

**APPROVED**

**BOARD OF PHYSICAL THERAPY  
MINUTES OF GENERAL BOARD MEETING**

Friday, October 29, 2004  
6603 West Broad Street  
Richmond, Virginia 23230  
Conference Room 1

Department of Health Professions

- CALL TO ORDER:** A meeting of the Virginia Board of Physical Therapy was called to order at 9:12 a.m.
- PRESIDING:** Gayle Garnett, P.T., Chair
- MEMBERS PRESENT:** Damien Howell, P.T.  
Maureen Lyons, P.T.  
Lorraine Quinn, P.T.A.  
Joe Gieck, P.T.  
Lisa D. Shoaf, Ph.D., P.T
- MEMBERS ABSENT:** J.R. Locke, Citizen Member
- STAFF PRESENT:** Elizabeth Young, Executive Director  
Jeanette Meade, Administrative Assistant  
Pam Horner, Administrative Assistant
- COUNSEL PRESENT:** Jack Kotvas, Assistant Attorney General  
Emily Wingfield Assistant Attorney General
- QUORUM:** With six members of the Board present, a quorum was established.
- AGENDA:** Agenda was accepted.
- APPROVAL OF MINUTES:** Mr. Howell made a motion, which was seconded by Mr. Gieck, that the Board approve the Minutes of the Board Meeting on August 20, 2004, which carried unanimously.
- Mr. Howell made a motion, which was seconded by Ms. Quinn to accept the minutes of the Formal Hearing of August 20, 2004, which carried unanimously.
- Dr. Shoaf made a motion, which was seconded by Mr. Howell to accept the minutes of the Special Conference Committee of September 24, 2004, which carried unanimously.
- PUBLIC COMMENT:** None
- NEW BUSINESS:** **Conflict of Interest Training**

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Emily Wingfield, Assistant Attorney General presented conflict of interest training to the Board and other agency staff. She provided an overview of the State and Local Government Conflict of Interests Act and the Procurement Act stressing the importance of both laws in the board members role in state government.

**Board of Health Professions Meeting of October 21, 2004**

Mr. Howell discussed the Self-Referral Act Advisory Opinion from the Board of Health Professions. The interpretation conflicts with the physical therapy law relating to group practice and the need for supervision of a licensed practitioner. Mr. Howell made a motion, which was seconded by Maureen Lyons, to direct the Legislative/Regulatory Committee to examine the Practitioner Self Referral Act in Virginia and the need to amend the Board's current statute in 2006.

The Board of Health Professions urged each Board to review their case standards periodically to ensure that agency standards are being met. Mr. Howell made a motion, which was seconded by Dr. Shoaf to have the reporting of percentages of case standards in the minutes starting January 2005, which carried unanimously.

The Board discussed the need for more technical expertise in the investigation of physical therapy disciplinary cases. With a properly seconded motion by Dr. Shoaf, the Board voted to write a letter to the Board of Health Profession offering a more consultative role for the Board of Physical Therapy with the investigator. The Board also asked the Special Conference Committee to develop guidelines for enforcement to use during investigation. Mr. Kotvas reminded the Board that if a member takes part in the investigative stage, she/he must recuse themselves from any formal proceeding.

**FSBPT**

Dr. Shoaf and Ms. Garnett attended the Annual Conference in September 2004. Dr. Shoaf gave a report on the Conference, and stated that FSBPT has made changes to divide test sections up into longer timed increments. The Federation hopes that the new procedure will assist students in passing the exam. Also, examination fees are

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increasing to \$285. Starting in 2005, the Federation will only allow an individual to take the test three times in a year. Dargen Ervin from South Carolina is the new president of the Federation.

### **CAPTE**

Dr. Shoaf stated that at the August 2004 meeting, it was revealed that the new CAPTE standards will be released effective January 2005.

### **Interpretation Questions**

The Board reviewed an E-Mail from Anita Byrne asking if her wellness and fitness practice meets the standards outlined in the *Code of Virginia*. The Board responded by citing §54.1-3482 and it would apply if Ms. Byrne considers her facility conducting the practice of physical therapy.

The Board received a letter from Chris Hancock asking "What constitutes a screening and why can't LPTAs screen patients"? Ms. Lyon made a motion, which was seconded Mr. Gieck to cite the definition of screening as defined in the Guide to Physical Therapy Practice, ("the Guide") by the APTA. The screening is only conducted by a physical therapist and a physical therapist assistant shall not perform any screening as defined in the Guide.

### **VPTA Conference**

Ms. Garnett attended the pre-conference VPTA Board meeting on October 8, 2004 and provided a report to the VPTA Board.

### **Tri-State PT Forum**

Pam Horner attended the Tri-State Forum hosted by District of Columbia and also attended by Maryland Board of Physical Therapy. DC is considering licensing PTAs and will be giving the jurisdiction law examination. DC welcomed the informational handouts from Virginia. The Board directed staff to extend an invitation for Virginia to host the next forum in 2005.

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**Townhall Meetings**

**OLD BUSINESS:**

Ms. Garnett suggested having town hall meetings around the state to have licensees ask questions and receive information about the operations of the Board. The Board directed Ms. Young to draft a PowerPoint presentation by the next meeting to be used for the town hall meetings and to also determine the cost of the meetings.

**Continuing Competency Committee**

Ms. Garnett suggested that the Board examine the assessment tool used by the State of Maryland for its 2006 renewal period.

**PTATC**

Mr. Gieck suggested that the Board receive a copy of the minutes of each meeting of the Advisory Board on Athletic Trainers and a schedule of its meetings.

**Regulatory/Legislative Committee**

Ms. Lyon made a motion, which was seconded by Mr. Gieck to adopt the proposed delegation regulations.

**Past Board Interpretations**

2000-2002 Board interpretations were submitted to each Board member for their files.

**Executive Director's Report:**

Licensee Statistics: PT – 4,422; PTA's- 1,631  
Disciplinary Cases: 37

The Board calendar was presented. The Board asked to change the October meeting date due to the Federation's next convention date of October 8-9, 2005.

**ADJOURNMENT**

With all business concluded a motion was made by and seconded by to adjourn the meeting at 11:51 a.m.

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W. Gayle Garnett, President

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Elizabeth Young, Executive Director

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Date

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Date