



# Communiqué

## ▄ FOCUS on the BOARD

# New Strategies for Current Issues

The Executive Council, like all other state agencies, is given its official mission, goals, strategies and performance measures by the Legislature. For the PT Board, the mission is to make sure that people in Texas receive physical

therapy services from licensed individuals who meet and maintain minimum qualifications. This involves making sure that candidates for licensure have the minimum education necessary to practice a profession, that they pass the licensure exam, and that if there is a complaint against them, they are investigated and disciplined as appropriate. These activities are summed up as “licensure and enforcement”, with the broad guidelines set out in the Practice Act and rules. However, reading beyond the mission statement in the agency’s Strategic Plan, you will find a statement that promises that the Council and both boards “...will demonstrate to the public and those we regulate, through all of our actions, the sincerity of our desire to license and regulate consistently, fairly, and sensibly.”

### Contents

Focus on the Board.....	1
Disciplinary Action .....	2
JP Exam Update.....	3
PT Rule Update.....	3

“Consistently, fairly, and sensibly” - what does that promise? It promises that while taking care of day-to-day business, the Board will stay alert to the changing practice environment and constantly review existing rules to ensure that they continue to address important issues appropriately. It promises that the Board will pay attention to changes in PT and PTA education at both the national and international level, and review licensure requirements to make sure that those changes are reflected. It promises that during its review of the rules, the Board will keep in mind all of the types of patients, settings, specialties, nationalities and educational backgrounds that might be part of the equation.

Currently, the Board is preparing to adopt major changes to the descriptions of qualifying continuing education in order to clarify what is and is not considered appropriate CE. (Proposed rule amendments are at [www.ecptote.state.tx.us](http://www.ecptote.state.tx.us).) It will follow that by working with the Texas PT Association (TPTA) to update and improve the Memorandum of Understanding that sets out the processes TPTA uses to approve CE for the Board. That major undertaking out of the way, the Board plans to move forward on two other tasks identified at the November board meeting. In the area of practice, the Board will review the existing rules that address PT and PTA responsibilities to the patient and each other and clarify the importance of the PT’s involvement with the patient throughout the treatment process. A second area of focus will be requirements for foreign-trained applicants. The Board’s goal is to ensure that application requirements for foreign-educated applicants are appropriate and equivalent to those for domestically-educated applicants. Although the Board has consistently focused its attention in this area, it is possible that changes to national and international education will require additional changes in the future.

Neither of these two undertakings will be accomplished quickly. All meeting dates and proposed rule changes are posted on the agency website. If you are interested in following the Board's progress or contributing to the process, you are invited to attend the Board's meetings and/or to comment on proposed rules posted at the agency website.



## Disciplinary Action Taken by the Board On November 6, 2004

- (1) **Emily Cox, PT #1118586 (Dallas)** – failed to properly renew her license. Violation of § 453.351 of the Act and Chapter 341 of the Board Rules. ***Board Order suspended her license for thirty (30) days and required CE.***
- (2) **Stefano Danielson, PTA #2043560 (San Antonio)** – inaccurately recorded treatment notes: documenting notes for patient treatment not rendered and signing for patients. Violation of § 453.351 of the Act and Chapter 322 of the Board Rules. ***Board Order suspended his license for forty-five (45) days and required medical evaluation to determine his fitness to practice.***
- (3) **Adriana Diaz, PTA #2025815 (Houston)** – inaccurately recorded treatment notes: drafting progress notes on patients prior to administering the treatments, and in one case, when no treatment was rendered, Violation of § 453.351 of the Act and Chapter 322 of the Board Rules. ***Board Order suspended her license for thirty (30) days.***
- (4) **Juan Gongoria, PTA #2009387 (San Antonio)** – failed to properly renew his license. Violation of § 453.351 of the Act and Chapter 341 of the Board Rules. ***Board Order required sixty (60) hours of community service and CE.***
- (5) **William Hawkins, PTA #2007498 (Humble)** – inaccurately recorded treatment notes: documenting notes for patient treatments not rendered. Violation of § 453.351 of the Act and Chapter 322 of the Board Rules. ***Board Order suspended his license for forty-five (45) days.***
- (6) **James Brent Haynie, PTA #2028058 (Austin)** – under indictment for engaging in sexual contact with a patient. Violation of § 453.351 of the Act and Chapter 322 of the Board Rules. ***Board Order restricted his license practice until outcome of indictment determined.***
- (7) **Mario Lopez, PTA #2046969 (Mission)** – failed to properly renew his license. Violation of § 453.351 of the Act and Chapter 341 of the Board Rules. ***Board Order suspended his license for thirty (30) days and required CE.***
- (8) **Willie Patton, PTA #2016499 (Houston)** – failed to properly renew his license. Violation of § 453.351 of the Act and Chapter 341 of the Board Rules. ***Board Order required thirty (30) hours of community service and CE.***
- (9) **Sandra Ryan, PT #1048569 (Victoria)** - failed to properly renew her license. Violation of § 453.351 of the Act and Chapter 341 of the Board rules. ***Board Order required sixty (60) hours of community service and CE.***
- (10) **John Allen Suggs, PT #1032605 (Texas City)** - inaccurately recorded medical records. Violation of § 453.351 of the Act and Chapter 322 of the Board rules. ***Board Order required sixty (60) hours of community service.***
- (11) **Terrie Tabor-Hard, PT #1001741 (Austin)** – failed to properly renew her license. Violation of § 453.351 of the Act and Chapter 341 of the Board Rules. ***Board Order required thirty (30) hours of community service.***

## ▄ Online Jurisprudence Exam Changes

The Executive Council listens when you send in your customer satisfaction surveys! A number of you asked whether we could modify the online jurisprudence exam so that you could see the questions you answered incorrectly along with the correct answers. We have made that change as requested. Over 85% of PTs and PTAs now renew online, and many have reported their satisfaction with the process to the Board. Please take the time to tell us what you like and don't like about the agency's services by completing the agency survey at the end of the renewal process.

### PT RULE UPDATE

#### **2004 PT Rules available online**

The most recent full edition of the Board's rules is the **January 2004** issue at [www.ecptote.state.tx.us](http://www.ecptote.state.tx.us). This issue includes all adopted rules and amendments through January 2004.

Since that date, the Board has adopted changes to the following rules:

**§346.1, Educational Setting**

**§346.3, Early Childhood (ECI) Setting**

**§329.5, Licensing Procedures for Foreign-trained Applicants**

**§322.2, Role Delineation**

**Chapter 347, Registration of PT Facilities** – *a summary of the changes to this chapter can be found in the April 2004 newsletter.*

**§329.6, Licensure by Endorsement**

**§329.1, General Licensure Requirements and Procedures**

- *The text of these amendments can be found at [www.ecptote.state.tx.us/pt/rules](http://www.ecptote.state.tx.us/pt/rules).*