



NC Board of PT Examiners Report to the NCPTA Business Meeting

Forsyth Medical Center Conference Center

3333 Silas Creek Parkway

Winston-Salem, NC 27103

May 19, 2012

Ben F. Massey, Jr., PT, MA Executive Director

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1. **Purpose of the Board:** Reminder that the purpose of the Board is to regulate the practice of physical therapy in order to protect the health, safety, and welfare of the citizens of North Carolina. The next NC Board of PT Examiners Meeting is scheduled on June 14, 2012.
 2. **Appointments to the Board:** The Governor appointed Angela L. Diaz, PT, for a 3-year appointment to the Board and reappointed Judy L. Edwards, PTA for a 3-year appointment to the Board.

On May 2, 2012, the “Call for Nominations Letter” was posted on the Board’s web page seeking recommendations for one physical therapist and one physical therapist assistant for appointments commencing on January 1, 2013. In addition, a blast-email was sent to all licensees who reside in the State to let them know that the Call for Nominations Letter has been posted. D. Scott Gibson, PT, completed his first term of office and is eligible for reappointment. Pearl Rhone, PTA, completed her second term of office and is not eligible for reappointment.

The Board elected Patricia S. Hodson, PT, DPT, to serve as Chair, and Pearl L. Rhone, PTA, to serve as Secretary-Treasurer.

3. Continuing Competence – Spring 2012 Update

Audits for the first continuing competence reporting period (2009-2010) began April, 2011. All 301 licensees from the period, who reported activities outside the date range of the period, have been audited. The 301 licensees consisted of 105 PTA’s and 190 PT’s. Forty licensees (18 – PTA’s and 22 – PT’s) had their files reviewed by the Investigative Committee. The Board has issued Advisory Letters to 8 PTA’s and 9 PT’s and Warnings to 9 PTA’s and 3 PT’s for failure to furnish documentary evidence showing completion of the points required for the audited reporting period. After the Investigative Committee reviewed the files no further action was recommended for 1 PTA and 4 PT’s. There are 6 PT’s with Investigative Committee reviews and recommendations pending.

Of 8,750 licensees renewing by the January 31, 2011 deadline approximately 3.5% were audited; Approximately 13.3% of those audited were reviewed by the Investigative Committee and approximately 4% of licensees audited received disciplinary action by the Board during the first reporting period (2009-2010).

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Continuing Competence Continued: Future audits will be conducted within the first year after the reporting period ends. Licensees in the 2010-2011 reporting period, which closed December 31, 2011, will begin receiving letters this summer requesting documentary evidence be submitted to the Board for audit. Of the 9,123 licensees that renewed, 675 were in the period that closed. Twenty licensees reporting activities outside the date range of the reporting period will be audited. Additional licensees from this reporting period will be selected at random or from licensees with previous disciplinary action for audits.

New activities for earning continuing competence will be posted on the Board website this summer including Jurisprudence Exercise III (1 point) and an online video, *NCBPTE Continuing Competence Updates: Audits, Planning and Beyond*, of the June 14, 2012 presentation at MAHEC. (2 points electronic media). Updates to the Continuing Competence Board rules have been recommended and will be posted at the Board website for public comment later in 2012.

(Special thanks to Kathy Arney, PT, MA, Continuing Competence Consultant, for her commitment and dedication to ensuring the success of the Board's continuing competence program and to Gregg Seipp, IT Consultant, for his computer programming expertise.)

4. **Changes to Board's rules:** At its meeting on June 14, 2012, the Board will be reviewing a proposal by the Board Subcommittee on Rules regarding potential changes to current Board rules and recommendations for new rules. The primary impetus for changing current rules was to respond to issues involving the enforcement of some of the continuing competence rules and to address concerns voiced by the Investigative Committee. Also, there have been a few statutory changes requiring changes in the Board's rules. In addition, in an effort to increase employee security, a licensee has presented a request to allow PT's to use their first names only on their name badges. Lastly, as a result of a recommendation from the FSBPT Foreign Educated Standards Committee, the Board will discuss whether to include a proposal for new rules related to a requirement for mandatory clinical internship for Foreign Educated Physical Therapists.

Following the anticipated approval by the Board of the proposed rules at its meeting on June 14, 2012, the Board will begin the Rule Making Process which includes: 1. Review of the fiscal impact by the State budget office, 2. Publication of proposed rules on Office of Administrative Hearing's website and in the **NC Register**, 3. An official comment period, 4. Public Hearing, 5. Requirement for official adoption by the Board of the final proposed rules at a future Board Meeting, 6. Submission to Rules Review Commission (*and hopefully approval*), 7. An opportunity for objection by the Legislature, and finally, 8. Implementation. This process usually takes from 9 -12 months. Throughout the process, recommendations and updates will be communicated on the Board's website.

5. **Position Statement on Intramuscular Manual Therapy (Dry Needling):** The Board appointed a Subcommittee to review the Board's current position. A report with recommendations to modify the current position statement will be forthcoming at the June 14, 2012 Board Meeting. Any changes approved by the Board will be posted on the Board's website under Position Statements.

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6. **Fixed Date Testing of the NPTE** - In response to the FSBPT mandated change from open date to fixed date testing for licensure exams, at its meeting on September 8, 2011, the Board determined that the current Board rules allow applicants who are **assured** of completing all requirements for graduation to take the NPTE exam before they have actually graduated.

Applicants will now be allowed to sit for the examination before actual graduation, so long as the program certifies that graduation is assured. Therefore, the burden is shifted to the programs to advise the Board that the conferring of the degree is certain to occur. This change in policy is simply an accommodation triggered by a change in scheduling the examinations. It is not an invitation for applicants to sit for the examination well before completing all requirements for graduation, and it is important to emphasize that the actual license will not be conferred until a second certification is received from the program advising that the applicant has actually graduated. The Board hopes this change in policy will allow applicants to avoid significant delays before an examination can be scheduled.

The purpose of this change is to allow applicants who are just a few weeks from graduation, and whose completion of all requirements for graduation is assured to sit for the exam. It is **not** intended for applicants who are in the midst of completing their requirements as the more time there is between the exam and graduation, the greater the opportunities for unanticipated events to prevent or delay completing the requirements for graduation.

7. **Newsletter:** The next Board Newsletter should be posted on the Board's webpage by approximately September 1, 2012.
8. **Address Information:** Remember to keep Board apprised of current home and work addresses, phone numbers, fax numbers, and email addresses. A license renewal reminder card will be mailed the first of November.
9. **Questions and Answers:**

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Summary / 2011 Disciplinary Complaints
Updated: Updated May 15, 2012
Summary of Complaints Filed

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Cases Reported and Investigated <i>(Total Cases may not equal Total Complaints as some cases have multiple licensees involved)</i>	56	47	47	47	50	54	54	50	59	54	47	45	92 <i>(30 were CC)</i>
Total advertising complaints	20	15	17	15	14	13	7	12	16	7	8	8	11
Cont Comp Complaint													30
Total "other" complaints	20	22	20	25	25	34	31	23	30	32	29	31	41
Total failure to renew	16	10	10	05	11	13	16	15	15	15	10	6	10

Summary of Complaints That Were Resolved

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Cases Dismissed	11	03	13	07	11	06	19	17	11	09	08	18	19
Total Licenses Surrendered	00	00	00	00	00	03	00	00	00	01	01	00	00
Total Renewals Denied							01	01	00	00	00	00	00
Total Revoked							01	00	00	00	01	00	01
Total Suspensions Issued	02	03	05	03	03	02	01	02	04	05	03	02	03
Total Probations Issued	02	01	01	01	01	02	02	02	04	02	00	01	00
Total Warnings Issued	05	02	01	04	04	02	02	01	02	04	04	04	17 <i>(13 were CC)</i>
Total Reprimands Issued	15 ***	10 ***	00 **	00 **	00 **	00 **	00**	00**	00**	00**	00**	00**	00**
Total Letters of Concern written <i>(Not considered "disciplinary action")</i>	03	03										00	00
Total Letters of Caution written – Advisory Letters <i>(Not considered "disciplinary action")</i>	01	04	12	07	16	22	20	20	25	17	13	12	38 <i>(17 were CC)</i>
Advisory Letters for failing to complete CC by Dec 31 deadline													309
Total Letters sent re advertising	19	11	18	14	10	5	6	3	16	09	06	04	10
Other	00	02	00	00	00	02	01	01	00	01	02	03	01
Cases still pending	01	05	00	03	08	21	01	08	03	02	09	01	05

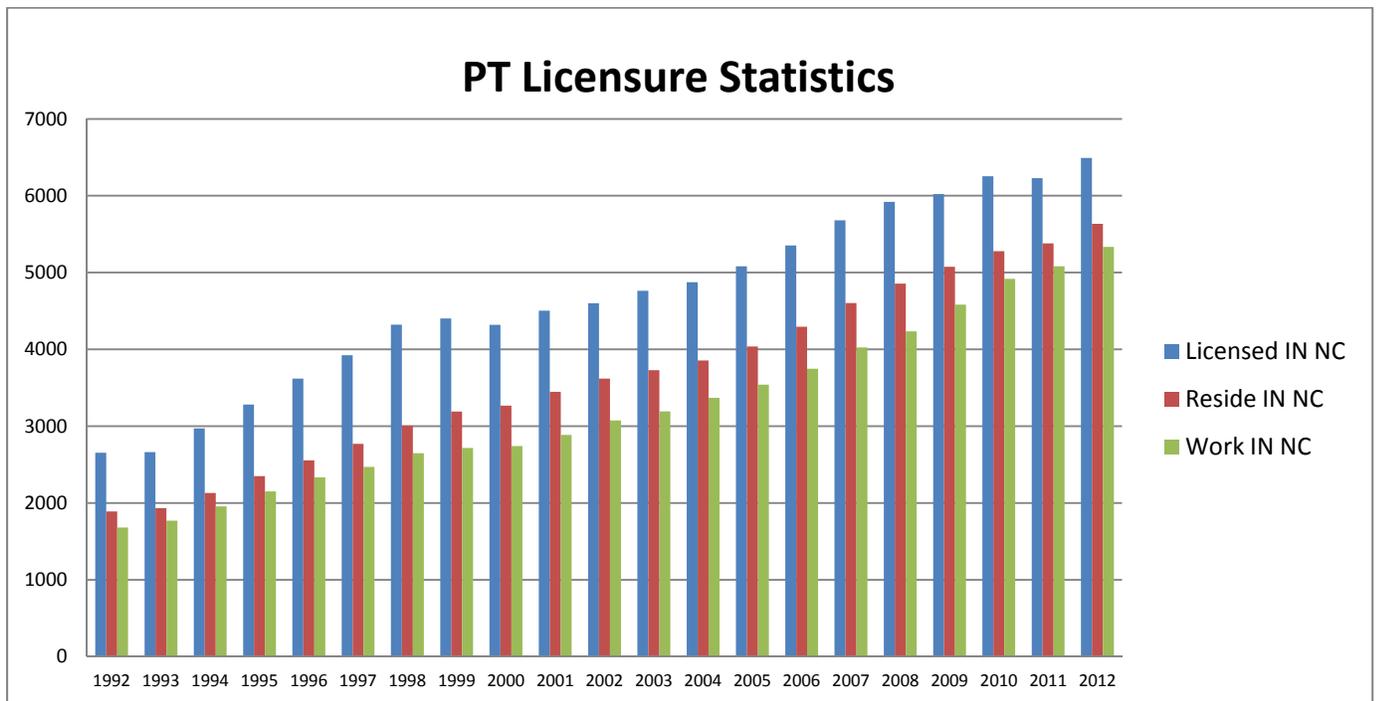
(* 1 is included with suspension)

(** Board basically stopped issuing Reprimands when the requirement changed that would require that reprimands to be "public" disciplinary action.)

Physical Therapist Statistics – Spring, 2012 Report

May 2012

DATE (May)	LICENSED IN NC	RESIDE IN NC	WORK IN NC
1992	2654	1890	1682
1993	2662	1934	1770
1994	2971	2131	1957
1995	3281	2350	2151
1996	3619	2556	2333
1997	3924	2771	2471
1998	4322	3009	2649
1999	4403	3191	2716
2000	4320	3268	2742
2001	4503	3447	2887
2002	4601	3619	3074
2003	4762	3729	3192
2004	4874	3855	3368
2005	5081	4037	3541
2006	5353	4294	3479
2007	5680	4603	4026
2008	5921	4855	4234
2009	6022	5076	4582
2010	6254	5278	4917
2011	6229	5380	5081
2012	6491	5634	5334



Physical Therapist Assistant Statistics – Spring, 2012 Report

May 2012

DATE (May)	LICENSED IN NC	RESIDE IN NC	WORK IN NC
1992	942	786	713
1993	987	840	777
1994	1136	960	896
1995	1302	1101	1021
1996	1476	1232	1150
1997	1674	1399	1256
1998	1835	1548	1360
1999	1929	1640	1350
2000	1937	1686	1358
2001	2037	1786	1458
2002	2082	1841	1553
2003	2136	1907	1594
2004	2192	1944	1658
2005	2279	2016	1755
2006	2386	2111	1830
2007	2489	2208	1915
2008	2590	2298	1979
2009	2622	2372	2112
2010	2692	2418	2223
2011	2719	2464	2300
2012	2895	2606	2408

