



WEST VIRGINIA BOARD OF PHYSICAL THERAPY
101 Dee Drive
Charleston, West Virginia 25311
Telephone: (304) 558-0367 Fax: (304) 558-0369

MINUTES
Wednesday, May 9, 2012
RN Conference Room 10:00 am

Members present: Melanie Taylor, Lesleigh Barber, Shannon Snodgrass, John Spiker, Jack Spatafore, Gina Brown

Members not present: D.C. Offutt

Non Members present: Kate Campbell, Attorney General Office; Nancy Tonkin, Executive Director, WVPTA; Eric Tarr, PT, DPT, WVPTA; Eric Shaw, PT, WVPTA

Minutes taken by: Trish Holstein

I. Melanie called the meeting to order at 10:10 am.

II. Public Comment

- Eric Tarr discussed legislature bills that the association introduced during the 2011 session. It was discussed how to best communicate policy decisions with the board and the association to avoid being split on political positions on various legislation. The board encouraged the association to contact Trish to notify board members when there is legislation discussion.

III. Approval of Minutes

- a) **Shannon** motioned to accept January 25, 2012 minutes as amended. **John** seconded the motion with all in favor.
- b) **Lesleigh** motioned to accept March 9, 2012 minutes. **Shannon** seconded the motion with all in favor.
- c) **Shannon** motioned to accept March 15, 2012 minutes. **John** seconded the motion with all in favor. Melanie and Jack abstained from motion because they were not present for entire meeting.

IV. Propose Executive Session –Personnel and Disciplinary Discussion

- **Melanie** motioned to go into executive session to discuss personnel and disciplinary at 10:56am. **Shannon** seconded the motion with all in favor.
- **Melanie** motioned to go out of executive session at 12:08pm. **Shannon** seconded the motion with all in favor.

V. Consideration of Personnel Matters

- a) **Melanie** motioned to allow the Office Assistant to take the rest of May on personal leave of absence since there will be no additional expense to the board; if she does not return by June 1, Trish will post to hire the position. **Lesleigh** seconded the motion with all in favor.
- b) **Melanie** motioned to compose a letter to be sent to the Office Assistant stating the board's decision extending personal leave of absence to May 31; if she does not return at the time, her position will be terminated. **Shannon** seconded the motion with all in favor.
- c) The board discussed salary increases and will vote at our next board meeting. Trish will budget for the raise so that it will be included if the board approves.
- d) The board agreed that if the Office Assistant does not return to allow Trish to advertise for that position via newspaper and DOP website. Trish can choose 2 top candidates and a committee will interview them and then have a teleconference call to vote for hiring and pay.

VI. Disciplinary committee report (Jack Spatafore and D.C. Offutt)

- a) Case No. 2010-03 (Original complaint received 7/1/2010, 18 months = 01/01/12)
 - Revoked license effective August 29, 2011
 - Supreme Court Appeal Pending
 - **Melanie** motioned that if a Motion to Stay is filed, the board opposes. **Lesleigh** seconded the motion with all in favor.
- b) Case No. 2010-04
 - Pending Circuit Court Appeal
 - Reactivated license March 26, 2012
- c) Case No. 2011-01 (Original complaint received 03/08/11, 18 months = 09/08/12)
 - **Melanie** motioned to approve an investigator if recommended by disciplinary committee. **Shannon** seconded the motion with all in favor.
 - The disciplinary committee will investigate further and attempt a teleconference call before the next board meeting.
- d) Case No. 2011-04 (Original complaint received 12/05/11, 18 months = 05/05/13)
 - **Melanie** motioned that the board has found no probable cause. **John** seconded the motion with all in favor.
- e) Case No 2012-02 (Original complaint received 04/24/12, 18 months = 10/24/13)
 - Disciplinary Committee is still investigating.
- f) Consideration for Cease and Desist – Athletic Trainer
 - **Melanie** motioned that Trish will respond via email that the board finds according to the article provided, the “term” of athletic trainer was not violated. **John** seconded the motion with all in favor.
 - Kate will review the email before sending.
- g) Consideration for notifying insurance and Medicare/Medicaid when a license is revoked or suspended.
 - The board agreed that we are not going to take any further action.

VII. Questions for Board Consideration

- The board reviewed and answered questions submitted.

VIII. Reports

a) Chairman Report

- Military Experience
 - The board agreed to research other board’s military education guidelines.

b) Executive Secretary Report

- HB 4002 – Auditor’s Board Training
 - Each board member shall attend at least 1 seminar provided during each term of office.
- CE Audit results were discussed.
- Trish discussed the Treasurer’s Training regarding deposit procedures.
 - The board agreed to not accept cash and to add to our procedures.
- Office Updates
 - Trish discussed that the office should be testing the new licensure software that was developed by the Treasurers’ Office within a couple of weeks.
 - The Treasurer’s Office will be charging for additional programming after July 1.
 - The board will own the software along with coding.

c) Board Members Report

- The board agreed not to discuss the opinion letter regarding dry needling because D.C. not being present for meeting to provide the letter.
- John Spiker resigned from his position with the board effective June 30th and recommended a replacement.

IX. New Business

a) Consideration of CE Audit

- The board discussed the 2 CE waiver requests that were submitted by licensees that were non-compliant with the CE audit. The waiver requests were denied.
- **Melanie** motioned to place the licensee’s in delinquent status and have them go through the delinquent process. **John** seconded the motion with all in favor.
- The board denied the CE audit appeal request and Trish will send a letter of their decision to the licensee.

- The board discussed "Online CE" website stating falsely that WV accepts their courses. Trish advised that she spoke to the company and the language was then changed.
- b) Trish will contact the education committee when receiving CE approvals for home study hours.
- c) The Temporary/Emergency Form that was submitted was approved by the board.
- d) The board agreed to have a representative speak regarding scanning software at our next meeting.
 - Trish will search for others companies that may offer scanning software.
- e) DOP will no longer invoice boards and DOP will determine an appropriate billing structure when boards use their services.
- f) **Melanie** motioned to approve the budget for 2012/13. **Lesleigh** seconded the motion with all in favor.
- g) Newsletter articles will be approved at the next board meeting.
 - Trish
 - Audit results
 - CE waiver
 - Dry needling
 - License renewal
 - Temp/Emergency form
 - Questions and Answers
 - Melanie
 - 60/40 – 40% general supervision rule
 - John's resignation
 - Lesleigh
 - Change of Board Chair
- h) The board reviewed per diem and reimbursement totals for January- April 2012.
- i) The board reviewed balance sheets for January- April 2012.
- j) The board reviewed P-Card purchases for January – April 2012.
- k) FSBPT Training – 9/20 – 9/22 Indianapolis, IN
 - **Melanie** motioned to elect Melanie as delegate and Trish as alternate delegate. **Gina** seconded the motion with all in favor. If Shannon attends, the board will pay for her expenses.
- l) The disciplinary committee will stay the same since they are still working on pending cases.

X. **Next Board Meeting Date – August 15, 2012**

XI. **Meeting Adjourned at 3:25pm.**

Approved by:

 8/15/12

 Melanie Taylor, PT, Board Chair