

## A Study of Disciplinary Actions Against Physical Therapists and Physical Therapist Assistants

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## Disciplined Professionals

- ✓ Chiropractors<sup>3</sup>
  - ✓ Male
  - ✓ Incidence rates 98.23% higher than MDs
  - ✓ Fraud and sexual boundary violations
- ✓ Psychiatrists<sup>4</sup>
  - ✓ More often than other non-psychiatric physicians
  - ✓ Inappropriate sexual conduct
- ✓ Physicians<sup>5-8</sup>
  - ✓ Male, non-board-certified, foreign graduate
  - ✓ Common offenses:
    - ✓ Negligence/incompetence
    - ✓ Impairment due to alcohol and/or drug use
    - ✓ Quality of Care

## Physicians & Prior Behavior<sup>9</sup>

- ✓ Disciplinary action strongly associated with prior unprofessional behavior in medical school
  - ✓ 3x increase in risk
- ✓ Types of behavior of concern:
  - ✓ Severe irresponsibility
  - ✓ Diminished ability to improve their behavior
  - ✓ Poor initiative

## Study Proposal

- ✓ No previous attempts
- ✓ Purpose:
  - ✓ Determine characteristics of disciplined PTs and physical therapist assistants (PTAs)
- ✓ Report:
  - ✓ Type
  - ✓ Frequency
  - ✓ Nature of complaints
- ✓ Suggest possible interventions

## Methodology

- ✓ IRB approval obtained Spring 2006
- ✓ Study population:
  - ✓ All PTs and PTAs disciplined by state board 2000-2005
- ✓ Procedure:
  - ✓ Grant submission for data retrieval from Federation of State Boards of Physical Therapy (FSBPT)

## Data Analysis

- ✓ Descriptive statistics were generated utilizing data retrieved from FSBPT databank.

## Data Provided from FSBPT

- ✓ Gender of Offender
- ✓ Age of Offender at Time of Disciplinary Action
- ✓ Years since Graduation and Time of Disciplinary Action
- ✓ PT Education Status:  
U.S. vs. Foreign Educated
- ✓ Year of Disciplinary Action  
(2000-2005)
- ✓ Number of Offenses Reported per Report
- ✓ Number of Disciplinary Actions Taken per Report
- ✓ Number of Reports per Jurisdiction
- ✓ Basis of Reports
- ✓ Frequency of Disciplinary Action Reported

## Results

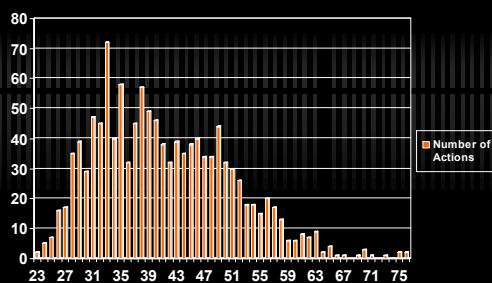
### Gender of Offender

- ✓ PT (n=1077)
  - ✓ 52% male
  - ✓ 39% female
  - ✓ 9 % no gender reported
- ✓ PTA (n=366)
  - ✓ 45% male
  - ✓ 44% female
  - ✓ 11 % no gender reported

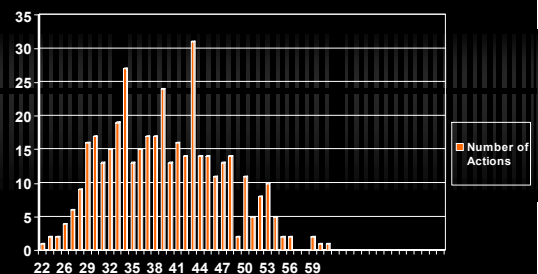
### Age of Offender at Time of Disciplinary Action

- ✓ PT (n=1037 reports)
  - ✓ Age of offenders ranged from 23 to 78 years
  - ✓ Mode = age 33 years, 57 reports
  - ✓ Mean = age 41 years
- ✓ PTA (n=348 reports)
  - ✓ Age of offenders ranged from 22 to 61 years
  - ✓ Mode = age 43 years, 26 reports
  - ✓ Mean = age 39 years

### Age of Offender at Time of Disciplinary Action (PTs)



### Age of Offender at Time of Disciplinary Action (PTAs)

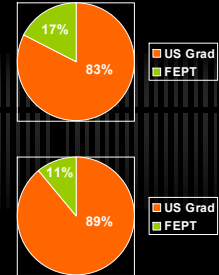


## Years since Graduation and Time of Disciplinary Action

- ✓ PT (n=1077)
  - ✓ Range = 4-52 years since graduation
  - ✓ Mode = **5 years**, 58 reports
  - ✓ Mean = **16 years**
- ✓ PTA (n=366)
  - ✓ Range = 4-30 years since graduation
  - ✓ Mode = **6 years**, 29 reports
  - ✓ Mean = **11 years**

## PT Education Status: U.S. vs. Foreign Educated

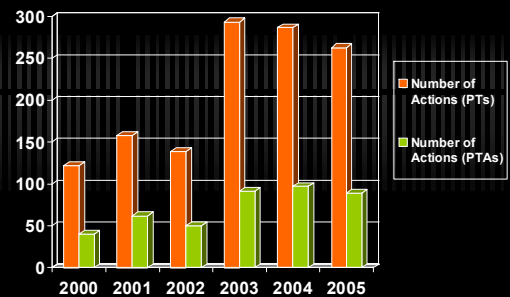
- ✓ PT (n=1077)
  - ✓ U.S. educated = 889 (83%)
  - ✓ FEPT = 188 (17%)
- ✓ PTA (n=366)
  - ✓ U.S. educated = 324 (89%)
  - ✓ FEPT = 42 (11%)



## Year of Disciplinary Action (2000-2005)

- ✓ PT (n=1077)
  - ✓ Range = 106-259 reports/year
  - ✓ Mode: year of **2003** with 24% of total (259 reports)
- ✓ PTA (n=366)
  - ✓ Range = 37-81 reports/year
  - ✓ Mode: year of **2003** with 22% of total (81 reports)

## Year of Disciplinary Action (2000-2005)



## Number of Offenses Reported per Report

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>✓ PT (n=1077 offenses)                             <ul style="list-style-type: none"> <li>✓ 1 offense = 68% (732)</li> <li>✓ 2 offenses = 24% (263)</li> <li>✓ 3 offenses = 5% (53)</li> <li>✓ 4 offenses = 2% (19)</li> <li>✓ 5 offenses = 1% (10)</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>✓ PTA (n=366 offenses)                             <ul style="list-style-type: none"> <li>✓ 1 offense = 68% (248)</li> <li>✓ 2 offenses = 26% (95)</li> <li>✓ 3 offenses = 3% (12)</li> <li>✓ 4 offenses = 2% (8)</li> <li>✓ 5 offenses = 1% (3)</li> </ul> </li> </ul> |
|---|--|

## Number of Disciplinary Actions Taken per Report

- ✓ PT (n=1077)
  - ✓ 1 action = 85%, 920 reports
  - ✓ 2 actions = 12%, 134 reports
  - ✓ Range = 1-5 actions
- ✓ PTA (n=366)
  - ✓ 1 action = 68%, 248 reports
  - ✓ 2 actions = 11%, 41 reports
  - ✓ Range = 1-5 actions

## Number of Reports per Jurisdiction

- ✓ PT (n=1077 reports)
  - ✓ 45 jurisdictions reported offenses
  - ✓ CA = 14%, 153 reports (19,282 licensees)
  - ✓ TX = 10%, 112 reports (8754 licensees)
  - ✓ NV = 8%, 89 reports (962 licensees)
  - ✓ FL = 7%, 80 reports (10,547 licensees)
- ✓ Range= 1-153 reports per 5 year period

## Number of Reports per Jurisdiction

- ✓ PTA (n=366)
  - ✓ 30 jurisdictions reported offenses
  - ✓ 15 jurisdictions reported no offenses
  - ✓ CA = 17%, 64 reports (4762 licensees)
  - ✓ TX = 10%, 37 reports (3816 licensees)
  - ✓ FL = 8%, 31 reports (4416 licensees)
  - ✓ NV = 8%, 28 reports (251 licensees)
  - ✓ LA = 7%, 24 reports (789 licensees)
  - ✓ NC = 7%, 24 reports (2334 licensees)
- ✓ Range= 0-64 reports per 5 year period

## Basis of Reports: PT (n=1543)

Incident	Reports	Percentage
Other-not classified	228	14%
Violation of Federal/State Statutes	217	14%
Practicing without a valid license	162	10%
Unprofessional Conduct	161	10%
License revoked by federal/state authorities	73	5%
Failure to comply with CEU requirements	73	5%

## Basis of Reports: PT (n=1543)

Incident	Reports	Percentage
Allowing unlicensed practice	71	4%
Fraud	67	4%
Criminal conviction	66	4%
Improper/inadequate supervision	57	4%
Failure to maintain records	50	3%

## Basis of Reports: PTA (n=521)

Incident	Reports	Percentage
Other-not classified	79	15%
Practice without license	67	13%
Violation of federal/state law	56	11%
Unprofessional conduct	53	10%
Criminal Conviction	44	8%

## Frequency of Disciplinary Action Reported: PT (n=1263)

Probation of License	22%
Publicly Available Fine/ Monetary Penalty	18%
Suspension of License	14%
Reprimand or Censure	12%
Revocation of License	9%

### Frequency of Disciplinary Action Reported: PT (continued)

Other Licensure Action – Not Classified	9%
Administration Fine/ Monetary Penalty	6%
Voluntary Surrender of License after Notification of Formal Request for Surrender	3%
Publicly Available Negative Action or Finding	3%
Denial of License (Renewal Only)	2%
Limitation or Restriction on License of Practice	2%
Denial of Initial License (HIPDB Only)	1%
Voluntary Surrender of License	0.3%

### Frequency of Disciplinary Action Reported: PTA (n=429)

Probation of License	20%
Publicly Available Fine/ Monetary Penalty	17%
Suspension of License	16%
Revocation of License	12%
Reprimand or Censure	10%
Other Licensure Action – Not Classified	8%
Administration Fine/ Monetary Penalty	6%

### Frequency of Disciplinary Action Reported: PTA (continued)

Voluntary Surrender of License after Notification of Formal Request for Surrender	3%
Publicly Available Negative Action or Finding	3%
Denial of License (Renewal Only)	2%
Limitation or Restriction on License of Practice	1%
Voluntary Surrender of License	0.5%
Denial of Initial License (HIPDB Only)	0.2%

### Basis of Disciplinary Action by Gender: Male PTs

- ✓ Disciplined at least twice as often for:
  - ✓ Fraud—unspecified
  - ✓ Unprofessional conduct
  - ✓ Criminal conviction
  - ✓ License revocation, suspension or other disciplinary action taken by a Federal, State, or local licensing authority
- ✓ Disciplined based on sexual misconduct 28:1 (males : females)

### Basis of Disciplinary Action by Gender: Female PTs

- ✓ Disciplined at least twice as often for:
  - ✓ Failure to comply with continuing education or competency requirements
- ✓ Greater instances of practicing without a valid license

### Basis of Disciplinary Action by Gender: Male PTAs

- ✓ Disciplined at least twice as often for:
  - ✓ Fraud
  - ✓ Criminal Conviction

## Basis of Disciplinary Action by Gender: Female PTAs

- ✓ Disciplined at least twice as often for:
  - ✓ Practicing without a valid license
- ✓ Greater instances of:
  - ✓ Failure to meet initial requirements of a license
  - ✓ Violation of Federal or State Statutes, Regulations, or Rules

## Action by Gender

- ✓ Male PTs were at least twice as often:
  - ✓ Revoked of license
  - ✓ Placed on license probation
- ✓ Male PTAs were at least five times as often:
  - ✓ Revoked of license
- ✓ Female PTAs were at least twice as often:
  - ✓ Fined (monetary penalty)

## Basis of Disciplinary Action by Age

- ✓ 33 year old PT...
  - ✓ Unprofessional conduct
  - ✓ Practicing without a valid license
  - ✓ Violation of Federal or State Statutes, Regulations or Rules
- ✓ 43 year old PTA...
  - ✓ Practicing without a valid license

## Discussion

## Gender

- ✓ Disciplined PTs
  - ✓ 52% male
- ✓ Disciplined PTAs
  - ✓ 45% male
- ✓ Limitations:
  - ✓ Who is filing complaints?
  - ✓ What settings?
  - ✓ How many filed complaints are thrown out?
- ✓ APTA Members
  - ✓ PTs:
    - ✓ 69% female
  - ✓ PTAs:
    - ✓ 79.9% female

## Basis/Action by Gender

- ✓ Male PT/PTAs
  - ✓ More serious offenses
    - ✓ Fraud
    - ✓ Sexual misconduct
    - ✓ Criminal conviction
- ✓ Female PT/PTAs
  - ✓ Maintaining current licensure requirements
    - ✓ Valid license (renewal)
    - ✓ Continuing education (competency)

## Why 33 (PT) and 43 (PTA) years old?

- ✓ Age at time of action, *not* offense
- ✓ PT common offenses at 33 y.o.
  - ✓ Unprofessional conduct
  - ✓ Practicing without a valid license
  - ✓ Violation of Federal/State Statutes/Regs/Rules
- ✓ PTA common offenses at 43 y.o.
  - ✓ Practicing without a valid license
- ✓ Limitations:
  - ✓ Age at time of actual offense unknown
  - ✓ Unknown length of time for jurisdiction(s) to take action

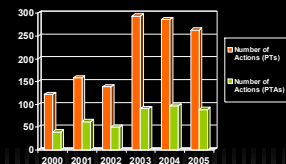
## Years since Graduation

- ✓ PT
  - ✓ Mode = 5 years; Mean = 16 years
- ✓ PTA
  - ✓ Mode = 6 years; Mean = 11 years
- ✓ Limitations (similar to age):
  - ✓ Date of actual offense unknown
  - ✓ Unknown length of time for jurisdiction(s) to take action

## Educational Background

- ✓ U.S. graduates more often disciplined
  - ✓ Different than MD studies
  - ✓ More U.S. graduates practicing in U.S. healthcare system
- ✓ Limitations:
  - ✓ % of U.S. vs. foreign-graduates

## Why 2003?



- ✓ 2006 FSBPT National Conference
  - ✓ Push to report information to FSBPT
- ✓ Increased # of actions?
  - ✓ Possibly secondary to jurisdictions reporting more data

## Unexpected Jurisdictions

- ✓ PTs: Nevada
- ✓ PTAs: Nevada and Louisiana
- ✓ Why?
  - ✓ Interpretation of practice act
- ✓ 2006 FSBPT National Conference
  - ✓ Nevada reports all failure to renew licenses
  - ✓ Automatic disciplinary action

## Other—not classified: What does this mean?

- ✓ Broad category—“catch-all”
- ✓ Federal government defines offense categories
- ✓ Jurisdictions may differ when categorizing offenses
  - ✓ Confusion of terms and categories
  - ✓ Possible cross-over

## Study Limitations

- ✓ Lack of data submission
  - ✓ Not all states participate in the sharing of information with FSBPT
- ✓ Multiple licenses
- ✓ Limited demographic data
  - ✓ APTA, U.S. Dept. of Labor
- ✓ Unable to predict risk

## Future Research

- ✓ Use of matched controls to identify
  - ✓ Who is at higher risk of offenses leading to disciplinary action?
- ✓ Explore prior behavior in school
  - ✓ Repeat offender?
  - ✓ How is professionalism addressed in school?
  - ✓ Develop appropriate interventions

## Future Research

- ✓ Which profession has a higher risk of being disciplined?
  - ✓ Chiropractors
  - ✓ Medical Doctors
  - ✓ Physical Therapists

## Conclusions

So what is the **Big Picture**?

## Purpose of Study

- ✓ Determine characteristics of disciplined PTs and PTAs in U.S. from 2000-2005

## Primary Findings

- ✓ Very small percentage of PTs/PTAs are disciplined
- ✓ Greater number of male offenses
  - ✓ Female dominated profession
    - ✓ APTA Members
      - ✓ PTs: 65.5% female
      - ✓ PTAs: 79.9% female
- ✓ Trend toward greater number of offenses
  - ✓ Secondary to FSBPT push to submit data (e.g., 2003)

## Differences per Jurisdiction

- ✓ States have different requirements and disciplinary procedures
  - ✓ No standardization of an offense=action
  - ✓ Practice Act exams for licensure
- ✓ Boards vary in level of disciplinary role
  - ✓ Active vs. Passive
- ✓ License renewal requirements differ in each state
  - ✓ Grace period vs. Automatic disciplinary action

## Recommendations

- ✓ Reduce need for disciplinary actions
- ✓ Begin with Education Programs
  - ✓ Emphasize professionalism in practice
  - ✓ CAPTE requires legal issues to be addressed
    - ✓ Know your practice act...it is your individual responsibility!

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## Questions for the audience

- ✓ Why are male PT/ PTAs disciplined more often in a female dominated profession?
- ✓ Why do we see a greater number of disciplinary actions at...
  - ✓ 33 y.o. PT, 42 y.o. PTA?
  - ✓ 16 years since graduation (mean for PTs)?
  - ✓ 11 years since graduation (mean for PTAs)?