



Communiqué

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🚩 Perry Appoints Three to Board in May

Governor Rick Perry appointed three new members to the Board on May 1, 2009, for terms to expire January 21, 2015. The appointments have been confirmed by the Senate, along with those of Karen Gordon, PT, who was reappointed in August 2008, and Shari Waldi, PT, who was appointed to the board at the same time.

Kevin Lindsey, PT, Mission, is the Program Director for RehabCare Group Inc. He is a member of the APTA/TPTA and the Valley Alliance of Mentors for Opportunity & Scholarships. He serves as chair of Hands of Hope, is a group leader for the Church of Jesus Christ, Mission, and is an EMT for Volunteer Medical Services Corp. Lindsey received a bachelor's and master's degree in physical therapy from Arcadia University (PA) and an MBA from UT Pan American. He replaces Joe Spano, PT, of Wharton.

René Peña, CPA, El Paso, (public member) is the President of Peña Briones McDaniel & Co. He is a member of the American Institute of CPAs and serves on the El Paso Pension Board of Trustees, the Upper Rio Grande Development Corp., and the Texas Society of CPAs Board of Directors. He is a former gubernatorial appointee to the Board of Professional Geoscientists and to the Texas Healthy Kids Corp. Peña received a bachelor's degree from UT El Paso, and replaces Mano Mahadeva of Plano.

Melinda Rodriguez, PT, DPT, San Antonio, is the CEO and Administrator for Access Quality Therapy Services. She is also an adjunct professor for the UT Health Science Center San Antonio. She is a member of APTA/TPTA and the Texas Association of Home Care. She is President of the Alamo Asian American Chamber of Commerce and the treasurer of the San Antonio Women's Hall of Fame. Rodriguez serves on the Alamo Parkinson's Support Group Board of Directors. She received a bachelor's degree from the University of St. Thomas in the Philippines and doctorate in physical therapy from Boston University (MA). Rodriguez is reappointed to the Board; she was originally appointed in May 2005.

The Board and staff would like to thank Mr. Spano and Mr. Mahadeva for their years of service to the Board and to the public. Their contributions will be missed.

🚩 Accredited CE Provider Program Approved by Board

In summer 2008, the Texas PT Association (TPTA), with direction from the PT Board, established a taskforce to review the Continuing Education Approval Program (CEAP) with an eye toward improving the efficiency and cost-effectiveness of the program. The taskforce solicited input into the process from various stakeholders as they considered possible changes.

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At the November 2008 board meeting, the TPTA

presented its recommendations to the Board as follows:

- Inclusion of an evidence-based component in CE courses, aligning more closely with APTA wording for Quality Standards for Continuing Education;
- Development of an Accredited Provider Program (APP), which would allow an accredited provider to offer courses without having to submit each one for approval by TPTA;
- Continuation of the current peer review course approval process, with an option to extend the course approval to 2 years if course objectives and content are substantially unchanged. The fee would be reduced in the second year of approval;
- Nominal fee increase for peer review course approval for CE courses offering a small number of credits.

The Board discussed and approved the addition of an Accredited Provider Program and the continuation of the current peer review course approval process with the option for a two-year approval for a course. Approval of fees will not occur until a revised Memo of Understanding between the TPTA and the Board is signed. Currently, the Board expects to review the revised MOU at the August meeting. The Board did not approve the inclusion of an evidence-based component in CE courses, as it would not have been applicable to all CE courses.

At its February 2009 meeting, the Board proposed changes to §341.3, Qualifying Continuing Education, reflecting the addition of the Accredited Provider Program. The rule was adopted without changes at the May 15th meeting, and is scheduled to take effect September 1, 2009. The amended rule is available on the Act and Rules page of the ECPTOTE website.

Effective Date of Changes

The TPTA has stated that the administrative work required to implement those changes should be completed in the next few months, now that the Board has approved the concept and put rules in place. The Board has tentatively set September 1, 2009 as the effective date of the changes. If you have questions about the Accredited Provider Program or the changes to the peer review course approval process, please contact the TPTA at 512/477-1818.



Disciplinary Action Taken by the Board On February 13, 2009 and May 15, 2009

FEBRUARY 13, 2009

Practiced Beyond the Scope of Licensure

Emmanuel Gonzalez, PTA #2053187 (Kingsville) – practiced in a detrimental manner by performing sharp debridement that was not ordered by the physician nor in the PT's plan of care; therefore practicing beyond the scope of his license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order suspended his license for thirty (30) days.**

Practiced with an Expired License

Amy Wesner, PT #1044428 (Dallas) – practiced

with an expired license. Violation of §453.351 of the Act and chapter 322 of the Board Rules.

Board Order required eight (8) hours of community service.

Clinton Skoog, PTA #2048956 (Buda) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required fifteen (15) hours of community service.**

Steven Chaney, PT #1020725 (Bluff Dale) – practiced with an expired license. Violation of §453.351 of the Act and Chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service.)**

Failed the CE Audit

Tracie Schilling, PT #1056984 (Sugar Land) – failed the CE audit; no *Ethics* course taken during renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service and an approved Ethics course.**

LaJuana Wallace, PTA #2057823 (Bridge City, LA) – failed the CE audit; no *Ethics* course taken during renewal period. Violation of §453.351 of the Act and Chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service and an approved Ethics course.**

Jonathan Trahan, PT #1059913 (Lumberton) – failed the CE audit; insufficient number of approved hours taken during renewal period. 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 the lacking continuing education hours.**

MAY 15, 2009

Practiced with an Expired License

Jeanne Smith, PT #1138287 (Bayou Vista) – practiced with an expired license. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Rodolfo Marin, PT #1065449 (El Paso) – practiced with an expired license. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order required eight (8) hours of community service.**

Erin Hanagriff, PTA #2060767 (Austin) – practiced with an expired license. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order required sixty (60) hours of community service.**

Lana Seale, PT #1021384 (Austin) – practiced with an expired license. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order suspended her license for fifteen (15) days.**

Failed the CE Audit

Cassie Sommerlad, PT #1170077 (Dallas) – failed the CE audit; insufficient board approved hours taken during renewal period. Violation of §453.351 of the Act and chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Christopher Strobel, PTA #2014247 (Abilene) – failed the CE audit; insufficient board approved hours taken during renewal period. Violation of §453.351 of the Act and chapter 341 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Patricia Bolli Nelson, PT #1053205 (Richmond) – failed the CE audit; insufficient board approved hours taken during renewal period. Violation of §453.351 of the Act and chapter 341 of the Board Rules. **Board Order suspended her license for thirty (30) days.**

Ramon Banea, PTA #2011268 (Sugar Land) – failed the CE audit; insufficient board approved hours taken during renewal period. 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 lacking CE.**

Kelly Rodriguez, PTA #2041838 (Corpus Christi) – failed the CE audit; insufficient board approved hours taken during renewal period. 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 lacking CE.**

Judith Gonzalez, PTA #2024503 (Laredo) – failed the CE audit; insufficient board approved hours taken during renewal period. Violation of §453.351 of the Act and chapter 341 of the Board Rules. **Board Order suspended her license for sixty (60) days.**

Practiced in an Unregistered Facility

Claudia Bullard, PT #1132348 (Beeville) – practiced in a facility that was not properly registered with the board. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order required forty-five (45) hours of community service.**

Practiced Under the Influence of Drugs

Dorothy Freebairn, PT #1033082 (Palestine) –

practiced in a detrimental manner by practicing under the influence of drugs to an extent that affected her professional competence. Violation of §453.351 of the Act. **Board Order suspended her license for twenty-one (21) days.**

Inaccurate Documentation

Vickie Mendoza, PTA #2009148 (Houston) – practiced in a detrimental manner by failing to accurately record treatment notes. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order suspended her license for fifteen (15) days.**

Kelly Rodriguez, PTA #2041838 (Corpus Christi) – practiced in a detrimental manner by failing to accurately record treatment notes. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order suspended her license for thirty (30) days.**

Rhonda Vessali, PTA #2017224 (Houston) – practiced in a detrimental manner by failing to accurately record treatment notes. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order suspended her license for thirty (30) days.**

Inappropriate Sexual Contact

Jerry Bachman, PTA #2015236 (Kerrville) – practiced in a detrimental manner by having inappropriate sexual contact with a patient as the result of the patient/client relationship. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order suspended his license for sixty (60) days.**

Doyle Gene Boss, PT #1019669 (Kingwood) – practiced in a detrimental manner by having inappropriate sexual contact with a patient during treatment. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order accepted the surrender of his license in lieu of the revocation of that license**

Other

Kelly Schiller, PT #1177478 (Wichita Falls) – practiced in a detrimental manner by informing her employer that she had treated patients on her schedule that day, knowing that she had not treated them, so that she could expedite her going out of town that afternoon. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order suspended her license for sixty (60) days.**

Steven Mineker, PT #1155133 (Laguna Vista) – practiced in a detrimental manner by using inappropriate language when speaking to a patient. Violation of §453.351 of the Act and chapter 322 of the Board Rules. **Board Order required thirty (30) hours of community service.**

Correction: In the December 2008 newsletter, the date of the disciplinary actions was incorrectly listed as July 25, 2008. The Board issued those orders on November 8, 2008. The December newsletter currently posted online has the correct date.

Legislature Approves Changes to PT Practice Act

The Board is currently analyzing bills passed during the 81st regular session of the Legislature, which recently ended. At least two bills, HB 3717 and HB 4281, will change the PT Practice Act once they become law. HB3717 amends the list of circumstances under which a PT or PTA may practice physical therapy in Texas without a license for a limited period of time; HB 4281 updates the language regarding continuing competency. The Board will consider rule amendments to reflect these changes once they become law.

PT RULE UPDATE

The Board is currently proposing amendments to two rules. For the full text of the amendments, go to <http://www.ecptote.state.tx.us/pt/rules.html>. If you have comments or questions about the proposed rules, please contact Nina Hurter, PT Coordinator, at nhurter@mail.capnet.state.tx.us or 512/305-6900.