



Physical Therapy Board of California

# PROGRESS NOTES

News from the Physical Therapy Board of California

## Summer 2010

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## License Verification Important for Daily Operations

By David Laxton

As an employer, do you routinely verify your physical therapist (PT) and physical therapist assistant (PTA) employees' licenses?

If not, you should. While it is ultimately the responsibility of PTs and PTAs to keep their licenses up to date, the Physical Therapy Board of California (PTBC) strongly encourages employers to continually verify the license status of employees. As a team, your goal is to maintain an environment in which you provide safe and legal healthcare to the citizens of California. As an employer, you create that 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.

Over the years I've noticed a certain dialogue 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 being – expired, 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 mail a renewal payment and find, occasionally after the license has expired, 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 proper payment, 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.

*Preventative measures like these will save a lot of headaches in the future ...*

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

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## License Verification

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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 B&P Code 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 125, including the unlicensed practice of physical therapy.

The best way to avoid such situations is to routinely verify your PT and PTA employees' license status on the Board Web site at [www.ptbc.ca.gov](http://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.

## Protect Yourself: Avoid Wrongful Sexual Misconduct Accusations

*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 when using procedures 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 or technique to the patient, prior to administration, it can reduce confusion, shock, and anxiety from a patient who may already be feeling vulnerable. Physical therapists are encouraged to document these discussions in the patient record, and even consider having the patient initial for verification.

Additionally, the Board 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 your license by the Board, as well as criminal prosecution.



# State Board and National Federation Work Together in Evaluating Foreign Educated Physical Therapists' Qualifications

By Sara Takii, PT, DPT, MPA - Board President

I have the privilege of representing California as our State's delegate to the Federation of State Boards of Physical Therapy (Federation). As a licensed physical therapist (PT) in California, do you know of the existence of the Federation? I admit I have been learning a great deal over the past three years about the goals and operation of the Federation. This organization's primary responsibility is to develop and provide the national licensing examination. You may have known that, but did you know the Federation is also greatly involved in establishing guidelines for the evaluation of the educational levels of foreign educated physical therapists who are trying to be accepted as "qualified" to sit for licensing examinations?

Each state sets its own policy, but many utilize the Federation's Coursework Tool (CWT). The CWT establishes the accredited level of education for PTs, per subject matter, based on the year of graduation here in the United States. Trained individuals can then compare a foreign educated applicant's level of education, as compared to U.S. requirements for the same year. This is very tedious work, as I am sure you will realize how difficult it is, at times, to receive a full detailed description of the applicant's coursework.

California was first to recognize the need for such a tool and developed

an initial series of forms (ELEERS) to be able to evaluate the foreign educated applicant. The Federation followed suit and has developed the CWT. California is considering abandoning the old forms and accepting the CWT. The benefits of solely utilizing the Federations CWT are: (1) improving consistency between the states; (2) ongoing validation research, funded by the Federation; and (3) ongoing development of the CWT, funded by the Federation. The State of California is not in a financial

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position to continue investing in ongoing development and research at this time.

As of 2009, I have the privilege of serving on the Federation's Foreign Educated Standards Committee (Committee). We also consider other issues in addition to the CWT itself.

Ongoing goals of this Committee: Continue the development of standards for the determination of substantial equivalence of education and other aspects of entry-level competence of foreign educated physical therapists and physical therapist assistants.

## TOPICS UNDER CONSIDERATION:

1. Should foreign educated physical therapists, who have been licensed after successfully undergoing a thorough credentials review using the Federation's CWT, be required to undergo an additional credentials review process when he or she moves to another jurisdiction (state or U.S. territory)? This relates to the ongoing evaluation and goals of national portability of licenses.

2. Work continues on a communication plan for jurisdictions, which do not yet require the CWT. We are currently documenting the language and location for each jurisdiction, regarding the CWT. For example, California still uses the ELEERS (its own forms), but accepts the CWT, while Alabama will not recognize the latter. After further study, the Committee will be submitting recommendations to the Federation's Board regarding promotion of the CWT. The goal again is portability of licenses and improved communication and consistency between jurisdictions.

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## Evaluating Foreign Educated Physical Therapists' Qualifications

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3. Another area of concern relates to developing best practices for supervised clinical practice of the foreign educated physical therapists here in the United States. We are working on a mechanism to determine the best way to identify best practices and are considering a survey with the jurisdictions to determine what works well. California uses the Clinical Performance Instrument (CPI) of the American Physical Therapy Association (APTA), developed for supervision of our U.S. physical therapist students. The Committee is questioning whether this form requires a modification to apply to the foreign educated physical therapists and what would be the best approach. This will involve dialogue with the APTA.
4. Major work continues in the development of credential evaluator standards for the employees of credentialing agencies. These are the individuals, who utilize the CWT or other tools of individual states in determining whether a foreign educated physical therapist has equivalent education to U.S. standards. Written standards for "credentialing" are currently being developed (draft). Re-evaluation is being done regarding how to apply these standards to the licensing agreements with the credentialing agencies. In the past, a licensing agreement was signed and that was all that was required. Now we are working on the evaluation and education of those who do the credentialing work to maintain the highest standards. The Committee is also considering evaluation and accreditation of the individual agencies to ensure they are performing on expected levels and providing ongoing staff education.
5. The Committee is considering recommendations from the Foreign Credentialing Commission on Physical Therapy (FCCPT) for improving the CWT. The FCCPT Board of Directors has recommended that foreign educated candidates may apply less than or equal to 80 hours, or 10 percent of the minimum required 800 supervised clinical practice hours, of post graduation, non-university level, clinical work to supplement any deficiency in university level clinical hours.
  - a. Suggested supervised clinical practice may be an acceptable option of non-university level hours in jurisdictions where a foreign educated applicant for physical therapist licensure is required to complete a supervised practice prior to or at the time of licensure.
  - b. Sufficient evaluation forms will need to be established which verify total hours and ensure clinical performance.
  - c. Summary of work experience will not be acceptable, as this is difficult to verify.
  - d. Clinical hours in the completion of a physical therapist assistant program in the United States will not be acceptable.

Some of these concepts may be new to you, but I assure you the Federation and the Physical Therapy Board of California are working to maintain a level of quality of care and are developing new means of overseeing the evaluation process of the foreign educated physical therapist. The Physical Therapy Board of California's mission is to protect the consumers of California and this process is one avenue to assure the consumer that all physical therapists licensed in California are meeting the same level of education.

*... this process is one avenue to assure the consumer that all physical therapists licensed in California are meeting the same level of education.*

## Certification Required for Clinical Instructors of Foreign Educated Applicants

All clinical instructors (CIs) applying to instruct foreign educated physical therapist applicants during the required nine-month period of clinical service must be certified as a CI by the American Physical Therapy Association (APTA). This became effective January 1, 2010, and is pursuant to Section 1398.26 and Section 1398.26.5 of Title 16 of the California Code of Regulations.

In order for the Board to consider approving you as a CI to instruct a foreign educated physical therapist applicant, you will need to provide the Board with a copy of your certificate from APTA along with the notice of intent to supervise and the Clinical Site Information form. You are not authorized to begin supervising an applicant until you have received written approval from the Board. If the Board has currently approved you to supervise a foreign educated physical therapist applicant as a CI without a certificate, the period of clinical service for that applicant shall continue. However, the Board will not approve you to supervise another foreign educated physical therapist applicant until you are certified by the APTA.

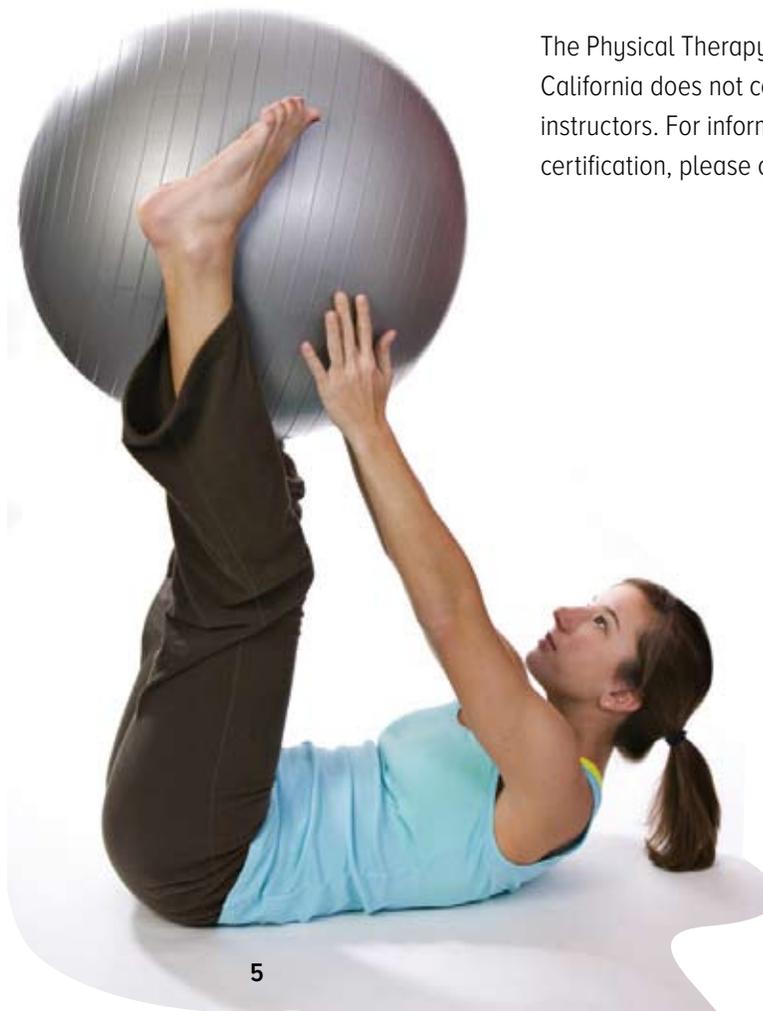
A CI must apply and receive written approval from the Board for every foreign educated physical therapist applicant that he or she requests to supervise. Therefore, it is extremely important that you retain your original certificate from the APTA, as the Board will not maintain a record of your certificate.

For information on the Clinical Instructor Education and Credentialing Program, you will need to contact the APTA at [www.apta.org](http://www.apta.org) or 1-800-999-2782, as the Board does not certify CIs.

Section 1398.26 and Section 1398.26.5 of Title 16 of the California Code of Regulations were amended and adopted, respectively, on January 8, 2005, to revise existing clinical service provisions for foreign educated applicants that include the following: (1) to specify that the supervising physical therapist is the Center Coordinator of Clinical Education (CCCE) and/or the clinical instructor (CI); (2) to require by January 1, 2008, that all CCCE, and by January 1, 2010, that all CIs must be certified as a

clinical instructor by the American Physical Therapy Association (APTA); (3) to require the supervising physical therapist to be onsite and available to the applicant to provide assistance with patient care; (4) to require an evaluation of the applicant's skill level using the Clinical Performance Instrument (12/1997) issued by the APTA midway through, and at the end of the period of clinical service; (5) to require waiver of three months of clinical service if the applicant completes a postsecondary course in law and professional ethics or four continuing education units in ethics; and (6) to require waiver of one month of clinical service for each month of licensed clinical practice in another state.

The Physical Therapy Board of California does not certify clinical instructors. For information about CI certification, please contact APTA.



## 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 (H&S).

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 per page
- ▶ Microfilm = \$.50 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 (B&P) 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.

## National Federation Offers Continuing Competency Tool

*By Debra J. Alviso, PT, DPT – Vice President*

The Federation of State Boards of Physical Therapy (FSBPT) has unique and helpful products and services to assist in meeting the California continuing competency requirements. They include the following Practice Review Tool, California Jurisprudence Exam, and aPTitude.

### 1. Practice Review Tool (PRT).

This online resource allows you to compare your physical therapy knowledge, skills, and abilities to current entry-level practice. The PRT is also an opportunity to review physical therapy fundamentals. The results of the assessment are shared only with you. This information can be useful to guide you in deciding what type of continuing competence requirements you may choose to fulfill. The Physical Therapy Board of California awards six hours of continuing competence credit for completion of the PRT.

The PRT is currently available in a general practice version. An orthopedic version is currently under construction and is expected to be available in January 2010. Additional versions of the PRT are slated for future development including geriatrics, pediatrics, neurology and acute care. The PRT is a high quality assessment tool with many pluses – for most participants no travel is required because it is administered at local computer facilities.

### 2. California Jurisprudence Exam.

Completing the California Law Examination is one option for

fulfilling the two-hour laws/ethics requirement in the continuing competency requirement. This exam has been part of the new licensee requirements since 1996. However, due to the continuing competency requirements this examination will be made available for existing licensees.

**3. aPTitude.** aPTitude is an online continuing competence system developed by the FSBPT. The aPTitude is being developed in phases rolling out in 2009 and 2010. There will be many features and benefits for licensees. They include:

- ▶ Allows you to search for continuing competence offerings that meet your individual needs.
- ▶ Provides a single place to maintain licensure information and to track and store documentation of your continuing competence activities.
- ▶ Keeps you up to date with the latest information on PTBC's continuing competency requirements, renewal dates, and approved activities.
- ▶ Reminds you when your license renewal date is approaching.
- ▶ Allows you to track your continuing competence activities to meet renewal requirements.

For more information on the PRT, California Law Exam, and aPTitude, please visit the FSBPT's Web site at [www.fsbpt.org](http://www.fsbpt.org).

## Continuing Competency: A Condition of Renewal and Lifelong Learning

The Physical Therapy Board of California recognizes that lifelong learning – the development of knowledge, skills, and abilities to meet current minimum standards of practice, is a critical element in protecting consumers of physical therapy.

The California legislature enacted Assembly Bill 120, making it the responsibility of the Physical Therapy Board of California (PTBC) to protect the public by assuring entry level and minimum continued competence to practice physical therapy. In compliance with the bill, the PTBC effectuated regulations defining continuing competency on November 6, 2009.

In brief, the regulations require a licensee to accumulate 30 hours of continuing competency in each renewal cycle; require continuing competency hours to be obtained in subjects related to either the professional practice of physical therapy or patient/client management; require two hours in ethics, laws and regulations or combination thereof, and four hours in life support for healthcare professionals; define traditional and alternate pathways for obtaining hours; establish standards for agencies gaining recognition as an approval agency; establish standards for approval agencies to approve a provider; define acceptable means of record keeping to satisfy an audit; establish criteria for placing a license in inactive status; and, establish criteria for exemption from continuing competency requirements.

As you can imagine, this regulation has generated a lot of inquiries to the PTBC staff. Some of the most frequently asked

questions regarding the implementation and effect of the regulation are:

### **When am I required to comply with the continuing competency requirement?**

For licenses that expire between October 31, 2010, and October 31, 2011, if the renewal is submitted prior to the expiration of the original license, 15 hours of continuing competency is required. Don't let your license expire, since you will then be required to complete the full 30 hours in order to renew your delinquent license.

### **If I fail to pay my license renewal on or before the expiration date and my license expires between October 31, 2010, and October 31, 2011, how many hours of continuing competency must I complete?**

If you fail to submit your renewal payment on or before the expiration date of your license, you are required to complete 30 hours of continuing competency as a condition to renew your license pursuant to Section 1399.91(a)(1).

### **What are the authorized pathways (Section 1399.94) to obtain continuing competency hours?**

Hours can be obtained in several ways. "Traditional" pathways include education courses – in-person, at home or through self-study – offered by an approved provider, and college coursework as offered by an accredited institution. There are also "alternate" pathways, which can include:

A. Publishing a peer-reviewed journal article, case study, or book chapter.

- B. Developing or presenting an approved college or continuing education course for the first time.
- C. Participating as a subject matter expert in the examination process for the Board, the Federation of State Boards of Physical Therapy (FSBPT) or the American Board of Physical Therapy Specialists (ABPTS).
- D. Serving on a Board-appointed task force.
- E. Performing in a role as a clinical instructor where the student's clinical experience is full time and lasts at least four weeks. (Effective January 1, 2013, the clinical instructor must be credentialed by the American Physical Therapy Association (APTA) or hold a substantially similar credential.)
- F. Attending a conference relating to the practice of physical therapy where proof of attendance is provided by the conference sponsor.
- G. Attending a conference (or a component of one) offered by FSBPT or APTA.

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# Renewal and Lifelong Learning

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- H. Attending a Board meeting.
- I. Completing an FSBPT Practice Review Tool.
- J. Successfully passing one of ABPTS' certified specialist examinations, including re-certification examinations.
- K. Completing training as an expert consultant for the Board.
- L. Successfully passing the Board's California Law Examination.

For more information, visit the Board Web site at [www.ptbc.ca.gov/licensees/ccreqprop\\_faq.shtml](http://www.ptbc.ca.gov/licensees/ccreqprop_faq.shtml).

## **How do I notify the PTBC that I have met the continuing competency requirements and how long do I retain my continuing competency documents?**

Licensees will NOT mail in continuing competency documentation with their renewal. The PTBC will conduct random audits and may request copies of your records as part of that process. The licensee is required to keep records for FIVE years after the completion of the course or activity.

## **How will I know if the course I take won't be rejected by the PTBC?**

If the course is offered by an approved provider that has met the requirements in Section 1399.96 and has been approved by an approval agency recognized by the PTBC pursuant to Section 1399.95, it is safe to assume the course will satisfy the continuing competency requirement.

## **Are the required two hours in ethics, laws, and regulations, and the four hours in life support for healthcare professionals in addition to the required 30 hours of continuing competency?**

No, pursuant to Section 1399.93 these requirements may be included as part of the required 30 hours.

## **Will attending a Board meeting or serving on a Board task force count towards the ethics, laws, and regulations competency hours as required in Section 1399.93(a)?**

No, however credit may be given as an alternate pathway pursuant to Section 1399.94(b), alternate pathway D or H.

## **If I attend a conference where an approved provider is also offering continuing competency courses, do I receive credit for attending the conference AND for the course taken at the conference?**

Yes, you would receive credit for pathway F or G of the alternate pathway table in 1399.94(b) and hours through the traditional pathway.

## **How do I become an approved provider of continuing competency courses?**

The PTBC will NOT approve providers. All providers must be approved by a PTBC-recognized approval agency. The PTBC will post approval agencies on the PTBC Web site. Contact the agencies directly to apply for approval as a continuing competency provider. The requirements for approval are in Section 1399.96 of the regulation.

## **How do I become recognized by the PTBC as an approval agency of approved providers?**

The standards for recognition by the PTBC are in Section 1399.95 of the regulation.

This is a small sampling of the frequently asked questions found on the PTBC Web site. For a complete list as well as responses, please visit the PTBC Web site at [www.ptbc.ca.gov](http://www.ptbc.ca.gov).



## Free Online Renewal Payments Now Available

By Ilda Romo

Licensees now have the option to pay for license renewal online. The Physical Therapy Board of California (PTBC) has contracted with Official Payments Corporation (OPC) to have this as a license renewal option.

Online renewal is not only quick and easy, it's also free!

Licensees will log in to the PTBC Web site and complete a short questionnaire that will determine if they are eligible to submit an online license renewal payment.

Who will be eligible to submit an online license renewal payment?

- ▶ Licensees whose license expired after April 2009.
- ▶ Licensees with a current license that WILL expire within the next three months.

- ▶ Licensees that have a name or address change will have to report the change to the PTBC and will have to wait at least 14 days after the change is reported before submitting an online payment.

If the system determines that a licensee is not eligible to submit an online renewal payment, he or she will be instructed to mail the renewal payment; others will be routed to the OPC Web site to complete the renewal application and submit a credit card payment. Once payment is submitted, a receipt will be e-mailed that can be used as proof of licensure renewal. The renewal processing and Web site posting of the license status will be completed within 24 to 72 hours of correct payment submission. Licensees can expect a wallet certificate within four to six weeks after the payment is processed.



## Electroneuromyography (ENMG) Exam Notice

**DATE: SEPTEMBER 23, 2010**  
**TIME: 10:00 A.M.**  
**LOCATION: DEPARTMENT OF CONSUMER AFFAIRS  
LAKE TAHOE ROOM  
2005 EVERGREEN STREET  
SACRAMENTO**

Applications must be received by: August 1, 2010

Applications for the ENMG certification can be found on the PTBC Web site at [www.ptbc.ca.gov](http://www.ptbc.ca.gov).

You must meet the requirements pursuant to Section 1399.64 of the California Code of Regulations at the time of application.

## Diversion Hotline Helps with Substance Abuse

Do you know an 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., at 1-800-522-9198.

## What's on the Horizon

### NEW FOR 2010:

- ▶ Free online license renewal payment service.
- ▶ Newsworthy activities of the PTBC posted on Facebook.
- ▶ Proposed Amendments to the regulations governing the supervision of the physical therapist assistant, supervision of the physical therapy aide and physical therapy provider identification.



## Citations Explained

What is a citation? A citation is not a disciplinary action, but 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 I do if I receive a citation? It is very important that you read everything that comes along with your citation, as it will help you understand the process as well as 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:** Provides instructions on 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 my license? Only when a citation is finalized does it appear on the licensee's public record. 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.

## Proposed Revisions: Regulations for Supervising 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 aide 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. However, they cannot perform an evaluation, a reevaluation, or a formulation of a treatment or 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 in 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. As part of the rulemaking process 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.ptb.ca.gov](http://www.ptb.ca.gov).

## Board Recognizes Task Force Members

When the Physical Therapy Board of California 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 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.

### Continuing Competency Task Force

Martha Jewell, PT, board member; Debra Alviso, PT, board member; Adele Levine, former public board member; Don Chu, PT, former board member; Rick Katz, PT; Brad Stockert, PT; and, Luis Williams, PTA.

### Assistive Personnel Task Force

Sara Takii, PT, board member; Jim Turner, public board member; Nancy Krueger, PT, former board member; Jim Dagostino, PT; Mitch Kaye, PT; Lorraine Kimura, PT, former board member; John Lingberger, PTA; Katie Press, PT; and, Debby Seid, PT.



## PTBC Board Members

Sara Takii, PT, DPT, MBA - President  
Debra Alviso, PT, DPT, OCS - Vice President  
James Turner, Public member  
Martha Jewell, PT, PhD.  
Public member vacancy  
Public member vacancy  
Professional member vacancy

## PTBC Staff

### Executive Officer

Steven K. Hartzell

### Assistant Executive Officer

Rebecca Marco

### Application & Licensing Services Program

Ilda Romo - Lead  
Wendy Christensen  
Jason Kaiser  
Waltraud Blanchard  
Lita McFaddin  
Karin Thompsen  
Veronica Gutierrez  
Korey Landry  
Leanne Shirley  
Alyasha Crutcher  
Teresa Gutierrez

### Consumer Protection Services

Elsa Ybarra - Lead  
Christina Metzen  
Debbie Nardine  
Monny Martin  
Lisa Chullino  
Susan Burrows  
Beatriz Reynoso  
Carole Phelps  
Erika Gomez  
Cristy Livramento

### Administrative Services

Carl Nelson  
Kirsten Salters  
David Laxton

## Farewell to Departing Board Member

Governor Arnold Schwarzenegger appointed Nancy Krueger, PT, on November 21, 2005. Nancy served as President of the Board for three and one-half of the four years. She also

served as the Chair of the Assistive Personnel Task Force. The Board appreciates Nancy's dedication in assisting the Board in its mission of protecting the consumers.

## How to Become a Board Member

Licensed members and the public can access the application on the Department of Consumer Affairs' Web site at [www.dca.ca.gov](http://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.ptb.ca.gov](http://www.ptb.ca.gov)!



## Address And Name Changes Can Now Be Made Online

By Ilda Romo

The law requires that all licensees report all address and 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 or name change in a timely manner are routinely issued. Citations and fine orders are not disciplinary action but are matters of public record for five years. They can easily be avoided if licensees make sure these changes are reported promptly to the Physical Therapy Board of California (PTBC).

Reporting an address or name change can now be easily and conveniently done online at the PTBC Web site. The online name 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](http://www.ptbc.ca.gov) to report any address or name change within 30 days.

## 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.ptb.ca.gov](http://www.ptb.ca.gov).

## 2010 Board Calendar

**January 28 and 29 – Board Meeting, San Diego**

**May 12 and 13 – Board Meeting, Los Angeles**

**July 23 – Electroneuromyography Examination, Sacramento**

**July 28 – Board Meeting, Sacramento**

**October 1 and 2 – CPTA Annual Conference, Oakland**

**November 3 and 4 – Board Meeting, Newark**

The Board's meeting dates are subject to change. For location and meeting date information, visit the Board's Web site at [www.ptb.ca.gov](http://www.ptb.ca.gov).



# 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 reproof.

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

### 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 reproof.

Hernandez, Ruel, PT 27335. Violation of B & P Codes: 2660(d), 2661. Violation of CCR Code: 1399.20(a). DED: 03/03/08. Three years probation.; seven 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 reproof.

### 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. Five years probation.

### May 2008

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

### June 2008

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

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

### June 2008 (continued)

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. Four years probation.

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. Four years probation.

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. Four years probation.

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.

### January 2008 (continued)

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

### February 2009

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

Lopez, Bernice L., AT 3456. Violation of B & P Codes: 2660(d), 2661. Violation of CCR Code: 1399.20(a). DED: 02/11/09. Five years probation.

### 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. Five years probation.

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

Moultrie, Katherine, PT 35723. Violations of B & P Codes: 2660(d), 2661, 493. IPL issued 06/11/09. Three years probation.

### 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

## SEPTEMBER 2009 TO FEBRUARY 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. Five years probation.

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 reproof.

### December 2009 (continued)

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. Five years probation.

### January 2010

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

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

Garcia, Junior, AT 9156. Violation of B & P Codes: 493, 2239, 2660(d)(f), 2661. IPL issued 01/06/10. Three years probation.

### January 2010 (continued)

Hyatt-Chan, Laretta, 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. Four years probation.

Peebles, Larry, AT 9160. Violation of B & P Code: 480. IPL Issued 01/14/10. Five years probation.

Szalonek, Kristopher, PT 36398. Violation of B & P Codes: 493, 2660(d), 2661. IPL issued 01/06/10. Three years probation.

### 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.

## GLOSSARY OF CODES

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 2660(f)	Habitual Intemperance
B&P 583	False Information on Affidavit	B&P 2660(g)	Drug Addiction
B&P 725	Excessive Prescribing and Treatment	B&P 2660(h)	Gross Negligence
B&P 726	Sexual Relations with Patients	B&P 2660(i)	Violating the Code
B&P 810	Violation/Insurance Requirement	B&P 2660(j)	Aiding and Abetting
B&P 820	Mental or Physical Illness	B&P 2660(k)	Aiding and Abetting Unlicensed Activity
B&P 822	Action Taken Due to Licentiate's Ability to Practice Safely	B&P 2660(l)	Commit Fraud, Dishonest Activity - Physical Therapist
B&P 2052	Unlawful Practice of Medicine	B&P 2661	Conviction of a Crime
B&P 2234(b)	Unprofessional Conduct/Gross Negligence	CCR 1398.6	Filing of Addresses
B&P 2238	Violation of Drug Statutes	CCR 1398.44	Supervision of a Physical Therapist Assistant
B&P 2239	Unlawful Use of Prescribing	CCR 1399	Requirement for Use of Physical Therapy Aides
B&P 2261	False Statements on Documents	CCR&S 113350	Possession of a Controlled Substance
B&P 2264	Aiding and Abetting Unlicensed Activity	PC 261	Rape
B&P 2620	PT Not Authorized to Diagnose	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.ptb.ca.gov](http://www.ptb.ca.gov). Pertinent Health and Safety (H&S) and Penal Code Sections (PC) can be found at [www.leginfo.ca.gov](http://www.leginfo.ca.gov).



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# PROGRESS NOTES

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