

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
South Carolina Board of Physical Therapy Examiners
Synergy Business Park, Kingtree Building
110 Centerview Drive, Room 108
Columbia SC 29211

Thursday, January 8, 2015

Board Members Present:

Marilyn Swygert, P.T., Member, Chairperson
Matthew Judd Warren, P.T.A., Member
Roy Christopher Junkins, P.T.A, Member
Anna M. Dilts, P.T., Member
Mary Addison Blackstone, P.T., Member
Darlene Pope, P.T., Member
Texas T. Smith, Public Member

Absent Member:

Rachel Wiggins, P.T., Member

Staff Present:

Alexander S. Imgrund, Esq., Advice Counsel
Veronica Reynolds, Administrator
Shaun Strother, Board Assistant

Public notice of this meeting was properly posted at the SC Board of Physical Therapy Examiners, Synergy Business Park, Kingtree Building 110 Centerview Drive, Room 108 Columbia, SC 29211 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.

Call to Order

Ms. Swygert, Chairperson, called the meeting to order at 10:05 a.m. The meeting was held in Room 108 located in the Kingtree Bldg., at 110 Centerview Drive, in Columbia, South Carolina 29211.

Approval of the Agenda:

Motion: In open session, Mr. Warren made a motion to amend the agenda to add case number 2013-4 and to exclude former board members plaques. The motion was seconded and approved.

Approval of the Minutes:

Motion: In open session, Mr. Junkins made a motion to approve the October 9, 2014 meeting minutes with the following corrections: Mr. Jenkins name be changed to Mr. Junkins and Ethan Crabtree present at the October 9, 2014 Board meeting. The motion was seconded and approved.

New Business

Office of Investigations and Enforcement (OIE) Report: Mr. Love, Chief Investigator of OIE office presented the statistic report there were twelve (12) active cases: four (4) cases closed, three (3) pending IRC review and two (2) do not open cases. He stated that two (2) cases will be presented to the Board.

IRC Recommendations

Case #: 2013-24

Motion: In open session, Mr. Junkins made a motion to dismiss the case. The motion was seconded and approved.

Case #: 2014-25

Ms. Swygert recused herself in this matter before the Board and appointed Mr. Junkins to proceed.

Motion: In open session, Ms. Pope made a motion to approve as a formal complaint. The motion was seconded and approved.

Office of General Council (ODC) Report: Ms. Flannery presented the Office of Disciplinary Council (ODC) statistical report indicating there were six (6) open cases, four (4) cases closed and she stated that four (4) cases will be presented to the Board. Ms. Flannery presented a memorandum of agreement, consent agreement, relinquishment agreement and formal complaint to the Board.

Memorandum of Agreement

Case #: 2013-20

Motion: In open session, Mr. Junkins made a motion to go into executive session. The motion was seconded and approved.

[Executive Session:] No votes were taken during executive session. 10:39 a.m. – 10:53 a.m.

Motion: In open session, Ms. Pope made a motion to come out of executive session. The motion was seconded and approved.

Motion: In open session, Mr. Warren made a motion to accept the memorandum of agreement. The motion was seconded and approved.

Consent Agreement

Case #: 2013-21

Motion: In open session, Mr. Junkins made a motion to accept the consent agreement. The motion was seconded and approved.

Relinquishment Agreement

Case #: 2011-10

Motion: In open session, Ms. Blackstone made a motion to accept the relinquishment agreement. The motion was seconded and approved.

Formal Complaint

Case #: 2013-4

Motion: In open session, Mr. Junkins made a motion to go into executive session. The motion was seconded and approved.

[Executive Session:] No votes were taken during executive session. 11:45 a.m. – 12:07 p.m.

Motion: In open session, Ms Pope 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 formal complaint. The motion was seconded and approved.

Finance Report: Ms. Reynolds presented the financial report to the Board.

Application Hearings

Renewal Applications

Brian Applegate: The purpose of this hearing was to determine should Mr. Applegate be granted a physical therapy assistant license. Mr. Applegate failed to make a personal appearance before the Board. Mr. Imgrund, advice counsel for the board stated that Mr. Applegate attorney was not able to be present and he has a right to have counsel and asked for a continuance.

Motion: In open session, Mr. Junkins made a motion to grant a continuance for Mr. Applegate case and extend his licensure until the next board meeting scheduled for April 9, 2015. The Board did not take any action until the applicant makes a appearance with his attorney. The motion was seconded and approved.

Rachel Genest: The purpose of this hearing was to determine if Ms. Genest should be granted a license as a physical therapy assistant.

Motion: In open session, Mr. Junkins made a motion that Ms. Genest be granted a license to practice physical therapy in South Carolina. The motion was seconded and approved.

Katherine Stowe: The purpose of this hearing was to determine if Ms. Stowe should be granted a license as a physical therapist.

Motion: In open session, Mr. Junkins made a motion that Ms. Stowe should be granted a license to practice physical therapy in South Carolina. The motion was seconded and approved.

Endorsement Applications

Deirdre Foudy: The purpose of this hearing was to determine if Ms. Foudy should be granted a license as a physical therapist.

Motion: In open session, Mr. Junkins made a motion that Ms. Foudy be granted a license to practice physical therapy in South Carolina. The motion was seconded and approved.

Donald Jarboe: The purpose of this hearing was to determine if Mr. Jarboe should be granted a license as a physical therapist.

Motion: In open session, Mr. Junkins made a motion to go into executive session. The motion was seconded and approved.

[Executive Session:] No votes were taken during executive session. 2:08 p.m. - 2:30 p.m.

Motion: In open session, Mr. Junkins made a motion to come out of executive session. The motion was seconded and approved.

Motion: In open session, Mr. Warren made a motion that Mr. Jarboe be denied licensure in the state of South Carolina to practice physical therapy. The motion was seconded and approved.

Jacqueline Ostrowski: The purpose of this hearing was to determine if Ms. Ostrowski should be granted a license as a physical therapist.

Motion: In open session, Mr. Junkins made a motion that Ms. Ostrowski be granted a license to practice physical therapy in South Carolina. The motion was seconded and approved.

Request for Approval to Take the NPTE Exam 3rd and Final Time

Angela West: The purpose of this hearing was a request for approval to take the NPTE a third and final time.

Motion: In open session, Mr. Junkins made a motion that Ms. West be granted to sit for the NPTE a third and final time. The motion was seconded and approved.

NPTE – Request for ADA Accommodations

Blakeley Hydrick: The purpose of this hearing was for a request for American Disability Act (ADA) to take the national exam.

Motion: In open session, Mr. Warren made a motion that Ms. Hydrick be granted the accommodations to take the NPTE. The motion was seconded and approved.

Unfinished Business

a. Continuing Education Units (CEU's) Approved by other State Associations

After board discussion Ms. Swygert stated that Continuing Education Units (CEU's) may be accepted by the Board if it is germane to the practice of Physical Therapy.

b. Executive Session Regarding a Legal Matter

The Board did not go into Executive Session to discuss the matter.

c. Jurisprudence Exam Committee Updated

Ms. Swygert stated that she will contact Ms. Witherspoon and Holly regarding the status of the questions for the jurisprudence exam. Ms. Swygert requested that Mr. Junkins contact Ms. Julian.

Discussion Topics

a. Board Position on Telehealth

After board discussion, it was concluded the practice of Telehealth usually occurs between licensed professionals, not between "unlicensed" students.

b. Position on Auricular or Battlefield Acupuncture verses Dry Needling

After board discussion, Ms. Swygert indicated that auricular or battlefield acupuncture is not the same as dry needling and falls outside the physical therapist scope of practice.

10. Board Appointment for IRC and Expert Reviewers

The Board voted to appoint Ms. Witherspoon and Mr. Ervin to serve on the IRC board and Ms. Julian as the expert reviewer pending acceptance.

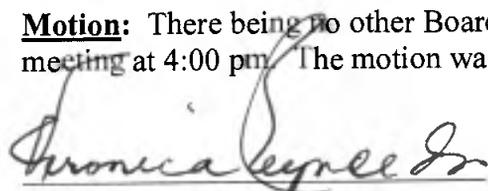
11. Election of 2015 Board Officers

Motion: In open session, Mr. Junkins made a motion that Ms. Swygert be re-elected to serve as Chair. The motion was seconded and approved.

Motion: In open session, Mr. Warren made a motion that Mr. Junkins be elected to serve as Vice-Chair. The motion was seconded and approved.

ADJOURNMENT

Motion: There being no other Board business. Mr. Junkins made a motion to adjourn the meeting at 4:00 pm. The motion was seconded and approved.


Administrator

4/10/15
Date