



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 18, 2013
Ben F. Massey, Jr., PT, MA Executive Director

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 13, 2013.
2. **Appointments to the Board:** Governor Purdue appointed Leslie P. Kesler, PT, and Eric J. Smith, PTA for 3-year appointments to the Board.

On May 1, 2013, the “Call for Nominations Letter” was posted on the Board’s web page seeking recommendations for one physical therapist and medical doctor for appointments commencing on January 1, 2014. 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. Patricia Rode, PT, completed her first term of office and is eligible for reappointment. Paul Garcia, MD, completed his second term of office and is not eligible for reappointment. In addition, in 2014 the Governor will be appointing a new public member as Gloria H. Lewis will be completing her second term as a Public Member and is not eligible for reappointment.

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

3. **Proposed changes to Board’s rules have been adopted:** After fulfilling all requirements for the rules process including printing of the proposed rules in the NC Register, posting the proposed changes to 25 rules on the Board’s website, hosting a Public Hearing, and responding to all comments that it received from the public, the proposed Board’s rules were presented to the Rules Review Commission at its meetings on April 18, 2013 and May 16, 2013 and were adopted. The purpose of the proposed rules changes are as follows:
 - Editorial changes as recommended by attorneys at the Rules Review Commission.
 - Compliance with G.S. 93B-2(d) – Suspension of Authority to Expend Funds.
 - Compliance with G.S. 105-249.2 to allow eligible members of the United States Armed Services to be exempt from renewal requirements.
 - In response to requests by licensees for safety and security purposes, a new rule was proposed that allows licensees to wear a name badge displaying only their first name and level of licensure.
 - Clarification of the responsibilities of the physical therapist.
 - Allow Board to utilize and recognize changes in technology such as verifying or authenticating licensees in other States /Jurisdictions electronically and receive payments for services electronically.
 - Clarification of definitions.
 - Clarification and modification of continuing competence requirements.

- Elimination of a category of discipline (Reprimand) that is obsolete.
- Clarification of Rules related to Prohibited Actions that could lead to Disciplinary Action.

The newly adopted rules will be posted on the website on May 22, 2013 and have effective dates of July 1, 2013 or January 1, 2014. All licensees are encouraged to read the newly adopted rules carefully.

4. Continuing Competence – Spring 2013 Update

Updates to Continuing Competence Board rules – effective January 1, 2014

Proposed rule changes to the Continuing Competence rules were approved by the Rules Review Commission April 18, 2013. These will take effect January 1, 2014. The change licensees may notice the most is that reporting periods are now **25 months** vs. 24 months in length. Both license renewal and reporting periods will end on January 31, eliminating confusion over when activities need to be completed to be within the appropriate date range and remembering two separate dates. For example, licensees in the 25 month reporting period beginning January 1, 2014 will end on **January 31, 2016** instead of December 31, 2015. Those licensees who began a reporting period January 1, 2013 will now end their reporting period January 31, 2015.

Other rule updates allow for licensees to earn points in professional service and research and publishing categories and expanded point earnings allowed for approved provider activities completed through live, remote, electronic media, formal study groups and approved provider home study. For complete information, a link to the new rules will be posted on the home page of the NCBPTE website.

The Continuing Competence online reporting tool has been updated to accommodate all of the rule updates.

License Renewal and Continuing Competence

Of the 9,460 licensees who renewed for 2013, 7,419 were in the January 1, 2011-December 31, 2012 reporting period, but 634 reported completing one or more points of activities outside the date range of the reporting period and received an Advisory (reminder) Letter to complete activities prior to the reporting period deadline.

Continuing Competence Audits

Audits for the 2010-2011 reporting period were completed; Of 675 licensees audited for the 2010-2011 reporting period, the Board issued one Warning to a PT for failure to furnish documentary evidence showing completion of the points required for the audited reporting period.

Audits for the 2011-2012 reporting period have begun. Licensees who receive letters requesting documentation of activities for audit have 30 days to send documents to the Board office. If there is a hardship related to this submission a licensee should contact the Board within this time frame to request assistance.

NCBPTE and NCPTA Professional Development Committee - Course and Provider Approvals

NCBPTE is appreciative of the ongoing level of communication and collaboration with NCPTA staff and PDCC. Meetings and communications are held regularly and more frequently during the NCPTA PDCC chair position transition. Topics centering on efficient and appropriate implementation of Board rules for approving continuing competence courses or activities and approving providers of activities are the primary focus. Providers, employers and licensees benefit from this collaboration and increase in availability of local or workplace approved continuing competence activities as evidenced by the number of verification of attendance forms received at the Board office.

Continuing Competence Activities available on the NCBPTE website

Three Jurisprudence Exercises are now available on the Board website for completion by licensees, at least one of which **must** be completed each reporting period. The others can also be taken for additional credit.

In conjunction with Mountain Area Health Education Center (MAHEC), NCBPTE has posted 3 videos related to continuing competence that licensees may view to better understand components of the Continuing competence rules and earn points toward license renewal. **WARNING:** Several of these videos are now dated as the rules will change January 1, 2014. An updated version is being discussed and will be posted on the website when completed.

PTA Scope of Work and Supervision and the Self-Assessment Exercise remain on the Board website for licensee to obtain educational information and/or earn points toward license renewal requirements.

(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.)

5. **Proposed changes to the North Carolina Physical Therapy Practice Act:** The NCPTA has introduced legislation to the Practice Act that grants the Board the following authority:
- Allow the Board to remove a member for cause.
 - Request the NC Department of Justice to provide criminal background checks.
 - Issue subpoenas.
 - Establish or participate in programs for recover and rehab of licensees with drug or alcohol issues or mental health issues.
 - Acquire, hold, or dispose of real property. *(Purchase a building)*
 - Allow an exemption for licensure of PT's or PTA's who are members of athletic teams or performing arts companies to practice in NC on a temporary basis with the team members.
 - Allow an exemption for licensure of PT's or PTA's who are assisting in a declared local, State, disaster or national emergency.
 - Assist applicants with expedited licensure who have been displaced from another State due to a declared local, State, or national emergency.
 - Allow for licensure of FEPTA's whose education is determined to be substantially equivalent to a United States educated PTA.

State law prohibits Boards from using funds to lobby for legislation. The Executive Director and Board's attorney have responded to specific questions related to the proposed legislation.

6. **Position Statement on Intramuscular Manual Therapy (Dry Needling):** The Board revised its position statement at its Board Meeting on June 14, 2012 Board Meeting. Currently, there are five (5) providers who have been approved by the Board. These providers are included at the end of the position statement. *(Note: In developing this Position Statement, the Board sought input and materials from a variety of health care professionals, including representatives of the North Carolina Acupuncture Licensing Board, who attended and participated in discussions regarding dry needling. Approximately two years after the Board adopted its Position Statement, the Acupuncture Licensing Board adopted its own Position Statement, which can be found on its website.)*
7. **Task Force on Supervised Clinical Practice Program (SCPP) for Foreign Educated Physical Therapists (FEPT's):** The Task Force has submitted a report and recommendation to the Board for consideration by the Board at its next meeting on June 13, 2013.
8. **Military Trained Physical Therapy Techs:** In response to State Law (§ 93B-15.1. AN ACT TO ALLOW LICENSURE BY ENDORSEMENT OF MILITARY PERSONNEL AND MILITARY SPOUSES), the Board has developed an application process to allow Military Trained Physical Therapy Techs to apply for PTA licensure by demonstrating that their training was substantially equivalent to a United States educated PTA and also by passing the NPTE for physical therapist assistants.
9. **Advertising:** The Investigative Committee received a complaint that a chiropractic practice, displayed a sign that advertised "Physical Therapy". The practice refused to remove "Physical Therapy" from the sign, and a complaint was filed in Superior Court. After receiving the complaint, the chiropractic practice removed "Physical Therapy" from its sign and the complaint was dismissed.
10. **Newsletter:** The next Board Newsletter should be posted on the Board's webpage around September 1, 2013.
11. **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.

12. Questions and Answers:

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Summary / 2012 Disciplinary Complaints
Updated: Updated May 13, 2013
Summary of Complaints Filed

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
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>	85 <i>(18 were CC)</i>
Total advertising complaints	20	15	17	15	14	13	7	12	16	7	8	8	11	15
Cont Comp Complaint													30	18
Total "other" complaints	20	22	20	25	25	34	31	23	30	32	29	31	41	34
Total failure to renew	16	10	10	05	11	13	16	15	15	15	10	6	10	18

Summary of Complaints That Were Resolved

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Total Cases Dismissed	11	03	13	07	11	06	19	17	11	09	08	18	19	21
Total Licenses Surrendered	00	00	00	00	00	03	00	00	00	01	01	00	00	01
Total Renewals Denied							01	01	00	00	00	00	00	00
Total Revoked							01	00	00	00	01	00	01	01
Total Suspensions Issued	02	03	05	03	03	02	01	02	04	05	03	02	03	07
Total Probations Issued	02	01	01	01	01	02	02	02	04	02	00	01	00	00
Total Warnings Issued	05	02	01	04	04	02	02	01	02	04	04	04	17 <i>(13 were CC)</i>	11 <i>(6 were CC)</i>
Total Reprimands Issued	15 ***	10 ***	00 **	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	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>	36 <i>(10 were CC)</i>
Advisory Letters for failing to complete CC by Dec 31 deadline													309	27
Total Letters sent re advertising	19	11	18	14	10	5	6	3	16	09	06	04	10	11
Other	00	02	00	00	00	02	01	01	00	01	02	03	01	01
Cases still pending	01	05	00	03	08	21	01	08	03	02	09	01	05	00

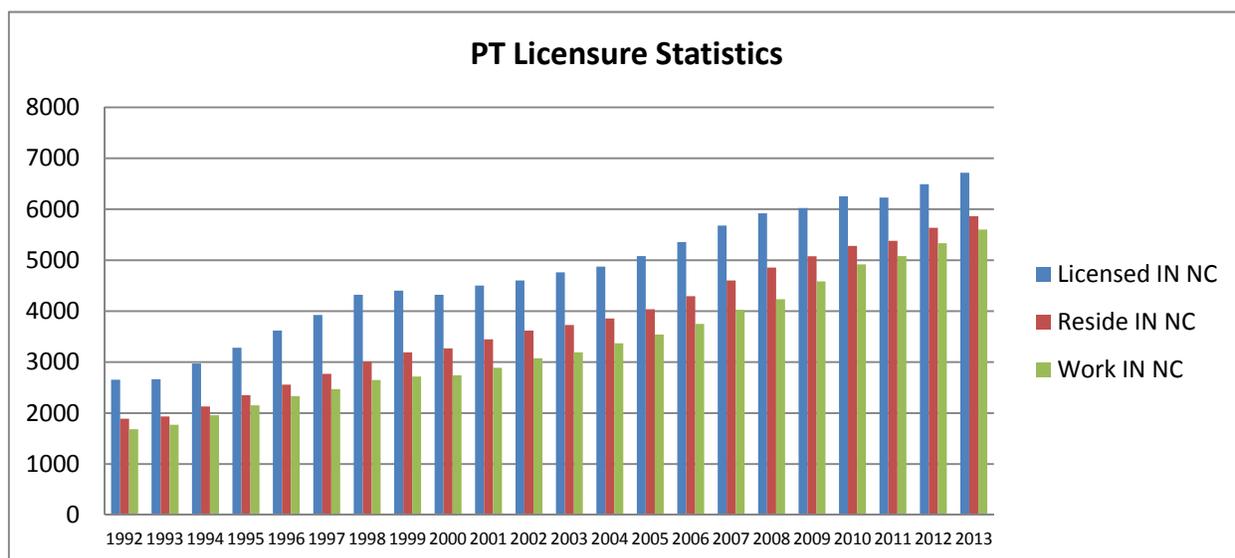
(* 1 is included with suspension)

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

Physical Therapist Statistics – Spring, 2013 Report

May 2013

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
2013	6717	5863	5600



Physical Therapist Assistant Statistics – Spring, 2013 Report

May 2013

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
2013	3019	2714	2561

