

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION**

**South Carolina Board of Physical Therapy Examiners**

Thursday, July 8, 2010, 10:00 a.m.

Synergy Business Park, Kingstree Building

110 Centerview Drive, Room 108

Columbia, SC 29211

**Board Members Present**

Jane E. Julian, P.T., Vice Chairperson  
E. Dargan Ervin, Jr., P.T. Member  
W. Dixon Reeves, P.T.A., Member  
Cindy Ellis Witherspoon, P.T., Member  
Darlene Pope, P.T., Member  
Roy Christopher Junkins, P.T.A, Member  
James A. O'Leary, M.D., Member

**Others Present**

Paula Magargle, Advice Counsel  
James Saxon, Office of General Counsel  
Daniel Grigg, Office of General Counsel  
Mr. Richard P. Wilson, Special Counsel Program Coordinator,  
Recovering Professional Program (SCRPP)  
Mr. Frank Sheheen, M.S., CACII, Program Director (SCRPP)  
Veronica Reynolds, Administrator  
Lucinda Brown, Board Assistant  
Janice Meetze, Board Assistant

**EXCUSED ABSENCE**

Marilyn Swygert, P.T., Member, Chairperson

Public notice of this meeting was properly posted at the SC Board of Physical Therapy Examiners Office, the lobby Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. A quorum was present at all times.

**CALL TO ORDER**

Ms. Julian, Vice Chairperson, called the meeting to order at 10:10 a.m. The meeting was held in Room 108, Kingstree Bldg., 110 Centerview Drive, Columbia, South Carolina.

**ADOPTION OF AGENDA**

The July 8, 2010 agenda was presented for review and approval.

***Motion:*** Ms. Julian made a motion to amend the agenda to remove the Consent Agreement on Leah Ann McConnell. The motion was seconded by Mr. Junkins and approved.

## APPROVAL OF MINUTES

The Minutes of the April 8, 2010 meeting were presented for review and approval.

**Motion:** A motion was made to amend the minutes of the April 8, 2010 pertaining to **Senate Bill 1031** to read as follows:

**“Senate Bill 1031: Motion:** Ms. Witherspoon made a motion that the Board reject Senate Bill 1031. The motion received three votes in favor of rejection and opposition of Senate Bill 1031 and two votes going against opposing Senate Bill 1031. The motion carried with a majority vote of three to reject Senate Bill 1031. The motion was seconded by Ms. Pope.”

**Motion:** Mr. Junkins made a motion to approve the April 8, 2010 minutes, as amended. The motion was seconded by Ms. Pope and approved.

Ms. Witherspoon arrived at 10:30 a.m.

## NEW BUSINESS

### **Disciplinary Hearings**

**1. Sandra Lynn Moreau:** Ms. Moreau made a personal appearance before the Board and was represented by counsel.

**Motion:** Mr. Junkins made a motion the Board go into Executive Session to receive legal advice under Section 30- 4-70 of the South Carolina Freedom of Information Act. The motion was seconded and approved.

**Motion:** Mr. Junkins made a motion to come out of Executive Session. The motion was seconded and approved.

**Motion:** In open session, a motion was made to accept the Memorandum of Agreement to include a sanction that Ms. Moreau’s license would be indefinitely suspended and will be lifted upon payment of a Five Hundred (\$500.00) Dollar fine and completion of a board-approved ethics course and documentation; upon completion of the ethics course and suspension has been lifted, her license will receive on-site supervision by a South Carolina board approved physical therapist for a period of six months with a completed supervisor agreement to be submitted to the Board. The motion was seconded and approved.

**Recess: 11:26 a.m.**

**Reconvened: 11:35 a.m.**

**2. Michael G. Weekly:** Mr. Weekly made a personal appearance before the Board.

**Motion:** Ms. Witherspoon made a motion the Board go into Executive Session to receive legal advice under Section 30- 4-70 of the South Carolina Freedom of Information Act. The motion was seconded by Dr. O’Leary and approved.

**Motion:** Ms. Witherspoon made a motion to come out of Executive Session. The motion was seconded and approved

**Motion:** In open session, Mr. Junkins made a motion to accept the Memorandum of Agreement with sanctions to include a public reprimand and continuing involvement with the South Carolina Recovering Professional Program (SCRPP) throughout the remainder of his contract. The motion was seconded and approved.

## **Consent Agreement**

**1. Leah Ann B. McConnell:** Ms. McConnell did not make an appearance before the Board.

By agreement of the Board of Physical Therapy Examiners and the Respondent, Leah Ann B. McConnell, Ms. Magargle presented for the Board's acceptance the Consent Agreement with the Findings of Fact, Conclusions of Law, and the sanctions.

**Motion:** Ms. Witherspoon made a motion to accept the Consent Agreement for Leah Ann B. McConnell. The motion was seconded and approved.

**Lunch Break:** 12:00 p.m.

**Reconvened in Public Session:** 12:25 p.m.

## **Application Hearings**

**1. Katherine A. Oyer:** Ms. Pope recused herself from the application hearing of Katherine A. Oyer. Ms. Oyer made an appearance before the Board to request licensure in South Carolina. The license has been in a lapsed state since December 31, 2000.

**Motion:** Ms. Witherspoon made a motion the Board go into Executive Session. The motion was seconded and approved.

**Motion:** Ms. Witherspoon made a motion to come out of Executive Session. The motion was seconded and approved.

**Motion:** In open session, Ms. Witherspoon made a motion to grant Ms. Oyer a provisional physical therapy license. The motion was seconded and approved.

**2. Jerri Rogers Sanders:** Ms. Sanders requested an appearance before the Board to request guidance and direction as to an alternate course of study in South Carolina in preparation for taking the NPTE for the third (3<sup>rd</sup>) and final time. Ms. Sanders inquired as to the possibility of either Georgetown Technical College or the State sponsoring or providing a refresher course for the exam rather than the expense of having to go out of state.

The Board stipulated that it could not endorse or provide any type of assistance for passing the licensure exam in lieu of standards and qualifications that are unique to physical therapists and physical therapy assistants. Educational program accreditation requires a certain pass rate percentage to maintain accreditation.

## **Request for Approval to NPTE 3<sup>rd</sup> Administration**

**1. Jonathan M. Cohen:** Mr. Cohen made a personal appearance before the Board. Mr. Cohen requested that the Board approve him to sit for the third (3<sup>rd</sup>) and final administration of the National Physical Therapy Examination (NPTE).

**Motion:** In open session, Mr. Ervin made a motion to approve Mr. Cohen to sit for the third (3<sup>rd</sup>) and final administration of the National Physical Therapy Examination (NPTE). The motion was seconded and approved.

## **Request to Appear Before Board**

**1. Anna Brooks Schoderbek:** Ms. Schoderbek made an appearance before the Board to request reinstatement of her physical therapy license.

**Motion:** Ms. Witherspoon made a motion the Board go into Executive Session. The motion was seconded and approved.

**Motion:** Ms. Witherspoon made a motion to come out of Executive Session. The motion was seconded and approved.

**Motion:** In open session, Mr. Ervin made a motion to grant Ms. Schoderbek a provisional physical therapy license based upon FSBTP Practice Review Tool (PRT) and supervision. The motion was seconded and approved.

**Office of Investigations and Enforcement (OIE):** No report.

**Office of General Counsel (OGC):** No report.

**Delegate to FSBPT/Denver**

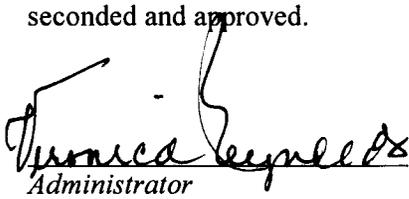
**Motion:** Ms. Witherspoon made a motion for Ms. Julian to represent the Board as the delegate to FSBPT in Denver and Ms. Reynolds was designated as the alternate. The motion was seconded and approved.

**Online CE Courses**

Ms. Reynolds stated she has received several inquiries regarding what percentage of online course work is acceptable. The Board concurred that online courses are not prohibited and are one hundred (100%) percent acceptable if they meet the continuing education standard criteria.

**ADJOURNMENT**

There being no further business, Mr. Junkins made a motion to adjourn the meeting at 1:40 p.m. The motion was seconded and approved.

  
Thonica Reynolds  
Administrator

10 | 07 | 10  
Date

**Next meeting is scheduled October 7, 2010, Kingstree Building, Room 105, 10:00 a.m.**