

**ORTHOTISTS AND PROSTHETISTS
LICENSING REPORT
February 23, 2018**

Licensed Prosthetist/Orthotist

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	3	1
Renewed Licenses Issued	30	138	28
Online Renewals	28	127	26
% Renewed Online	93%	92%	93%
Total Population	233	233	238

Licensed Prosthetist

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	5	9	1
Renewed Licenses Issued	10	51	8
Online Renewals	9	48	6
% Renewed Online	90%	94%	75%
Total Population	93	93	91

Licensed Orthotist

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	5	13	2
Renewed Licenses Issued	12	76	7
Online Renewals	11	72	6
% Renewed Online	92%	95%	86%
Total Population	126	126	119

Registered Prosthetist/Orthotist Student

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	1	30	1
Renewed Licenses Issued	1	3	0
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	64	64	62

Registered Prosthetist Student

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	3	4	0
Renewed Licenses Issued	2	4	0
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	19	19	14

Registered Orthotist Student

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	1	4	0
Renewed Licenses Issued	0	0	0
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	16	16	13

Temporary Prosthetist/Orthotist

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	0	0
Renewed Licenses Issued	0	0	0
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	1	1	0

Temporary Prosthetist

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	0	0
Renewed Licenses Issued	0	0	0
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	0	0	0

Temporary Orthotist

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	0	0
Renewed Licenses Issued	0	0	0
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	1	1	0

Registered Prosthetist/Orthotist Technician

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	1	0
Renewed Licenses Issued	2	6	0
Online Renewals	1	2	0
% Renewed Online	50%	33%	0
Total Population	9	9	8

Registered Prosthetist Technician

	4 th Quarter FY 2017	TOTAL FY 2017	1 st Quarter FY 2018
New Licenses Issued	0	0	0
Renewed Licenses Issued	2	4	0
Online Renewals	1	2	0
% Renewed Online	50%	50%	0
Total Population	5	5	5

Registered Orthotist Technician

	4 th Quarter FY 2017	TOTAL FY 2017	1 st Quarter FY 2018
New Licenses Issued	0	0	0
Renewed Licenses Issued	1	1	0
Online Renewals	1	1	0
% Renewed Online	100%	100%	0
Total Population	2	2	2

Licensed Prosthetist/Orthotist Assistant

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	1	0
Renewed Licenses Issued	3	14	0
Online Renewals	3	13	0
% Renewed Online	100%	93%	0
Total Population	25	25	22

Licensed Prosthetist Assistant

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	0	0
Renewed Licenses Issued	2	4	0
Online Renewals	2	4	0
% Renewed Online	100%	100%	0
Total Population	9	9	9

Licensed Orthotist Assistant

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	0	1	0
Renewed Licenses Issued	6	16	1
Online Renewals	5	12	0
% Renewed Online	83%	75%	0
Total Population	25	25	25

Accredited Prosthetic/Orthotic Facility

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	5	18	1
Renewed Licenses Issued	14	81	26
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	225	225	219

Accredited Prosthetic Facility

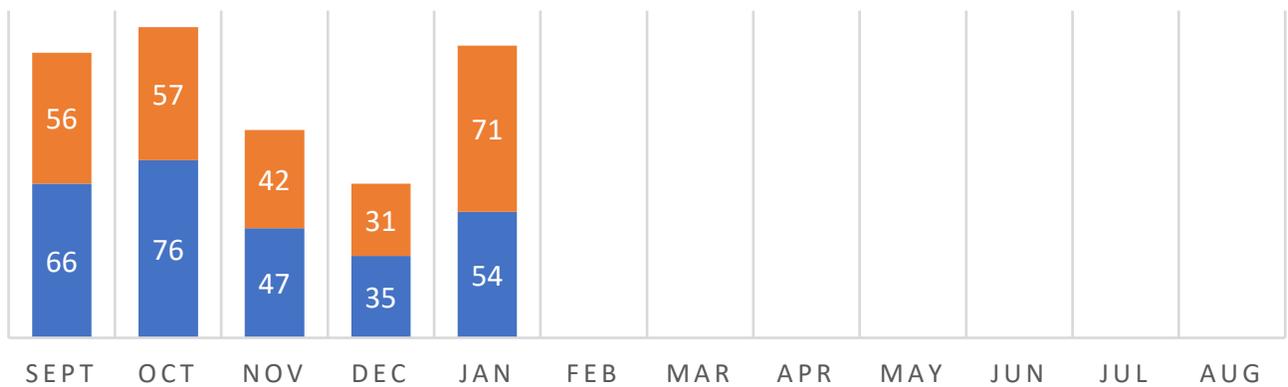
	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	1	5	1
Renewed Licenses Issued	1	9	4
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	28	28	27

Accredited Orthotic Facility

	4th Quarter FY 2017	TOTAL FY 2017	1st Quarter FY 2018
New Licenses Issued	1	1	3
Renewed Licenses Issued	1	6	0
Online Renewals	0	0	0
% Renewed Online	0	0	0
Total Population	21	21	23

ORTHOTISTS AND PROSTHETISTS CUSTOMER SERVICE CONTACTS FISCAL YEAR 2018

■ Calls ■ Emails



Orthotists & Prosthetists Advisory Board Meeting Field Operations Division Report



The Face of TDLR

February 23, 2018

Most Common Violations:

1st Quarter, Fiscal Year 2018

- 1. Failure to develop and carry out safety program.** - 16 Tex. Admin. Code, Chapter 114.29(e)(3) & (m)(6). At least one safety manager shall be assigned to the facility. The safety manager shall develop, carry out, and monitor the safety program for the accredited facility.
- 2. Failure to display consumer complaint sign.** - 16 Tex. Admin. Code, Chapter 114.70(d). Consumer complaint information notices. All licensees, registrants and accredited facilities, excluding facilities that a licensee visits to treat patients, such as hospitals, nursing homes or patients' homes, shall prominently display a consumer complaint notice or sign in a waiting room or other area where it shall be visible to all patients.
- 3. Failure to display practitioner license in public view.** - 16 Tex. Admin. Code, Chapter 114.29(f)(8). An accredited facility must display the license certificates of its practitioners in a prominent location in the facility where they are available for inspection by the public.
- 4. Displaying photo copy of licenses.** - 16 Tex. Admin. Code, Chapter 114.21(e)(3). No person shall display or carry a copy of a license instead of the original document.
- 5. Employed a practitioner with an expired license.** - 16 Tex. Admin. Code, Chapter 114.40(f)(2). A person whose license has expired may not use the title or represent or imply that he or she has the title of "licensed orthotist," "licensed prosthetist," "licensed prosthetist/orthotist," "licensed orthotist assistant," "licensed prosthetist assistant," "licensed prosthetist/orthotist assistant," or use the letters "LO," "LP," "LPO," "LOA," "LPA," or "LPOA," and may not use facsimiles of those titles.

Division Personnel Updates

Field Operations hired two inspectors on January 2, 2018 for the North Region. Camaleisha Spencer is located in DeSoto and Ron Gericke is in Fort Worth. We will post an inspector position based in Collin County soon.

Inspection Statistics

	OPS	
	FY 2018	FY 2017
SEPT	7	
OCT	26	
NOV	2	
QTR 1	35	
DEC	4	
JAN	10	
FEB		
QTR 2		
MAR		9
APR		1
MAY		11
QTR 3		21
JUNE		27
JUL		9
AUG		2
QTR 4		38
Year to Date/ Year End	49	59

*OPS Inspections began 03/2017.

Orthotists and Prosthetists Advisory Board

Enforcement Division Staff Report February 23, 2018

Case Highlights

- Eric Odling – OPS20170022241 – Respondent entered an Agreed Order on September 25, 2017, after an inspection and audit of records at Bay Area Prosthetics revealed that Respondent was noted on certain records as the practitioner for an orthotic patient on or about May 25, 2017, without the required orthotic license issued by the Department. The dual Prosthetic/Orthotic license was issued on November 30, 2017.
- Victoria Orthotic & Prosthetic Services – OPS20170015922 – A Default Order was entered against the Respondent on November 14, 2017, for negligence by failing to perform services or provide products for which compensation was received and by failing to perform services or provide orthopedic shoes with reasonable care, skill, expedience, and faithfulness. Specifically, the orthopedic shoes were ordered by physician's order on December 2, 2016, but Respondent failed to order the shoes until January 26, 2017, unduly delaying the ordering of the orthopedic shoes and performing that omission constitutes negligence by failing to do that which a person of ordinary prudence would have done under the same or similar circumstances. This case is currently working its way through the Department's collection process.
- Bill J. Messer – OPS20170004324 – Respondent entered an Agreed Order on November 28, 2017, agreeing to a one-year probated suspension of his dual Prosthetist/Orthotist license and an administrative penalty of \$7,000, to be made in monthly payments of \$600 for a term of one year, for seven (7) violations of fraud or deceit concerning services provided. Specifically, the Respondent was delivering orthotic services and products through means of misrepresentation, deception or subterfuge billing patients for orthotic devices without disclosing the insurance claims to his facility employer. After this Order was entered, the Department was notified that Respondent's first payment was dishonored by his financial institution. The Department initiated requests for payment of the dishonored check to no avail and, no further monthly payments have been made. On or about February 14, 2018, the Department began proceedings for collection of the dishonored payment and revocation of the license for noncompliance with this Agreed Order in the making of monthly payments. See OPS20180005604

Recent Accomplishments and Current Projects

- The Enforcement Division has reorganized our prosecution section to give special attention to programs added from the most recent transfer. Therefore, Enforcement has created a Medical and Health-Related team that has two prosecutors, Karen Cox and Virginia Fields, devoted solely to the prosecution and enforcement of cases in the Hearing Instrument Fitters and Dispensers, Orthotists and Prosthetists, Podiatrists, Speech Language Pathologists and Audiologists, Athletic Trainers, Dietitians, Dyslexia Therapists and Practitioners, Behavior Analysts and Midwives programs.

Key Statistics

Shown below are key statistics for the Orthotist and Prosthetist program and for all TDLR programs combined through for Fiscal Year 2017.

<u>Statistic</u>	<u>OPS</u>	<u>TDLR</u>
• Number of cases opened:	23	12,054
• Number of cases resolved:	15	12,405
• Number of Agreed Orders:	1	2,309
• Total amount of penalties assessed:	\$5,000	\$5,250,179
• Total amount of penalties collected:	\$5,000	\$2,571,951

Shown below are key statistics for the Orthotist and Prosthetist program and for all TDLR programs combined through December of Fiscal Year 2018.

<u>Statistic</u>	<u>OPS</u>	<u>TDLR</u>
• Number of cases opened:	8	3,012
• Number of cases resolved:	7	2,928
• Number of Agreed Orders:	2	470
• Total amount of penalties assessed:	\$10,500	\$953,650
• Total amount of penalties collected:	\$500	\$420,903

ORTHOTISTS AND PROSTHETISTS ADVISORY BOARD

FEBRUARY 23, 2018

DIVISION UPDATES

EDUCATION, EXAMINATION, AND SCHOOL SERVICES

NEW TECHNOLOGY

We are glad to welcome Dynamics, a new software that is replacing Touchpoint, our e-mail communication technology. Dynamics will allow us to filter e-mails by program.

PERSONNEL UPDATES



Jennifer Prinz comes to us from DSHS where she was the acting Team Lead for various programs including Mold a program being transferred to TDLR. She has experience in Provider applications, examination development and administration including knowledge on research, workload/performance measures, Criminal background checks and proficient with the VERSA system.



Please help us welcome our new Education Inspector for the North Region, **Amy Henshaw**. Amy joined the agency on January 3, 2018.

Amy graduated from the University of Texas at Arlington with a bachelor and Masters in Criminal Justice. She holds a Cosmetology License and a Texas Civil Process Server Certification from the Executive Services and Investigators School. Amy career has gain her experience in home and facility inspections for alleged child abuse with the Texas Department of Family and Protective Services. Amy was the Manager for Procuts salon in Hurst TX. Please help us welcome Amy to the team.



Please help us welcome **Angela “Angie” Schmidt**. She will take on the Driver, Offender and Safety Education Team Lead position effective January 16, 2018.

Angela’s Bachelor’s degree is from Cameron University where she majored in Criminal Justice. She also has an Associate of Science degree from Lawton, Ok in Law Enforcement. Angela has worked for the Oklahoma Department of Human Services as a Child Welfare Supervisor for 7 years. She moved to Texas and worked at the Texas Department of Public Safety, as a Program Supervisor for the Handgun Licensing.

She has scheduled, developed and provided instructional classes for more than 4,000 instructors. Angela’s educational presentation skills for schools and community organizations will be an asset for TDLR’s DES and Offender education industries.

EDUCATION AND EXAMINATION STATISTICS AND TRENDS

JURISPRUDENCE EXAMINATION

SEPTEMBER 1, 2017 – JANUARY 31, 2018	# OF EXAMINATIONS COMPLETED
Orthotist and Prosthetists	10

Compliance Division Staff Report
Orthotists and Prosthetists Advisory Board Meeting
Texas Department of Licensing and Regulation
February 23, 2018

Update and discussion regarding orthotists and prosthetists program activities

- Compliance Division and General Counsel staff are supporting the Standard of Care workgroup, which met September 21, 2017.
- Compliance staff has produced an updated checklist on unique qualifications applications for Licensing.

Public Outreach - Texas Association of Orthotists and Prosthetists (TAOP) & American Academy of Orthotists and Prosthetists, Texas Chapter (TCAAOP)

- None. No invitations to conferences or meetings were received since the last advisory board meeting.

Medical and Health Professions Section Update

- The Medical and Health Professions Section remains focused on maintaining the successful operation of the Phase I programs, including orthotics and prosthetics.
- Section staff are continuing their work in transitioning new programs to TDLR. SB 202, Phase II, transferred six additional programs from DSHS (massage therapy, sanitarians, code enforcement officers, offender education providers, mold assessors/remediators, and laser hair removal facilities/personnel). The podiatric medicine licensing program was transferred to TDLR by legislation from the 2017 session. The behavior analysts licensing program was also newly created within TDLR by recent legislation.