

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

**South Carolina Board of Physical Therapy Examiners**

Thursday, April 12, 2012, 10:00 a.m.  
Synergy Business Park, Kingtree 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  
Roy Christopher Junkins, P.T.A, Member  
W. Dixon Reaves, P.T.A, Member

**Excused Absence**

Texas T. Smith, Member

**Staff Present**

Sara McCartha, Advice Counsel  
Veronica Reynolds, Administrator  
Walter Howard, Board Assistant  
David Love, Office of Investigation and Enforcement

Public notice of this meeting was properly posted at the SC Board of Physical Therapy Examiners Office, the lobby Kingtree 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.

**1. CALL TO ORDER**

Ms. Swygert, Chairperson called the meeting to order at 10:09 a.m. The meeting was held in Room 108, Kingtree Bldg., 110 Centerview Drive, Columbia, South Carolina.

**2. INTRODUCTION OF AGENCY DIRECTOR:**

Ms. Pisarik, introduced herself to the Board as the new agency director. She informed the board she looks forward to working with them, and if any issues that comes up she is available to attend board meetings.

The Board welcome the Director.

**3. ADOPTION OF AGENDA**

The agenda was presented for review and approval.

Motion: Ms. Julian made a motion to amend the agenda by putting in between item 6 and 7 a Motion to approve a Deposition. Ms. Baldwin. The motion was seconded and approved.

#### **4. APPROVAL OF MINUTES**

The Minutes for the January 12, 2012 board meeting were presented for review and approval.

Ms. Swygert asked for motion to approve the minutes.

**Motion:** Ms. Witherspoon made a motion the minutes for January 12, 2012 be approved with the following corrections: W. Dixon Reaves be shown as an excused absence and not shown he was in attendance. The minutes for February 29, 2012 show that Mr. Reaves was in attendance and Texas Smith was absent. The motion was seconded and approved.

#### **5. INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT and (OGC) REPORT**

Ms. Myers, Chief Deputy from the Office of Investigations and Enforcement (OIE) presented the IRC report and recommendations to the Board:

3 dismissals  
1 Formal Complaint case #2009-12

#### **OIE REPORT**

Ms. Myers presented the Office of Investigation and Enforcement (OIE) case status report.

**Motion:** In open session, Ms. Julian 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 presented that there are three (3) open cases pending. She indicated two will be before the Board today and one is set for a hearing on October 11, 2012.

#### **ADMINISTRATOR REPORT**

Ms. Reynolds reminded the board to file the Statement of Economics interest with the State Ethics Commission by the deadline of April 15, 2012. The Board members confirmed they had all filed. Ms. Reynolds reviewed the financial report with the Board. Ms. Reynolds discussed HB 4248 clean-up of the Regulation. Senate Bill 720 did not make it out of 3-M Committee during the two (2) year session.

#### **NEW BUSINESS**

#### **Motion to Approve Deposition**

**7. Jeffrey Canfield -** Mr. Canfield made a personal appearance before the Board and was represented by legal counsel Akim A. Anatopoulo, Esquire. The state was represented by Ms. Baldwin, assistant general counsel.

**Motion:** In open session, Ms. Julian made a motion to approve the request for a Motion of Deposition. The motion was seconded and approved.

## **Applications Hearing**

**8. Shannon Simpson:** Ms. Simpson did make a personal appearance before the Board.

**Motion:** Mr. Junkins made a motion to accept the consent agreement as presented. The motion was seconded and approved.

## **Disciplinary Hearings:**

**9. Evan Queen:** Mr. Queen made a personal appearance before the Board and was represented by legal counsel

## **DISCUSSION TOPICS**

**1. Fixed Date Testing:** Ms. Dittmar, PTA Program Director from Greenville Technical College discussed her request before the Board and indicated it was in two (2) fold: (1) the board would annually grant jurisdictional approval by October 1 for any graduating PTA student who would like to register in September for the October NOTE test date, even if the student has not completed their terminal clinical education courses needed to graduate. (2.) In addition, any graduate be allowed to sit for the NPTE after they finish their academic portions and prior to finishing their two (2) clinical courses they need to complete.

**Motion:** Ms. Witherspoon made a motion to go into executive session for the purpose of obtaining legal counsel. The motion was seconded and approved.

**Executive Session:** [11:10 a.m. to 11:30 a.m.] No votes were taken during executive session.

**Motion:** Mr. Reaves made a motion to come out of executive session. The motion was seconded and approved.

**Motion:** Mr. Ervin made a motion the board do some additional work on the request and table the it until the July 12, 2012 Board meeting. The motion was seconded and approved.

## **2. 2012 Jurisdiction Board Member and Administrator Training**

Ms. Witherspoon will attend the training in Alexandria, Virginia

## **3. Selection of Delegates to 25<sup>th</sup> Federation of State Boards for Physical Therapy (FSBPT) Annual Conference**

The meeting will be held on September 20 – 23, 2012 in Indianapolis, Indiana. The Board approved Ms. Swygert as the delegate, Ms. Witherspoon as the alternate delegate, and Ms. Reynolds, administrator to attend the annual conference. If, Ms. Witherspoon is unable to attend, Ms. Pope will replace her as the alternate delegate.

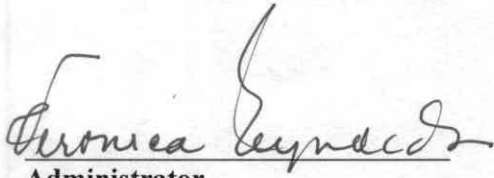
## **4. Jurisprudence Exam Update**

Mr. Ervin stated the board should work as a group and start on writing exam items for the online jurisprudence exam.

**5. Discussion on FSBPT ApTitude Program**

Ms. Julian indicated she had spoken with Ms. Herbst- Paakkonen, Continuing Competency Manager at (FSBPT) and she indicated her objective was to reach out to get all states to approve the program certification course and South Carolina had not been approved yet. Ms. McCarthy advised the board the PT practice act had approved FSBPT as a continuing education provider and they did not have to vote on the ApTitude tool. Ms. Herbst-Paakkonen will be scheduled to do a webinar demonstration on ApTitude at the July 12, 2012 Board meeting.

There being no further business, Mr. Junkins made a motion to adjourn the meeting at 1: 37 p.m.  
The motion was seconded and approved.

  
**Administrator**

07/12/2012  
**Date**