



NEWSLETTER

Minnesota Board of Physical Therapy

November 2014

From the Board President

Hello to all physical therapists and physical therapist assistants,

The MN Board of Physical Therapy celebrated 15 years in existence this August! You should be very proud of your independent Board and all of the accomplishments and many wonderful outcomes that have occurred. We are providing licensing and regulatory services for over 4900 physical therapists and over 1600 physical therapist assistants. The Board will continue to respond to the complexities of health care reform, public protection issues, exam security threats for new license applicants, increased patient needs with limited resources, continuing competence and the role of health care regulation. The Board will monitor, respond to public needs and protection, and be a resource to licensees and the public.

Board offices have moved to a larger more efficient space to meet increased demands. Since the Board's inception operations have been developed into highly organized systems. Board staff continue to work with other boards on an integrated database system for licensing and regulation. License applications are mostly submitted online and over 93% of license renewals are done online! The Board received legislative authority to do criminal background checks for new applicants and is working with several other boards to implement this process.

The Board has worked very hard again this year in all committee functions. The Licensing Committee continues to work diligently to review all applicants, address all variations, and make licensing recommendations to the Board. Licensee education is critical to public protection and the Continuing Education Committee reviews the annual CE audit submissions and hundreds of continuing education courses. The Complaint Review Committee continues to see an increase in the complexity of cases regarding complaints against licensees. The central focus of investigations continues to be public protection through remediation when appropriate and discipline when warranted. Complaints are submitted by patients, family, regulatory agencies, payers, employers and the public. The Administrative Committee monitors, modifies, and makes recommendations on the budget, all operations and other functions of the Board. The Legislative Committee monitors and responds to the legislature on related issues. The Continuing Competence Task Force has defined continuing education/competence (CE/CC) activities. The Board is working to update CE/CC through the rule making process. Watch the Board website for future updates.

Fixed date testing issues continue to be addressed in collaboration of the Federation of State Boards of Physical Therapy (FSBPT). Check the FSBPT website (www.fsbpt.org) for ongoing updates related to testing and continuing competence.

This is my last newsletter as I will be ending my term in 2015 and will not be reapplying for appointment to the Board. I would like to thank the Board staff for all their exceptional work with licensing issues and their support for all Board and committee activities. I want to especially thank Stephanie Lunning for her outstanding performance as Executive Director. She is a major contributor to the Board's success. I thank the entire Board for its great teamwork, commitment, dedication and wisdom. Minnesota physical therapists and physical therapist assistants are fortunate to have such an outstanding Board.

Staff are always available to answer questions, assist with licensing, and support public protection.

Have a wonderful 2015!!!

Regards,

Kathy Fleischaker, PT, President
Minnesota Board of Physical Therapy

Board Members

Kathy Fleischaker, PT
President

Sandra Marden-Lokken, PT
Vice President

Christopher Adams, PTA
Secretary-Treasurer

Linda Gustafson, PT

Bruce Idelkope, MD

Barbara Liebenstein
Public Member

Julia McDonald, PTA

Kimberly McGarry, PT

Debra Newel
Public Member

Kathy Polhamus
Public Member

Debra Sellheim, PT

Board Staff

Stephanie Lunning, PT
Executive Director

Erin DeTomaso
Office Manager

Gabrielle Koeing
Licensing Specialist

Minnesota Board of Physical Therapy

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NEWSLETTER

Online services and

resources at

**www.physicaltherapy.
state.mn.us**

1. Online **license renewals**

2. Request and pay for **online License Verifications**

3. Change your **address**
(required within 30 days of the change)

4. Change your **email address and phone number**

5. **Name change** instructions

6. "Verify a License" for your **CE report due date**, license status, issue date, renewal date, and/or disciplinary action

7. Review **CE requirements**

8. Print an application form for Category 1 CE course approval

9. View and/or print a copy of the MN PT Practice Act

10. View and/or print all Board disciplinary orders

11. Print a report or complaint form

12. View a flow chart of the complaint review process

13. Dates, times, and locations of upcoming Board meetings

Continuing Education Audit

If your 20 hours of CE is due in 2014, you may be subject to a random audit of your continuing education credits for the period of January 1, 2013 through December 31, 2014.

Licensees are responsible for maintaining documentation of continuing education completion, which is not required to be sent to the board on a routine basis, but must be fur-

nished to the board if requested. Please keep in mind there is a minimum of 10 hours in Category 1, maximum of 10 hours in category 2 and a maximum of 4 hours in category 3.

License Verification

When applying for licensure in another state, you may need to contact the Board for a document stating you are in good standing with the Minnesota Board of Physical Therapy. The Board will generate a

written verification that contains your license history in Minnesota and will send this form directly to the state in which you are seeking licensure. There is a \$25.00 fee associated with this request.

Request a license verification from our website: <http://mn.gov/health-licensing-boards/physical-therapy/> You may pay with credit card online or fill out a paper request form and mail with a \$25.00 check.

Board Member News

Kathy Fleischaker is to be commended for her contributions to the Board of Physical Therapy. Kathy has served as the Board President since the inception of this independent licensing board in 2000. She will retire from the Board in 2015. Kathy has been a leader in the Minnesota physical therapy community for over 48 years. Thank you to Kathy for her insight, dedication, and leadership, and her endless commitment to public protection and public service. Her vision and guidance have steered Board administration and complaint resolution functions. She has served the Board of Physical Therapy as President; Chair of the Complaint Review Committee; Chair of the Administrative Committee; and a member on the Legislative Committee. She has also served as the Treasurer for the Board of Directors of Federation of State Boards of Physical Therapy.

Sandy Marden-Lokken, PT, will be retiring from the Board during 2015, after 10 years of service. Sandy has been the Vice President of the Board

since 2010, and has served as a member and Chair of Continuing Education Committee and Licensure Committee, Chair of Continuing Competence Task Force, and a member of the Administration Committee. Sandy has provided public protection with strong leadership, thoughtful perspectives, attention to detail, and hard work. Sandy, an experienced clinician and academician, is an Assistant Professor in the Doctor of Physical Therapy program at the College of St. Scholastica.

Elizabeth Schultz, PTA, completed her second term as Board member in 2014. She did not apply for reappointment, generously making this wonderful opportunity for public service and professional growth available to another PTA. Betsy served as Secretary-Treasurer of the Board for 3 years, and made significant and sustained contributions as a member of the Continuing Education, Administration, and Licensure Committees.

On March 21, 2014, Governor Mark Dayton appointed Julia McDonald, PTA, to the Minne-

sota Board of Physical Therapy. Julie has been a PTA for over 18 years in the Pediatric Rehabilitation Department at St. Cloud Hospital. She has also been active in governance and leadership with APTA at both the national and state level.

Also occurring on March 21, 2014, Governor Mark Dayton reappointed Board members Kathy Polhamus, Public Member and Debra Sellheim, PT for four-year terms ending on January 1, 2018. Kathy Polhamus works in utilization review at Children's Hospitals and Clinics of Minnesota, and is active in many volunteer activities in the community. Kathy has served on the Licensure Committee and as the Board representative to the Program Committee of the Health Professionals Services Program (HPSP). Deb is a Professor in the Doctor of Physical Therapy program at St. Catherine University with over 35 years of experience as a physical therapist and physical therapy educator. She has served on the Licensure Committee and Continuing Education Committee.

Minnesota Statutes and Rules

MN STATUTE 148.706 PHYSICAL THERAPIST ASSISTANTS, AIDES, AND STUDENTS.

Subd. 2. **Delegation of duties.** The physical therapist may delegate patient treatment procedures only to a physical therapist assistant who has sufficient didactic and clinical preparation. The physical therapist may not delegate the following activities to the physical therapist assistant or to other supportive personnel: patient evaluation, treatment planning, initial treatment, change of treatment, and initial or final documentation

MN STATUTE 148.73 RENEWALS.

Every licensed physical therapist and physical therapist assistant shall, before January 1 each year, apply to the board for an extension of a license and pay a fee in the amount set by the board. The extension of the license is contingent upon demonstration that the continuing education requirements set by the board under section [148.70](#) have been satisfied. For the purposes of this section, the continuing education requirements for physical therapist assistants are the same as those for physical therapists.

MN STATUTE 148.75 DISCIPLINARY ACTION.

(a) The board may impose disciplinary action specified in paragraph (b) against an applicant or licensee whom the board, by a preponderance of the evidence, determines:

- (1) has violated a statute, rule, order, or agreement for corrective action that the board issued or is otherwise authorized or empowered to enforce;
- (2) is unable to practice physical therapy with reasonable skill and safety by reason of any mental or physical illness or condition, including deterioration through the aging process or loss of motor skills, or use of alcohol, drugs, narcotics, chemicals, or any other type of material;
- (6) has engaged in unprofessional conduct or any other conduct which has the potential for causing harm to the public, including any departure from or failure to conform to the minimum standards of acceptable and prevailing practice without actual injury having to be established;
- (7) has engaged in gross negligence in the practice of physical therapy as a physical therapist;
- (8) has treated human ailments by physical therapy after an initial 90-day period of patient admittance to treatment has lapsed, except by the order or referral of a person licensed in this state in the practice of medicine as defined in section [147.081](#), the practice of chiropractic as defined in section [148.01](#), the practice of podiatry as defined in section [153.01](#), or the practice of dentistry as defined in section [150A.05](#), or the practice of advance practice nursing as defined in section [148.171](#), subdivision 3, when orders or referrals are made in and whose license is in collaboration with a physician, chiropractor, podiatrist, or dentist, and whose license is in good standing; or when a previous diagnosis exists indicating an ongoing condition warranting physical therapy treatment, subject to periodic review defined by board of physical therapy rule . The 90-day limitation of treatment by a physical therapist without an order or referral does not apply to prevention, wellness, education, or exercise;
- (11) has inappropriately delegated to a physical therapist assistant or inappropriately assigned tasks to an aide or inadequately supervised a student physical therapist, physical therapist assistant, student physical therapist assistant, or a physical therapy aide;
- (19) has had a license, certificate, charter, registration, privilege to take an examination, or other similar authority denied, revoked, suspended, canceled, limited, reprimanded, or otherwise disciplined, or not renewed for cause in any jurisdiction; or has surrendered or voluntarily terminated a license or certificate during a board investigation of a complaint, as part of a disciplinary order, or while under a disciplinary order;

MN RULE 5601.3200 CODE OF ETHICAL PRACTICE.

Subp. 2. **Prohibited activities.** Violation of the conduct rules in items A to E is prohibited and is grounds for disciplinary action under Minnesota Statutes, section [148.75](#), paragraph (a), clause (5).

E. A physical therapist shall not provide care to patients when impaired by illness, chemical use, or chemical dependency that affects the physical therapist's ability to practice with reasonable skill and safety.

All Stipulations and Orders may be reviewed and printed from the Board website under "Public" at www.physical.therapy.state.mn.us or available at cost, upon request to the Board Office.

2015 BOARD MEETING DATES

January 8, March 19, May 21, August 6, September 17, and November 2015*

***Date not set-deferred until November 13, 2014 meeting.**

*Unless otherwise indicated all meetings will take place at 4:00 PM in 4th Floor,
Conference Room A, at University Park Plaza,*

*2829 University Ave SE, Minneapolis, MN 55414. Please contact the Board office at
612.627.5406 to check for any schedule changes.*

This newsletter is available in ALTERNATE FORMATS for individuals with disabilities upon request at 612.627.5406 or physical.therapy@state.mn.us

The Board

The Board of Physical Therapy is an agency of the State of Minnesota. The Governor appoints the eleven member board which is comprised of five physical therapists, two physical therapist assistants, one medical doctor, and three public members.

Mission

To ensure that Minnesota citizens receive appropriate physical therapy services from competent physical therapists and physical therapist assistants.

Vision

To protect the public through licensure of qualified physical therapists and physical therapist assistants, and to provide timely and impartial resolution of complaints against physical therapists and physical therapist assistants.

Board Actions 11/15/2013-9/25/2014

- Batts, Tanya, d/b/a Functional Training Systems**, Eden Prairie, MN. Unlicensed.
Date of Consent Judgment and Order: January 15, 2014.
- Blackie, Spencer D., PT**, Hastings, MN. PT license 5044. Year of birth: 1946.
Date of Board Action: May 15, 2014. Action Taken: Order of Unconditional License.
- Burmis, Teresa A., PTA**, Hutchinson, MN. PTA license A538. Year of birth: 1959.
Date of Board Action: January 9, 2014. Action Taken: Order of Unconditional License.
- Chilson, Todd S.**, Menasha, MN. PT license 5752. Year of birth: 1963.
Date of Board Action: November 15, 2013. Nature of Misconduct: Stat 214.101 subs. (1) and (4) (2012).
Action Taken: Order of Suspension.
- Copa, Ashley, PTA**, Fargo, ND. PTA license A1612. Year of birth: 1989.
Date of Board Action: May 15, 2014. Nature of Misconduct: Stat 148.73 (2012)
Action Taken: Reprimanded and imposed civil penalty of \$900.00
Date of Board Action: August 7, 2014. Action Taken: Order of Unconditional License.
- Hauger, Bruce K., PT**, Duluth, MN. PT license 1494. Year of birth: 1952.
Date of Board Action: August 7, 2014. Nature of Misconduct: Stat. 148.75 (a)(2) (2012).
Action Taken: Stayed Suspension and license conditioned as follows: must remain enrolled in HPSP and fully comply with his HPSP Participation Agreement and Monitoring Plan.
- Hayes, Luke W.**, Beldenville, WI. PT license 6840. Year of birth: 1967.
Date of Board Action: March 27, 2014. Nature of Misconduct: Stat 148.75 (a)(1) and (19) (2012)
Action Taken: License Revoked.
- Lehn, Gail, PT**, Hutchinson, MN. PT license 5425. Year of birth: 1958.
Date of Board Action: March 27, 2014. Action Taken: Order of Unconditional License.
- Mellem, Jennifer**, St. Paul, MN. PT license 8156. Year of birth: 1980.
Date of Board Action: August 7, 2014. Nature of Misconduct: Stat 148.75 (a)(2) (2012) and Rule 5601.3200 subp. (2)(E)
Action Taken: License suspended.
- Moynan, Michelle**, Sartell, MN. PTA license A839. Year of birth: 1970.
Date of Board Action: August 7, 2014. Nature of Misconduct: Stat. 148.75(a)(1), (2), and (6)(2012).
Action Taken: Voluntary Surrender.
- Nygaard, Maggie, PTA**, McKinley, MN. PTA license A1179. Year of birth: 1985.
Date of Board Action: January 9, 2014. Nature of Misconduct: Stat. 148.75 (a)(1), (6), and (7) and 148.706, subd. 2(2012).
Action Taken: License conditioned as follows: obtain a work quality assessor who is a physical therapist preapproved by the Board.
- Oelschlager, Nancy, PT**, Woodbury, MN. PT license 1711. Year of birth: 1955.
Date of Board Action: August 7, 2014. Nature of Misconduct: Stat. 148.75(a)(2) and (6)(2012)
Action Taken: License conditioned as follows: May only practice under direct supervision.
- Olson, Randy, PT**, Roseau, MN. PT license 4761. Year of birth: 1958.
Date of Board Action: May 15, 2014. Nature of Misconduct: Stat. 148.75(a)(1), (6), (8), and (11)(2012)
Action Taken: License conditioned as follows: submit to and cooperate with peer reviews.
- Rainville, Darcel M., PTA**, Minneapolis, MN. PTA license A631. Year of birth: 1958
Date of Board Action: March 27, 2014. Nature of Misconduct: Stat. 148.75(a)(1), (6)(8)(11) and 148.706, subd. 2 (2012)
Action Taken: License conditioned as follows: PT and PTA course, Ethics course, and Peer Review.
- Schlafmann, Cindy**, Andover, MN. PT license 4637. Year of birth: 1966.
Date of Board Action: September 25, 2014. Nature of Misconduct: Stat. 148.75(a)(1) and (6)(2012) and Rule 5601.3200 subp. 2A and C(2013).
Action Taken: License Suspended. Civil penalty of \$7,500. Professional boundaries course, Ethics course, comprehensive evaluation and comply with recommendations for treatment.
- Swaim, Jolene, PT**, Cedar, MN. PT license 7442. Year of birth: 1974.
Date of Board Action: March 27, 2014. Action Taken: Order of Unconditional License.
- Tembrock, Paul**, Sartell, MN. PT license 1478. Year of birth: 1952.
Date of Board Action: March 27, 2014. Nature of Misconduct: Stat. 148.75 (a)(2) (2012).
Action Taken: Voluntary Surrender.

THE CORRESPONDING MINNESOTA STATE STATUTES AND RULES ARE PRINTED ON PAGE 3.

Practice in MN is Prohibited with a Lapsed or Nonrenewed License

Physical Therapists and Physical Therapist Assistants may not practice physical therapy in Minnesota on or after January 1, 2015 until their licenses have been renewed for 2015. The practice of physical therapy with a nonrenewed or lapsed license constitutes grounds for discipline pursuant to MN Statute 148.75 (a)(18). Physical Therapists and Physical Therapist Assis-

tants are strongly encouraged to submit their renewal applications online no later than mid December if they plan to practice physical therapy in Minnesota starting January 1, 2015 and to avoid any technical difficulties at the last minute.

Employers and supervisors (as well as PT and PTA licensees) are able to directly confirm 2015 renewal

status from the Board website: (www.physicaltherapy.state.mn.us) by clicking on "Verify a License". The website is updated directly from the Board database daily.

Renew early to avoid the "late" license renewal payment fee of \$20.00.

Health Professionals Services Program

The Health Professionals Service Program (HPSP) is a confidential, supportive, and non-disciplinary program available to any physical therapist or physical therapist assistant who has an impairment, such as alcohol or substance abuse, a psychiatric illness, or a physical disorder. The legal obligation to report an illness or a potential impairment (either to self report or to report another physical therapist or physical therapist assistant) is satisfied by either making a report to HPSP or to the licensing board.

HPSP contact information:
phone: 651-643-2120
www.hpssp.state.mn.us

