

NC Board of PT Examiners Report to the NCPTA

June 15, 2015

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 17, 2015.
 2. **Appointments to the Board:** Governor Pat McCrory appointed Angela Hunter, PT, Christopher Dunn, PT, and JoDell King, PTA, for 3-year appointments to the Board from 2015 - 2017. Still to be appointed is the Public Member, whose term was scheduled to expire on Dec. 31, 2013.

On May 1, 2015, 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, 2016. 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. Leslie P. Kesler, PT, PT, and Eric J. Smith, PTA have completed their first terms of office and are eligible for reappointment. On August 1, 2015, a ballot will be mailed to all licensees who reside in North Carolina and the biographies of the nominees will be posted on the Board's website.

The Board elected Leslie P. Kesler, PT, to serve as Chair, and David C. Reed, PT, to serve as Secretary-Treasurer for 2015.

3. **Proposed changes approved by the NC Rules Review Commission (RRC) at its meeting on Jan 15, 2015.**

On January 15, 2015, the Rules Review Commission voted unanimously to approve 19 rules submitted by the Board to be effective February 1, 2015. (*Updated rules were posted on the Board's website on February 3, 2015.*) The RRC also voted 5-3 to reject the Board's proposed rule on dry needling due to insufficient statutory authority. However, based on an Advisory Letter from the Attorney General's Office submitted to the Acupuncture Licensing Board in 2011, and the opinion of the RRC Staff Counsel reviewing the NCBPTE rules for statutory compliance, dry needling is within the scope of practice of physical therapy. Therefore, in light of the RRC action, and in view of the fact the Board has already determined that dry needling is within the scope of the practice of physical therapy, the Board believes physical therapists can continue to perform dry needling so long as they possess the requisite education and training required by N.C.G.S. § 90-270.24(4), but there are no regulations to set the specific requirements for engaging in dry needling. With regard to the establishment of specific criteria for education and training, the Board's Position Statement on Intramuscular Manual Therapy and Dry Needling is not considered to be a rule, and physical therapists must therefore comply with 21 NCAC 48C .0101(a). The Board advises licensees that the fewer the number of hours of training, the greater the opportunity to raise questions of competence.

4. Continuing Competence – Spring 2015 Update

Updates to Continuing Competence Board rules

Updates to the Continuing Competence rules became effective February 1, 2015 and April 1, 2015. as reported in the Fall 2014 NCBPTE report to NCPTA. The Board website, continuing competence resources and online reporting tools were updated to address these changes.

Continuing Competence Audits

Audits for the 2012-2013 reporting period are complete, including PT and PTA licensees. As a result of auditing for this reporting period, fifteen (15) licensees were issued Advisory letters, and two (2) licensees were issued Warnings.

Audits for 2013-2014 reporting period have begun. 7,655 licensees were assigned to this reporting period and are eligible for audit. Thus far, a total of 250 letters have been sent to randomly selected licensees requesting documentation of continuing competence activities.

Licensees receiving letters requesting documentation of activities for audit have 30 days to send documents to the Board office. If there is a hardship, a licensee should contact the Board to request an extension or assistance. Licensees are also requested to update all contact information including home and employer addresses, phone numbers and email addresses via the Board website online services link. Failure to provide an updated email address may result in licensees missing time sensitive communications from the Board office. Updates to contact information can be made on the Board website, www.ncptboard.org under the “Online Services” link, “Licensee Change of Address”.

NCPTA Course and Provider approvals

Communications continue between NCBPTE and NCPTA staff and PDCC (*Professional Development Continuing Competence Committee*). NCPTA Approved Providers appear well informed about Board rules and their responsibilities in providing continuing competence activities to licensees. Collaborations about rule interpretations, information to provide to activity vendors and website wordings are the most recent activities. Attendance forms are regularly submitted to the Board office in compliance with Board's rules.

Continuing Competence Activities available on the NCBPTE website

Three Jurisprudence Exercises (*updated with 2015 Board rule updates*), a Self-Assessment/Reflective Practice Exercise and PTA Scope of Work and Supervision video (*updated June 2013*) remain available on the Board website for licensees to obtain educational information and/or earn points toward license renewal requirements.

This video, NCBPTE Continuing Competence 2.0, produced in conjunction with the Mountain Area Health Education Center (MAHEC) has been removed as it was no longer current. A new informational video covering topics related to licensure, renewal and continuing competence is in development.

-

Deputy Director

On April 1, 2015, Kathy O. Arney, PT, MA, was promoted to Deputy Director for the Board. Responsibilities include all aspects of the continuing competence requirements for license renewal, license revivals related to continuing competence, continuing competence audits, reporting tools in conjunction with the IT Director, continuing competence website updates, NCBPTE Rulemaking Coordinator and special projects.

5. **Newsletter:** The next Board Newsletter should be posted on the Board's webpage around October 1, 2015.
6. **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.

- Continued -

Summary / 2014 Disciplinary Complaints / Updated: June 3, 2015

Summary of Complaints Filed

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Total Cases Reported and Investigated	56	47	47	47	50	54	54	50	59	54	47	45	92 (30 were CC)	85 (18 were CC)	80 (35 were CC)	57 (18 were CC)
<i>(Total Cases may not equal Total Complaints as some cases have multiple licensees involved)</i>																
Total advertising complaints	20	15	17	15	14	13	7	12	16	7	8	8	11	15	7	5
Cont Comp Complaint													30	18	35	18
Total "other" complaints	20	22	20	25	25	34	31	23	30	32	29	31	41	34	38	33
Total failure to renew	16	10	10	05	11	13	16	15	15	15	10	6	10	18	14	1

Summary of Complaints That Were Resolved

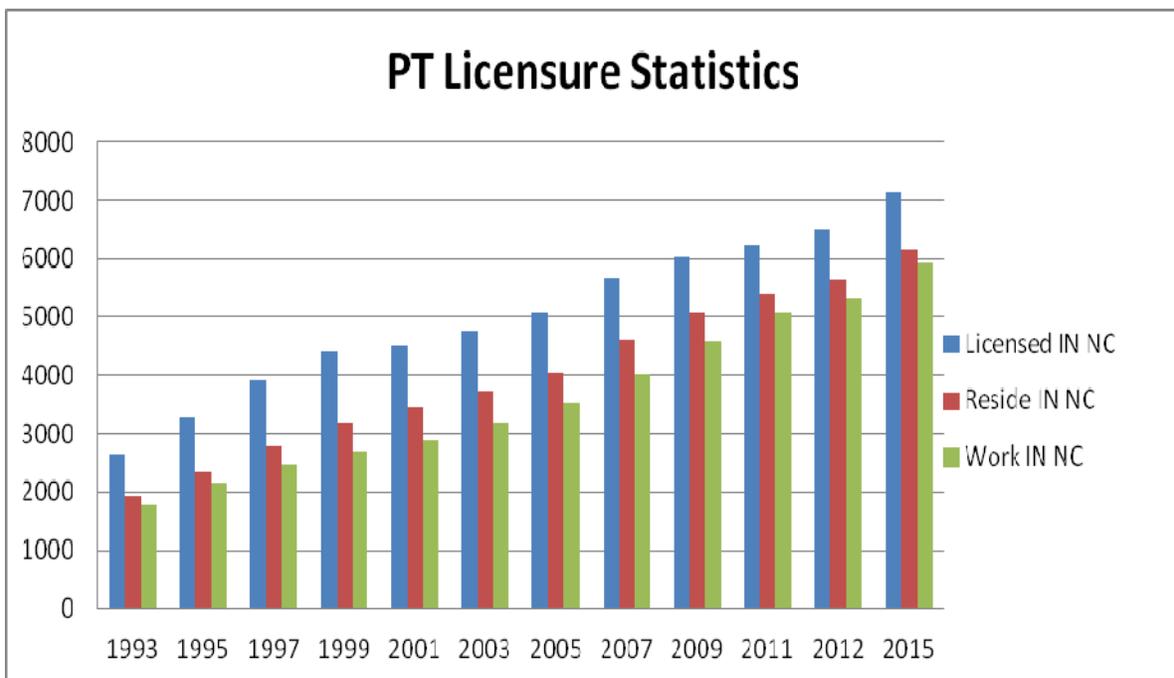
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Total Cases Dismissed	11	03	13	07	11	06	19	17	11	09	08	18	19	21	09	14
Total Licenses Surrendered	00	00	00	00	00	03	00	00	00	01	01	00	00	01	01	00
Total Renewals Denied							01	01	00	00	00	00	00	00	00	00
Total Revoked							01	00	00	00	01	00	01	01	00	00
Total Suspensions Issued	02	03	05	03	03	02	01	02	04	05	03	02	03	07	00	01
Total Probations Issued	02	01	01	01	01	02	02	02	04	02	00	01	00	00	03	02
Total Warnings Issued	05	02	01	04	04	02	02	01	02	04	04	04	17 (13 were CC)	11 (6 were CC)	12 (8 were CC)	04 (2 were CC)
Total Reprimands Issued	15 ***	10 ***	00 **	00 **	00 **	00 **	00**	00**	00**	00**	00**	00**	00**	00**	00**	00**
Total Letters of Concern written	03	03										00	00	00	00	00
<i>Letters of concern are not considered "disciplinary action"</i>																
Total Letters of Caution written – Advisory Letters	01	04	12	07	16	22	20	20	25	17	13	12	38 (17 were CC)	36 (10 were CC)	27 (5 were CC)	30 (15 were CC)
<i>(Advisory letters are not considered "disciplinary action")</i>																
Advisory Letters													309	27	00	00
<i>(Advisory Letters for failing to complete CC by Dec 31 deadline)</i>																
Total Letters sent re advertising	19	11	18	14	10	5	6	3	16	09	06	04	10	11	07	04
Other	00	02	00	00	00	02	01	01	00	01	02	03	01	01	00	01
Cases still pending	01	05	00	03	08	21	01	08	03	02	09	01	05	00	00	01

(* 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, 2015 June 3, 2015

DATE (June)	LICENSED IN NC	RESIDE IN NC	WORK IN NC
1993	2662	1934	1770
1995	3281	2350	2151
1997	3924	2771	2471
1999	4403	3191	2716
2001	4503	3447	2887
2003	4762	3729	3192
2005	5081	4037	3541
2007	5680	4603	4026
2009	6022	5076	4582
2011	6229	5380	5081
2013	6717	5863	5600
2015	7452	6417	6229



Physical Therapist Assistant Statistics – Spring, 2015 June 3, 2015

DATE (June)	LICENSED IN NC	RESIDE IN NC	WORK IN NC
1993	987	840	777
1995	1302	1101	1021
1997	1674	1399	1256
1999	1929	1640	1350
2001	2037	1786	1458
2003	2136	1907	1594
2005	2279	2016	1755
2007	2489	2208	1915
2009	2622	2372	2112
2011	2719	2464	2300
2013	3019	2714	2561
2015	3366	3015	2892

