



NC Board of PT Examiners Report - NCPTA Business Meeting
Koury Convention Center
Greensboro, NC
October 19, 2018
By Kathy Arney, PT, MA, Executive Director

Purpose of the Board: The purpose of the Board is to regulate the practice of physical therapy in order to protect the health, safety, and welfare of the citizens of North Carolina. The next meeting of NC Board of PT Examiners is scheduled for Wednesday, December 5, 2018.

1. **Appointments to the Board:**

The 2019 Ballots for appointments of one (1) physical therapist and one (1) physical therapist assistant were mailed in late July, 2018. On September 19, 2018, the ballots were counted at the NCPTA Headquarters and the candidates for appointment were forwarded to Governor Roy Cooper by NCPTA. These Board positions will be up for appointment by the Governor for terms beginning January 1, 2019.

The Board would like to thank Ms. Stacia H. Britton, PT for her service to the Board from 2016-2018, including her service as both member of the Finance and Audit Committee and Board Secretary-Treasurer in 2017 and 2018. Her Board participation extended to representing North Carolina as the alternate delegate to the Federation of State Boards of Physical Therapy Delegate Assembly in 2018.

The Board would like to thank Ms. Crystal D. Morris, PTA for her service to the Board from 2016-2018, including her service as delegate to the Federation of State Boards of Physical Therapy Delegate Assembly in 2018.

Current Board members will continue to serve until appointments are made by the Governor.

Board Member	Position	Term Expires
David C. Reed, PT	Chair	2019
Stacia H. Britton, PT	Secretary/Treasurer	2018
Crystal D. Morris, PTA	Member	2018
Paul Garcia, MD	Medical Doctor	2019
Stuart W. MacRoberts	Public Member	2019
C. David Edwards, PT	Member	2020
Teresa F. Hale, PT	Member	2020
Pearl L. Rhone, PTA	Member	2020

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2. **Online Renewal:** Licensees are required to renew licenses **online**. Postcards will be mailed prior to November 1, 2018 specifying that the renewal period will be open online from November 1, 2018 until January 31, 2019 at 12:00 a.m. (midnight) and will require a major credit card. Licensees not wanting to use a credit card may renew online, but pay by check or money order postmarked by the January 31, midnight deadline. *(The Board **strongly** recommends that licensees renew online by January 15, 2019 to ensure timely processing. The renewal cost is \$120.00.)*

3. **Continuing Competence – Fall 2018 Update**

Continuing Competence Audits: Audits for the January 1, 2016 - January 31, 2018 reporting period are complete, including PT and PTA licensees selected at random. As a result of auditing for this reporting period, 2 warnings were issued for lack of timely completion of a continuing competence audit.

4. **Board's Rules:** The Board's rulemaking during the last fiscal year includes:
 - **Periodic Review of Rules:** Successfully submitted documents for Periodic Review of all Board's rules as required by the legislature. Three Board Rules will have to be re-adopted without changes. All other Board rules have already been recodified. A Public Comment period will last from October 15, 2018 through December 14, 2018. Public Comment periods are listed on the Board's website and the public is welcome to join the listserv for notifications
 - **Rule Technical Changes:** Technical changes to Board's rules including the new Board office address will become effective on November 1, 2018.
 - **Permanent Rulemaking:** The Board's Rules Committee will continue to review and update rules in response to new national Physical Therapy exam eligibility requirements and other relevant topics. Feedback to the Board is welcome regarding all rules and may be submitted at any time.

5. **Newsletter:** The annual Newsletter will be posted on the Board's website in early November, 2018. The Newsletter will include a letter from the Chair, David C. Reed, PT, PT Licensure Compact and FBI Criminal Background Checks information from Executive Director Kathy O. Arney, PT, Open Meetings Law and Public Records by Board Attorney John M. Silverstein, and Continuing Professional Development – Self-Reflective Practice Exercise by Deputy Director Debbie Ragan, PT.

6. **Status of NC Acupuncture Board Lawsuit:** In September 2015, the North Carolina Acupuncture Licensing Board (NCALB) filed a lawsuit against the North Carolina Board of Physical Therapy Examiners. The Physical Therapy Board has retained the law firm of Ellis & Winters LLP to defend the Board in this case. The case was assigned to the North Carolina Business Court.

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NC Acupuncture Board Lawsuit (cont.): In April 2016, Judge Louis Bledsoe III dismissed the Acupuncture Board's complaint based on principles of sovereign immunity and failure to exhaust administrative remedies.

The Acupuncture Board then sought a declaratory ruling from the Physical Therapy Board related to dry needling. The Physical Therapy Board issued a declaratory ruling on June 27, 2016.

The Acupuncture Board then filed a petition for review of the declaratory ruling in Wake County Superior Court. On August 2, 2017, Judge Bledsoe affirmed the declaratory ruling.

On August 25, 2017, the Acupuncture Board filed a notice of appeal in the North Carolina Supreme Court of the August 2 ruling. The Supreme Court heard oral argument in April 2018, and the Board awaits a decision.

7. Legislative Updates

a. Physical Therapy Licensure Compact

The PT Compact Commission is issuing privileges to practice in six (6) states soon to be joined by North Carolina, at which time, NC PT licensees may obtain a privilege in member states. Go to: ptcompact.org

In compliance with the Compact law, NCBPTE must require FBI Criminal Background checks prior to issuing privileges. For additional information see the Board newsletter coming in November, 2018 and the Board's website.

North Carolina continues to be represented on the PT Compact Commission by a Kathy O. Arney as delegate and Vice-Chair.

b. Military Members – Applications for Licensure

North Carolina General Statute 93B-15.1 passed in June 2017, waives licensure application fees, allows permits to practice and facilitates expedited licensure for military personnel, their spouses and qualified military trained individuals. The Board has issued 9 permits since the law became effective.

8. **Changes of Address:** As required by rule, within **30 days** please keep the Board apprised of any change in current home and work addresses, phone numbers, fax numbers, and email addresses. License renewals will be mailed the first of November to the address on file.
9. **Excellence in Regulation Award:** The Board will receive an Excellence in Regulation Award from the Federation of State Boards of Physical Therapy at its

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Excellence in Regulation Award (cont.) annual meeting, October 23-25, 2018. The award recognizes jurisdictions that have made significant accomplishments towards increasing public protection for consumers of physical therapy services in a number of areas.

10. **NEW Board Office Location and Address:** After over 20 years in Durham, NC, the North Carolina Board of Physical Therapy Examiners relocated its office to Raleigh, NC. The new address is: NCBPTE, 8300 Health Park, Suite 233, Raleigh, NC, 27615. The web address, phone and fax remain the same.

11. **Update regarding Investigations and Disciplinary Actions:**

SUMMARY OF COMPLAINTS FILED IN 2018 – YTD (October 1, 2018)

YEAR-TO-DATE STATISTICS

Total Cases Reported and Investigated:	39
Total advertising complaints:	04
Total “other” complaints:	24
Total failure to renew	09
Total cont. comp complaints	02

SUMMARY OF COMPLAINTS THAT WERE RESOLVED THROUGH October 1, 2018

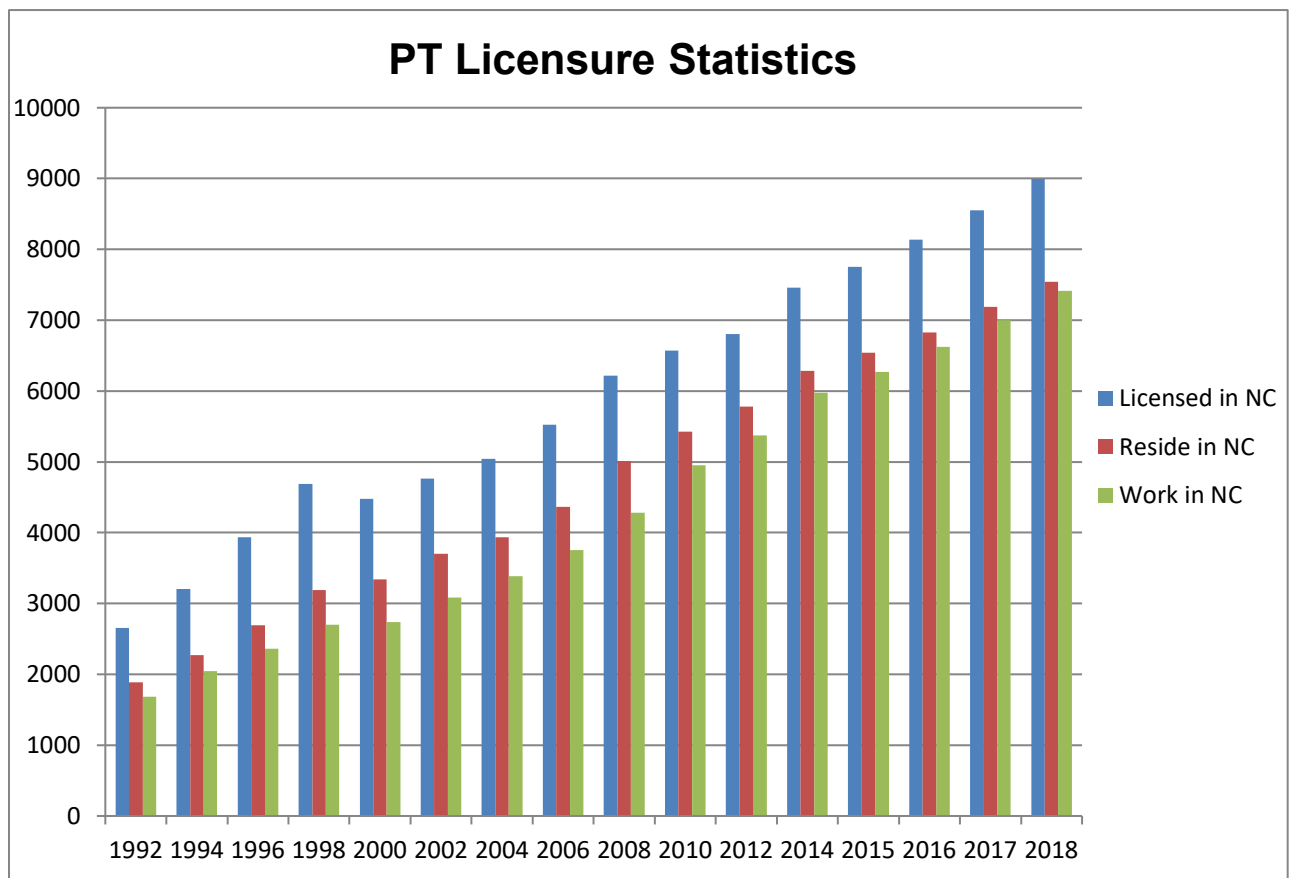
Total Cases Dismissed:	12
Total Suspensions Issued:	00
Total Probations Issued:	01
Total Warnings Issued:	03
Total Surrender of Licenses:	00
Total Revoked	00
Total Renewals Denied	00
Total Advisory Letters written:	013 (including 8 letters for failure to renew by deadline)
Total Letters sent regarding advertising:	02
Completed audit, no action required	00
Other: including invalid complaints-no name	02
Cases still pending:	06

12. **Questions? Email karney@ncptboard.org**

Physical Therapist Statistics - Fall 2018

October 3, 2018

DATE (Oct)	LICENSED IN NC	RESIDE IN NC	WORK IN NC
1992	2654	1890	1682
1994	3207	2269	2046
1996	3933	2693	2365
1998	4688	3193	2702
2000	4477	3343	2738
2002	4767	3699	3083
2004	5044	3935	3384
2006	5524	4365	3757
2008	6215	5014	4278
2010	6574	5426	4953
2012	6807	5782	5371
2014	7461	6285	5974
2015	7755	6542	6266
2016	8134	6826	6623
2017	8551	7187	7003
2018	8998	7541	7412



Physical Therapist Assistant Statistics - Fall 2018

October 3, 2018

DATE (Oct)	LICENSED IN NC	RESIDE IN NC	WORK IN NC
1992	942	786	713
1994	1251	1055	975
1996	1633	1342	1163
1998	1968	1627	1500
2000	2047	1770	1358
2002	2141	1880	1529
2004	2285	2016	1665
2006	2479	2184	1836
2008	2718	2399	2000
2010	2836	2521	2237
2012	3033	2695	2419
2014	3327	2959	2750
2015	3511	3106	2898
2016	3674	3269	3103
2017	3856	3412	3271
2018	3985	3553	3436

