stay informed of the changes not only in their field, but also in the changes of the laws and regulations affecting their license. As a physical therapy licensee in California, it is crucial for you to stay informed of changes that occur to your rights and responsibilities.

In the information age of today, there are many ways you can stay informed.

THE PTBC NEWSLETTER

The *PTBC Newsletter* has been the traditional way of communicating with licensees throughout the State of California, however; in light of budget cuts and a desire to be more environmentally conscious, the Board has come to the conclusion that mailing the newsletter is not the most feasible and cost-efficient way to get information to licensees in a timely manner. We hope to continue to produce and distribute the *PTBC Newsletter*, but we also want to offer licensees other ways to obtain information and to communicate with the Board. Waiting for the mail as your only source of information may not be the best — see below for many other options of connecting with the Physical Therapy Board of California.

PHYSICAL THERAPY BOARD OF CALIFORNIA WEB SITE

www.PTBC.ca.gov

More up-to-date and readily available information is available on the Physical Therapy Board of California's Web site. The Web site includes frequently asked questions, links for online license renewal, text of physical therapy laws and regulations, meeting agenda and information, and a digital form of our newsletters.

SIGN UP ON THE PTBC E-MAIL LIST

Go to www.PTBC.ca.gov and click Join Our Mailing list, located under Quick Hits on the homepage.

By signing up on the e-mail list, you will receive notice of our meetings and receive meeting agendas. This e-mail list may expand as a form of communication over time. Sign up today.

CALIFORNIA PHYSICAL THERAPY ASSOCIATION

www.ccapta.org

A separate entity from State licensing, your professional association is a good source of information for the changes affecting physical therapy in California. One of the benefits of membership is the stream of information the CPTA can gather and provide. The Web site has a "public" section; other parts of the Web site are open to members only.

PHYSICAL THERAPY BOARD MEETING WEBCAST

The PTBC began webcasting meetings in 2010 to improve the ability of the public to attend our meetings. Although as a viewer you cannot ask questions or comment, you can hear the discussion on topics of interest. Meetings are available live and after they have adjourned. Links are available at www.PTBC.ca.gov and on www.dca.ca.gov.

Staying informed is important. As a Board, we want to hear your opinions on issues. The input and view from the State's licensees is important to us as we make decisions. It is also your responsibility to meet your legal responsibilities and to practice within the law. There are many ways to gather information—try one or try them all and stay informed!!

PTBC on Facebook and Twitter

We are excited to announce that the Physical Therapy Board of California is now on Facebook and Twitter. Follow us on both to stay current with all newsworthy activities of the Board. We think that having a Facebook page and Twitter feed opens up another avenue to reach out to the physical therapy community. You can join the Board's Fan pages at facebook.com/PTBCnews & twitter.com/PTBCnews



The Importance of License Verification

by David Laxton

Over the years, I've become accustomed to a certain song and dance between licensees and the PTBC that occurs at the beginning and end of every month. The stories vary, but the end result is most always the same: Your license has or is coming close to expiring and you need to renew as soon as possible to avoid being sent home from work. Forgetfulness, while common, isn't necessarily the case 100 percent of the time. One can send renewal payments months in advance and only find out later that the payment was insufficient, dishonored, or simply vanished off the face of the Earth, never to have been received by the Board. In the case of insufficient or dishonored payments, licensees can

always expect notification from the Board as long as a current address is on file, however, if the Board does not receive a payment, insufficient or otherwise, notification will only be sent after the license has expired. This is what makes routine verification important for licensees and employers, since it allows licensees to avoid delinquent fees and possible disciplinary action.

As an Employer, Do You Routinely Verify Your PT and PTA Employees' Licenses?

While it is ultimately the responsibility of PTs and PTAs to keep their licenses up to date, the PTBC strongly encourages employers to continually verify the license status of employees. As a team, your aim

is to provide an environment in which you may provide safe and legal healthcare to the citizens of California. As an employer, you create such an environment in large part through the employment of licensed healthcare professionals.

This makes you vulnerable to the same pitfalls licensees share concerning license renewals and licensee status changes due to disciplinary actions.

I've had many conversations with employers who have had to send their employees home because they did not realize a license was expired and were only lucky enough to come across this information in passing. Such situations affect the business, the employee, and the patient, resulting in a negative outcome for all. This becomes more of a problem when PTs and PTAs are found to be practicing without a valid license. Not only would an employee be eligible for disciplinary action, but a patient's insurance company could very well refuse payment on the grounds that an unlicensed PT or PTA was providing treatment at the time. Employers who are professionals licensed by the PTBC also run the risk of being disciplined under Business and Professions (B&P) Code section 2660 for aiding and abetting the violation of the Physical Therapy Practice Act or the unlawful practice of physical therapy. It is also a misdemeanor for licensees to conspire in acting as the agent or partner of an unlicensed person who violates the provisions of the B&P Code section 125, including the unlicensed practice of physical therapy. The best way to avoid such situations is to routinely verify your PT and PTA employee's license status on the Board Web site at www.ptbc.ca.gov, especially during renewal time. Preventative measures like these will save a lot of headaches in the future for all parties involved and will help to maintain a safe and professional environment in which to serve the people of California.



Avoid the Stress of Being Wrongly Accused of Sexual Misconduct

by Christina Metzen

The Board receives several complaints each year accusing physical therapists of sexual misconduct. While some therapists are guilty of such behavior, many are wrongly accused because of misunderstandings between the patient and the therapist.

In order to minimize such misunderstandings, the Board would like to emphasize to its licensees the importance of clear communication with patients, especially those procedures and/or techniques that could possibly be considered suggestive, inappropriate, invasive, or misunderstood. Different patients may interpret things differently. A certain gesture, look, or touch that is considered benign by some people may be considered offensive to others. In that light, the Board encourages therapists to consider preventive measures when touching a patient

in a particularly private area. For example, therapists may want to have a chaperone (same sex as patient) present when working on a patient of the opposite sex. If the therapist carefully explains the nature and purpose of the procedure/technique to the patient prior to administration, it can reduce confusion, shock, and anxiety from an already vulnerable patient. Physical therapists are encouraged to document these discussions in the patient record, and even consider having the patient sign their initials to verify.

The Board also wants to remind all of its licensees of the seriousness of sexual misconduct and the consequences of disciplinary action. Sexual misconduct with a patient can result in full revocation of license by the Board, as well as criminal prosecution.



KEMG and ENMG Examination Scheduled

Electroneuromyography (ENMG) and Kinesiological Electromyography (KEMG) Exam Notice

Date: August 2011
Time: To Be Announced
Location: Department of Consumer Affairs
Sacramento

Applications must be received by June 30, 2011

Applications for the KEMG and ENMG certifications can be found on the PTBC Web site at www.ptbc.ca.gov. You must meet the requirements for KEMG pursuant to Section 1399.63 and ENMG pursuant to Section 1399.64 of the California Code of Regulations at the time of application.

Amendments to the Supervision and Patient Record Regulations are Coming

On May 12, 2010, the Physical Therapy Board of California (Board) voted to amend the sections of Title 16 of the California Code of Regulations: 1398.44, Adequate Supervision Defined [physical therapist assistant]; 1399, Requirements for Use of Aides; and, 1399.85, Patient Records. The following is a summary of the proposed changes. To obtain a copy of the proposed changes in their entirety, please visit the Board's Web site at www.ptbc.ca.gov.

§ 1398.44 — All of the current language was stricken and replaced with new language. However, the

The most significant change to the regulation is that the physical therapist who performs the initial evaluation of a patient, shall be the physical therapist of record for that patient; and, shall remain as such until a reassignment of that patient to another physical therapist of record has occurred. The physical therapist of record shall ensure that a written system of transfer to the succeeding physical therapist exists. It was with intent that the Board did not define the system of transfer. This was to allow each health care facility the self-determination for developing a system of transfer which works best within their organization.

the record of competencies shall be made available to the Board or any physical therapist utilizing the aide, upon request. The Board intentionally did not define how and where the document shall be maintained leaving that determination to the employing physical therapist.

§ 1399.85 — This regulation is being renumbered to 1398.13 and relocated. The most considerable addition is the requirement for the physical therapist to document the treatment provided by the aide. It also adds, with respect to any service provided to the patient, the record shall indicate 1) the date and nature of the service; and, 2) the

name and title of the individual who provided the service (excluding non-patient related tasks); and that it is the responsibility of the physical therapist to ensure

... the physical therapist has a continuing responsibility to follow the progress of the patient and determine which elements of the treatment plan may be assigned to the physical therapist assistant.

new language continues to mandate that a physical therapist shall at all times be responsible for all physical therapy services provided by the physical therapist assistant; ensure the physical therapist assistant does not practice autonomously; and, the physical therapist has a continuing responsibility to follow the progress of the patient and determine which elements of the treatment plan may be assigned to the physical therapist assistant.

Lastly, the new language clearly defines what the physical therapist assistant shall and shall not do.

§ 1399 — The most significant amendment to the regulation governing the use of aides requires that prior to the aide providing patient related care, a physical therapist shall evaluate and document the aide's competency level for performing the patient-related task that the aide will provide in that setting and that

that anyone treating the patient complies with this requirement.

The Board anticipates the rulemaking process to conclude in April; once in effect it will be announced on the PTBC Web site.

Proposed Revisions to the Regulations Governing the Supervision of Physical Therapist Assistants and Physical Therapy Aides

The Physical Therapy Practice Act and Physical Therapy Regulations provide authorization for a Physical Therapist (PT) to utilize a Physical Therapist Assistant (PTA), a professional licensed by the PTBC, and a Physical Therapy Aide (Aide), an individual who does not hold a license from the PTBC, to assist in the care provided by the PT. In general, a PTA and aide may perform any part of the treatment plan related to treatment that the PT determines can be competently performed by assistive personnel. Among the things that neither the PTA nor the aide may perform are: an evaluation, reevaluation, formulation of treatment or of a discharge plan.



The American Physical Therapy Association (APTA) in their *Guide to Physical Therapy Practice* recommends that assistive personnel have a more limited role in regards to direct patient care. The issue of the differences between the APTA recommendations and California law has been a topic of discussion for several years.

Consequently, the Physical Therapy Board of California (Board) appointed a task force of interested parties in the physical therapy profession to review the current statutes and regulations governing the supervision of the physical therapist assistant and physical therapy aide and to make recommendations to the Board, if it determined that regulatory amendments should be sought.

As a result, the recommended language of the task force was the subject of a public forum at the meetings of the Board throughout 2009. After receiving public comments, the Board voted to begin the formal rulemaking process using the recommended language of the task force on the supervision of the physical therapist assistant and physical therapy aide. The Board held a hearing on the proposed regulatory language during its meeting on May 12 and 13, 2010, in Loma Linda. To obtain a copy of the language, please visit the Board's Web site at www.ptbc.ca.gov.

Notify the Board of your Address and/or Name Change Online

by Ilda Romo

The law requires that all licensees report all address and/or name changes within 30 days after each change (Section 13.2 of Title 16 of the California Code of Regulations). Administrative citations and fines for failing to report an address and/or name change in a timely manner are routinely issued. Citations and fine orders are not disciplinary actions but are matters of public record for five years. They can easily be avoided if licensees make sure these changes are reported to the Physical Therapy Board of California (PTBC) in a timely manner.

Reporting an address and/or name change can now be easily and conveniently done online at the PTBC Web site. The online name and/or address change application is quick and easy to complete. It will only take minutes to complete and submit and it will save you from possible citations, fines, and the public disclosure of the citation. Please visit the PTBC Web site at www.ptbc.ca.gov to report any address and/or name change within 30 days of the change.



2011 Board Calendar

February 16–17 – Board Meeting, University of St. Augustine, San Marcos

May 11–12 – Board Meeting, Mount St. Mary's College, Los Angeles

August 3–4 – Board Meeting, Department of Consumer Affairs, Sacramento

September 22–23 – CPTA Conference, Long Beach

November 3–4 – Board Meeting, Ohlone College, Newark

The Board's meeting dates are subject to change. For location and meeting date information, visit the Board's Web site at www.ptbc.ca.gov.

Thanks to Former Board Member

Governor Arnold Schwarzenegger appointed Nancy Krueger, PT, on November 21, 2005. During her appointment she served as President for three and half of the four years. She continued to serve the Board through her appointment to Chair of the Assistive Personnel Task Force. The Board appreciates Nancy's dedication in assisting the Board in its mission of protecting the consumers of California.

Online License Renewal Information

by David Laxton

Recently, the Physical Therapy Board of California (PTBC) has introduced a new feature to the Board Web site: The Online License Renewal form. With the online license renewal form, qualified physical therapists and physical therapist assistants can submit biannual renewal payments online through Official Payments Corporation (OCP), an authorized payment provider for the Board.

After answering several questions regarding the status of your license, you will either be forwarded to the OCP payment site or informed of your ineligibility to renew via the online license renewal. If approved for online license renewal, applicants will complete the renewal application and submit credit card information for payment. Once received, licensees

will be e-mailed a receipt which serves as proof of their license renewal. Please remember that processing and online posting timeframes run between twenty-four to seventy-two hours for all correct payments submitted, with a wallet certificate to follow within four to six weeks.

We would like to encourage all licensees with access to the Internet to take advantage of the online license renewal tool for all upcoming license renewals. It is our hope that with the technology provided, applicants will be able to confidently keep their licenses up-to-date in an efficient manner that enables all licensed PTs and PTAs across the State to practice without unwanted pause.

Closing Your Practice's Doors? Don't Forget About the Patient Records

If you are planning on closing your practice, whether it is temporary or permanent, your patients' records continue to be your responsibility. Patient records are sensitive information and cannot be kept in a garage or simply shredded. By law, a person has the right to have access to complete information respecting his or her condition and care provided pursuant to section 123100 of the Health and Safety Code.

In order to obtain patient records, a patient, or patient's representative, must provide a request in writing, specifying the records to be copied, together with a fee to defray the cost of copying that will not exceed:

- ▶ One page = 25 cents per page
- ▶ Microfilm = 50 cents per page
- ▶ Any additional clerical costs incurred in making the records available.

Copies must be provided to the individual within 15 days of receiving the written request. In all circumstances, patients must be notified as to where their records will be kept!

Also, pursuant to Section 2620.7 of the Business and Professions Code, a physical therapist must retain a patient's records for a period of no less than seven years following the discharge of the patient, except that the records of unemancipated minors shall be maintained at least one year after the minor has reached the age of 18 years, and not in any case less than seven years.

Did You Know?

If you change your name with the Board, a new wallet certificate is not automatically generated. If you want a wallet license with your new name, you must complete and submit the Duplicate Wallet Request form and pay the appropriate processing fee.

The processing fee to request a letter of verification to another state or agency is now \$60 per request.

You can sign up to receive the Board's meeting agendas, notification of proposed regulations, and other Board-related information via e-mail located under "Join Our Mailing List" on the Board's Web site at www.ptbc.ca.gov.



A Call for E-mail Addresses

ATTENTION PTS AND PTAS

The Physical Therapy Board of California is asking all PT and PTA licensees to join our mailing list and refer to the PTBC Web site for the latest Board news and publications!

Please visit www.ptbc.ca.gov and click the "Join Our Mailing List" link below Quick Hits to submit your e-mail address.



Welcome New Board Members

KAREN B. PINES, PUBLIC MEMBER

Appointed by the Senate Rules Committee: May 25, 2010

Term Expires: June 1, 2013

Ms. Karen B. Pines of Los Angeles received her appointment to the Board in June 2010. She is a licensed Marriage and Family Therapist and served on the Board of Behavioral Sciences.

Ms. Pines is an adjunct professor at Pepperdine University, Graduate School of Education and Psychology. She earned her Bachelor of Science in Journalism from Ohio University, with

a minor in Education, and her Master of Education and Psychology from California State University, Northridge. In addition, Ms. Pines holds numerous certifications and has participated in various trainings including, but not limited to, Alcohol and Drug Abuse Counselor Certification, Critical Incident Debriefing Specialist Certification and Pain Management Training.

DONALD A. CHU, PH.D., PT, ATC, CSCS

Appointed by Governor Schwarzenegger: October 28, 2010

Term Expires: June 1, 2012

Donald Chu is a returning member to the Board. His previous period of service was from January 1999 to October 2006 where he served as President for most of his tenure. He currently is the Director of the Athercare Fitness and Rehabilitation Clinic in Castro Valley, California. He serves as adjunct faculty to the Ohlone

College Physical Therapist Assistant program in Newark, California. He is a past President of the NSCA and has served on the Board of Directors of the NATA. He is a member of the Hall of Fame for the National Athletic Trainer's Association, Strength and Conditioning Coaches and California State University, Hayward, Athletic Hall of Fame.

Seal Of Recognition for Continuing Competency Approval Agencies

The Physical Therapy Board of California (PTBC) is not approving individual continuing competency courses or providers. Instead, the PTBC is recognizing approval agencies that authorize providers of continuing competency courses. To assist in the identification of PTBC-recognized continuing competency approval agencies, the PTBC has provided and suggested agencies use this seal of approval.

Don't forget to look for the seal!



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Would you like to become a Board Member? Here's how...

The public or licensed members can access the application on the Department of Consumer Affairs' Web site at www.dca.ca.gov, under Business Functions, to apply for an appointed position by the Governor, Senate Rules Committee, or the Speaker of the Assembly.

Once you've applied, you may be contacted for an interview, and the final selection will be made. If you have further questions about being a board member, visit the PTBC's Web site at www.ptbc.ca.gov.

In Recognition of...

Although the following article was published in the previous Board newsletter, we at the PTBC feel it is important for the community to recognize the hard work and dedication put forth by the individuals involved with the development of the regulations regarding continuing competency and supervision of assistive personnel. The previous article follows below:

When the Physical Therapy Board of California (Board) determines that a matter is in need of extensive focus, the Board may appoint a task force. Consequently, when the Legislature enacted Assembly Bill 120, requiring the development of regulations on continuing competency, and when the regulations governing the supervision of physical therapist assistants and physical therapy aides were in need of attention, the Board appointed the Continuing Competency and Supervision of Assistive Personnel task forces. All appointees approached their tasks with diligence and sincere dedication; therefore, it is with great respect that the Board recognizes those who committed their time to aid the Physical Therapy Board of California with its mandate to protect consumers of California by serving on these task forces.

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Disciplinary Summary

JANUARY 2008 TO SEPTEMBER 2009

January 2008

(NO DISCIPLINE)

February 2008

Davis, Willie, AT 8670. Violation of B & P Codes: 2660(d), 2661. IPL Issued: 02/26/08.

Posada, Romel, PT 18668. Violation of B & P Codes: 2660(h)(i), 2234(c), 2660. DED: 02/28/08. Public Repeval.

Williams, William D, PT 29643. Violation of B & P Codes: 475, 480, 498 , 2660(b)(l). DED: 02/15/08. Public Repeval.

March 2008

Abella, Regie, AT 2692. Violation of B & P Codes: 2660(h)(i)(j)(k). Violation of CCR Code: 1398.44. DED: 03/03/08. Public Repeval.

Hernandez, Ruel, PT 27335. Violation of B & P Codes: 2660(d), 2661. Violation of CCR Code: 1399.20(a). DED: 03/03/08. 3 Yrs. Prob., 7 Days Suspension.

Turner. David G., PT 18170. Violation of B & P Codes: 2660(h)(i)(j)(k), 2630. Violation of CCR Code: 1398.44. DED: 03/03/08. Public Repeval.

April 2008

Schilling, Erin, PT 25459. Violation of B & P Codes: 2660(d), 2661, 2239. Violation of CCR: 1399.20(a), 1399.20(c). DED: 04/11/08. 5 Yrs Prob.

May 2008

Dall, Bryan, AT 8721. Violation of B & P Codes: 2660(d), 2661, 480. IPL Issued: 05/01/08. 1 Yr. Prob.

June 2008

Anjum, Farzana, PT 28186. Violation of B & P Codes: 2660(d), 2661, 2236. DED: 06/05/08. 23 Months Prob.

Kavayiotidis, John, PT 9250. Violation of B & P Codes: 2660(j)(k). Violation of CCR Code: 1399. DED: 06/05/08. Public Repeval

Yazdani, Azita, PT 28345. Violation of B & P Codes: 2660(d)(l), 490. Surrender of License 06/05/08.

July 2008

Buckman, Yvonne, PT 21726. Violation of B & P Code: 2660(d). DED: 07/03/08. Public Reprimand.

August 2008

(NO DISCIPLINE)

September 2008

(NO DISCIPLINE)

October 2008

Finley, Barbara, PT 14964. Violation of B & P Codes: 2660(d)(i), 2661, 2239. Surrender of License DED: 10/15/08.

November 2008

(NO DISCIPLINE)

December 2008

Bailes, Robert, AT 262. Violation of B & P Codes: 2660(i)(j)(k), 2660, 2630. Violation of CCR Codes: 1398.44, 1399. DED: 12/24/08. 4 Yrs. Prob.

Marzocchetti, Ezequiel, PT 26241. Violation of B & P Codes: 2620.7, 2630, 2660(d)(i)(j)(k), 2661. Violation of CCR Codes: 1398.44, 1399, 1399.20(a). DED: 12/24/08. 4 Yrs. Prob.

Shirinzadeh, Rafat, PT 23416. Violation of B & P Codes: 141(a), 2660.1, 2660(l), 726. DED: 12/22/08. Revoked.

January 2009

Davis, Willie, AT 8670. Violation of B & P Codes: 2660(d), 2661. DED: 01/08/09. 4 Yrs. Prob.

Goal, Nicole L., AT 6405. Violation of B & P Codes: 2660(d)(i), 2236. DED: 01/09/09. Revoked.

Mayner, Mark, PT 24948. Violation of B & P Codes: 141(a), 2660(d)(i)(l), 2305, 2661. Violation of CCR: 1399.20. DED: 01/19/09. Revoked.

Ratliff, Jennifer, PT 17095. Violation of B & P Code: 2260(d). DED: 01/09/09. Public Repeval.

February 2009

Davidson, Kenneth, PT 7433. Violation of B & P Code: 2660(d). DED: 02/09/09. Revoked.

Lopez, Berenice L., AT 3456. Violation of B & P Codes: 2660(d), 2661. Violation of CCR Code: 1399.20(a). DED: 02/11/09. 5 Yrs. Prob.

March 2009

(NO DISCIPLINE)

April 2009

(NO DISCIPLINE)

May 2009

(NO DISCIPLINE)

June 2009

Boyd, Kevin, AT 9002. Violation of B & P Codes: 2660(d), 2661, 2236, 480. IPL Issued 06/04/09. 5 Yrs. Prob.

Caclitan, Leon Pallagao, AT 2634. Violation of B & P Codes: 2660(d)(i)(l), 2661, 2236, 2237, 490. DED: 06/29/09. Revoked.

Moultreie, Katherine, PT 35723. Violations of B & P Codes 2660(d), 2661, 493. IPL Issued 06/11/09. 3 Yrs. Prob.

July 2009

Kaut, Katherine, PT 12064. Violation of B & P Codes: 2660(d)(i), 2234, 2239. Surrender of License 07/27/09.

August 2009

Rede, Marc William, AT 3103. Violation of B & P Codes: 2660(d)(i), 2661. Violation of CCR: 1399.20(a). Default Decision 08/18/09. License Revoked.

September 2009

Chung-Ehrlich, Pamela, AT 610. Violation of B & P Codes: 2660(d), 2661. Surrender of License 09/23/09.

Disciplinary Summary

OCTOBER 2009 TO SEPTEMBER 2010

October 2009

Dupont, Nicole, PT 16557. Violation of B & P Codes: 725, 810, 2262, 2239, 2261, 2660(d)(f)(h)(i)(l). DED: 10/08/09. 5 Yrs. Prob.

Isenberg, Matthew, Applicant. Violation of B & P Codes: 480, 2660(d). Violation of CCR: 1399.20. DED: 10/16/09. Application Denied.

Mudgett, Ann, AT 3820. Violation of B & P Codes: 141(a), 2305, 2660(d)(i)(l), 2661. DED: 10/15/09. License Revoked.

November 2009

Vargas, Jesse, AT 2759. Violation of B & P Codes: 726, 2660(k)(m). DED: 11/25/09. License Revoked.

December 2009

Javier, Dean, PT 26117. Violation of B & P Codes: 2660(k), 2661. DED: 12/23/09. Public Repeval.

Payrov, Saeedeh, AT 2966. Violation of Conditions 1, 10, 23 of Probation. DED: 12/19/09. License Revoked.

Walters, William, PT 5153. Violation of B & P Codes: 2239, 2660(d)(h). DED: 12/10/09. 5 Yrs. Prob.

January 2010

Chaney, Shane, PT 36400. Violation of B & P Codes: 493, 2239, 2660(d), 2661. IPL Issued 01/06/10. 3 Yrs. Prob.

Delgadillo, Manuel, AT 9157. Violation of B & P Codes: 493, 2238, 2239, 2660(d)(f), 2661. IPL Issued 01/06/10. 3 Yrs. Prob.

Garcia, Junior, AT 9156. Violation of B & P Codes: 493, 2239, 2660(d)(f), 2661. IPL Issued 01/06/10. 3 Yrs. Prob.

Hyatt-Chan, Lauretta, AT 4443. Violation of B & P Codes: 2660(d)(k), 2661. DED: 01/15/10. License Revoked.

Monagle, Ryan, PT 36399. Violation of B & P Codes: 493, 2238, 2239, 2660(d)(f), 2661. IPL Issued 01/06/10. 4 Yrs. Prob.

Peebles, Larry, AT 9160. Violation of B & P Code: 480. IPL Issued 01/14/10. 5 Yrs. Prob.

Szalonek, Kristopher, PT 36398. Violation of B & P Codes: 493, 2660(d), 2661. IPL Issued 01/06/10. 3 Yrs. Prob.

February 2010

Ortiz, Franklin, AT 6537. Violation of B & P Codes: 2239, 2660(d)(h), 2661. Violation of CCR: 1399.20(a)(c). DED: 02/10/10. License Revoked.

March 2010

Allen, Lara Vargas, AT 9200. Violation of B & P Codes: 493, 2239, 2660(d), 2661. IPL Issued 03/16/10. 5 Yrs. Prob.

Asuncion, Roy Allan, PT 35515. Violation of B & P Code: 2305. DED: 03/09/10. Public Repeval.

Hough, Ryan, PT 28787. Violation of B & P Codes: 141(a), 2305, 2660(i). DED: 03/05/10. Public Repeval.

April 2010

Livingston, Helen Joy, PT 27839. Violation of B & P Code: 2305. DED: 04/14/10. Public Repeval.

Vance, Judith Carol, PT 35633. Violation of B & P Codes: 141(a), 2305. DED: 04/13/10. Public Repeval.

Yazdani, Azita, PT 28345. Violation of B & P Codes: 490, 2660(d)(l). DED: 04/14/10. License Reinstated. 4 Yrs. Prob.

May 2010

Dunn, Nina Renee, PT 9655. DED: 05/20/10. License Revoked.

June 2010

Schmitz, Craig, PT 11697. Violation of B & P Code: 2660(j). DED: 06/03/10. Public Repeval.

July 2010

Collier, Robert, AT 8449. Violation of B & P Codes: 2660, 2660(l). DED 07/26/10. Public Repeval.

Parker, Maureen, PT 17357. Violation of 2660(d)(l). DED: 07/02/10. 5 Yrs. Prob.

August 2010

Amirian, Joseph, PT 32333. Violation of B & P Codes: 490, 2660(d)(h)(k), 2661. DED: 08/25/10. 1 Yr. Suspension, 5 Yrs. Prob.

Morton, Larry, PT 8054. Violation of B & P Codes: 2660(d)(e). DED: 08/13/10. License Revoked.

September 2010

Almeria, Julie, PT 33299. Violation of B & P Codes: 2620.7, 2660(g). Violation of CCR: 1399.85. DED: 09/07/10. Public Repeval.

Christensen, Julie, AT 8736. Violation of B & P Code: 2660(j). DED: 09/23/10. Public Repeval.

Freeman, Anita, AT 8727. Violation of B & P Codes: 2660(d), 2661. DED: 09/23/10. 5 Yrs. Prob.

Gannon, Bernadette, PT 19151. Violation of B & P Codes: 2234(a), 2239(a), 2660(d)(e)(f)(h). DED: 09/28/10. 5 Yrs. Prob.

Harris, Austin, AT 8309. Violation of B & P Codes: 490, 493, 820, 822, 2660(d), 2661. DED: 09/02/10. 10 Yrs. Prob.

Johnson, Ashley, PT 33554. Violation of B & P Codes: 490, 493, 2660(d), 2661. DED: 09/03/10. 3 Yrs. Prob.

Katz, Maria, PT 22668. Violation of B & P Codes: 2261, 2262, 2620.7, 2660(k). Violation of CCR: 1398.44. DED: 09/03/10. Public Repeval.

Disciplinary Summary

SEPTEMBER 2010 TO JANUARY 2011

Malin, Andre Joseph, PT 11158. Violation of B & P Codes: 2620.7, 2660, 2660(k)(j). DED: 09/08/10. License Revoked.

Oberholtzer, Elizabeth, PT 10224. Violation of B & P Code: 2660(d). DED: 09/07/10. 5 Yrs. Prob.

Pazevic, Linda L., PT 16698. Violation of B & P Codes: 2239, 2660(d)(h). DED: 09/22/10. 5 Yrs. Prob.

Schall, Sandra, PT 15186. Violation of B & P Code: 2660(j). DED: 09/23/10. Public Repraval.

Vote, Jennifer, AT 5282. Violation of B & P Codes: 2236, 2238, 2660(d). DED: 09/07/10. License Revoked.

Weiss, Michael, PT 14220. Violation of B & P Code: 2660(m). Violation of CCR: 1399.20(a). DED: 09/07/10. 3 Yrs. Prob.

Yuen, Lawrence, AT 9333. Violation of B & P Codes: 493, 2660(d), 2661. IPL Issued 09/15/10. 3 Yrs. Prob.

October 2010

Castillo, Emma, PT 19146. Violation of B & P Codes: 2620.7, 2660(d), 2661. Violation of CCR: 1399.20. DED: 10/22/10. 90 Day Susp., 7 Yrs. Prob.

Miller, Joy Marie, PT 32284. Violation of B & P Codes: 141(a), 2305, 2660. DED: 10/22/10. 3 Yrs. Prob.

Williams, Roosevelt, AT 3642. Violation of B & P Codes: 2660(d), 2661. DED: 10/04/10. License Revoked.

November 2010

Buchanan, Elizabeth, PT 35063. Violation of B & P Code: 141. DED: 11/01/10. Public Repraval.

Dupont, Nicole, PT 16557. Violation of B & P Codes: 2234, 2239(a), 2660(d)(e)(f)(k). DED: 11/22/10. 7 Yrs. Prob.

Granger, Anthony, PT 17480. Violation of B & P Codes: 141, 2620.7, 2660(g). DED: 11/12/10. Public Repraval.

McNutt, Timothy Patrick, AT 3122. Violation of B & P Codes: 2239, 2660(d), 2661. DED: 11/10/10. License Revoked.

Mulder (aka Castil), Jamie, PT 27723. Violation of B & P Codes: 2239, 2660(d)(h), 2661. DED: 11/27/10. 3 Yrs. Prob.

December 2010

Ertman, Danny, PT 19615. Violation of B & P Codes: 2660(h)(j)(k). DED: 12/10/10. Public Repraval.

Hernandez, John, AT 1033. Violation of B & P Codes: 490, 493, 2660(d), 2661. DED: 12/06/10. Surrender of License.

McGlothlen, David, AT 4416. Violation of B & P Codes: 2234, 2630, 2660(h). Violation of CCR: 1398.44(e). DED: 12/09/10. Public Repraval.

January 2011

Watson, Daniel, PT 37502. Violation of B & P Codes: 493, 2261, 2661. DED: 01/14/11. 3 Months Prob.

GLOSSARY OF CODES rev. 5/2011

B&P 141(a)	Disciplinary Action Taken By Others	B&P 2620.7	Patient Record Documentation and Retention
B&P 480	Grounds For Denial of License	B&P 2621	Unlawful Practice of Medicine
B&P 480(a)(l)	Conviction of a Crime Substantially Related to Practice	B&P 2630	License Required—Exceptions
B&P 490	Conviction of a Crime—Substantial Relationship Required	B&P 2660	Unprofessional Conduct
B&P 493	Conviction of a Crime with Conclusive Evidence	B&P 2660(b)	Procuring License By Fraud
B&P 498	Licensure by Fraud	B&P 2660(d)	Conviction of a Criminal Offense
B&P 580	False Information on Affidavit	B&P 2600(e)	Habitual Intemperance
B&P 583	False Information on Affidavit	B&P 2260(f)	Drug Addiction
B&P 725	Excessive Prescribing and Treatment	B&P 2260(g)	Gross Negligence
B&P 726	Sexual Relations with Patients	B&P 2260(h)	Violating the Code
B&P 810	Violation/Insurance Requirement	B&P 2260(i)	Aiding and Abetting
B&P 820	Mental or Physical Illness	B&P 2260(j)	Aiding and Abetting Unlicensed Activity
B&P 822	Action Taken Due to Licentiate's Ability to Practice Safely	B&P 2260(k)	Commit Fraud, Dishonest Activity - Physical Therapist
B&P 2052	Unlawful Practice of Medicine	B&P 2660(l)	Failure to Protect Patients by Failing to Protect infection
B&P 2234(b)	Unprofessional Conduct/Gross Negligence	B&P 2660(m)	Commission of Verbal Abuse or Sexual Harassment
B&P 2238	Violation of Drug Statutes	B&P 2661	Conviction of a Crime
B&P 2239	Unlawful Use of Prescribing	CCR 1398.6	Filing of Addresses
B&P 2261	False Statements on Documents	CCR 1398.44	Supervision of a Physical Therapist Assistant
B&P 2264	Aiding and Abetting Unlicensed Activity	CCR 1399	Requirement for Use of Physical Therapy Aides
B&P 2620	PT Not Authorized to Diagnose	CCRH&S 113350	Possession of a Controlled Substance
		PC 261	Rape
		PC 550	Fraudulent Insurance Claims

For a copy of the Business and Professions (B&P) Code Sections and/or Title 16 California Code of Regulation (CCR) Sections pertaining to the practice of physical therapy refer to our Web site at www.ptbc.ca.gov. Pertinent Health and Safety (H&S) and Penal Code Sections (PC) can be found at www.leginfo.ca.gov.



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