



NCBPT E Updates

#17 | December 2024

THE NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS

PTBoard@NCPTBoard.org



Regulatory Spotlight

Investigative Committee and Disciplinary Action

Contributions by Jamie Miner, PT, DPT, Secretary/Treasurer NC Board of PT Examiners

An invitation to meet with the investigative committee strikes fear in the heart of almost all physical therapists and physical therapist assistants. It need not inspire terror but could be a learning experience to help improve a licensee's physical therapy practice.

The investigative process begins when the committee receives a complaint from a member of the public about a licensee. The case is assigned a file number, and the sender receives a confirmation email acknowledging receipt of the complaint and any supporting documents that might have been included.

The investigative committee then reviews the complaint to determine whether the Practice Act or any Board rules appear to be violated. If not, the complaint is dismissed with no further action.

If the investigative committee determines that a violation of the Practice Act or a Board rule may have occurred, the case is assigned to an investigator to conduct interviews and collect additional information. Medical records may be subpoenaed if necessary.

After reviewing the material, the investigative committee may conclude that there is not enough substantial evidence documenting a violation of the Practice Act or Board rules. At this point, the complaint may be dismissed.

If the committee determines that a violation may have occurred, the licensee is invited to an informal meeting to discuss the complaint and offer information or an explanation. The licensee may bring a lawyer if desired. Once this part of the meeting concludes, the committee discusses the case and achieves consensus regarding an appropriate resolution. A dismissal of the case or an advisory letter are possible outcomes which are

not publicly reportable. An advisory letter demonstrates the investigative committee was concerned about the licensee's behavior, but a clear violation of the Board Rules or Practice Act could not be established. An advisory letter remains permanently in the licensee file, and the committee may refer back to it in the event a complaint is submitted in the future.

Public disciplinary action may consist of a warning, probation, suspension or revocation. These actions, if approved by the full Board, are listed on the Board website in the licensee lookup and on the disciplinary action page; are submitted to FSBPT; and submitted to the National Practitioner Databank. In addition to the warning, the licensee may be required to take an assigned course or perform other types of remediation that address the violations. Remediation ordered by the Board is designed to improve the physical therapy practice of the licensee, so violations do not occur in the future.

For actions more serious than those which give rise to a warning, the Board may impose probation or license suspension. During a period of probation or suspension, the Board often requires the licensee to fulfill certain conditions before practice privileges are restored. While it is possible that any violation of the Practice Act or Board Rules could result in probation or suspension, the action is infrequent and usually only occurs in the most egregious cases.

After the investigative committee determines its recommendation in the case, the licensee can accept the recommendation, which must be approved by the full Board. If the licensee objects to the recommendation, they may have an informal meeting with the Board to discuss the

(continued on next page)

(continued from previous page)

case. The Board listens to the investigative committee report as well as the licensee and their lawyer if they have retained one. The Board then votes to accept, reject, or revise the recommendation. As this is an informal meeting with the Board, the licensee can accept or reject these recommendations and request formal hearing.

The next step is to hold a formal hearing. The Board retains a hearing officer who assists the Board in conducting the hearing and dealing with all the required procedures. At the hearing, the licensee (or their lawyer) may call witnesses and present evidence to the Board. The investigative committee members are present, but except for the Board attorney, they do not participate. The Board members hear the case and then make a decision on whether a violation occurred and if so, how the licensee should be disciplined. The licensee may then appeal the Board decision to the North Carolina Superior Court.

After the case is completed, if a licensee receives any form of discipline, they may be responsible for the cost incurred in their case.

The investigative committee meets approximately every 6-7 weeks and is comprised of the Executive Director, investigators, the Board attorney, and one Board member.

**This article is intended to be informative and general in nature. Legal standards and procedures can be found in Board of Physical Therapy Examiners Rules, 21 NCAC Subchapter 48G.*

License Renewal time is here! Questions?

I just received my physical therapy license in November 2024. Do I still need to renew?

Yes. All those licensed in the current license year (February 1, 2024 - January 31, 2025) must renew their license or it will expire. License renewal is annual.

Am I responsible for completing my continuing competence requirement before I renew my license? How can I see when my continuing competence is due?

All licensees may access their continuing competence report at any time through their personal dashboard by logging into the Board website. For this current renewal, licensees in the January 1, 2023 - January 31, 2025, reporting period must first complete and report their continuing competence before renewing their license. Licensees in the January 1, 2024 - January 31, 2026, reporting period may simply proceed with renewal without first completing their continuing competence requirement.

How do I get receipt of payment for my license renewal?

Licensees can use the "print a license card" button on their personal dashboard. This has a receipt of renewal payment on the bottom of the page.

What is the continuing competence course application payment button on my dashboard? Is this required as part of the license renewal process?

The continuing competence course application payment button is NOT related to license renewal. This button should only be used when submitting a course application for course approval from the Board. If you accidentally submitted payment through this button during renewal, send an email to PTBoard@ncptboard.org.

QUESTIONS?

Continuing Competence?
PTA Scope of Work and Supervision?

Log into your personal dashboard through the Board website and visit the Webinar Library. You can view the recorded webinars and associated Q/A transcripts from October and November 2024.

Once completed, you may download a course certificate and apply it toward meeting your continuing competence requirement.

Hurricane Helene Information

If you live or work in one of the NC counties affected by Hurricane Helene, you may be eligible for delayed license renewal. Visit the home page of the Board website www.ncptboard.org for more information and resources related to Hurricane Helene. For information specifically related to renewal extension, [Click Here](#).

Board office staff hours are 7:30 am – 4 pm, Monday-Friday, to respond to calls and email inquiries. Please schedule office appointments in advance, Tuesday through Thursday, 10 am – 2 pm, by emailing PTBoard@NCPTBoard.org. Provide name, email address, best contact number, and a brief description of appointment needs.

The Board office will be closed on the following dates: December 24–26, 2024, and January 1, 2025.