

**BOARD OF PHYSICAL THERAPY
MINUTES**

DATE: November 3, 2023
TIME: 9:00 AM CST

LOCATION: Poplar Conference Room
665 Mainstream Drive, 1st Floor.
Nashville, TN 37243

MEMBERS PRESENT: David Harris, PTA, Board Member --- Virtually
Jane David, PT Board Member
LeAnn F. Childress, PT, Board Chair
Ronald Barredo, PT Board Member

STAFF PRESENT: Noranda French, Unit Director
Michael Varnell, Senior Associate General Counsel
Mary Bennett, Board Manager
Kara Love, Board Administrator
Roger Knowlton, OIV
Kim Summers, ALJ
Shana Crawford, Court Reporter
Emily Godwin, Fiscal Director
Gerard Dolan, OGC

STAFF ABSENT: Kelly O'Connor, Public Member

GUESTS PRESENT: Sarah Suddarth, APTA TN President
Cedric Owens, Applicant Interview
Christian Roy, Applicant Interview
Chloe Rambush, Applicant Interview
Santiago Cassanova, Applicant Interview
Brigina Wilkerson, Board Consultant
Teresa Phillips, TNPAP Representative

Major Item(s) on Agenda:

- I. This meeting opened with a Contested Case Hearing presented by Michael Varnell, Senior Associate General Counsel. After a review of the evidence provided, the Board Members voted 3 – 1 to approve Santiago Cassanova licensure application.

The Findings of Facts were accepted as written. Ronald Barredo made a motion to accept 1-4 findings of fact (as listed), Jane David seconded the motion. The motion carried.

1. Petitioner is an international physical therapy school graduate. Petitioner received his degree of physical therapy in 2004 from the University Cardenal Herrera-CED San Pablo in Valencia, Spain. After receiving his degree, Petitioner became a licensed PhysicalTherapist in Spain. Petitioner did not graduate from a CAPTE approved program. Petitioner has completed additional continuing education hours. Petitioner moved to the United States in 2015. Petitioner is a United States citizen.

2.Petitioner was granted physical therapist license number PTO 16807 by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board on May 9, 2017. Petitioner began practicing physical therapy in Ohio after receiving his license. Petitioner's Ohio physical therapist license is currently active with an expiration date of January 31, 2024. Petitioner has no disciplinary action on his Ohio license. Petitioner moved to Tennessee in 2023.

3.The FCCPT provided the Ohio Board a determination that the applicant's education is not substantially equivalent to a U.S. trained P.T. The Ohio Board took the report under advisement and determined the applicant eligible to test.

4.There is a significant need for a physical therapist with Petitioner's qualifications to maintain the level of care needed to provide physical therapy services in this state.

The Conclusions of Law were accepted as written. David Harris made a motion to accept the conclusions of law (as listed), Ronald Barredo seconded the motion. The motion carried.

The findings of fact contained in paragraphs 1-3 constitute grounds to deny the Petition requested by Petitioner pursuant to T.C.A. §§ 44-5-223; 63-13-307(d) and Rule 1150-01- . 04(3)(b)2.

The Policy Statement was accepted as written. Ronald Barredo made a motion to accept the conclusions of law (as listed), David Harris seconded the motion. The motion carried.

The Tennessee Board of Physical Therapy takes this action in order to protect the health, safety, and welfare of people in the state of Tennessee.

The Order was accepted as written. Ronald Barredo made a motion to accept the conclusions of law (as listed), David Harris seconded the motion. The motion carried.

Therefore, in consideration of the above Findings of Fact and Conclusions of Law, it is ORDERED, ADJUDGED, and DECREED as follows:

6. The Petition for Declaratory Order filed by Petitioner, Santiago Casanova, and the relief requested therein is granted.

The Board Administrator, Kara Love conducted an attendance role call, with a quorum the meeting begins.

- II. Minutes - After review, Dr. Ronald Barredo made a motion to approve August 4, 2023, minutes as written, Jane David seconded the motion. The motion carried.
- III. Receive reports and/or requests from the Office of General Counsel Presented by Michael Varnell.

There are 12 Physical Therapist being monitored; 3 reprimands, 4 on probation, 3 on suspension, 2 revoked/surrendered. There are 13 Physical Therapist Assistance being monitored; 1 reprimand, 7 on probation, 1 suspension, 4 revoked/surrendered.

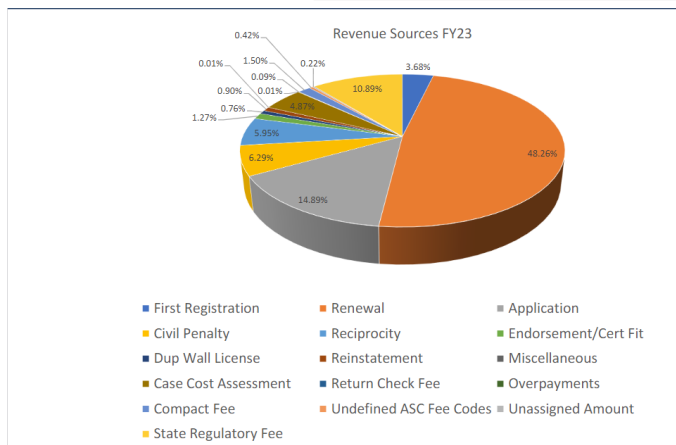
Jane David made a motion to accept changes made to section 1200 of the federal statues by Health Related Boards, that will affect the Tennessee Board of Physical Therapy, Ronald Barredo seconded the motion. The motion carried.

- a. Contested Case
 - i. Santiago Casanova --- PT App#15065, license approved 3-1 vote
- b. Consent Orders presented by Gerard Dolan
 - i. Whitney Newberry --- PTA #4738 - David Harris made a motion, to accept the consent order as written, Ronald Barredo seconded the motion. The motion carried.
 - ii. Katharine Millen --- PTA #7114 - David Harris made a motion to accept the consent order as written, Jane David seconded the motion. The motion carried.
 - iii. Allison Smith --- PTA #684 - Ronald Barredo made a motion to accept the consent order as written, David Harris seconded the motion. The motion carried.
 - iv. Kristen Curtis --- PT #6247 - Ronald Barredo made a motion to accept the consent order as written, Jane David seconded the motion. The motion carried.

- c. Agreed Order – N/A
 - d. Order of Compliance
 - i. Cedric Owens --- PTA - David Harris made a motion to accept the order of compliance as written, Ronald Barredo seconded the motion. The motion carried.
- IV. Applicant Interview(s):
- a. After a review of documents submitted David Harris made a motion to approve Christian Roy for licensure, Jane David seconded the motion. The motion carried.
 - b. After a review of documents submitted Jane David made a motion to approve Chloe Rambush for licensure, David Harris seconded the motion. The motion carried.
 - c. David Harris made a motion to postpone Shannon Breedlove until the February 2024 meeting, Ronald Barredo seconded the motion. The motion carried.
- V. Receive reports and/or requests from the Division of Health Licensure and Regulation Year End Report Presented by Emily Godwin

**Tennessee Board of Physical Therapy Examiners
Actual Revenue and Expenditures
for Fiscal Year ending June 30, 2023**

Description	FY2023	FY2022	FY2021
Payroll Expenditures (701-702)	\$ 165,105.91	\$ 128,513.49	\$ 174,128.54
Total Other Expenditures (703-725)	\$ 54,903.26	\$ 60,135.06	\$ 50,507.73
Total Allocated Expenditures	\$ 269,213.77	\$ 200,185.25	\$ 209,655.60
Total Expenditures	\$ 489,222.94	\$ 388,833.80	\$ 434,291.87
Board Fee Revenue	\$ 453,314.09	\$ 437,587.07	\$ 416,755.11
Current Year Net	\$ (35,908.85)	\$ 48,753.27	\$ (17,536.76)
Total Technology Improvements	\$ 26,900.65	\$ 29,818.16	\$ 26,784.65
Cumulative Carryover	\$ 459,994.35	\$ 522,803.85	\$ 503,868.74



**Tennessee Board of Physical Therapy Examiners
Analysis of Operating Expenditures and Carryover Balance**

Fiscal Year	Operating Expenditures	3 Year Average Annual Operating Expenditures	2 Times 3 Year Average Annual Operating Expenditures	Cumulative Carryover
2021	\$ 434,291.87	\$ 67,629.12	\$ 135,258.24	\$ 503,868.74
2022	\$ 388,833.80	\$ 407,997.41	\$ 815,994.81	\$ 522,803.85
2023	\$ 489,222.94	\$ 437,449.54	\$ 874,899.07	\$ 459,994.35

Cumulative carryover does not exceed two times the three-year average of operating expenditures for two consecutive fiscal years.

- VI. Receive reports and/or requests from the Office of Investigations 2023 Year to date report Presented by Roger Knowlton:
- Physical Therapy Board** received Twenty-Nine (29) complaints, twenty-eight (28) closed complaints. Twelve (12) referred to The Office of General Counsel, nine (9) no action taken, three (3) received a letter of concern, four (4) received a letter of warning. **Physical Therapist** Two (2) Falsification of Medical Records/Reports, one (1) sexual misconduct, one (1) criminal charge, four (4) Unprofessional Conduct, three (3) practicing beyond the scope, five (5) Continuing Education Violations, one (1) beyond investigative scope. **Physical Therapist Assistance** Three (3) Falsification of Medical Records/Reports, one (1)

Unprofessional Conduct, one (1) lapsed license, one (1) drug diversion, six (6) Continuing Education Violations.

- VII. Teresa Phillips presented the report from Tennessee Professional Assistance Program (TnPAP)



Board of Physical Therapy
Activity Report
July 1, 2023 – September 30, 2023

		PT	PTA
Monitoring		1	0
	Monitoring Type		
	Regulatory	0	0
	Non-Regulatory	1	0
Referrals		0	0
Agreements Activated		0	0
Discharges		0	0

- VIII. Review, approve/deny and ratify initial determinations.
 - a. After Review, David Harris made a motion to approve Compact Privileges as written, Jane David seconded the motion. The motion carried.
 - b. Ronald Barredo made a motion to approve Newly Licensed as written, Jane David seconded the motion. The motion carried.
 - c. Jane David made a motion to approve Reinstatements after corrections, Ronald Barredo seconded the motion. The motion carried.
 - d. Ronald Barredo made a motion to approve Closed Files as written, Jane David seconded the motion. The motion carried.
 - e. Jane David made a motion to approve Provisional Permits as written, Ronald Barredo seconded the motion. The motion carried.
 - f. Ronald Barredo made a motion to approve CE Violation Agreed Citations as written, Jane David seconded the motion. The motion carried.

- IX. Receive reports and/or requests from the Administrative Office

a. Physical Therapist (Assistant) Administrative Report

ADMINISTRATORS REPORT

Board of Physical Therapy

This is an Administrative Report from Kara Love, Board Administrator. The information contained in this report will keep the board aware of all essential activities pertaining to licensure for Physical Therapists and Physical Therapy Assistant Practitioners.

STATISTICAL REPORT

The following are the total active licensees as of: **October 31, 2023**

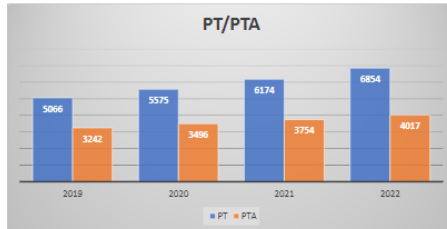
PT	PTA
Active Licensees – 7462	Active Licensees – 4262

Licensing activities from August 3, 2023, thru October 31, 2023

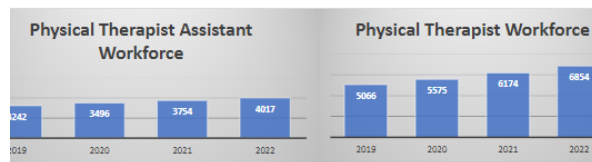
PT	PTA
New applications received 43	New applications received 29
New licenses issued – 232	New licenses issued – 101
Reinstated – 9	Reinstated – 5
Number of renewals– 738	Number of renewals – 446
Number of Provisional License- 2	Number of Provisional License- 0
Number of licensees who retired – 17	Number of licensees who retired – 18
Licensees Expired – 75	Licensees Expired – 47
Closed Files – 9	Closed Files – 6

b. Physical Therapist (Assistant) Directors Report

Director's Report regarding workforce request



Since 2019 the Physical Therapy Board has experienced 31% growth across the profession. With December 2022 total number of active licensees being 10,871.



Licensed PT have grown consistently at a rate of 10% for the last 3 consecutive years.

Licensed PTA have grown consistently at a rate of 7% for the last 3 consecutive years.

c. Compact Physical Therapist (Assistant) Administrative Report

ADMINISTRATORS REPORT

Board of Compact PT/PTA
November 3, 2023

This is an Administrative Report from Thomasina Scharkley, Compact Board Administrator. The information contained in this report will keep the board aware of all essential activities pertaining to licensure for PT/PTA Compact.

STATISTICAL REPORT

The following are the total active licensees as of October 31, 2023:

Active Privileges – 694

Licensing activities from August 3, 2023 – October 31, 2023:

CPT/CPTA
New CPT privileges issued – 54
New CPTA privileges issued – 16
Number of renewals – 4
Expired – 0
Terminated - 2

For Compact PT/PTAs, the number of renewals online during this period constituted a usage rate of 0%, due to 100% of compact privileges being processed through FSBPT.

- X. Discuss and take action, if needed, regarding correspondence
 - a. Course Approval
 - i. Ronald Barredo made a motion to approve Course Name: Master Dry Needling Level - 2 Course Number 3197 as presented, Jane David seconded the motion. The motion carried.
 - ii. Jane David made a motion to approve Course Name Dry Needling in Outpatient Physical Therapy Course Number 3221 as presented, Ronald Barredo seconded the motion. The motion carried.
- XI. Discuss and take action, if needed, regarding legislation
Nothing to report according to Michael Varnell
- XII. Discuss and take action, if needed, regarding rulemaking hearings, rule amendments, and policies: Michael Varnell provided a summary/update regarding the new rules.

XIII. Discuss New/Old Board Business

XIV. Board Meeting Dates for 2025: David Harris made a motion to accept the listed dates for 2025 board meetings, Jane David seconded the motion. The motion carried.

- i. February 7, 2025
- ii. May 9, 2025
- iii. August 8, 2025
- iv. November 7, 2025

XV. Election of Officers: Ronald Barredo made a motion for David Harris to remain the Board Chair, and for LeAnn Childress to remain the Board Secretary, Jane David seconded the motion. Mr. Harris and Ms. Childress accepted the nominations. The motion carried.

XVI. Public Comment

a. Supervision Questions from Morgan Thomas

- i. For Therapist performing wound care in a hospital, what level of supervision is required? Does the supervising PT need to be on-site or is it ok for them to be within the 60-mile radius?

David Harris responded – “Hospitals are considered general supervision, supervisors can be within the 60-mile radius”.

- ii. If a PTA is performing wound care treatments, who is the PTAs supervision under? Would it be only the evaluating PT for that specific patient? Or would it be any PT who is in the hospital while the wound care treatment is being performed?

Jane David responded - “The evaluating Physical Therapist is ideal, but it is the facilities responsibility to provide proper supervision”.

b. Direct Access Questions from Matt Connell

- i. Does a physical therapist have to inform a patient’s physician that they are attending PT?

Sarah Suddarth, APTA TN President responded – “Yes, physicians should be notified”.

- ii. If a patient does not have a physician, are we prohibited from providing physical therapy?

Sarah Suddarth, responded – “Patient must sign a waiver stating they do not have a physician and choice physical therapy”. Michael Varnell followed up with the rule (6313303 d1) to confirm Sarah’s statement.

- XVII. Jane David made a motion to adjourn, seconded by Dr. Ronald Barredo. The motion carried.

The meeting adjourned at 1:00 p.m.

These minutes were ratified at the February 2, 2024 board meeting.