

**Minnesota Board of Physical Therapy
Biennial Report
July 1, 2000-June 30, 2002**

Pursuant to Minnesota Statute 3.197, the cost of preparing this report was approximately \$300 (staff time).

I. General Information

A. Board Mission and Major Functions

Board of Physical Therapy Mission

The mission of the Board of Physical Therapy is to ensure Minnesota citizens receive quality physical therapy services from competent physical therapists.

Major Functions of the Board of Physical Therapy

Ensure that applicants meet the standards for initial licensure

- Reviewing individual applicant documentation for completion of requirements for initial licensure
- Reviewing foreign educated applicant documentation and supervised traineeship programs relative to requirements to ensure preparation is equivalent to U.S. applicants

Ensure that physical therapists meet standards for license renewal

- Reviewing individual licensee documentation relative to renewal requirements
- Auditing continuing education reports from a selected sample of the annual renewals
- Reviewing educational courses and internet courses to determine whether they meet requirements for continuing education credit approval

Identify physical therapists who fail to maintain minimum standards necessary for the provision of safe and quality care, and when warranted, provide timely and appropriate disciplinary or corrective action.

- Accepting complaints and reports from the public, health care providers, payers, and regulators
- Deciding whether the information submitted is sufficient and clear enough to initiate a complaint, and if not, then requesting additional information from the complainant.
- Deciding whether the complaint is jurisdictional, and if so what action is necessary to resolve the matter
- Referring inquiries and complaints to other investigative, regulatory, or assisting agencies

- Responding to complainants with reports of action taken to resolve complaints (within the constraints of data practices act)
- Seeking information directly from the licensee, and obtaining investigation information from other agencies, and/or consultants.
- Holding conferences with licensees to identify their role and responsibility in the matter under investigation
- Providing applicants and licensees with education to improve practice and prevent recurrence of problems
- Obtaining voluntary agreement or disciplinary action, or pursuing disciplinary action through a due process, contested case hearing, or potential court action.

Provide accurate information and education to the public, other interested parties, and licensees

- Providing information to the public about the practice of physical therapy.
- Providing information to the public, employers, and other interested parties as to whether a person is licensed with the board and has been subject to any disciplinary action.
- Providing information to licensees to prevent inappropriate practice, to improve practice, and to improve awareness of the practice act and rules.
- Reporting disciplinary actions to the National Practitioner Data Bank.
- Providing information to applicants and licensees to facilitate initial and continuing licensure processes

B. Major Activities During the Biennium

- The Board of Physical Therapy was established as an independent licensing board on August 1, 1999. Physical Therapists had been regulated by the Board of Medical Practice since 1951.
- The Governor appointed the Board members in March 2000.
- Staff administrative services were provided under a contract with the Board of Medical Practice through May 2001.
- The executive director was hired in September 2000 and the administrative staff was hired in May 2001.
- Office space, furniture, equipment, and supplies were obtained.
- Code of Ethics rulemaking was initiated in December 2000; however the board's authority for rulemaking expired in February 2001 before the rulemaking was complete.
- Effective February 29, 2002, the Legislature and Governor re-granted authority to the board for code of ethics rulemaking. The code of ethics rulemaking process was restarted in the spring of 2002.
- Three exempt Rules relating to fees, hearings, and change of name were completed in April 2001.
- Information technology projects were initiated in cooperation with several other small health licensing boards. These projects included the development and implementation of a data base for licensing, renewal of licenses, and financial tracking; website; and online license verification. The initial license application,

continuing education course review form, complaint/report forms, and practice act are printable from the website. Online address changes and annual license renewals will be available in the Fall of 2002.

- All board committees (complaint review, licensure, continuing education, legislative, and personnel/administration) are active and meet regularly to guide the board.
- Communication with licensees through informational letters distributed with license renewal forms, the publication of a newsletter, board and staff presentations to physical therapists and physical therapy students, and available website resources.
- Communication with the public through the website and in response to inquiries and questions.

C. Emerging Issues Regarding Regulation of Physical Therapists

- Future revisions to the physical therapy statute are necessary to facilitate and clarify administrative and discipline processes. Areas to be addressed include: documentation and practice standards, physical therapist assistants, and merging of rules into the practice act.
- Rulemaking is in process for a code of ethics for physical therapists
- The actual costs of disciplinary actions cannot be accurately predicted. A contested case would result in substantial increased costs from the Office of the Attorney General.

II. Board Members, Staff, and Budget

A. Board Composition

Statute requires the board to consist of nine members appointed by the Governor. The persons holding the seats on June 30, 2002 are:

- Four physical therapists: Corinne Ellingham, Bloomington; Timothy Fedje, Rochester; Kathy Fleischaker, Eden Prairie; and Dennis Lutterman, Brainerd
- One licensed doctor of medicine: Bruce Idelkope, MD of Minneapolis
- One physical therapist assistant: Therese McDevitt, Brooklyn Center.
- Three public members: Dinah Patrykus, Minneapolis; Jack Schaaf, St. Paul; and Don Sheffield, Minneapolis

B. Employees

The Board has two full time employees, an executive director and an assistant to the executive director.

C. Receipts and Disbursements and Major Fees Assessed by the Board

ITEM	FY 2001	FY 2002
Receipts	\$262,396.	\$269,625.
Disbursements	\$247,340.	\$233,500.

FEES	Amount
Application	\$100
Annual Renewal	\$60
Late Fee	\$50
Examination Administrative fee	\$50
Continuing Education Course review	\$100

III. Licensing and Registration

A. Persons Licensed as of June 30, 2000: 3,110 physical therapists
Persons Licensed as of June 30, 2001: 3,200 physical therapists
Persons Licensed as of June 30, 2002: 3,269 physical therapists

B. New Licenses Issued During Biennium: 456 new licenses

FY	New Licenses
2001	238
2002	218

VI. Complaints

A. Complaints Received

	FY01	FY02
Number of complaints received	19	21
Number of complaints per 1,000 licensees	5.94	6.42

COMPLAINT CATEGORY (by statute)	FY01	FY02
No person shall provide physical therapy unless licensed as a physical therapist	2	2
Conduct unbecoming a person licensed as a physical therapist or conduct detrimental to the best interests of the public.	13	16
Use of drugs or intoxicating liquors to an extent which affects professional competence	3	1
Civil commitment for mental illness	0	1
Nonpayment of State income taxes	0	1
Noncompliance with Board Order	1	0

COMPLAINT SOURCES	FY01	FY02
License Renewal form	5	2
Anonymous to staff	0	0
Family member	2	0
Patient	3	1
Third Party	0	8
Government agencies including DHS	3	2
Licensed health professional	4	8
Self report	1	0
Board staff	1	0
Totals	19	21

B. Open Complaints on June 30 of the fiscal year

	FY 01	FY02
Open as of 6/30 of year	17	18
Open < 3 months	5	8
Open 3-6 months	5	7
Open 6-12 months	3	0
Open 12 months +	4	3

C. Closed Complaints on June 30, 2002

	FY01	FY02
No. of cases closed that were open > 1 year	2	6

DISPOSITION ON COMPLAINTS	FY01	FY02
Revocation	0	0
Voluntary Surrender	0	1
Suspended with or without stay	1	4
Restricted or Limited or Conditional License	3	1
Civil Penalties	1	1
Reprimand	0	1
Agreement for Corrective Action	0	1
Referral to Health Professional Services Program	0	2
Dismissal or Closure	9	11

CORRECTIVE ACTION AGREEMENTS	FY01	FY02
Issued	0	1
Satisfied	0	0

STIPULATION and ORDERS	FY01	FY02
Issued	4	6

NOTE: A total of 11 Stipulation and Orders were issued to physical therapists from 1951 (initial regulation date for physical therapists in MN) through FY00 (June 30, 2000). The first stipulation and order was issued in 1973.

IV. Trend Data as of June 30, 2002

	Number of PTs licensed on 6/30 of year	Number of complaints received	Number of complaints received per 1,000 licensees	Number of open complaints on 6/30 of year
FY 02	3269	21	6.42	18
FY 01	3200	19	5.94	17
FY 00	3110	15	4.82	9
FY99	2997	27	9.01	14
FY98	2877	20	6.95	15
FY97	2786	13	4.67	9
FY96	2691	11	4.09	8
FY95	2619	9	3.44	3
FY94	2591	6	2.32	17
FY93	2591	22	8.49	21
FY92	2585	7	2.71	8
FY91	2639	7	2.65	7
FY90	2532	7	2.76	8