

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION
South Carolina Board of Physical Therapy Examiners
Thursday, October 11, 2012, 10:00 a.m.
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 108
Columbia, SC 29211

Board Members Present

Marilyn Swygert, P.T., Member, Chairperson
Jane E. Julian, P.T., Member
E. Dargan Ervin, Jr., P.T., Member
Cindy Ellis Witherspoon, P.T., Member
Darlene Pope, P.T., Member
Texas T. Smith, Member
Roy Christopher Junkins, P.T.A, Member
Matthew Judd Warren, P.T.A., Member

Staff Present

Sara McCartha, Advice Counsel
Darra James Coleman, Chief Advice Counsel
James C. Saxon, Advice Counsel
Veronica Reynolds, Administrator
Valeria Alexander, Board Assistant

Public notice of this meeting was properly posted at the SC Board of Physical Therapy Examiners, Synergy Business Park, 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.

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

The agenda was presented for review and approval.

Motion: Ms. Witherspoon made a motion to approve the agenda as written. Ms. Julian declined and made a motion to accept the agenda with deviations as needed. The motion was seconded and approved.

3. INTRODUCTION AND REGOGNITIONS

Matthew “Judd” Warren was introduced and recognition of Mr. Dixon Reaves for his service on the Board. Introduction of Holly Beeson, Esq., from Office of the Director was made. Ms. Beeson provided an overview of what her office oversees.

4. APPROVAL OF ABSENT MEMBERS

Ms. Swygert notated perfect attendance.

5. **APPROVAL OF MINUTES**

The minutes for the July 12, 2012 board meeting were presented for review and approval. Ms. Witherspoon notated a typo where she had made a motion. Mr. Junkins pointed out that the agenda had him present as well as being an excused absence. The agenda should reflect that he was an excused absence.

Motion: Ms. Julian made a motion the minutes of July 12th be approved as amended. The motion was seconded and approved.

6. **INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT and (OGC) REPORT OIE REPORT**

Mr. Love introduced Serrena Swartz, Cheryl McNair and Gwen Morris. He presented reports for the Office of Investigation and Enforcement (OIE) case status report.

During the year January 1st to December 31st there were nineteen (19) cases. One (1) active investigation and fourteen (14) cases had been closed and there are two (2) pending board action and two (2) that were to be presented today. Time period from January 1st to September 11th there are two (2) active investigations, two (2) closed, three (3) do not open, two (2) drafting consent agreements, one (1) pending IRC and one (1) responsive pleading which totals eleven (11).

Mr. Love presented the second report from the Office of Investigations and Enforcement (OIE) presented the IRC report and following recommendations to the Board:

Approval of two (2) dismissals; case 2011-8 and 2011-18.

Motion: In open session, Ms. Witherspoon made a motion to accept the IRC and OIE reports as presented. The motion was seconded and approved.

OGC Report

Ms. Baldwin, Office of General Counsel (OGC) presented statistical report and that there was one disciplinary cases pending.

7. **ADMINISTRATOR REPORT**

Ms. Reynolds presented the financial report and notated differences in the time period and amounts and that an E-blast would be sent out.

8. **BOARD DISCUSSIONS**

- a. The collection of email addresses and how they are utilized.
- b. The October 10th FSBPT meeting date and Board dates conflict with each other and how a resolution could be presented with an alternative Board date.
- c. Storage of compounded drugs in physical therapist's office.

Motion: In open session, Ms. Julian made a motion to accept the pharmacy board's directives on storing non-compounding – compounding medications in physical therapist's offices. The motion was seconded and approved.

NEW BUSINESS

6. Disciplinary Hearings:

Laura Flint: Hearing on violations of the provisions of the Practice Act.

Motion: In open session, Mr. Ervin made a motion for a full evidentiary hearing. The motion was seconded and approved.

Rocklin Todd Hoover: Board was presented with MOA.

Motion: In open session, Ms. Witherspoon made a motion for a public reprimand and a requirement by the Respondent to go through a structured and formal program for review of the professional boundaries as stated in the MOA. Motion was seconded and approved.

Erica Poston: The Board was presented with MOA and stipulations.

Motion: In open session, Mr. Junkins made one motion toward the disciplinary matter that a public reprimand be issued. Motion was seconded and approved. Mr. Junkins made a second motion to issue provisional license to reinstate her license. Reinstatement may be issued pending completion of all conditions. Motion was seconded and approved.

Request to be Released from Prior RPP Order:

Anthony Tompkins: Mr. Tompkins has requested to be released from the final order.

Motion: Ms. Witherspoon made a motion that Mr. Anthony B. Tompkins be released from the Final Order. The motion was seconded and approved.

7. Request to take NPTE for 3rd Time:

Naima N. Rivers: Request to take the NPTE a 3rd time.

Motion: In open session, Ms. Witherspoon made a motion to approve Ms. Rivers to take the exam for a third and final time. The motion was seconded and approved.

Amelia Durante: Request to take the NPTE a 3rd time.

Motion: In open session, Ms. Witherspoon made a motion to approve Ms. Durante to take the exam for a third and final time. The motion was seconded and approved.

There being no further business, Ms. Witherspoon made a motion to adjourn the meeting at 3:30 p.m. The motion was seconded and approved.



Administrator



Date