



North Carolina Board of Physical Therapy Examiners NEWSLETTER

ISSUE 37

WINTER 2007

Continuing Competence is Coming!

By Outgoing Chairman J. Herman Bunch, Jr., PT



Last year the North Carolina Physical Therapy Association (NCPTA) requested the legislature to add a continuing competence section to the **North Carolina Physical Therapy Practice Act**, which was adopted on July 11, 2006 (House Bill 1301).

In response to this new legislation, on September 19, 2006 the North Carolina Board of Physical Therapy Examiners (Board) adopted a motion to appoint a seven (7) member Advisory Panel to study the various options available for Continuing Competence and make recommendations to the Board regarding proposed rules for implementation. The following licensees were appointed and have graciously agreed to serve: NCPTA members Kathy Arney, PT, MA, Certified Peer Reviewer; Karen McCulloch, PT, PhD, NCS; and Roger Meade, PT, MPH; and Board members: JoDell King, PTA; Stuart MacRoberts, PT; Joanna Nicholson, PTA, MA; and Paula Schrum, PT,

MBA. Staff who will assist the Advisory Panel are John M. Silverstein, Board Attorney and Ben F. Massey, Jr., PT, Executive Director.

In addition, in order to obtain input from licensees regarding the new Continuing Competence requirements, the Board agreed to fund twelve (12) forums across North Carolina so that all Physical Therapists and Physical Therapist Assistants would be able to voice their opinions on how this addition to our **Practice Act** could best be accomplished. Most forums will be conducted from 7:00 p.m. – 9:00 p.m. and there will be **no charge** to attend. It is important for licensees to attend to let their voices be heard.

A list of **tentative** meeting dates and locations are as follows (*see the Board's web page for finalized dates, specific locations, directions, etc.*):

- January 24, 2007 – Ahoskie (3:00 pm – 5:00 pm)
- January 24, 2007 – Elizabeth City
- February 6, 2007 – Wilmington
- February 20, 2007 – Fayetteville
- March 22, 2007 – Greensboro
- April 10, 2007 – Greenville
- April 21, 2007 – Raleigh (1:00 pm – 3:00 pm)
- April 24, 2007 – Boone
- May 17, 2007 – Hickory
- September 6, 2007 – Asheville
- September TBD – Charlotte
- October TBD - Greensboro

We do not expect these rules to be adopted before the latter part of 2008. A tentative timeline follows (updates will be posted on the Board's web page):

- A. Sponsoring of statewide forums in 2007.
- B. Interim Report to the Board in December 2007.
- C. Final report to the Board in March 2008 with recommendations for changes in the Board's rules.
- D. Following the March 2008 Board meeting, staff to begin the "Rules Process" with effective date of February 1, 2009.
- E. Upon adoption of the Board's rules (*probably in the 3rd quarter of 2008*), staff will begin an education program for licensees.

A number of licensees have talked to me about the Continuing Competence. The forums provide the opportunity for all licensees to express their views on this important new element of professional practice in North Carolina. We have scheduled twelve (12) forms because we hope to hear from you.

Communication 101

By John M. Silverstein, Board Attorney



N.C.G.S. § 90-230.36 lists the grounds for disciplinary action applicable to all physical therapy licensees in North Carolina. Most of them are obvious: obtaining a license through fraud, use of drugs or alcohol to the extent practice is affected, conviction of a felony, commission of acts of malpractice, gross negligence or

incompetence, practicing without a license and engaging in conduct that could result in harm or injury to the public. This statute also makes it unlawful to violate any of the other provisions of the North Carolina Physical Therapy Practice Act or of the Board's Rules.

21 N.C.A.C 48G .0601 (a) lists an additional 28 "behaviors and activities" that could also trigger disciplinary action by the Board. All licensees should be aware of these behaviors and activities, and it is the wise practitioner who periodically reviews the Practice Act and the Board's rules, all of which can be found on the Board's website. Even so, it is sometimes not enough just to be well informed.

There is no specific admonition in either the Practice Act or the Board's rules requiring a licensee to use common sense or to follow the "golden rule." However, licensees who ignore these principles in their practice face a greater risk of having a complaint filed with the Board than do licensees who treat their patients with dignity, courtesy and respect. While it is more likely than not that a complaint that a licensee was rude

or disrespectful would not result in disciplinary action, that conclusion would entail an investigation, which would likely involve employers and coworkers.

There are several measures that can be taken to help prevent complaints from being filed for poor behavior rather than unlawful conduct:

- Tell the patient or the patient's family what you are going to do and then do it, from explaining the nature and purpose of interventions to seeing the patient on time, and as often as you said you would.
- Know your patient. Some patients or their families have different needs than others. The practitioner must address the reasonable needs of individual patients. The approach that works for one patient might be inappropriate for a different person.
- Keep comprehensive, legible notes. Activities alleged to have occurred that are not mentioned in the note can lead to a dispute; thorough notes help resolve disputes.
- Complete notes promptly.
- Complete all forms and schedules required by the employer.
- Read and understand the Board's rules.
- Respond promptly to requests for information.
- Be reasonably accessible and available to patients or their caretakers.

Complaints to the Board are often related more to a how a patient was treated personally than professionally. Even if a licensee is cleared by the Investigative Committee, it is not a pleasant experience. In almost all cases, the prescription for preventing complaints includes a dose of compassion, dignity and respect.



Stewart (left) presents Award to Chairman Bunch (right).

Bunch Awarded Order of the Long Leaf Pine for Service

On behalf of Governor Michael F. Easley, Randall C. Stewart, PT, DPT, former Chairman of the North Carolina Board of Physical Therapy presented J. Herman Bunch, Jr., PT, with the **Order of the Long Leaf Pine** for his years of service and dedication to the North Carolina Board of Physical Therapy and the citizens of North Carolina. Mr. Bunch has provided physical therapy services to North Carolinians for over forty years, athletic training services for over 50 years, and has served on the Board for five 3-year terms, including six years as its Chairman. According to Wikipedia Encyclopedia, "*The Order of the Long Leaf Pine is the highest civilian honor that can be granted in the state of North Carolina. The long-leaf pine is the official state tree of North Carolina. The Order of the Long Leaf Pine is presented to individuals who have a proven record of extraordinary service to the state. Contributions to their communities, extra effort in their careers, and many years of service to their organizations are some of the guide-*

lines by which recipients are selected for this award. The Order of the Long Leaf Pine is among the most prestigious awards presented by the Governor of North Carolina." (1) The award was presented at the Board luncheon on December 6, 2006.

North Carolina Board of Physical Therapy Examiners

Board Orders / Consent Orders
July 2006 – December 2006

Alfano, Anthony J., PTA (Suspension upon his return to NC)

Location: Asheville, NC; Buncombe County (Currently resides in Athens, OH)

License #: A-3375

Conduct: Failure to comply with terms of his Consent Order of March 14, 2006

Discipline: Fifteen-day suspension upon his return to North Carolina and all terms of the Consent Order of March 14, 2006 will remain in full force and effect. (Executed December 6, 2006)

Chemical Dependency Agreement with Board of Nursing

Effective January 1, 2007, the North Carolina Board of Physical Therapy Examiners (Board) entered an Agreement with the North Carolina Board of Nursing (BON) that would offer physical therapy licensees the opportunity to seek eligibility for enrollment in the treatment programs administered by the BON for practitioners who are impaired as a result of chemical dependency. Within this Agreement is a provision for voluntary enrollment. Please contact Ben F. Massey, Jr., PT, Executive Director, if you would like additional information. A more complete explanation of this arrangement and the programs will appear in the next issue of the Newsletter.

Appointments by Governor

On December 18, 2006, Governor Michael F. Easley appointed Pearl L. Rhone, PTA, to serve on the NC Board of PT Examiners (Board) for a 3-year term from January 1, 2007 - December 31, 2009. Ms. Rhone is a 1984 graduate of the Physical Therapist Assistant Program at Fayetteville Technical Community College. She currently serves as Sr. Physical Therapist Assistant at Cape Fear Valley Medical Center in Fayetteville, N.C.

Additionally, Governor Easley appointed Deborah J. Ragan, MS, PT, to serve on the Board from 2007 – 2009. Ms. Ragan graduated from Duke University with a Master of Science in Physical Therapy in 1982. She currently serves as the Director of Rehabilitation and Wellness at Betsy Johnson Regional Hospital in Dunn, N.C.

Election of Board Officers for 2007

On December 6, 2006, the Board elected Paula B. Schrum, PT, MBA, by acclamation to serve as Chair for 2007. Ms. Schrum is serving in the second year of her second term on the Board. She served as the Board's Delegate to the Federation of State Boards of Physical Therapy (FSBPT) in 2005 and 2006. She also served as a member of the Board's Continuing Competence Committee in 2005, a member of the Board's Subcommittee for Functional Capacity Evaluations, and a panel member for the Board presentation, "*Mock Informal Meeting of the Investigative Committee.*" She's currently serving as a member of the Continuing Competence Advisory Panel. Ms. Schrum is employed at Carolinas Healthcare System in Charlotte, N.C.

In addition, the Board elected by acclamation JoDell F. King, PTA, as Secretary-Treasurer. Ms. King previously served as Secretary -Treasurer in 1997, 1998, 1999, and 2000. She served as Delegate to the FSBPT in 1999, Alternate Delegate in 1998, and a member of the Education Task Force on Supervision Issues in 1996. She's currently serving as a member of the Continuing Competence Advisory Panel. Ms. King is employed at Carolina Physical Therapy in Erwin, N.C.



Note:

21 NCAC 48F .0105 CHANGE OF NAME AND ADDRESS

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.

North Carolina Board of Physical Therapy Examiners

Board Members

Paula B. Schrum, PT
Chair
 Charlotte, NC
 JoDell F. King, PTA
Secretary-Treasurer
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Hendersonville, NC

Deborah J. Ragan, PT
Dunn, NC
 Pearl L. Rhone, PTA
Fayetteville, NC

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NC Board of PT Examiners
 18 West Colony Place, Suite 140
 Durham, NC 27705
 919-490-6393/800-800-8982
 Fax 919-490-5106
 E-mail NCPTBoard@mindspring.com
 Web page www.ncptboard.org

Calendar of Events

- Jan. 11, 2007 Investigative Committee Meeting*
 (8:30 a.m. – 12:00 p.m., Silverstein Law Office, Raleigh, NC)
- Jan. 31, 2007 Final deadline for license renewal
- Feb. 1, 2007. Licenses not renewed lapse
- Mar. 14, 2007 **Board Meeting***
 (8:30 a.m. – 5:00 p.m., Siena Hotel, 1505 E. Franklin Street, Chapel Hill)
- June 27, 2007 **Board Meeting***
 (8:30 a.m. – 5:00 p.m., Siena Hotel, 1505 E. Franklin Street, Chapel Hill)

* Dates are tentative / please confirm by contacting Board Office (800-800-8982).
 ** See web page (www.ncptboard.org) for additional information for dates for Forums on Continuing Competence.

Important Notice

The updated **North Carolina Physical Therapy Practice Act** with the section regarding continuing competence and the updated Board’s rules have been posted on the Board’s web page. These updated rules include clarifications regarding requirements for foreign educated physical therapists and a new section specifically related to documentation requirements.

Jurisprudence Awareness Exercise is now available on the Board’s web page. Effective January 1, 2007, new licensees are required to complete the exercise as a requirement for licensure. Current licensees who complete the exercise will receive a certificate.

Summary of Fees

(Effective March 1, 2007)

Renewal (PT & PTA)	\$100.00
Revival Fee and Renewal Fee	130.00
Application Fee PT & PTA	150.00
Exam Cost (PT & PTA)*	350.00
Exam Retake Fee	60.00
Verification/Transfer Fee	30.00
Licensee Directory	10.00
License Card	10.00
Labels of Licensees (PT or PTA)	60.00
Certificate Replacement	30.00

*plus PT or PTA Application Fee

N.C. Licensure Statistics

(As of November 20, 2006)

	Licensed	Reside	Work
PTs	5,707	4,482	3,808
PTAs	2,526	2,206	1,847

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North Carolina Board of Physical Therapy Examiners
 18 West Colony Place, Suite 140
 Durham, N.C. 27705