



Tennessee Board of Physical Therapy Newsletter

Volume 1, Issue 1

Fall 2015

Division of Health Licensure and Regulation ♦ Health Related Boards ♦ 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

♦ Web: tn.gov/health ♦ Phone: (615) 741-3807 or 1-800-778-4123

Fax: (615) 253-8764 ♦ Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays)

The mission of the Tennessee Department of Health is to:

Protect, Promote, and Improve the health and prosperity of people in Tennessee.

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ACCESSING THE BOARD'S WEBSITE

- In address bar type: <http://tn.gov/health>
- Click on link titled: "Health Professionals"
- Choose: Health Related Boards
- Click on link for: "Physical Therapy"

There are many resources on our website, including the rules, statutes, applications, policy statements and legislative updates. License renewal and licensure verification may also be utilized on this website. This is a valuable resource. Please use it often.

RESOURCES AND USEFUL LINKS:

- [Tennessee Board of Physical Therapy Home](#)
- [Licensure and Education Information](#)
- [Complaints, Disciplinary Actions and Peer Assistance](#)
- [Applications, Publications and Information](#)
- [Statutes, Rules and Policies](#)
- [Federation of State Boards of Physical Therapy \(FSBPT\)](#)
- [American Physical Therapy Association \(APTA\)](#)
- [Tennessee Physical Therapy Association \(TPTA\)](#)

ABOUT THE BOARD OF PHYSICAL THERAPY



Pursuant to Public Chapter 115 of the Public Acts of 2007, the Committee of Physical Therapy was replaced by the Board of Physical Therapy. Its mission is to safeguard the health, safety, and welfare of Tennesseans by requiring those who practice the profession of physical therapy within the state to be qualified. The Board interprets the laws, rules, and regulations to determine the appropriate standards of practice in an effort to ensure the highest degree of professional conduct. The Board is authorized to issue licenses to qualified candidates who have completed appropriate education and successfully completed required examinations. The Board is responsible for the investigation of alleged violations of the Practice Act and rules and is responsible for the discipline of licensees who are found guilty of such violations.

The administrative staff of the Division of Health Related Boards supports the Board by issuing licenses to those who meet the requirements of the law and rules. Licenses or certificates are awarded in the following categories:

- Physical Therapist
- Physical Therapist Assistant

Renewal of License

Licensees are responsible for renewing their licenses on time and keeping the Board apprised of changes affecting location and name as this facilitates timely notification from the administrative office. Renewal notices are mailed from the Board's administrative office forty-five (45) days prior to the expiration of the license to the current address on record. Licenses can be renewed on-line sixty (60) days prior to expiration at <https://apps.tn.gov/hlrs/>. It is a violation of the law and of the Board's rules to practice on an expired license.

Contacting the Administrative Office:

Tennessee Board of Physical Therapy
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243
Phone: (615) 741-3807 Local or (800) 778-4123 Nationwide
Fax: (615) 253-8724

Administrative Staff

Michael Sobowale
Board Director

Tomica Walker
Board Administrator

Lakita Taylor
Board Manager

LEGISLATIVE UPDATES

Public Chapter 154

This act allows the Commissioner of Health or his designee to have electronic access to medical records to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records. This took effect on April 16, 2015.

Continued on next page...

LEGISLATIVE UPDATES CONT'D

Public Chapter 94

This act defines “abuse” and “neglect” for purposes of placing a person on the registry of persons who have abused, neglected or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days. For rulemaking purposes, this bill became effective on April 10, 2015. All other provisions became effective on July 1, 2015.

Public Chapter 502

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

Public Chapter 268

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits and became effective on April 24, 2015.

Public Chapter 261

The act provides for the practice of telehealth. It outlines the following:

- Defines a healthcare provider
- Establishes a provider-patient relationship by mutual consent and mutual communication
- Specifies that telehealth does not create a new standard care
- Prohibits any board from creating a more restrictive standard of professional practice for telehealth service
- Allows a physician to prescribe by means of telemedicine and follow all prescribing applicable statutes such as checking the Controlled Substance Monitoring Database; however, pain management clinics are not permitted
- There is no separate telehealth license required by the Board of Medical Examiners

[Click on the public chapter titles to view legislative descriptions in their entirety.](#)

PROPOSED RULE AMENDMENTS

Rule 1150-01-.12 – Continuing Competence

On August 14, 2015, the Board held a rulemaking hearing to amend rules regarding continuing competence requirements. The Board’s vote is summarized as follows:

- At least twenty (20) hours of the thirty (30) hour requirement must be from Class I activities as provided in paragraph (5), and only then (10) may be acquired online.
- Up to ten (10) hours of the thirty (30) hour requirement may be from Class II activities as provided in paragraph (6).
- Four (4) of the hours required in parts (3) (a) (1) and (3) (b) (1) must consist of ethics and jurisprudence education courses and are required every renewal cycle.

Rule 1150-01-.15 – Disciplinary Actions, Civil Penalties, Assessment of Costs, and Screening Panels

On August 14, 2015, the Board held a rulemaking hearing to amend rules regarding disciplinary actions, civil penalties, assessment of costs, and screening panels. The Board voted to amend Rule 1150-01-.15 as follows:

(2) Order of Compliance – This procedure is a necessary adjunct to each previously issued disciplinary order containing probation, suspension or other condition limiting the licensee’s ability to practice. An order of compliance is available only when a petitioner has completely complied with the conditions of a previously issued disciplinary order, including payment of civil penalties, completion of continuing education courses, or payment of administrative costs. If all conditions of the ordered discipline have been satisfied, or if no conditions have been placed on the license in addition to probation or suspension, the board may consider a petition at its last meeting before the expiration on any such discipline. The Board, at its discretion, may require the petitioner to appear before granting such order. No discipline issued by the Board shall be lifted until the licensee petitions for and receives such order from the Board, which shall only be effective the original date the discipline was to expire, and in no event effective earlier than the date of petition pursuant to this paragraph.

Additional details regarding these proposed changes to current rules can be found in the Notice of Rulemaking Hearing filed with the Secretary of State at: <http://tnsos.org/rules/RulemakingHearings.php>.

MEETINGS OF THE BOARD

The Board has scheduled meetings throughout the year for purposes of conducting administrative business concerning ratifying licenses, promulgating rules, disciplinary matters, etc. The five (5) members of the Board are appointed by the Governor and serve four (4) year terms. A quorum of three (3) members is required to conduct business. The meetings are open to the public. The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate notice of such meeting. Open meeting notices can also be accessed at: <http://tn.gov/health/calendar/physical-therapy>.

LIVE-STREAM MEETINGS

As of January 2015, public meetings are live-streamed and viewable via the internet. Links to view a meeting can be accessed by visiting the department's "Calendar of Events" at: <http://tn.gov/health/calendar>. Archived meetings may also be accessed and viewed from the Department of Health website at: <https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>

BOARD MEMBER COMPOSITION

Briginia T. Wilkerson, PT, Chair
Knoxville, TN

David Finch, PT
Maryville, TN

Bethany R. Buttrey, PT
Memphis, TN

David Harris, PTA
Ooltewah, TN

Minty R. Ballard
Brentwood, TN

BOARD MEETING SCHEDULE FOR 2015 & 2016

- ▶ March 9, 2015 – 9:00 AM CST
- ▶ May 15, 2015 – 9:00 AM CST
- ▶ August 14, 2015 – 9:00 AM CST
- ▶ November 13, 2015 – 9:00 AM CST
- ▶ February 4, 2016 – 9:00 AM CST
- ▶ May 27, 2016 – 9:00 AM CST
- ▶ August 12, 2016 – 9:00 AM CST
- ▶ November 18, 2016 – 9:00 AM CST

Unless otherwise noted, all meetings will be held at the following location:

665 Mainstream Drive
Poplar Conference Room, Ground Floor
Nashville, TN 37243



NATIONAL CONFERENCES

**American Physical Therapy Association (APTA)
Combined Sections Meeting**
Anaheim, CA
February 17-20, 2016

**American Academy of Orthopaedic Manual Physical
Therapists (AAOMPT) – Annual Conference**
St. Louis, MO
October 26-30, 2016

COMPLAINTS, DISCIPLINARY ACTIONS & PEER ASSISTANCE

Complaints

If you believe a practitioner's performance or behavior is not acceptable, you may file a complaint through Health Related Boards, Office of Investigations. For information on filing a complaint, please visit:

<http://tn.gov/health/article/PT-complaints>.

You may contact the Complaint Divisions of the Department of Health at 1-800-852-2187 to request a complaint form or download one here:

<http://tn.gov/assets/entities/health/attachments/PH-3466.pdf>.

The form must be completed in its entirety. All materials received in connection with the complaint will become property of the Department of Health and cannot be returned. Please return the complaint to:

Office of Investigations

**665 Mainstream Drive, 2nd Floor, Suite 201
Nashville, TN 37243**

Disciplinary Actions

A listing of monthly disciplinary actions taken by the Board of Physical Therapy can be found here:

<http://tn.gov/health/article/boards-disciplinary-actions#dars>.

Peer Assistance

The Board of Physical Therapy has contracted with the Professional Assistance Program to assist in safeguarding health care consumers in Tennessee by providing a consultation, referral, and monitoring program for Physical Therapy Practitioners whose practice is impaired or potentially could be impaired due to the use of alcohol or drugs, or a psychological or physiological condition.

Tennessee Professional Assistance Program

545 Mainstream Drive, Suite 414

Nashville, Tennessee 37228-1201

Phone: 615-726-4001 or 1-888-776-0786

Fax: 615-726-4003

www.tnpap.org

IMPORTANT REMINDERS

Electronic Notifications Opt-In

Licensees who prefer to receive notifications by electronic means instead of by regular United States mail from the Department of Health should request to "opt-in" from the portal on the Board's website at: <https://apps.tn.gov/hhrs/>. Licensees may also submit a written request to the Board's Administrative Office.

Please note that once you choose to opt-in to receive electronic notifications, ALL notices from the Health Department, including license renewal notices, will be sent by electronic mail. License renewal notification will be sent from the Board's Administrative Office forty-five (45) days prior to the expiration of the license to the current e-mail address on record with Tennessee Department of Health. Also, you will be required to notify the Administrative Office should there be any changes to your email address.

Updating Your Practitioner Profile

Pursuant to Tennessee Health Care Consumer Right – to-Know Act, 1998, T.C.A. §63-51-101, et seq., licensed physical therapists have a continuing duty and the responsibility to notify the Department of Health of any changes or updates to information submitted on the mandatory practitioner's profile questionnaire within thirty (30) days of the occurrence of such event.

Changes include any change of address. A copy of the questionnaire can be found at:

<http://health.state.tn.us/downloads/PH-3585.pdf>.

To check the accuracy of your profile, please visit:

<https://apps.health.tn.gov/Licensure/>.

Changes may be submitted on the form to the Board's Administrative Office at:

Office of Health Related Boards

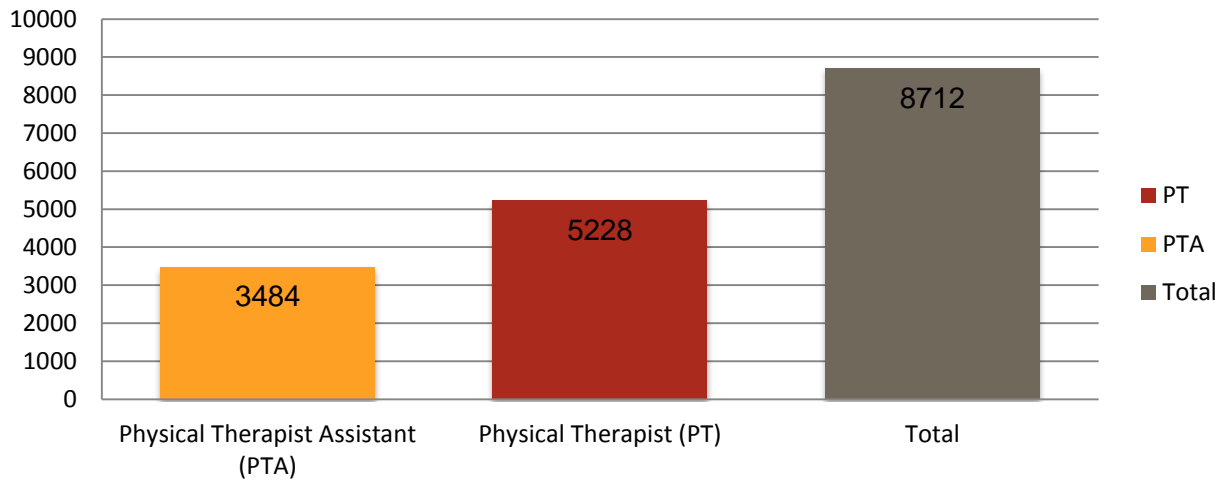
Board of Physical Therapy

665 Mainstream Drive, 2nd Floor

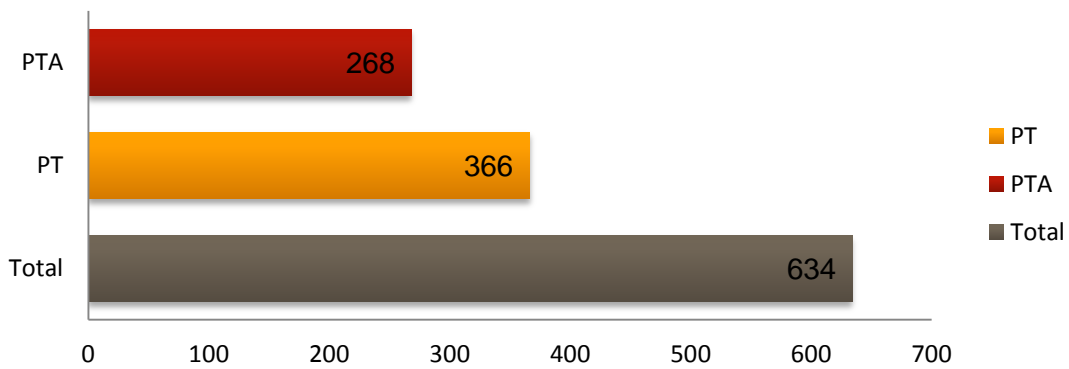
Nashville, TN 37243

STATISTICAL DATA

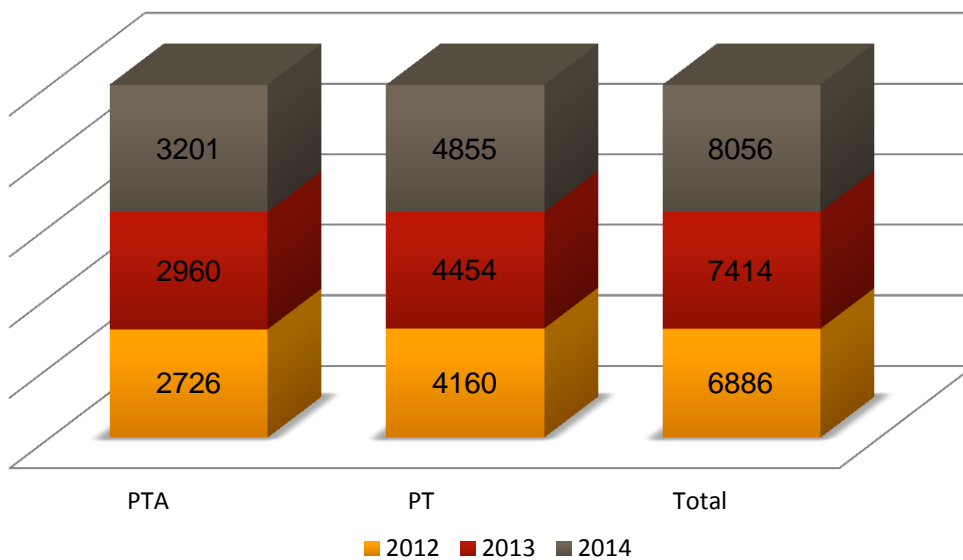
Total Number of Licenses as of 10/21/15



Applications Received from 1/1/15 to 10/21/15



Number of Licenses by Profession and Year



QUESTIONS AND ANSWERS

Q: I have moved and/or changed my place of employment. How do I update my address with the Board?

A: Changes in address must be submitted in writing to the Board's administrative office within 30 days. Please include your name, profession, license number, old address and new address. Please also specify if the change is to your mailing or practice address.

Q: How do I report a name change and/or request an updated license?

A: Changes in name must be submitted in writing to the Board's administrative office, along with documentation supporting the change (i.e. marriage certificate, divorce decree). Please include your name, profession and license number. If you wish to receive a duplicate copy of your license, reflecting the updated name, you must specify this in your request and include a check or money order in the amount of \$25.00 for each license type (i.e. Wallet/Renewal size or Wall size).

Q: I am applying for a license in another state and need primary source verification. How do I obtain this?

A: Requests for license verification must be submitted in writing to the Board's administrative office. Please include your name, profession, license number and address which the verification must be sent. Please also include a check or money order in the amount of \$25.00 per request.

Q: Can I renew my license online?

A: Certainly! License renewals may be processed up to sixty (60) days prior to the license expiration date. Please visit <https://apps.tn.gov/hlrs/> and choose "Go Now" under Professional License.

Q: My license has expired. How do I reinstate my license?

A: Reinstatement of an expired license may be accomplished upon payment of the reinstatement fee and the renewal fee as provided in Rule 1150-01-.06, and by submitting proof of continuing competence requirements as provided in Rule 1150-01-.12.

Q: Am I required to do continuing education to maintain my license?

A: Pursuant to Rule 1150-01-.12(3)(a): Each Physical Therapist must complete thirty (30) hours during the twenty-four (24) months that precede the licensure renewal month.

1. At least twenty (20) hours of the thirty (30) hour requirement must be from Class I activities.
2. Up to ten (10) of the thirty (30) hour requirement may be from Class II activities.

Pursuant to Rule 1150-01-.12(3)(b): Each Physical Therapist Assistant must complete twenty (20) hours during the twenty-four (24) months that precede the licensure renewal month.

1. At least ten (10) hours of the twenty (20) hour requirement must be from Class I activities
2. Up to ten (10) hours of the twenty (20) hour requirement may be from Class II activities.

For applicants approved for initial licensure by examination, successfully completing the requirements of Rules 1150-01-.04, .05, and .08, as applicable, shall be considered proof of sufficient competence to constitute compliance with this rule for the initial period of licensure; however, applicants approved for initial licensure by examination must successfully complete four (4) hours of ethics and jurisprudence education during their initial period of licensure.

Q: I am no longer practicing as a physical therapist or assistant. How do I retire my license?

A: To retire your license, please complete the Affidavit of Retirement form, have it notarized and forward it to the administrative office. The form may be downloaded from the Board's website here:

<http://tn.gov/assets/entities/health/attachments/PH-3460.pdf>. Please inquire with the Board office regarding requirements to reinstate a retired license.

