



Rehab Net News Update



R E H A B I L I T A T I O N N E T W O R K O F A R K A N S A S

News Briefs: Heads Up: Therapists Could Be Considered 'Creditors'

BECKY'S SCHEDULE

Jan. 1 Holiday
Jan. 19 Holiday
Jan. 20 CMSA Mtg
Jan. 23-24 Board Retreat
Jan. 26 Comp Day

Important Numbers

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Lobbyists Bill Phillips
(501) 329-3111 or
Bradley Phillips
(501) 269-2723

HEES (501) 225-8077 for
calibration services

ArklaMed—Rick Pate
(870) 864-8896

AR State Board of PT
Web site <http://www.arptb.org>

ArPTA Web site <http://www.arpta.org>

APTA Web site <http://www.apta.org>

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For member only section

Last summer, the Federal Trade Commission (FTC) issued its "Red Flags Rules" that require financial institutions and creditors to create written identity theft prevention programs by Nov. 1. However, many businesses -- including healthcare practices and facilities -- didn't realize they should be considered "creditors" and weren't ready to put plans in place to comply with the Red Flag rules. Therefore, the FTC delayed enforcement of the rule until May 1, 2009.

"Health care providers are creditors if they bill consumers after their services are completed," FTC said in its article. "Health care providers that accept insurance are considered creditors if the consumer ultimately is responsible for the medical fees."

What this means: If a healthcare provider is a creditor and maintains covered accounts, the "red flag" regulations require the practice or facility "to develop a written identify theft prevention program that contains reasonable policies and procedures to detect, prevent and mitigate identity theft in connection with covered accounts," according to an Oct. 16, 2008, American Medical Association news release.

Keep in mind: "In order to be a 'creditor,' a provider has to regularly accept deferred payment for services," says **Barbara J. Greenwood, Esq.** with Rath, Young and Pignatelli in Concord, N.H. Meanwhile, "hopefully, the FTC will provide some clarification before May 1," Greenwood says.

To read the FTC's article for health care providers, visit www.ftc.gov/bcp/edu/pubs/articles/art11.shtm.

According to the FTC's article there are four basic steps to designing a program to comply with the Rule:

1. Identify relevant red flags;
2. Detect red flags;
3. Prevent and mitigate identity theft; and
4. Update your program periodically.

Under the Rule, creditors and financial institutions with covered accounts must develop a written program to identify the warning signs of identity theft.

The Guidelines describe the following categories of warning signs — red flags — that your program must identify and address:

- ◆ alerts, notifications, or warnings from a consumer reporting agency;
- ◆ suspicious documents;
- ◆ suspicious personally identifying information;
- ◆ suspicious activity relating to a covered account; or
- ◆ notices from customers, victims of identity theft, law enforcement authorities, or other entities about possible identity theft in connection with covered accounts.

When identifying red flags, consider the nature of your business and the type of identity theft to which you might be vulnerable. Because health care providers may be at risk for medical identity theft, you'll need to identify the warning signs that reflect this risk.

Once you have identified these red flags you can develop policies to protect your patients from them. As things are always evolving it is important to review these annually and make updates.



Greetings from the President

As the incoming President of Rehab Net I would like everyone to know how excited I am to be leading an outstanding group of physical therapy practitioners. I look forward to working with Becky and the rest of the board in the coming months as we begin to plan for the future of our organization. I truly believe the heart of physical therapy is with the private practice physical therapist. We are typically the ones that provide the leadership, funding and political contacts that lead most state chapters.

Rehab Net has come a long way from its inception and has been blessed to have had such great leadership. I would like to personally thank everyone who has served on the Rehab Net board for their time and commitment. A special thanks needs to go out to Becky and Seth. I know that each of you have done more than we will ever know to help our organization.

The future is looking bright for outpatient physical therapy, but there are many things we must band together and work on - including contracts with managed care, reimbursement rates and changes in our practice act. Recently, I was privileged to listen in on a conversation with current ArPTA President Steve Forbush, Seth Coulter, and members representing the APTA. The discussion included changes that have been long overdue in our practice act. Steve made it a point to ensure the voice of Rehab Net was heard during this meeting with regards to POPTs and who is actually calling themselves a physical therapist. Please be ready to help during this next legislative session that begins January 12th by way of emails, phone calls and letters to your State Representative.

I would also like to thank Rob Jordan for his leadership as our chapter president. I know that the voice of private practice was represented well under his leadership. Please follow Rob's lead and look for ways that you can be involved with our state chapter. Our voice will be best heard coming from someone in private practice. Thank you again for your support as President of Rehab Net. If there is ever anything I can do to serve you better, please do not hesitate to let me know.

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Open Letter for Rehab Net members:

As you may have heard, Rob Jordan has stepped down as President of the ArPTA in order to be able to devote himself to his new duties on the AR State Board of PT. As previous Vice President, I was appointed President for the remainder of Rob's term (through 2009). Since I have been here in AR and serving our Association, I have been observing and listening as much as I can to see why there seems to be such a great disconnect between this Association and the licensees of our fair State.

I see all volunteer, representative organizations taking quite a hit in membership over the past decade, and the APTA and the AR Chapter is no exception. The real question should be: "Why do some organizations maintain strong membership connections while others are not able to do so?" I believe the answer is in the words "service" and "worth". People do not want to join an organization where they are not fully "served" in meeting their needs as a person and as a professional. They will not spend money to join an organization where they see no real "worth" in their membership. This is a simple concept, but there is no simple solution. We definitely need to find a way to allow the ArPTA to meet the needs of licensed PTs and PTAs in our state and to create a desire of these licensees to want to pay money to be part of this organization. Through the help of the ArPTA Board we are going to set an aggressive agenda over the next year or two and see if we can re-connect to the licensees in AR and the members of our Association.

We will be having a strategic planning session this month to finalize our plans and directions but I can share some of the highlights. We plan to aggressively pursue continuing education opportunities for physical therapists in all regions of our State. We are already planning continuing education activities in the NW and NE sections of our State and will plan on joining with Rehab Net in the fall for a joint meeting of our organizations. We are planning on being very active in the legislative arena this winter and spring in modernizing our practice act. We will be reforming and reinvigorating our reimbursement committee and then actively pursue arrangements with third party payers and then present information to members on ways to improve fiscal soundness to their practices. We are updating our website to reflect recent and constantly changing rehabilitation information and make it monetarily self-sustaining through the sale of advertisement. We will be doing an extensive revamping of our communication system to allow us to pass more information to more members more quickly. Finally, we will be trying to reassure members that they can perform manual therapy without fear of legal challenge since the enacted sweeping changes made through legislation during the last two sessions.

We hope to see all of you renew or join membership in ArPTA in the next year. We can't do this without members. Please let us know your needs and your concerns and we will make every attempt to meet those needs and answer those concerns. I am glad to be in this new role and am excited about the opportunities for growth of ArPTA within AR.

ArPTA President Steve Forbush
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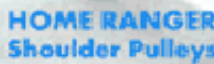
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Letter From the Editor

Happy New Year! I think it is going to prove to be an exciting new year. With the our new president, our new ArPTA president and our new United States President. Steve Forbush, ArPTA President, has already begun to work closely with Rehab Net on plans for the upcoming year. We are all excited about working more closely with the association on legislative issues as well as providing quality continuing education to both our groups.

In February, we have opened our course up to ArPTA members and other therapists for a price and in the Fall we hope to have a combined course with them as well. Both groups will have separate times for their meetings to allow you to attend both business meetings. If you know of any therapists that might be interested in our course please let me know and I will send them a brochure.

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**Clinic Anatomy & Nerve Compression Syndromes of the
Extremities and Spine Course**

Rehab Net is proud to bring Bruce Mendelson, PT, Ph.D., back to Arkansas on February 28, 2009 to present a functional review of anatomy course. The course will be held at the Hilton Inn at the corner of University and I-630 for a 6 hour course.

We are offering this course to non-members as well to help defray some of our expenses so please spread the word. If you have not received a registration form or need another one just let me know. We have also invited the ArPTA to come set up a booth and talk to the attendees about membership. Rehab Net will be giving away a one year membership to the APTA/ArPTA to one lucky attendee. All attendees who are not current members of the APTA will be entered into a drawing for the one year membership. If you have been thinking about joining or rejoining the ArPTA this would be an excellent opportunity or if there is someone on your staff you have wanted to join get them to this meeting for a chance to try it out for free.

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Network

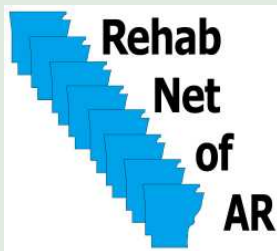
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Pre-Filing Has Begun

Nov. 20, 2008

Rep. Bryan King files bill to allow physicians, nurses and medical personnel to use emergency flashing lights on vehicles in emergency situations.

HB 1003 amends §20-13-202, 27-36-304 and 27-49-219 to include emergency physicians and nurses in the classification of medical personnel who can use emergency flashing lights on their vehicles in emergency situations. The bill defines “emergency physician” and “emergency nurse” as a physician currently licensed by the Arkansas State Medical Board or a nurse currently licensed by the Arkansas State Board of Nursing.

HB 1003 allows personnel fitting the above definition to install, maintain, and exhibit red rotating or flashing emergency lights upon a vehicle when responding to an emergency.

Sen. Denny Altes files first bills to reduce tax burden.

Sen. Altes has introduced thus far, two bills, SB 5 and SB 7, that would add a section to Title 26, Chapter 52, Subchapter 4 of the Arkansas Code. SB 5 would provide a sales tax exemption on utilities used by manufacturers, SB 7 would exempt from sales tax the sale of renewable resource equipment, the rehabilitation of historic structures and credits for education expenses of dependents.

Nov. 21, 2008

Senator Terry Smith (D) just filed SB 26, a shell bill designed to implement state lotteries as authorized by the recently passed constitutional amendment.

Smith hails from Hot Springs and will be serving on the Senate Revenue and Taxation, Insurance and Commerce, and Joint Budget.

Dec. 18, 2008

Sen. Kim Hendren (I) filed SB32, a bill to require a driver of a motor vehicle to use a hands free cellular telephone device while driving on a public highway.

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