

# Arizona State Board of Physical Therapy

# Newsletter

Spring 2002

## 2002 Board of Physical Therapy

**Helene M. Fearon, PT**  
Physical Therapist, Phoenix  
Term Expires: 1-19-04

**Don Farris**  
Public Member, Glendale  
Term Expires: 1-19-04

**Donna Borden, PT**  
Physical Therapist, Flagstaff  
Term Expires: 1-17-05

**Charlie Hendrix**  
Public Member, Mesa  
Term Expires: 1-20-03

**Joni Kalis, PT**  
Physical Therapist, Tucson  
Term Expires: 1-24-06

Executive Director  
**Heidi Herbst Paakkonen**  
heidi.herbst-paakkonen@  
ptboard.state.az.us

Licensing Administrator  
**Carol Lopez**  
carol.lopez@ptboard.state.az.us

Investigator  
**Peggy Hiller, PT**  
peg.hiller@ptboard.state.az.us

Educational Consultant  
**Joan Knapp, PT**

AZ Board of Physical Therapy  
1400 W. Washington, #230  
Phoenix, Arizona 85007  
Telephone (602) 542-3095  
Fax (602) 542-3093

## Board President's Perspective

As you peruse this issue of the Arizona State Board of Physical Therapy newsletter, you will notice that there have been many changes in the past year. In addition to the current Board members, consultants and legal counsel, we will introduce you to our Board staff, which brings some new faces and expertise to the Board's operations. Heidi Herbst Paakkonen, Peg Hiller, PT and Carol Lopez combine their backgrounds in the areas of state agency administration, government regulation and physical therapist practice to bring to our Board an effective and efficient team. We invite you to contact the Board or staff with any questions regarding the regulation of physical therapy practice in Arizona. We invite you to take the opportunity to attend a Board meeting to better understand the process of how the Board goes about its work of protecting the public while they are receiving physical therapy care.

### A Look at Continuing Competence Requirements

2002 will bring the end of the first continuing competence compliance period (August 31). Inside you will find information that will help answer questions, untangle requirements and, hopefully, facilitate compliance. The Board has included members of the physical therapy community to help make this process both meaningful and uncomplicated.

### Professional Pride

Board member Donna Borden offers an excellent perspective on the importance of bringing into play all areas of our commitment to the profession of physical therapy, whether it be through the process of regulation, clinical expertise or ethical behavior. As you read and reflect on her words, a piece of advice I once received comes to mind: "One should continually be roaring like a lion out of pride for one's chosen profession...."

### Practice Management

The areas of statute and rules that apply to how physical therapy is administrated and accessed by the public are addressed in this newsletter column. This information hits on those areas that Board staff would describe as "frequently asked questions". We hope it helps to answer many of your "FAQ's" as well.

On behalf of the members of the Arizona Board of Physical Therapy and Board staff, we thank you for taking this opportunity to learn about who we are, what we do, and to encourage your continued participation in all aspects of the profession of physical therapy.

Helene Fearon, PT

## Board Member Bios...

Ms. Fearon is a graduate of Marquette University's Physical Therapy program. She is co-owner of Fearon Physical Therapy, a private practice specializing in orthopedic manual therapy, and is a shareholder in Physical Therapy Provider Network (PTPN) of Arizona. Ms. Fearon's expertise is in the area of reimbursement, fiscal management and health policy as it relates to rehabilitation services. She has developed and operated three rehabilitation agencies, a home care contracting business, and two specialty practices delivering work injury management services. Ms. Fearon serves as a consultant to several national medical review and insurance companies, and serves as APTA's representative to the American Medical Association's CPT HealthCare Professionals Advisory Committee (HCPAC). As co-chair of the HCPAC, Ms. Fearon sits on the AMA's CPT Editorial Panel.

Ms. Borden earned her Bachelor of Science degree in physical therapy from the University of Kentucky and worked in Kentucky and South Carolina before relocating to Flagstaff, where she served as part-time faculty, clinical instructor and Clinic Coordinator for the Northern Arizona University physical therapy department. Ms. Borden also worked as an interim Chief Physical Therapist at Flagstaff Community Hospital, and is the owner of Physical Therapy Enterprises, P.C. Ms. Borden is currently the industrial rehabilitation specialist for NovaCare of Northern Arizona. She has been active in the Kentucky, South Carolina and Arizona Chapters of the APTA, and is a founding and honorary member of the Federation of State Boards of Physical Therapy. Ms. Borden has previously served on the Arizona Board of Physical Therapy (1982-1987) and held the positions of secretary and president.

Ms. Kalis is a recent appointee to the Board, succeeding Larry Autrey, PT who's term concluded January 2002. Ms. Kalis has an M.P.T. from Northern Arizona University as well as an M.S. in Exercise Physiology from N.A.U. Since 1995 she has worked at University Medical Center in Tucson in outpatient services, and also serves as the physical therapist for the Arizona Ballet. Her professional experience includes practicing in home health settings, clinic management and independent contract work. Ms. Kalis is a member of APTA and the Arizona Physical Therapy Association (AzPTA) and serves on a number of AzPTA committees, as well as having previously served as the Vice President of the AzPTA Southern District. She serves on the Paratransit Review Board for the City of Tucson. Ms. Kalis has authored or co-authored a number of publications in the field of physical therapy.

Ms. Charlie Hendrix is an Arizona native and is working towards an associate arts degree as a legal assistant. Before marriage and children she worked as a legal assistant and a fundraising aide for the American Cancer society. Over the past several years Ms. Hendrix has felt an increasing need to give back to her community through volunteer work with organizations such as the Arizona Communities of Character Council, Arizona Academic Decathlon, and her local homeowner's association. As part of her on-going belief in volunteerism, Ms. Hendrix was appointed by Governor Hull in 2000 to serve on the Arizona Board of Physical Therapy. Ms. Hendrix is honored to serve the public and to be associated with such an important part of the health care service industry, and she brings to the Board an earnest commitment to serve the community and reflect the value of public service.



Mr. Don Farris was appointed to the Board of Physical Therapy by Governor Hull in 1999. Mr. Farris previously served on the Arizona Board of Homeopathic Medicine from 1995-1999 as an appointee of Governor Symmington, a customer of Mr. Farris who knew him as a "health nut". Mr. Farris worked for 10 years in sales and sales management before becoming owner of Arizona TV Rentals Inc. in 1978, a business he operated until 1992. Mr. Farris earned his real estate license in 1992, and he has earned recognition for being in the top 10% of producers of sales in real estate in Arizona (1995-1999). Mr. Farris brings to the Board a passion for the public good and an unbiased perspective of how the public perceives the Board.

Standing: Charlie Hendrix, Don Farris, Donna Borden, PT, Joni Kalis, PT. Seated Helene Fearon, PT and outgoing Board member Larry Autrey, PT.

## ...and Staff Stats

The year 2001 brought significant changes to the Arizona Board of Physical Therapy staff. In July the Board's Executive Director, Dolores C De Baca, retired after 20 years of service with the State of Arizona, 2 of those years as the Physical Therapy Board's administrator. In August, Heidi Herbst Paakkonen was hired by the Board for this position. Ms. Herbst Paakkonen holds a Masters degree in public administration (MPA) from the University of Wyoming, and has seven years of experience directing publicly funded non-profit organizations working in partnership with various regulatory authorities. Her previous work included advocating for the establishment and subsequent improvement of the early care and education regulatory system in Wyoming. Her experience also includes working with members of the Legislature and state agency administrators to affect change to public policy for the benefit of the public.



Heidi Herbst Paakkonen, Carol Lopez (seated), Peg Hiller, PT

The Licensing Administrator position also saw a change with the departure of Janice Stille after several years of working for the Board. In October, Carol Lopez was hired to perform licensing functions including processing applications, preparing verifications and revising licensing procedures in accordance with the applicable Arizona Revised Statutes and Arizona Administrative Code sections. Ms. Lopez has a Bachelor of Science degree in food and nutrition, and has 9 years of experience in eligibility determination and applications processing, monitoring program compliance and implementing organizational and operating procedures in response to public policy changes – all in the public sector or in publicly funded organizations.

The "constant" on the Board staff, Peg Hiller, PT is beginning her third year of service to the Board and continues to investigate complaints filed by the public or otherwise presented to the Board. Additionally, Peg has taken the lead in addressing inquiries regarding scope of practice and continuing competence requirements. Many of you are familiar with Peg's efforts to provide on-going education to various groups in Arizona on a variety of topics related to the physical therapy profession and lawful practice in Arizona. Ms. Hiller has held many professional leadership positions including having previously served as the President of the Arizona Physical Therapy Association (AzPTA) and serving on committees supporting the work of the APTA and the Federation of State Boards of Physical Therapy (FSBPT).

You might be surprised to learn that the Board staff numbers only 2 1/2 full-time employees. Although the staff is relatively new to the agency, they are committed to their responsibilities to facilitate the work of the Board in protecting the public from the incompetent or illegal practice of physical therapy. With a small staff to serve the needs of over 3,000 regulated persons and the ever-increasing public of the State of Arizona, our response time to your calls and e-mails may not be immediate; however, we are doing our best to provide prompt and accurate service.

Collectively, the goals of the Board staff include developing and refining organizational policies and procedures to reflect the Arizona Physical Therapy Practice Act, improving responsiveness to licensees/certificate holders and the public, exploring the use of technology in an effort to improve agency services, and offering additional opportunities for the sharing of information including the development of a web-site in 2002.

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## New Fees

Beginning April 1, 2002 there will be a \$5 fee for preparing written verifications of licensure. We regret that the increasing numbers of requests and resultant staff response time necessitates this new fee. The Federation of State Boards of Physical Therapy (FSBPT) has announced a fee increase beginning April 1st of \$60.00 to \$75.00 for score transfers and \$50.00 to \$75.00 for exam performance feedback and test score verifications.

# Continuing Competence...SIMPLIFIED!

For the first time in Arizona, physical therapists (PTs) will be reporting continuing competence activities as a requirement for renewal of license in 2002. There have been a number of positive outcomes from this requirement already: physical therapists are actually **READING** the law to learn about the requirements, and they are acknowledging that the ongoing development of professional knowledge and skills is of benefit to the public and the profession. If the law requires a minimum of competence for initial licensure, it makes sense to require some measure of continuing competence for license renewal. Besides, 20 hours of educational activity every 2 years doesn't seem an unreasonable burden for the privilege of practicing as a PT.

The requirements for continuing competence are described in Article 4 of the Board's administrative rules, A.A.C.R4-24-401 through R4-24-403. In simple language, a PT:

- **Must** obtain 20 contact hours for renewal of license every 2 years, unless the original license is for one year or less and then the requirement is 10 contact hours;
- **Must** obtain at least 10 contact hours from Category A coursework, or any greater amount up to the full 20 hour requirement. There is no requirement that contact hours must be obtained from every category, only that at least 10 hours must be from Category A;
- **May not** obtain more than 5 contact hours from non-clinical coursework in Category A, or from Categories B & C combined (e.g. activities relating to other than direct patient care services);
- **May not** receive credit for repetitions of the same activity (e.g. multiple presentations to various groups on the same topic, repeating a continuing education course, etc.);
- **May not** carry over hours from one compliance period to another;
- **Must** retain evidence of continuing competence activities for 6 years.

The following are frequently asked questions about the continuing competence requirements:

**What are Category A activities?** Any coursework approved for contact hours by an accredited PT, medical or health care educational program, national or state professional association or national specialty society are considered Category A. Approval by other licensing boards does not constitute Category A approval. Regardless of whether the setting is in a classroom, on the internet or at-home study, the contact hours count as Category A if the course is approved by a Category A organization. This category includes continuing education courses, coursework related to renewal of clinical specialty certification, clinical residency programs, and post-graduate education from an accredited college or university. 60 minutes of instruction equals one contact hour.

**What are Category B & C activities?** Coursework and activities **NOT** approved for contact hours by any of the Category A organizations fall under categories B & C. These categories include: study groups (with a minimum of 3 people); self-instruction (may be directed by a home or distance study course); in-service education (through hospitals, networks, corporations, etc.); practice management coursework (e.g. ethics, administration, law, reimbursement, etc.); teaching or lecturing; and publication of professional writings. Each of these activities has a defined value for contact hours (e.g. 2 hours of study group equals 1 contact hour, 1 hour of teaching/lecturing equals 2.5 contact hours, etc.). PTs should review the appropriate sections of Article 4 for the specific contact hours for each activity.

**How do I know if a course I want to take (or already attended) is acceptable?** The Board does not pre-approve any courses for credit. Each PT needs to determine what activities they will pursue and keep track of the total number of hours obtained. Many course brochures and advertisements do not identify who has approved the contact hours, or state simply that the course is approved for physical therapists. PTs may need to make a phone call or send an e-mail to the course sponsor in order to determine whether the course has been approved by a Category A organization and thus counts as Category A.

**Can I get credit for courses I took outside of Arizona?** Courses do not have to be taken in Arizona to count for credit, nor do the organizations that approve the contact hours need to be in Arizona (e.g. any state chapter of a professional association, any accredited PT, medical or health care school is an acceptable Category A organization). If this information is not contained in the course materials or certificate a PT should request something in writing from the sponsoring organization that attests to contact hour approval by an appropriate organization.

CONTINUED on next page

# Continuing Competence...Continued

**Should I send my course materials to the Board once I've taken a course?** The Board does not maintain continuing competence records for licensees. Only if the PT is notified that s/he has been randomly selected for audit will the documentation need to be sent to the Board.

**How many contact hours can I obtain for a home study course?** If the hours have been approved by a Category A organization there is no maximum to the number of hours you can claim. Only if the home study course has not been approved by a Category A organization will you need to classify the hours as Category B.2 Self-Instruction and uphold the 5 contact hour maximum for this category. 60 minutes of self instruction equals 1 contact hour.

**Can I earn contact hours for attending an in-service at our facility, either a lecture by a doctor or a course presentation from a visiting PT?** Up to 5 contact hours may be earned under Category B.3 In-service Education if the presentation has not been approved for contact hours by a Category A organization. If approved by a Category A organization there is no limit of 5 contact hours. 60 minutes of in-service education equals 1 contact hour.

**Can I earn contact hours for presenting an in-service at my facility?** You can obtain contact hour credit for teaching or lecturing if the presentation is original, deals with a topic related to physical therapy and is accompanied by written materials you have developed, augmented or updated. Every hour of instruction is worth 2.5 contact hours, up to a maximum of 5 hours. You cannot obtain credit if the presentation is to a lay or non-professional group, or if it is routine teaching of students or staff as part of a job requirement.

**Are courses approved by the American Massage Association or the National Athletic Training Association acceptable for credit?** These organizations are national health care professional associations, and as such qualify as approval organizations for Category A contact hours.

**Can I get credit for CPR certification?** CPR certification qualifies for up to 5 contact hours under Category B.3 In-service Education. Each 60 minutes of CPR certification (or re-certification) instruction equals 1 contact hour.

**What is the continuing competence requirement for physical therapist assistants (PTAs)?** Currently there is no continuing competence requirement for renewal of PTA certification.

**Can I submit course materials to the Board for approval before I register for the course?** The Board does not pre-approve any courses for continuing competence contact hours. A review of the Rules about continuing competence should provide enough information to determine if the course is acceptable, and which Category the course fits into.

**What kinds of activities can't I use for my continuing competence requirement?** There are several activities specifically mentioned in the Rules that cannot be used for credit, including staff meetings, publications or presentations to lay groups, routine teaching of personnel or students if part of a job requirement (e.g. an instructor at N.A.U. could not obtain credit for routine teaching, but could earn contact hours for teaching original material at a state meeting or health care conference), and regularly scheduled facility/institutional activities such as case conferences or rounds.

**How will "CEUs" be reported for renewal?** Contact hours, not CEUs, will be reported for renewal, since many of the acceptable activities do not involve courses with CEUs awarded. The renewal notification from the Board will contain a statement the PT will sign affirming that the 20 hour requirement has been met. No listing of specific activities or documentation will be required at the time of license renewal. If a PT is randomly selected for audit, s/he will get a letter within 60 days containing a form for reporting of specific activities to be returned to the Board, along with documentation to support the contact hours reported.

**What happens if some of the hours I report are not accepted as valid?** PTs who, upon audit, are determined to have less than the required 20 hours of continuing competence will have 6 months from the notice of non-compliance to make up the deficient hours, and may be subject to disciplinary action under A.R.S. 32-2047. A PT who disagrees with a determination of non-compliance may request a hearing to contest the Board's decision under A.R.S. Title 41, Chapter 6, Article 10.

# The Value of a Professional License

All professional licensing laws are enacted by state legislatures to protect the public in the state jurisdictions in which they reside.

**Protection of the Public** is the primary tenet of all state license laws. The Arizona Physical Therapy Law, Title 32, Chapter 19, was originally enacted in 1952 (and completely revised in 1998) to guarantee that anyone who calls him or herself a physical therapist or offers physical therapy services (as defined in the statute) is appropriately educated at the level required for entry. It also assures the public that the licensee maintains the high standards of practice and of moral and ethical behavior defined in statute. For the foreign educated physical therapist the law ensures that the therapist is able to communicate with the patient, family and other medical community in English, and is familiar with the United States health care system.

**Protection of the Profession** is accomplished by laws that assure that only appropriately educated persons who meet and maintain all the standards set out in the law can hold themselves out to be physical therapists. This protects the profession from persons who are unqualified or less educated or those who have violated the standards set out in statute. This maintains the high standards of our profession in the public eye and establishes a sense of value to the public for the work we perform.

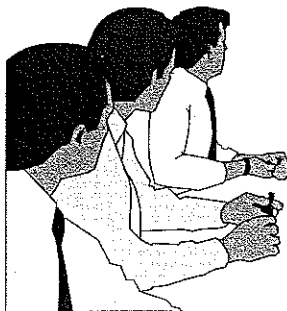
**Protection of the Professional** is also an inherent aspect of licensure. You aspired to be a physical therapist for a long time. You spent many hours and many dollars to get into physical therapy school, to complete the general and professional education courses and to pass the national exam. The fruit of all that work is your license. Your diploma is not the end point. No one except someone who has completed the educational requirements, passed the exam, and maintains the high ethical, educational, and professional standards established by law can call him or herself a physical therapist and be licensed as such. Please respect your license because it is your ticket to practice. Display it with pride in a prominent place.

With the privileges of licensure comes the responsibility to renew your license on time and pay the fees established for license renewal. You have a responsibility to maintain current home and business addresses and telephone numbers with the Board. We now have standards for continuing competency which require you to maintain your level of competence. You have a responsibility to self report any changes which may impact your ability to practice at the high standard we owe the public, our profession and ourselves.

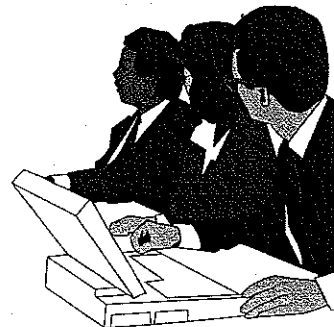
By Donna Borden, PT

## 2002 MEETING CALENDAR

The Arizona Board of Physical Therapy will hold its monthly Regular Session Meetings on the 4th Tuesday of each month at 10:00 a.m. at 1400 W. Washington, Room B-1 (Basement) unless otherwise noted. **Note: Location, Date and Time subject to change.**



March 26  
April 23  
May 28  
June 25  
July 23  
August 27  
September 24  
October 22  
November TBA  
December TBA



# Practice Management...IT'S THE LAW

A professional license to practice as a physical therapist or certificate to work as a physical therapist assistant includes inherent responsibilities on the part of the licensee or certificate holder to abide by Arizona Law. The Board of Physical Therapy staff members have noted that certain licensure and certification requirements often elude many of the individuals whom the Board regulates. In this spirit, we have devised a list of these "frequent infractions" to serve as a checklist to help you ascertain whether you are in compliance with the law.

This list is not intended to serve as an exhaustive summary of the entire Physical Therapy Practice Act for Arizona. These are merely a sampling of some of the lesser-known requirements to which we want to call your attention.

\_\_\_\_\_ **Address and/or Name Change:** Each licensee and certificate holder is responsible for reporting to the Board a name change and changes in business **and** home addresses and telephone numbers within thirty days after the change. A name change must be accompanied by a legal document. A.R.S. §32-2027(B)

\_\_\_\_\_ **Use of Titles:** A licensed physical therapist shall use the designation "PT" immediately following the licensee's name or signature. A.A.C. R4-24-302(a) A certified physical therapist assistant shall use the designation "PTA" immediately following the certificate holder's name or signature. A.A.C. R4-24-302(b)

\_\_\_\_\_ **Display of License/Certificate:** A licensee/certificate holder shall display the license and current renewal certificate in a location accessible to public view at his/her place of practice. A.A.C. R4-24-311(A)

\_\_\_\_\_ **Disclosure:** A physical therapist shall provide written disclosure to a patient if the referring practitioner is deriving direct or indirect compensation from the referral to physical therapy. A.R.S. §32-2051(C) The written disclosure shall state that "Under A.R.S. §32-2051(C) I am required by law to inform you in writing that your referring physician [or specify if different than a physician] derives direct or indirect compensation related to your physical therapy." A.A.C. R4-24-311(C)

\_\_\_\_\_ **Disclosure:** A physical therapist shall provide written disclosure to a patient if the therapist has any financial interest in products endorsed or recommended by the physical therapist. A.R.S. §32-2051(D)

\_\_\_\_\_ **Lawful Practice:** A physical therapist shall provide the referring practitioner with information either verbally or in writing from the patient assessment, diagnosis and plan of care after the patient is initially evaluated. A.A.C. R4-24-301(A)

\_\_\_\_\_ **Posting Notice:** A licensee/certificate holder shall post notice at the licensee's place of practice in a location accessible to public view the name, address, and telephone number of the Arizona State Board of Physical Therapy, and a statement informing the public that a complaint against a licensee can be directed to the Board. A.A.C. R4-24-311(B)

\_\_\_\_\_ **Duplicate/Replacement Wall Certificates:** The Board shall charge a \$10 fee for a duplicate or replacement wall license for a physical therapist or physical therapist assistant. A.A.C. R4-24-206(4) There is no cost for a duplicate/replacement wallet card.

\_\_\_\_\_ **Renewals:** Renewal notices are mailed approximately six weeks prior to the license expiration date. **FAILURE TO RECEIVE NOTICE OF LICENSE OR CERTIFICATE EXPIRATION DOES NOT EXCUSE NON-RENEWAL OR UNTIMELY RENEWAL.** A.A.C. R4-24-205(B)

\_\_\_\_\_ **Continuing Competence Requirement:** A licensed physical therapist shall earn 20 contact hours of continuing competence activities for each compliance period to be eligible for renewal of license. A LICENSEE ISSUED A LICENSE FOR 1 YEAR OR LESS SHALL EARN 10 CONTACT HOURS DURING THE INITIAL COMPLIANCE PERIOD. This requirement does not apply to physical therapist assistants. Refer to A.A.C. R4-24-401 through 403.

So... how do YOU rate?

Arizona State Board of Physical Therapy  
1400 W. Washington, #230  
Phoenix, Arizona 85007

## 2002 Renewal Reminders

As we begin the year 2002, mark August 31st on your calendar as the day your physical therapy license/certificate will expire. The Board office will provide you with the renewal application by mid July. Pursuant to A.A.C.R4-24-205(B), "Failure of the Board to inform a licensee of license expiration does not excuse a licensee's non-renewal or untimely renewal. "A licensee shall keep the Board office informed of his/her current address via e-mail, mail or fax. The biennial renewal fee for a physical therapist is \$100.00 and \$50.00 for a physical therapist assistant. The fee may be paid by mail or in person using a cashier's check, money order or personal check. The Board will mail a receipt and registration card naming the licensee as a current and valid license holder. Pursuant to A.A.C. R4-24-205(D), "The Board shall deny a license renewal to a licensee who fails to comply with the renewal requirements. A person denied renewal of license may request a hearing under A.R.S. Title 41, Chapter 6, Article 10." If you have any concerns or questions, please call the Board office at (602) 542-3095.

The Board office does take requests for license verification from employers, licensees, and insurance companies to name a few. As of April 1st there will be a \$5 fee for processing verification requests. Please allow ample time for your request. The Licensing Administrator processes the written verifications once a week. If you are requesting a verification be sent to another state, the Board office does appreciate a pre-addressed stamped envelope.

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## DISCIPLINARY ACTION

The Board opened 19 complaint investigations in 2001. 7 complaints were dismissed as without merit, 2 resulted in Letters of Concern (non-disciplinary action), 1 resulted in the licensee being placed on probation, and 1 resulted in the Board's acceptance of a voluntary surrender of license. 8 complaints remained open as of 12/31/01

Final disciplinary action taken by the Board January 2001—January 2002

<u>Name</u>	<u>License#</u>	<u>Complaint#</u>	<u>Violation</u>	<u>Action</u>
Ryan Chan, PT	#2826	01-04		Voluntary surrender of license
Scott Glad, PT	#5381	01-08	§32-2044(3) Denied PT license in CA §32-2044(9) Misrepresentation	Probation
Allen Adams, PT	#2113	01-09	§32-2044(13) Excessive Fees	Letter of Concern
Diane Hoffman, PT	#1837	01-10	§32-2044(2) Practicing beyond scope	Letter of Concern