



WEST VIRGINIA BOARD OF PHYSICAL THERAPY
101 DEE DRIVE

LESLEIGH BARBER
Board Chair

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PATRICIA A. HOLSTEIN
Executive Secretary

MINUTES

Wednesday, June 22, 2011
10:00 am

Members present: Jack Spatafore, Shannon Snodgrass, Melanie Taylor, John Spiker, Lesleigh Barber, Gina Brown
Members not present: D.C. Offutt
Non Members present: Kate Campbell, Assistant Attorney General (Kate left at 12:20) ; Jared Balding, Research Analyst; Ashlee Teel, PTA student (Mountain state); Eric Tarr, PT, WVPTA; Janet Rorrer, WVATC Government Affairs Committee

Minutes taken by: Trish Holstein

I. Lesleigh motioned to call meeting to order at 10:08 am.

II. Approval of Minutes

- a) **Shannon** motioned to accept the December 22, 2010 minutes as amended. **John** seconded the motion with all in favor.
- b) **Melanie** motioned to accept the March 16, 2011 minutes as amended. **Shannon** seconded the motion with all in favor.
- c) **Jack** motioned to accept the April 4, 2011 minutes as they are. **John** seconded the motion with all in favor. **Shannon** and **Melanie** abstained from voting because they were not present during the meeting.

III. No Public Comment

IV. Executive Session – Disciplinary & Personnel

Lesleigh motioned to go into Executive Session at **10:20 am**. **Jack** seconded the motion with all in favor.
Lesleigh motioned to go out of Executive Session at **11:25 am**. **Melanie** seconded the motion with all in favor.

Melanie motioned to accept the 2% across the board raise coming from the Governor. **Shannon** seconded the motion with all in favor.

V. Disciplinary committee report (Jack Spatafore and D.C. Offutt)

- a) Case No. 2010-01
 - License suspended for 1 year effective March 24, 2011
- b) Case No. 2010-03 (Original complaint received 7/1/2010, 18 months = 01/01/12)
 - Hearing held March 17, 2011
 - Kate advised that we are still pending the Administrative Law Judge's decision
- c) Case No. 2010-04
 - License suspended for 1 year effective March 24, 2011
 - Kate advised the appeal of the Circuit Court
- d) Case No. 2010-05
 - Probation until September 30, 2013
- e) Case No. 2011-01 (Original complaint received 03/08/11, 18 months = 09/08/12)
 - September 8, 2011 status report deadline to Complainant
 - **Jack** motioned that the disciplinary committee suggest issuing a subpoena for the complainant's medical records and notes and payroll/work hours for the dates the complainant was seen. Also in a cover letter, request the name of the home health agency they work at. After receiving the home health agency's name, subpoena the agency for the same dates that the complainant's were seen and ask for payroll/work hours for

anyone that worked that day. After receiving all the requested information, the disciplinary committee will review and make a recommendation to the board. **Melanie** seconded the motion with all in favor.

- f) Case No. 2011-02 (Original complaint received 03/28/11, 18 months = 09/28/12)
- September 28, 2011 status report deadline to Complainant
 - **Jack** motioned to subpoena the supervising PT's requesting the completed medical record including the plan of care, pt notes, pta notes, and additional orders for the named patient. Kate will review and advise the disciplinary committee of any violations. After receiving all the requested information, the disciplinary committee will review and make a recommendation to the board. **John** seconded the motion with all in favor.
- g) Case No. 2011-03 (Original complaint received 04/04/11, 18 months = 10/04/12)
- October 4, 2011 status report deadline to Complainant
 - **Jack** motioned to subpoena the supervising PT's requesting the completed medical record including the plan of care, pt notes, pta notes, and additional orders for the named patient. Kate will review and advise the disciplinary committee of any violations. After receiving all the requested information, the disciplinary committee will review and make a recommendation to the board. **John** seconded the motion with all in favor.
- h) Trish discussed a disciplinary that was not posted on our website or database but was posted with the National database. The board advised to show the disciplinary on our website and database.

VI. Reports

a) Chairman Report

- Lesleigh advised that the PT legislative rule went to effective June 16, 2011
- Our website contains the updated PT rules
- Lesleigh discussed meetings with the FSBPT and advised they were asking about continuing competency and jurisprudence exams.
- The board discussed communication with licensees suggestions
 - Twitter
 - Setting up presentations given by board members at different locations in the state and giving 1 CE hour for attending.
 - Attend board meeting and receive CE hours for attending
 - The board agreed to setting up presentations for future meetings.
 - The board agreed to notify Trish by the middle of July of what area they want to cover.
 - John will conduct training in Morgantown
 - Lesleigh will conduct training in Charleston/Huntington. Shannon will also assist.
 - Shannon will conduct training in Boone, Summersville, and Chapman.
 - Gina can conduct training at Mountain State.
 - John advised also doing a presentation for the athletic trainers.
 - Trish will do a letter and send out to the contacts the board members provide her.
 - Trish will mail documents pertaining to the presentation to the board members.
 - Eric Tarr advised that "After Hours" could be a good place to notify others.
 - Lesleigh and Melanie agreed to work on a Power Point presentation together and try to have it completed in the next couple of weeks and they will distribute to the other board members and to the Association.
 - If additional questions are brought up at the presentations, they can bring them to the board at our next meeting.
 - Jack suggested going to large agencies that hire a large amount of PT's; Melanie advised that she could work with Gentiva.
 - Trish will check on Facebook and Twitter to see if we can communicate without accepting comments.
- Athletic Trainers
 - Registration will be effective July 1, 2011
 - June 16, 2011 started accepting applications.

b) Executive Secretary Report

- Legislative Audit
 - Jared explained that we are getting audited because we fall under the Chapter 30 board and they are checking to make sure we are in compliance with the Chapter 30 provisions. Set schedule believes to be every 3-4 years.
 - Jared advised that this is our 1st audit through the Legislative Auditor's Office.
 - Once the audit is complete, the board will have a chance to meet with auditor's team and review the audit and make suggestions if we disagree with any part of the report.

- Trish discussed the requested documents that have been requested from the auditor's so far.
 - Shannon asked Jared if their office could assist our board with a financial audit. Jared advised that after our audit is complete, he can look more into it and he will keep us informed.
 - Shannon asked Jared about fidelity bonds for board staff. Jared advised asking other boards if they use fidelity bonds.
 - Trish advised that we are currently in compliance with the Legislative Post Audit – Cash Receipts Study suggested recommendations.
 - Inadequate physical safeguards over money's
 - Recommend agencies ensure money's are properly secured under lock and key.
 - Lack of procedures for cash receipts
 - Recommend agencies to strengthen internal controls in written policy or procedure.
 - FSBPT Fixed Date PT NPTE
 - Lesleigh explained that there are now NPTE fixed dates for PT.
 - Because of the new fixed date testing for PT's, the board agreed to accept a letter from the program director stating that the applicant is a "bona fide" candidate to allow them to take the NPTE before graduating. However, once they have passed the exam, they are still required to submit an original school letter and transcripts before we can issue them a WV license.
 - Office Updates
 - Trish advised that we have been using the deposit scanner since the beginning of April.
 - Trish proved travel direct deposit forms for the board members who want their travel direct deposited.
 - Trish advised that she would be ordering the Office Assistant a computer and monitor and that the old computer warranty expires June 2011.
 - Computer with warranty - \$582
 - Monitor - \$220
- c) Board Member Report
- **Shannon** motioned that we secure a CPA firm that meets all of the WV state qualifications to be a vendor to continue to pursue performing an audit on our finances. **John** seconded with all in favor.
 - Shannon advised that she will talk to the WV Board of Risk and confirm that our employees are covered under them.
 - The board will review and discuss office policies at next meeting. Melanie, Trish and Shannon will get together to work on additional policies.
 - Cash Receipts/Deposit procedure – Hold all checks until next meeting.
 - CE audit procedure
 - Delinquent license (end of the year) procedure
 - Disciplinary processing procedure – give to Kate to review to make sure it's accurate.
 - Duties of the WV Board of PT
 - Retention
 - **Shannon** made motion that the board did receive the completed office policies for review and to bring back to the next board meeting to be discussed and vote for approval. **Melanie** seconded with all in favor.

VII. Old Business

- a) OT advertised in PT section of yellow pages update
 - Lesleigh advised that a letter was sent to OT Board regarding no response.
 - Trish advised that the OT board had contacted the attorney general's office but does not know the conclusion.
- b) Sanctioning reference points for disciplinary
 - Trish will send the sanctioning points to DC and Jack. Disciplinary committee will review and discuss at next meeting.

VIII. New Business

- a) PT Legislative Rule –Effective June 16, 2011
 - The board clarified for the WV PT Association section §16-1-10.3.a. is 8 hours per "year"
 - The board clarified that 12 board approved CE hours are required for delinquent license to reactivate.
- b) Athletic Trainers – Registration Procedures
 - **Lesleigh** motioned that we will allow the board to accept the BOC listing instead of written verification. We are not to put the list in files but to note on application that we confirmed BOC. For future registrations, if the BOC does not require a fee from the board, we can still accept the list from BOC. **Melanie** seconded the =motion with all in favor.

- Melanie advised that she talked to Shawn Hawkins with DOE and that Shawn provided a listing of state certified athletic trainers. Ms. Hawkins advised that when we send a letter to each county to mention that we are working with her agency.
 - **Melanie** motioned that we issue a letter to each county BOE requested a name for every athletic trainer in their county. **Jack** seconded the motion with all in favor.
 - Melanie will create the letter.
 - The board agreed to do this letter every year.
 - Trish will clarify the dates on the DOE report that expire on 9999.
 - The board agreed to work with the Board of Education of athletic trainers that are registered with our board.
- c) FSBPT Annual Meeting September 22-24 Charlotte, NC
- Lesleigh advised that she may not be able to attend the FSBPT training.
 - Shannon will get back to Lesleigh in a couple of days if she can make it. If Shannon cannot make it, Melanie will be delegate. Trish is the alternate delegate.
- d) Newsletter
- Board agreed to also send newsletters to the athletic trainers that are registered with our board. We can also send extra newsletters to new registrants.
- e) Board reviewed March, April, May 2011 balance sheets.
- f) Board reviewed March-May 2011 P-Card purchases.
- g) Board approved the rental contract renewal for 2 years if no increase.
- h) **Lesleigh** motioned that we accept up to \$25 personal checks. **Jack** seconded the motion with all in favor.
- i) Renewal Application
- Board approved Temporary/Emergency information on renewal form as amended
 - Lesleigh advised to post the form on the website.
 - Board approved Temporary /Emergency application can be submitted online or mail?
 - Board approved mailing renewal reminders for the next 2 years
 - New renewal application and Temp/Emergency form
 - Notify that reminders will no longer be sent
 - Shannon suggested to use forms without title headings
 - Board suggested that we review Temporary/Emergency forms that are turned into the board at the next board meeting after renewal season.
- j) Board approved CE Waiver Approval Form as amended
- Put form on website
- k) Student presentation
- The board requested Trish to create a PowerPoint presentation.
 - After approved by the board, we could send them to college directors and advise them to use near graduation.

IX. Questions and Answers

- a) The board reviewed our Disclaimer and approved as amended
- b) Questions – see Questions and Answers sheet.
- c) The board agreed that if the office staff gets questions that have already been answered, then the staff can answer. If the question has not been answered, then hold the questions until the next board meeting. If there is a question that the staff believes has already been answered but looks reworded, notify Lesleigh, Melanie, and Shannon for confirmation.

IX. Next Board Meeting Date is September 28, 2011.

X. Meeting Adjourned at 3:48 pm.