

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: SAC Report on ECPTOTE
Date: Thursday, April 21, 2016 5:04:09 PM

From: Dillon, Loretta [mailto:ldillon@utep.edu]
Sent: Thursday, April 21, 2016 3:03 PM
To: Sunset Advisory Commission
Subject: SAC Report on ECPTOTE

To whom it may concern,

Thank you for providing access to the detailed report on the Sunset report regarding the Executive Council of PT and OT Examiners.

I must say that the first statement was highly offensive to me as a physical therapist in Texas for 33 years. To imply that we “fly under the radar” is an inaccurate statement. The Texas Legislature sets the review schedule and we hardly were avoiding a review. The tone of the report did improve, but this report should be factual and based on evidence, not on a personal opinions.

Thus, I would like to respond to the Issues that were brought forth in the report:

1. *The Requirement to Register Physical Therapy and Occupational Therapy Facilities Is Unnecessary.* I was a practicing PT when the registration rule came into effect. This is an issue of consumer safety from my perspective. We had hundreds of physician and chiropractor owned practices that said they offered “physical therapy” when indeed they did not have a licensed PT on site. There was even a practice owned by a lawyer here in El Paso in the 80s. The registration process gives control to the ECPTOTE to ensure public safety and prevent unscrupulous medical professionals for selling a service that they do not have. However, I would like to see our Texas Rules change so that only the owners receive disciplinary action when found in non-compliance.
2. *The Physical and Occupational Therapy Statutes Unnecessarily Impede Increasingly Mobile Workforces.* I agree with this assessment. However, I have one question from a liability standpoint. What if a PT licensed in Texas, but practicing in NM, violates a NM rule. Under which state would the licensee be held liable?
3. *Key Elements of the Boards’ Statutes, Rules, and Policies Do Not Conform to Common Licensing Standards.* I do not agree with the assessment of this issue as a whole. Delegation of CCU qualifications occurs in other states. It is imperative to the education and professional development of licensees to attend quality CCU courses to continuously improve their skill set. Who better to determine which CCU courses meet qualifications than through the peer review process that is in place with the TPTA. The ECPTOTE does not have the expertise from a peer review standpoint nor the funds to take this responsibility back. I practiced in the day when you could attend any course that

seemingly was related to PT and receive credit towards licensure renewal. I guarantee the process now is more rigorous for CCU approval and that goes back to consumer safety, that our licensees are attending courses that promote best evidenced-based practice.

The fingerprinting issue seems to be forthcoming everywhere in the US in many professions and while I do not agree that this is an end-all to consumer protection, I would support implementing this requirement.

4. *The State Has a Continuing Need to Regulate Physical Therapy and Occupational Therapy.* I agree with this assessment. As an academician, 1-2 of our graduates leave to practice in other states each year and from my experience, the Texas ECPTOTE is the most organized and accessible of the other state boards. It seems ludicrous to me that medical professionals could be placed in the same category as a plumber. The ECPTOTE is here to protect the public and they do an excellent job.

5.

In summary, as a tax payer and a licensed physical therapist, I do appreciate the review as a whole. The ECPTOTE is an agency that I want to see supported and continue to protect the public and serve me as a PT licensee.

Best regards,

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