

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

Thursday, July 11, 2013, 10:00 a.m.

**Board Members Present:**

Marilyn Swygert, P.T., Member, Chairperson  
Cynthia Ellis Witherspoon, P.T., Member  
Darlene Pope, P.T., Member  
Matthew Judd Warren, P.T.A., Member  
Roy Christopher Junkins, P.T.A, Member

**Excused Absent Member:**

Jane E. Julian, P.T., Member, Vice Chair  
E. Dargan Ervin, Jr., P.T., Member  
Texas T. Smith, Member

**Staff Present:**

Sara McCartha, Esq., Advice Counsel  
Veronica Reynolds, Administrator  
Michelle Phillips, 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 10:00 a.m. The meeting was held in Room 108 located in the Kingstree Bldg., at 110 Centerview Drive, in Columbia South Carolina.

**2. ADOPTION OF AGENDA**

**Motion:** In open Session, Mr. Junkins made a motion to approve the agenda as written. The motion was seconded and approved.

**3. APPROVAL OF MINUTES**

The minutes for the April 11, 2013 board meeting were presented for review and approval. Ms. Witherspoon the minutes indicated her as being present and should be corrected to show she was an approved absence. In addition, Mr. Warren should also be corrected to reflect that

he was present. Also, under Approval of Absent Members it stated Ms. Swygert made a motion to approve and should be corrected to show that Ms. Witherspoon and Mr. Smith were absent and Mr. Junkins made the motion to approve.

**Motion:** In open session, Mr. Junkins made a motion to approve the minutes with the corrections. The motion was seconded and approved.

#### **4. APPROVAL OF ABSENT MEMBERS**

**Motion:** In open session, Ms. Witherspoon made a motion to approve Ms. Julian, Mr. Ervin, and Mr. Smith as excused absences. The motion was seconded and approved.

#### **5. OFFICE OF GENERAL COUNCIL (OGC) REPORT**

Ms. Baldwin presented the OGC statistical report. She stated there were three (3) open cases: and two (2) pending action; one (1) would be presented on the July 11, 2013 agenda.

#### **6. ADMINISTRATOR'S REPORT**

Ms. Reynolds presented the June 2013 financial report.

Ms. Reynolds stated Mr. Love, Office of Investigation and Enforcement (OIE) Chief Investigator submitted the statistic report indicating there were five (5) active cases.

Ms. Reynolds presented an updated report on the continuing education (CEU) audits. She indicated a special call meeting needed scheduling for individuals that failed to respond to the audit. In addition, she requested an update on the status of the Jurisprudence Exam. Mr. Junkins added that SCAPTA is interested in marketing it to their members. Ms. Swygert confirmed that Ms. Julian and the committee would be meeting and would present the results at the October 2013 board meeting.

**Motion:** Ms. Witherspoon made a motion that the board schedule a special call meeting on August 15, 2013 and have the individuals that did not send in their CEU documents appears before the full board. In addition, if those licensees failed to appear at that meeting then the board staff would open investigations and issued Cease and Desists. The motion was seconded and approved.

#### **7. DISCIPLINARY HEARINGS**

**Jessica Fleury:** Ms. Fleury was not required to make an appearance. The office of General Counsel presented a Consent Agreement to the Board.

**Motion:** In open session, 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: [10:57 – 11:05]** No votes were taken during executive session.

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

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

**Break: [11:12 am – 11:23 am]**

### **APPLICATION HEARINGS:**

**Barbara Crawford:** Ms. Crawford made a personal appearance and waived her right to legal counsel. The purpose of the hearing was to determine should Ms. Crawford be granted a license as a physical therapist.

**Motion:** In open session, Ms. Witherspoon made a motion to approve application. The motion was seconded and approved.

**Glenn Peterson:** Mr. Peterson made a personal appearance before the Board and waived his right to legal counsel. The purpose of the hearing was to determine should Mr. Peterson be granted a license to practice as a physical therapist assistant.

**Motion:** In open session, Mr. Junkins made a motion to approve application. Motion was seconded and approved.

**Daniel Schmidt:** Mr. Schmidt made a personal appearance before the Board and waived his right to legal counsel. The purpose of the hearing was to determine should Mr. Schmidt license be reinstated to practice as a physical therapist.

Mr. Junkins recused himself from the proceeding.

**Motion:** In open session, Ms. Witherspoon made a motion to grant Mr. Schmidt a provisional license for one year to complete the required 1,000 on-site supervised clinical practice hours under a physical therapist licensed in South Carolina. The motion was seconded and approved.

**Melissa Covington:** Ms. Covington a personal appearance before the Board and was represented by legal counsel, Roland E Greenburg III, Esquire. The purpose of the hearing was to determine should Ms. Covington license be renewed as a physical therapist.

**Motion:** In open session, Ms. Witherspoon made a motion to go into executive session for legal counsel. The motion was seconded and approved.

**Executive Session: [12:17 pm – 12:24 pm]** No votes were taken during executive session.

**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, Ms. Witherspoon made a motion to grant the license pending South Carolina Recovering Professionals Program (RPP) evaluation to the board. The motion was seconded and approved.

**Request to repeat the National Physical Therapy Exam (NPTE) for a 3<sup>rd</sup> and final time**

**Kristen Muratore:** Ms. Muratore failed to make an appearance before the Board. She requested approval to take the NPTE for the third and final time.

**Motion:** In open session, Ms. Witherspoon made a motion not to approve the request pending Ms. Muratore appearance before the board. The motion was seconded and approved.

**Brandon Doiley:** Mr. Doiley made a personal appearance before the Board to request approval to take the NPTE for the third and final time.

**Motion:** In open session, Ms. Witherspoon made a motion to approve Mr. Doiley to take the exam. The motion was seconded and approved.

**Jessica Anderson:** Ms. Anderson made a personal appear before the Board to request approval to take the NPTE for the third and final time.

**Motion:** In open session, Ms. Witherspoon made a motion to approve Ms. Anderson to take the exam. The motion was seconded and approved.

**Lunch Break: [12:53 p.m. – 1:15 p.m.]**

**8. DISCUSSION TOPICS**

- a. The board discussed the interpretation of a licensed medical doctor as defined in their practice act. The board concluded that referrals can be made by medical extenders such as nurse practitioners that have prescriptive authority, physician assistants (PA), and podiatrists if treating the foot and ankle. A chiropractor is not defined as licensed medical doctor but rather a physician. Therefore, chiropractors may make a referral during the initial thirty (30) days of treatment but, the patient must see a licensed medical doctor for a referral to continue treatment with the therapist. Ms. Witherspoon asked a question whether a patient is released and come back to the therapist within a ninety day period need a medical referral or would it be as if it was their first visit. The board consensus is that once the patient was dismissed it would not need a medical referral to treat.
- b. The board discussed if a physical therapist assistant could perform a standardized test such as Berg Balance Tests or Tinetti POMA. It was determined since it is a standardized test the assistant could. The exam itself is a pass or fail and not an

Ms. Lyons made a personal appearance before the Board. The purpose of the hearing was to determine if her continuing education was submitted in a timely manner and meets the minimum requirements.

**Motion:** In open session, Ms. Witherspoon made the motion Ms. Lyons be issued a fine of \$100 for late compliance and to be audited the next renewal period. The motion was seconded and approved.

**John Ownbey:**

Mr. Ownbey made a personal appearance before the Board. The purpose of the hearing was to determine if his continuing education was submitted in a timely manner and meets the minimum requirements.

**Motion:** In open session, Ms. Witherspoon made the motion Mr. Ownbey be issued a fine of \$100 for late compliance and to be audited the next renewal period. The motion was seconded and approved.

**Tyra Dowdy:**

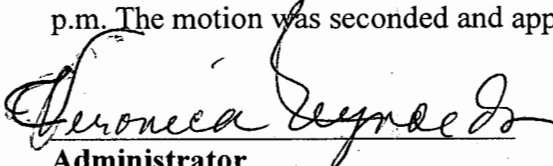
Ms. Dowdy made a personal appearance before the Board. The purpose of the hearing was to determine if her continuing education was submitted in a timely manner and meets the minimum requirements.

**Motion:** In open session, Ms. Witherspoon made the motion Ms. Dowdy be issued a fine of \$100 for late compliance and to be audited the next renewal period. The motion was seconded and approved.

The following failed to appear before the Board as scheduled: Kimberly Askins, Markeata Daniels, Lisa Grant, Heather Howard, Stacey Howell, Katrina Young, Margery Madison, David Carroll:

**Motion:** In open session, Ms. Julian made a motion to issue administrative suspensions of their licenses pending they request to appear before the Board. The motion was seconded and approved.

There being no further business, Ms. Witherspoon made a motion to adjourn the meeting at 2:15 p.m. The motion was seconded and approved.

  
Administratrix

10/31/13  
Date