

**INDIANA PHYSICAL THERAPY BOARD
MINUTES
May 19, 2022, at 10:00 A.M.
402 W Washington Street
Room W064
Indianapolis IN 46204**

- I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM 10:04 A.M.**
Board Members Present: Megan Certo, Elizabeth Bailey, Sean Bagbey, Therese Eutsler
Not Present: Heather Freeman
Staff Present: Toby Snell, Dinena Moore, Advisory Council Clarence Leatherbury

- II. ADOPTION OF THE AGENDA Motion made by TE and seconded by SB to adopt the agenda**
Motion carries 4-0-0

- III. ADOPTION OF THE MINUTES Motion made by TE and seconded by EB to approve the minutes**
Motion carries 4-0-0

- IV. REPORT FROM THE OFFICE OF THE ATTORNEY GENERAL**
Report given by Amy Osborne

- V. ADMINISTRATIVE HEARINGS**

Court Reporter: Heather Orbaugh

- 1. Beatrice Riddell 05009320A**
Petition to Withdraw Probation 2017 PTC 0014
Beatrice Riddell appears without counsel
Amy Osborne appears on behalf of the State
Beatrice Riddell makes opening statement
Miss Riddell feels she has met all the requirements needed per her final order regarding her probation terms
She would like to petition to come off of probation as she said that she made some very bad choices and does appreciate the fact that since placed on probation she has become a better person
Amy makes opening statement and says if Ms. Riddell meets the burden of proof that she has met all requirements they would have no objection to her being taken off of probation
Beatrice gives binders out as Exhibit A
No objection from the State
Respondents Exhibit A is submitted.

She says she has worked hard since being placed on probation in 2020 and has provided copies of all of her self-reports, working on recovery documents, becoming a new mother, letters of reference, a note from her addiction counselor and a letter from her psychiatrist. She has also provided letters from her employer and supervisors. AA meeting documents and signed orders from her boss and has been at her current position for over a year and continuing her education on alcohol abuse. States her counsel just passed so she is here to represent herself. State asks if she submitted all documents to the board and she states yes and she does verify that she is employed.

Ms Riddell calls Kathleen Millhouse, one of her sponsors, as a witness

Ms Riddell states she has known her for 3 years and she has been her sponsor for the 3 years.

Kathleen states that they go to meetings together and helps her with her 12 step programs so that she can live a better life and they are currently on step 10 and that she goes to three meetings a week and calls her everyday to help with issues and Kathleen feels she has grown, and she works the steps

State asks if there is a concern of her relapsing, Millhouse states No

Ms Riddell calls Kirsten Van Marter-Clevenger she is the director of Rehab

She has been her boss for over 2 years but has known each other 3 years and she has been here to support her

She states that she did hire Bea 2 years ago and she cannot be more thankful and feels she is a fabulous therapist and feels she can handle any type off personality. She is very grateful to have her on as staff.

State asks if she has had any concerns of relapse and she state No

Ms Riddell calls Micah Hocker she is an administrator at the nursing home and works daily with her

Micah states all the patients love Bea and she has no problems with anyone. She is there before everyone else and works hard. They enjoy having her there.

State has no questions.

Ms Riddell rests her case

State calls Toby Snell as a witness

State rests

Board has no question

Closing statement made by Bea thanking them for the opportunity to request to come off probation

Closing statement from the State feels she has met the requirements of coming off probation and recommends probation withdrawal

These proceedings are now concluded

Motion made by TE and seconded by SB to remove from probation

Motion carries 4-0-0

2. Yasser Galal El Kalla 05011308A

Administrative Complaint 2019 PTB 0002

Amy appears on behalf of the State

Mr Yasser El Kalla appears with counsel Mr Tucker

State makes opening statement

The state will provide proof that Mr El Kalla provided false documents on a patient and falsely answered on his renewal

Mr Tucker states he will provide proof that he did provide services to a female patient, and it was not the patient he thought it was. His testimony will be that he left him job on his own accord and was not terminated

State calls Brittany Snow she is employed at the AG's office

She investigates for the AG's

State asks if she is familiar with the respondents file, and she states yes and feels competent to testify

State refers her to States exhibit A

Exhibit A submitted

This exhibit contains emails risk reports and reports of false billing and documentation

Mr Tucker asks Ms Snow if she seen any other write ups in any other forms and she states No

State redirects

State calls PJ Windell by phone

State asks her where she lives, and she is in North Carolina, and she is a director of compliance for Creative health solutions

Some of her duties include being in charge of policy and procedures, code of conduct, any concerns are brought to her, and she does the investigations on complaints brought to her by staff. She is familiar with Mr El Kalla but has never met him and she would audit the billing. She investigated him with a concern that was submitted to her in 2019 and billed a patient that was not present. The patient was at the hospital a day prior to Mr El Kalla stating he seen her.

State refers to States exhibit B

This exhibit contains communication between PJ Windell and HR who is in charge of sending out letters of termination and a letter of termination sent to Mr El Kalla. This is a standard letter they submit when an employee is terminated.

She has no way to prove that he received the letter. The Director did contact him by phone to inform him of his termination of employment

Exhibit B submitted

Mr Tucker asks Ms. Windell if she has anyway of verifying if he received his letter of termination and she cannot verify that. He states the face of the letter does not have a mailing address on it and asks was it the policy to mail termination letters to the employees by certified mail, and she stated the policy does not go that much into detail and states they do also contact them by phone after the letter is sent out. She did not have any communication with him after his termination.

Mr Tucker asks where she was located in 2019 and she resided in Indianapolis, IN and the meeting that occurred was an in-person meeting at the facility. This meeting occurred 4 days after the incident happened. Mr Tucker asks if PT's get a list of patients they receive for the day. She states yes, they receive a list of patients they will be seeing for the day. Her name should not have appeared on the list and does not have evidence if the list was printed before or after she entered into the hospital.

Mr Tucker has no further questions.

State redirects

No further questions

State has no further questions

State calls Toby Snell

State refers to States exhibit C

This exhibit is the renewal Mr El Kalla submitted in 2018 stating No to being terminated, reprimanded, disciplined, or demoted in the scope of your practice in PT or as another health care professional

Exhibit C submitted

No questions from Mr Tucker for this witness

State rests

Mr Tucker Calls Mr. Yasser El Kalla

Mr Tucker Asks what his role with Creative Solutions he states he was working as a PT at the franklin facility back in January of 2018 and asks do you recall the events of that day? He states yes, what time did you arrive he says 7-8 in the morning. Tucker asks on this particular day when he arrived how did you know how many patients you were to provide services too. He states there was a list that is printed out with the names as to who he will be seeing. I started treating patients. He says he was seeing 10-12 patients a day and he doesn't have to take them in order. He would take who was available and he took the patient to the gym to do exercises and he was entering his notes. He does an initial evaluation of the patient, and he did state he did provide previous therapy to the specific patient and believed he was providing therapy to the specific patient he entered his notes on.

Mr Tucker asked if he had a conversation with Creative Solutions later and he states yes it was 4 days later when he was called to the office, and they talked about the schedule for the day and what he did for his patients and PJ told him looks like you seen a different patient then the patient you entered notes on. At that time, I told her I was sorry that it was a mistake and was not done intentionally. He was not made aware that the patient in question was admitted to the hospital He states he was not told he was being terminated and did not receive a letter or phone call that he was being terminated.

Mr El Kalla states he resigned and was not terminated

During the renewal of his PT license Mr Tucker asks if he considered what happened with his previous employer as discipline or termination. He did not, he stated he felt he left and was not terminated.

Mr Tucker has no further questions

State asks Mr El Kalla, is it the policy that he is to check ID and he states he was not told this.

In your training did you every complete policy review and he states yes
State asks if he signed off on reading the policy procedure manual in exhibit A
On the back part of the page, it asks for signature, and he states yes and that is saying
he understands all policy and procedures of the facility he worked at.

State asks if he asked for ID of the patient and only took the word of the patient, she
was who he thought she was.

State asks if he submitted in writing his resignation and he states they refused
anything from him, so he verbally said he resigned.

State asks in the exhibit A there is a conversation documented and it is your
testimony that this document is false, and he states they refused to take his
resignation.

State has no further question

Board member Eutsler asks did you print something out to submit your resignation
and he stated No and Eutsler asks if he checked the arm band and he said they did
not have arm bands with names on it and they were in the hall and not in the
patient's room.

Board Member Certo asks how patients are identified, and he states he is to know
them by faces.

How do nurses know who they are providing medication to, and he said they have
pictures of the patients that are in the room. How do you identify a new patient he
said from Nurses or someone around and there was no one and he thought she looked
like the patient he had seen before. Did you take time to review her file and he stated
yes. There was no way to ID her in the file. He did not go back and check the file.

Certo asks, have you ever received a schedule with incorrect information in the past
and he states yes, and he would go back to let them know the schedule was incorrect.
When you put in the documentation into the system how long does it take you to
input the treatment, he states 2-3 minutes and 10 minutes for evaluation.

Member Certo asks do you feel it is not your responsibility to make sure you have
the correct patient? He said he asked her, and the patient smiled, and he took that as
confirmation.

Have you had an issue with mail going missing at the time his letter of termination
was sent he said yes he has had issues receiving mail. He said he did forward his
mail every time he moved.

Member Bailey asked how he was trained to identify patients and he said he would
ask the nurse, and Member Bailey asks when you were in school how were you
trained to identify, and he said he graduated international school and they ask
someone. Why did you not double check and he felt he had seen her 4-5 days ago
and she smiled when he addressed her and assumed it was her.

Member Bailey asks is it your responsibility to confirm you have the right patient and
he stated yes

Member Bagbey asks how are you identifying red flags on a patient if you cannot
identify them as a person, he says you have eyes, and you see the red marks and you
know if it is right or wrong

Board has no further questions

Mr Tucker has nothing further

State makes closing statement

Mr Tucker makes closing statement
These proceedings are now concluded.

Motion made by TE and seconded by SB that he is in violation of Count 1
Motion carries 4-0-0

Motion made by TE and seconded by EB that he is in violation of Count 2
Motion carries 4-0-0

Motion made by SB and seconded by EB to place the license on probation
Motion carries 4-0-0

- 3. Tondalaya Bedwell 06002104A**
Administrative Complaint 2022 PTB 0001

CONTINUED

VI. PERSONAL APPEARANCES

- 1. Tonna Woodruff-Appearing per Final Order**
Tonna appears per her final order.
She is currently working and has provided all the required CE
per her final order. She has paid the 500.00 fine
- 2. Amanda Hubbell-Appearing per Final Order**
Amanda Appears per her final order
She is at Vision of Hope and lives there
She is currently in Phase 1 out of 3 Phases per her counselor
She has been focusing on her counseling topics.
- 3. Shannon Narasimhan – Positive Response Initial Application**
Shannon does not appear
The board goes ahead and reviews the application and positive response
documents that were provided.
Motion made by SB and seconded by TE to approve the application
Motion carries 4-0-0
- 4. Kenneth Holford – Positive Response Initial Application**
Kenneth Appears
He provided his letter showing he did complete his probation successfully
and provided the board with a copy of his resume
May 30th, he went out drinking and his plan was to stay there but made the
decision to drive home and was pulled over for speeding and was charged with
DUI.

Motion made by TE and seconded by SB to approve the license
Motion carries 4-0-0

5. Clifton Willoughby – Positive Response Renewal

Clifton appears

He provides copies to the board of his final order that includes reporting for probation. He went thru a divorce he went to go see his kids and an incident happened and states he lost a lot thru the process of this divorce and was accused of hitting someone and he pled guilty to criminal trespass.

He has since finalized his divorce and see's his kids 50% of the time.

The board does not feel he is a danger to the public.

Motion made by SB and seconded by TE to renew the license

Motion carries 4-0-0

VII. DISCUSSION

1. Hossam Youssef 2020 PTB 0001 Motion to Seek Psychiatric Evaluation Board Vote Needed

Received an email the day of the meeting requesting Dr. Leib be approved instead of Dr. Fawver.

Motion made by TE and seconded by SB to approve the Psychiatric Evaluation be completed by Dr. Leib

Motion carries 4-0-0

2. Probationers-Report given by Therese

3. FSBPT Election on Delegate and alternate

Motion made by MC and seconded by SB to nominate Elizabeth Bailey as delegate and to nominate Therese Eutsler to be the alternate

Motion carries 4-0-0

4. Readoption of Rules-Vote Needed

Motion made by EB and seconded by TE to approve the readoption of the current rules
Motion carries 4-0-0

5. App based Therapy Providers

Megan will be researching more on this

6. DOT Physical Exams

The Board takes no position on this.

7. Grant Money from Federation

Motion made by MC and seconded by SB to move forward with the investigation of the grant

Motion carries 4-0-0

VIII. ADJOURNMENT 2:41 P.M.



Megan Certo, Board Chair

Next Meeting Date:

August 4, 2022