

NEWS FROM

North Carolina Board of Physical Therapy Examiners

ISSUE 41

AUGUST 2009



by
Leslie Kesler, PT, Chair

Special Issue: Continuing Competence Continuing Competence Has Arrived

After years of discussion, Continuing Competence has finally arrived for physical therapy licensees in North Carolina! Our patients deserve competent practitioners who provide safe, effective, and efficient care. The implementation of continuing competence is a step forward in protecting the health, safety, and welfare of the citizens of North Carolina who receive physical therapy. This commitment to ongoing learning and professional growth demonstrates the value that licensees place on the quality of care that is provided to their patients.

Because of the implications for licensed Physical Therapists and Physical Therapist Assistants, your Board has dedicated this issue of the Newsletter to this important topic. This newsletter does not substitute for a careful reading of the Board's rules which are easily accessible at www.ncpt-board.org. The Board has received numerous calls from licensees who were initially upset about continuing competence; after staff clarified the rules, the licensees had less anxiety and indicated that they should have gone straight to the source for information rather than relying on rumor or misinformation. The majority of licensees have been extremely positive about the continuing competence requirements, seeing themselves and their colleagues excited about learning new information and improving their skills to raise the level of practice.

By having a system of continuing competence points that are achievable by a wide variety of activities, the rules recognize that competence is more than just attending continuing education courses and inservices. The options for achieving points by demonstrating professional engagement in various ways allow for licensees to select opportunities that best meet their clinical and personal needs. In this time of economic turmoil, having multiple options that

require little to no additional expense is a real plus, unlike requirements based solely on continuing education. Check out the Jurisprudence Exercise on the Board's website for an opportunity to receive free points!

The Board appreciates that the implementation of a new comprehensive program of continuing competence for licensees can appear overwhelming. The Board took the responsibility of informing licensees very seriously, providing seven presentations across the state that directly reached over 1000 licensees. The Board also had the insight and good fortune to hire Kathy O. Arney, PT, as a Continuing Competence Consultant to assist with the new program. The feedback that the Board has received is that Kathy has been extremely helpful to licensees in understanding the rules and developing strategies for meeting the requirements. Additionally, she has developed materials available at the Board's website, such as Frequently Asked Questions, credentialing tools, forms, and most recently a Self-Assessment Tool that can be used for gaining points. We feel very

fortunate to have Kathy on staff; her credentials, conscientiousness, and attention to detail, have helped the continuing competence program get off to a very strong and positive start.

To assist with documentation of continuing competence, licensees have requested the Board to develop a database that will allow them to enter the data directly into the Board's database system. In response, the Board has contracted with a consultant to develop a program will be a user-friendly repository of continuing competence activities by licensees. We hope this will be available to you in the near future. Please do not send your continuing competence documentation unless it is requested.

Continuing Competence has been a major change for physical therapy in North Carolina. The Board can and has developed requirements for continued competence; however, it is ultimately up to each individual to embrace lifelong learning and provide high quality, evidence-based care. Best wishes as you continue your individual growth and the growth of our great profession!

Important Notice Regarding Licensure Renewal

At the March, 2009 meeting of the NCBPTE, the Board voted and passed a motion, "...to adopt an initiative that will strongly encourage licensees to renew using the online process. In 2010, in lieu of mailing standard renewal forms, staff will mail post cards with directions for the online renewal process. Licensees will still be allowed to request the standard renewal forms." To implement this initiative the following actions will be taken:

1. Postcards will be mailed on November 3, 2009 informing licensees that the renewal period will be open online from November 3, 2009 until January 31, 2010 at 12:00 a.m. (midnight) and that online renewals will require a major credit card.

2. Licensees not wanting to renew online or use a credit card will be given the option to go to the Board's website and download a personalized renewal form that can be mailed in with a check.
3. Licensees may mail or fax a written request for paper renewal to the Board. (The Board strongly recommends that licensees requesting a paper renewal do so by December 31, 2009 to ensure that it will be processed and returned via US Postal Service Mail by mid January.)
4. This information will be posted in the Newsletter, and on the Board's website home page clearly explaining the process.



by
John M. Silverstein
Board Attorney

Documentation of Continuing Competence

Now that licensees are beginning to earn continuing competence points, it is important to make sure the appropriate steps are being taken to receive credit for continuing competence activities. In order to receive that credit, each licensee is responsible for maintaining appropriate documentation of completion of continuing competence activities for which points are awarded. This article will focus on the Board's rules related to documentation. All of the Board's rules can be found on the Board's webpage.

21 NCAC 48G .0105(6) defines "Documentation" as "evidence of completion of continuing competence activities." The nature of that evidence can vary depending on the type of activity for which continuing competence points are earned.

21 NCAC 48G .0109 lists the categories of continuing competence activities for which points are awarded. There are generally several types of activities in each category. By way of example, continuing education activities are described in Paragraph (a), and there are seven types of continuing education activities for which points can be awarded. In each of those seven subcategories, there is a sentence

that states the type of documentation that is required in order to obtain credit for the particular activity.

This pattern is followed throughout 21 NCAC 48G .0109; that is, for each specific activity in each category, there is a sentence that describes the type of documentation that will be required in order to obtain credit for points in that category. There will also be information as to the maximum number of points that will be allowed during any reporting period for that particular activity.

21 NCAC 48G .0110 elaborates on the type of documentary evidence that will be required for licensees to receive credit for continuing competence activities, and should be carefully reviewed. Section (a) references a Continuing Competence Compliance Form that must be submitted with an application for license renewal. This form will be required at the end of the first reporting period, which for most licensees will be December 31, 2010. The Board is in the process of developing a form that can be used as an interim report at the end of the first year of the reporting period.

Section (b) requires licensees to maintain evidence of continuing competence activity for a period of four years after the reporting period for which credit is sought. This documentary evidence is to be re-

tained by the licensee, not forwarded to the Board. Section (c) list the information that should be included to receive continuing competence points for continuing education activities. Section (d) provides that the Board will conduct random audits to assure compliance with continuing competence documentation requirements.

As with all aspects of the implementation of continuing competence requirements for North Carolina licensees, the Board's focus will be to assist licensees in engaging in continuing competence activities that will benefit recipients of physical therapy services in North Carolina. To that end, the Board must make sure that licensees can prove that they have engaged in continuing competence activities for which credit is sought. Therefore, licensees should not only make sure that a proposed activity qualifies for continuing competence points under the Board's rules, but also that the documentary evidence of completion of the activity is adequate to enable the Board to be satisfied that the activity was completed. Licensees should regularly consult the Board's website for information relating to continuing competence activities in general, and documentation requirements in particular.

Arney accepts position as Continuing Competence Consultant



Kathy O. Arney, PT
Continuing Competence Consultant

The Board is pleased that Kathy O. Arney, PT, MA, has accepted the position as Continuing Competence Consultant. Ms. Arney's primary responsibilities are to assist the Board with the implementation of the Board's rules, web information related to continuing competence, approve courses and providers, coordinate and participate in Board presentations, respond to telephone and email questions, develop forms, and assist with Newsletter articles.

Ms. Arney served on the Board's Advisory Panel for Continuing Competence and has served as the Reimbursement Specialist for the NCPTA. She is a certified Peer Reviewer and Certified Coding Trainer. She received her bachelor of science in physical therapy in 1983 from the University of Maryland and her master of arts from the University of Iowa in 1989.



by
Ben F. Massey, Jr., PT, MA

Reflections of the Executive Director Regarding Continuing Competence

As Executive Director of the Board for the past thirteen years and also as a physical therapist who has served in leadership positions in the professional association for several decades, I have been involved with discussions regarding continuing education and continuing competence for 25 years. From that perspective, this article will provide background and history on how continuing competence (CC) was established in North Carolina, share some of my reflections on what it means and its acceptance, and hopefully dispel a myth or two.

History: The issue of whether to require continuing education (CE) in North Carolina was first discussed in 1984 when members of the North Carolina Physical Therapy Association (NCPTA) debated the issue while rewriting the Practice Act to allow direct access. The NCPTA made a conscious decision not to include a requirement for CE as members felt that maintaining competence was a professional responsibility that did not need to be legislated. In the early 1990's, the general public became more vocal in demanding that regulatory boards ensure that licensees maintain an acceptable level of competence. In 1998, the NCPTA appointed a Task Force to study whether CE should be required for licensure renewal. After conducting statewide forums and straw polls showing more and more licensees supported mandatory CE, the Chapter again determined that CE was a professional responsibility. In 2004, the pendulum shifted in favor of requiring Continuing Competence (CC) for license renewal, and the Chapter voted to pursue legislation that required mandatory CC. In 2006, legislation was adopted by the NC General Assembly that allowed the Board to develop rules that would require licensees to demonstrate continuing competence. It is an important part of this background to note CE / CC was initiated and driven by the Chapter and licensees, not the Board.

In response to the 2006 legislation, the Board developed a plan to begin the process of enacting rules. The plan was

predicated on a totally open process that included 12 statewide forums where the Board asked licensees for opinions on what the requirements for continuing competence should be. In addition to the forums, the Board held a Public Hearing and also had a period for public comment. These comments included strong requests for multiple options to demonstrate competence beyond the typical requirements of CE, options that would not be cost prohibitive, options that did not require licensees to be away from work for an inordinate amount of time, and options that took advantage of technology. In September, 2006, the Board appointed an Advisory Panel to draft rules and advise the Board. In the development of the proposed rules, the underlying theme was "engagement" engagement in lifelong learning, engagement with other licensees, and engagement in providing safe, effective, and competent care. To this end, the Advisory Panel drafted and the Board adopted a set of rules that incorporated many concepts of licensees, while also preserving the goal of increased professional engagement.

In anticipation of the adoption of the rules by the Rules Review Commission, the Board contracted with Kathy Arney, PT, as a Continuing Competence Consultant. Arney's primary role is that of an educator whose responsibility is to assist licensees and CE providers with understanding the new requirements, including the development of forms that would assist licensees with record keeping. Additionally, Arney scheduled 7 statewide Forums to explain the new requirements, which were attended by over 1,000 licensees. The educational Forum can be accessed on the Board's website and can be completed for continuing competence points. The AHEC's were instrumental in hosting the Forums and the last Forum was videocasted to 7 other sites from the mountains to the coast. Arney has also responded to over 500 telephone calls and emails to assist licensees in their understanding of the new rules. Licensees who were licensed before January 1, 2009 will be required to submit an interim report to the Board when they

renew their licenses for 2010 and a completed report for the first Continuing Competence Period when they submit their renewal for 2011.

Reflections: In attending the 20 forums that the Board has presented over the past 3 years, I have seen a very positive shift. A large majority of licensees now feel that the new requirements for continuing competence benefit the public and the profession and that the numerous options available to licensees provide a multitude of opportunities for licensees to demonstrate competence. At the forums, I talked with licensees who stated that the forum was the first continuing education that they had attended in 10 years and that they now realize the value of continuing competence. They were actually very excited to be "re-engaged" in their profession and were very supportive of the new requirements. I have talked with "stay-at-home" moms who initially felt that they should not have to meet the same requirements because they were only working on a PRN basis, but came to realize that "practice is practice" regardless of whether it's PRN or full-time and that they really needed to meet the same requirements as other licensees. Lastly, I have talked with several other Boards (*both PT and non-PT*) who have reviewed NC's approach of multiple options for continuing competence and have stated that we "really figured it out". They said that they are planning to take our approach back to their respective Boards to consider as an alternative to typical CEU requirements. I'd like to commend our Board in its foresight in developing a plan that included input from multiple sources, our licensees for actively participating in the forums, the Advisory Panel for developing a comprehensive approach to continuing competence, our attorney, who had the task of drafting rules that met the spirit of engagement, and also Kathy Arney, PT, who has provided invaluable assistance to licensees and providers. North Carolina has proven that by working together and taking advantage of everyone's expertise, excellence can be achieved.

Understanding the Rules: Website FAQ's, Resources and Educational Video

Many licensees continue to have questions about Continuing Competence requirements for licensure renewal and Board Rules. The Board has created a number of self-directed tools to assist licensees to understand the Rules. Busy clinicians may find these tools more convenient or they may call the Board at (800) 800-8982 or (919) 490-6393 or email karney@ncptboard.org with questions. The Rules will become more familiar as licensees continue to read and work with them.

**North Carolina Board of Physical Therapy Examiners Website: www.ncptboard.org
GO GREEN**

We are trying to keep the costs associated with this new program as low as possible. Almost all information regarding continuing competence requirements can be found on the Board website with a little surfing. If you are unable to find what you are looking for or need a paper copy please contact the board and let us know!

FAQ's: Frequently Asked Questions

The Continuing Competence Consultant has answered over 500 questions on voice and email many of which are commonly asked or repetitive. There are several examples of common questions in "FAQ's" on the Board website in .pdf format (requires Adobe Reader) which can be searched by keyword or topic to see if your question has

already been answered. To access the FAQ's go to: www.ncptboard.org, Continuing Competence link, Updates and FAQ. Adobe is free to download at the Board website to help you gain access to those documents.

Additional Resources for methods of completing CC requirements

A Continuing Competence Resources page has been created at the Board website with references for activities that are furnished by approved providers, or may not be available in the workplace such as self assessment/reflective practice exercises. This is not an exhaustive list as the Board is unable to promote products and services but does point the licensee in a direction for finding additional resources.

Educational Video of "Continuing Competence: Are You ready" Now Available

Beginning in January, 2009, the Board presented six educational sessions to help educate licensees about the new Continuing Competence Rules. The last of these sessions was videotaped at Mountain Area Health Education Center (MAHEC) in Asheville. MAHEC has now created an educational video module for PT/PTA licensees that can be viewed online including pre and post-tests. Two continuing competence points are earned for completing this activity. There is a link at www.ncptboard.org to MAHEC where a licensee can sign up for this course. Licensees may also go directly to www.mahec.net and search for Allied Health under the Continuing Education links.

Interim Reporting Period Documentation and Early Audit news: When, Where and How

A quarter of the first continuing competence reporting period has already gone by. How are you doing earning your points? Do you have a system for documenting your activities so they are easily reportable when the time comes? Because continuing competence activities are a requirement for licensure renewal, licensees will have to comply with some sort of interim reporting of the activities completed to date. Activities are not required to be complete until the end of the reporting period, but the Practice Act does require "periodic reporting" of continuing competence activities. The Practice Act states the Board will:

(3a) Establish mechanisms for assessing the continuing competence of licensed physical therapists or physical therapist assistants to engage in the practice of physical therapy, including approving rules requiring licensees to periodically, or in response to complaints or incident reports, submit to the Board:

- (i) evidence of continuing education experiences;
- (ii) evidence of minimum standard accomplishments; or
- (iii) evidence of compliance with other Board-approved measures, audits, or evaluations; and specify remedial ac-

tions if necessary or desirable to obtain license renewal or reinstatement;

The Board is working to complete a process that will allow licensees to report information directly to the Board using a web-based tool. This would be easily accessible from the Board website and would correspond with the licensure renewal period, allowing license renewal and reporting on continuing competence activity progress in one location. Progress is being made on development of this tool and more information will be made available as it happens at www.ncptboard.org on the homepage. Those who do not wish to utilize the online system will have a paper option available. Further directions will be mailed. Look for a postcard from the Board in late October or early November with additional details.

Randomly selected licensees will be asked to submit evidence of all continuing competence activities performed during a specific reporting period. The web-based interim report may help serve as a basis for the audit, but licensees will need to submit additional documents as evidence of compliance. Details for audits are to be determined and will be posted on the board website www.ncptboard.org as they become available.

Continuing Competence @ www.ncptboard.org

Have you visited the NCBPTE website lately? The Continuing Competence section has new pages and additions to existing pages. Look for the red "NEW" and a date indicating an update to an existing page or that a new page has been added. Recently added pages are "Resources" and "Self-Assessment / Reflective Practice Exercise". Recent updates include a revamped FAQ page, online course earning 2 continuing competence points ("Continuing Competence: Are You Ready?") and additional forms to assist licensees with meeting documentation requirements. Check it out!

Approved Courses and Providers: How do you know??

Answering Continuing Competence questions for licensees and continuing education providers is one of the more important and often rewarding tasks I do on a daily basis. Some questions are routine and can be answered easily while others stop me in my tracks and require rule interpretation. One of the more frequently asked questions is whether or not a particular course or provider is approved for continuing competence activities in North Carolina. The Board wanted to make participation in qualified continuing competence activities as easy as possible for licensees. Approved Providers are responsible for furnishing course certificates of completion and reporting and verifying course attendance to the Board.

Rule .0108 outlines Approval of Providers and Activities, which includes those entities given “pre-approved

provider” status, and how a course may become approved by a licensee or continuing competence activity provider. Continuing competence course or activity providers may also become approved providers under rule .0108. The determination whether a course or provider is approved for continuing competence points in NC includes the following:

- is it approved by an APTA chapter or section, FSBPT or a state PT licensure board in the US or Canada?
- is it offered by a NC AHEC, Department of Public Health (CDSA or Regional PT Consultant) or Department of Public Instruction?
- is it offered by an APTA approved residency or fellowship?
- is it offered by or in partnership with a CAPTE accredited physical therapy academic program (PT or PTA)?

Often, the answers to these questions can be obtained from a course brochure, website or Board or NCPTA website. If that still doesn't reveal a definitive answer, contact the provider of the activity directly and ask them where they have received approval. If it has not been approved, as a licensee you have the option to submit an application and fee to have it reviewed for approval by the Board. (www.ncptboard.org, Continuing Competence, Forms). Courses may be approved either before or after the course has taken place. Applications for prior approval must be submitted 30 days ahead for licensees and 60 days ahead for providers. Otherwise, courses may be submitted anytime within the reporting period for review. If you still have questions, contact the Board office at (800) 800-8982 or (919) 490-6393 or email karney@ncptboard.org to get the answer.

Planning Your Points

I receive many calls on a regular basis from licensees feeling anxious about how to complete 30 or 20 continuing competence points in a 2 year period. I always recommend that licensees start with some **planning**. In the popular weight loss program, Weight Watchers, an individual is given a daily “points” target that is achieved by recording the point values of foods eaten into a “tracker”. Trackers may be audited over time if a Weight Watcher is having difficulty achieving weight loss success, so documentation of points in the tracker is critical. **Planning** the point values for meals and snacks and staying within the totals for the day is one method of working the Weight Watcher program to achieve the daily target and the larger goal of weight loss. Continuing Competence points can be thought of in a similar way.

The continuing competence “points target” is either 20 (PTA) or 30 (PT), depending on your license, for a 2 year reporting period. You have control over which categories and which activities you choose to perform to meet the target. The only mandatory requirement is

completion of a Jurisprudence Exercise for one point. To reach 20 or 30 points you can **plan** when, where and how you will earn those points; otherwise, you would just accumulate and hope you have enough at the end of the reporting period. Planning may allow you to spend less money, be away from home less, choose activities that best suit your career goals and objectives or earn continuing competence points for PT related activities you already do.

As PT's we are skilled planners. We create patient “plans” of care daily in the clinic for our patients and assess how they are progressing toward the goals of that plan, so why not create a plan for ourselves as well? Planning for earning continuing competence points starts with Rule .0109 or the Summary Chart found at the Board website www.ncptboard.org, Continuing Competence Rules and Chart. Review each category and record in the margin the number of points you have already earned since 1-1-09, or know you will earn due to activities in which you already participate. Total those points.

Subtract that total from the 30 or 20 you are required to earn, and you can then create a plan to meet that number. Write down your completed and planned activities in a self-created “tracker” or one that is available on the website at www.ncptboard.org, Continuing Competence Forms—Summary Tracking Tool. Points summarized on a tracking form will help you see how many points you have accumulated and how many more points you need to earn during the reporting period. It will also assist you in compiling the required documentation along the way.

You might choose activities based on cost, personal career goals, time-frame, location, category of activity, presenter or any other number of criteria. The most frequent concern expressed to me in these economic times is cost. Fortunately, there are many free activities available for earning points. It takes planning but you can find these at the Board's website, which is updated frequently. Good Luck with planning, earning and recording those points!

License Revivals and Continuing Competence

The adoption of continuing competence rules has created a change in Rule .0203. There are three categories a lapsed license falls into: less than one year, between one and five years and more than five years. The rules require those individuals reviving their licenses after a lapse of less than one year to complete the application and pay all applicable fees. This portion of the rule has not changed. However, licensees wishing to revive licenses lapsed more than one year but less than five years, in addition to all applicable fees and forms, must demonstrate evidence of continuing competence activity completion **prior** to license revival.

If an individual does not wish to revive by furnishing evidence of continuing competence and has a valid, active license in another state, he/she may choose to **revive by endorsement**. Finally, applicants reviving licenses lapsed over five years must complete applicable forms and fees in addition to either passing a PT or PTA exam, reviving by endorsement or compiling 500

hours of course work and clinical work as a physical therapy aide under the supervision of a licensed physical therapist.

21 NCAC 48G .0203 REVIVAL OF LAPSED LICENSE

- (a) A license that has been lapsed less than one year may be revived by payment of the revival of lapsed license fee and the current year's renewal fee and by completion of the revival form.
- (b) A license that has lapsed more than one year but less than five years may be revived by completion of the revival form, and:
 - (1) completing 30 units (if reviving a physical therapist license) or 20 units (if reviving a physical therapist assistant license) of continuing competence as provided in the Rules in this Subchapter,
 - (2) payment of the revival of lapsed license fee, and
 - (3) payment of the current year's renewal fee.

- (c) A license that has lapsed more than five years may be revived by completion of the application forms; and
 - (1) passing the "PT exam" (if trained as a physical therapist) or the "PTA exam" (if trained as a physical therapist assistant);
 - (2) compiling at least 500 hours within the period of one year in the following manner: between 50 and 200 class hours of course work (ie, refresher course, continuing education, pertinent college courses) approved by the Board as designed to demonstrate proficiency in current physical therapy theory and practice, and the remaining hours working as an aide under the supervision of a licensed physical therapist; or
 - (3) endorsement of a current license in another state as provided by 21 NCAC 48B .0102.

Revival with evidence of continuing competence: Applicants must send the Board a completed Revival form with the appropriate fee, evidence of approved continuing competence activities (PT- 30 points, PTA- 20 points) that have been completed in the last two years (including one point from a Jurisprudence Exercise).

Revival by Endorsement: Applicants must send the Board a completed Certification of Valid PT license in Another State Form, (License verification must come directly from a Board where you have an active license), furnish two Character References, complete the NCBPTE Application for Physical Therapist or Physical Therapist Assistant Licensure Form, and attach a *certified check or money order* for \$150.00 to the application.

Questions related to continuing competence should be addressed to Kathy Arney, PT, MA, Continuing Competence Consultant, (karney@ncptboard.org or 919-490-6393 / 800-800-8982).

All other questions related to licensure revival or forms requests should be directed to ncptboard@ncptboard.org or 919-490-6393 / 800-800-8982.

Rule Interpretations and Clarifications

Licensees and continuing competence activity providers have asked hundreds of questions since the rules were implemented. Many excellent questions required rule interpretations in order to provide answers that have been the subject of FAQ's (frequently asked questions or the subject of articles in this newsletter). The vast majority of questions at this point are about whether specific courses or providers are approved for earning continuing competence points. (See *Approved Courses and Providers: How do you know??* in this edition)

Other questions have raised issues as to how an activity is categorized for the award of continuing competence points. One example involves whether a licensee took a course live or via a web or video connection. The difference is described in Rule .0109 (a) (1), "...registered attendee at courses or conferences offered by approved providers..." and Rule .0109(a) (4), "...registered participa-

tion in a course offered by an approved provider by video...webcast..." In the case of Rule .0109 (a) (1), the interpretation is that a participant is *registered AND* is in attendance *live, on-site*. In the case of Rule .0109 (a) (4), a participant may be viewing the presentation live but because it is via an electronic media it is counted in a different category. This distinction is important when licensees are planning and counting points because more points can be accumulated under (a) (1) then (a) (4).

Another question involves how points should be counted for Rule .0109 (a) (2) for, "... an academic course related to physical therapy...in a post-baccalaureate program...." A 3 credit course is considered to contain 45 contact hours or 45 continuing competence points. This category is limited to 29 points and a licensee may carry over up to 10 points into the next reporting period. Thus 39 of the 45 points earned may be used.

North Carolina Board of Physical Therapy Examiners

Board Orders / Consent Orders / Other Board Actions

September 2008 – June 2009

Wiggins, Leanna, PTA (Warning)

Location: Cherokee, NC, Swain County
License #: A-2759
Conduct: Failure to observe professional boundaries with a patient.
Discipline: Warning and pay the cost of the investigation. (Executed – November 20, 2008)

Hill, Jeffrey P., PT (Probation)

Location: Gastonia, NC, Gaston County
License #: P-6056
Conduct: Failure to exercise supervision of persons who are authorized to practice only under the supervision of a licensed professional, recording false or misleading documentation, and failing to maintain legible notes.
Discipline: Probation with conditions for a period of three months and pay cost of the investigation. (Executed – December 4, 2008)

Casper, Angela W., PTA (Suspension)

Location: Greenville, NC, Pitt County
License #: A-1292
Conduct: Violation of paragraphs 3 (a), (b), and (c) of the Consent Order dated June 19, 2008 by failing to advise her employer of the existence of the Consent Order, failing to provide the Board with a business address, and failing to file reports required by the Consent Order.
Discipline: Active suspension for 5-days. (Executed – December 4, 2008)

Rushing, Tammi C., PT (Indefinite Suspension)

Location: Dallas, NC, Gaston County
License #: P-2886
Conduct: Failure to adhere to the provisions of the Alternative Program for Chemical Dependency contract.
Discipline: Indefinite Suspension. (Executed Jan 15, 2009)

Kunzelman, Susan H., PT (Warning)

Location: Jacksonville, NC, Onslow County
License #: P-11010
Conduct: Engaging in the practice of physical therapy while her license had lapsed.
Discipline: Warning and pay cost of the investigation. (Executed – April 15, 2009)

Edwards, James Russell., PT (Warning)

Location: Lumberton, NC, Robeson County
License #: P-7578
Conduct: Failure to record patient records within a reasonable period of time.
Discipline: Warning and pay cost of the investigation. (Executed – April 15, 2009)

Jarboe, Donald Royce, PT (Surrender of License)

Location: Wilmington, NC, New Hanover County
License #: P-2549
Conduct: Obtaining prescription medications by fraud and deceit, abusing prescription medications, and failure to observe professional boundaries with a patient.
Discipline: Surrender of License for a minimum of 1 year. Additionally, he must successfully complete a substance abuse evaluation and program, and pay costs of the investigation. (Executed – April 7, 2009)

Lucas, William H., PT (Summary Suspension)

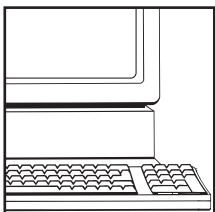
Location: Wake Forest, NC, Wake County
License #: P-1209
Conduct: Providing false information on license renewal applications for 2006, 2007, 2008, and 2009 by failing to disclose felony convictions for selling narcotic drugs and violating the terms of his probation.
Discipline: Summary suspension. (Executed – May 7, 2009)

Lucas, William H., PT (Revocation)

Location: Wake Forest, NC, Wake County
License #: P-1209
Conduct: Providing false information on license renewal applications for 2006, 2007, 2008, and 2009 by failing to disclose felony convictions for selling narcotic drugs and violating the terms of his probation.
Discipline: Revocation (Executed – June 18, 2009)

Williams, Lynda F., PTA (Suspension)

Location: Wilmington, NC, New Hanover County
License #: A-927
Conduct: Documenting and charging for patient visits that she did not make. Recording false and misleading information in a patient's chart.
Discipline: Suspension for 1 year with 15 days active and the remaining period stayed with conditions. She may not work in home health for 3 years and must pay the cost of the investigation. (Executed – June 18, 2009)



21 NCAC 48F .0105 CHANGE OF NAME AND ADDRESS REQUIRED

Each licensee must notify the Board within 30 days of a change of name or work or home address. [History Note: Authority G.S. 90-270.27; Eff. August 1, 2002.]

Addresses can be changed by the licensee on the Licensure Board's web page (www.ncptboard.org) or by letter, fax (919-490-5106), or call the Board's office @ 919-490-6393 or 800-800-8982.

Calendar of Events

* Dates are tentative / please confirm by contacting the Board office (800-800-8982)

July 21, 2009 (Tues)	Investigative Committee Meeting *- (8:00 a.m. – 1:00 p.m., Satsky and Silverstein Law Firm, Raleigh, NC, www.satskysilverstein.com)
Sept 1, 2009 (Tues)	Investigative Committee Meeting *- (8:00 a.m. – 1:00 p.m., Satsky and Silverstein Law Firm, Raleigh, NC, www.satskysilverstein.com)
Sept 10, 2009 (Thurs)	Board Meeting *- (8:30 a.m. - 4:30 p.m., Siena Hotel, 1505 E. Franklin Street, Chapel Hill, NC, http://www.sienahotel.com/)
Nov 3, 2009 (Tues)	Postcards mailed to encourage all licensees to renew online and also provide an Interim Report for Continuing Competence for licensees who were licensed prior to January 1, 2009. Licensees who prefer to renew by paper renewals will need to fax or mail a request for a paper renewal. <i>(The Board strongly recommends that licensees requesting a paper renewal do so by December 31, 2009 to ensure that it will be processed and returned via US Postal Service Mail by mid January.)</i>
Dec 10, 2009 (Thurs)	Board Meeting *- (8:30 a.m. - 4:30 p.m., Siena Hotel, 1505 E. Franklin Street, Chapel Hill, NC, http://www.sienahotel.com/)
Dec 31, 2009 (Thurs)	Date that is strongly recommended for requests for paper renewals.
Jan 31, 2010 (Sun)	Final deadline for license renewal. Online license renewal will be terminated at 12:00 am (midnight).

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FORUM: Q & A

Q: I received a call approximately two weeks ago from a Sales Consultant who indicated that if our clinic would use their TENS units it would not cost our patients anything including deductibles and we would get reimbursed from the company \$150.00 per unit applied. Is this legal?

A: The Board discussed this question at its meeting on December 4, 2008 and sent the following response:
In light of the following North Carolina general statute:

§ 90-401. Referral fees and payment for certain solicitations prohibited.

A health care provider shall not financially compensate in any manner a person, firm, or corporation for recommending or securing the health care provider's employment by a patient, or as a reward for having made a recommendation resulting in the health care provider's employment by a patient. No health care provider who refers a patient of that health care provider to another health care provider shall receive financial or other compensation from the health

care provider receiving the referral as a payment solely or primarily for the referral. This section shall not be construed to prohibit a health care provider's purchase of advertising which does not entail direct personal contact or telephone contact of a potential patient. (1991 (Reg. Sess., 1992), c. 858, s. 1; 1993 (Reg. Sess., 1994), c. 689, s. 2.)

The Board shares your concern that physical therapy licensees participating in the arrangement that you described could be in violation of this statute and could be subject to disciplinary action by the Board, or prosecution.

N.C. Licensure Statistics (As of May 26, 2009)

	Licensed	Reside	Work
PTs	6,176	5,127	4,589
PTAs	2,679	2,407	2,119

Continuing Competence
Special Issue **

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Printed at a cost of \$2280.00 or .24 cents per copy.

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