

DRAFT UNAPPROVED

**VIRGINIA BOARD OF PHYSICAL THERAPY
FORMAL ADMINISTRATIVE HEARING
MINUTES**

**Wednesday, January 27, 2016
9:30 A.M.**

**Department of Health Professions
9960 Mayland Drive, Suite #300
Henrico, Virginia 23233**

CALL TO ORDER: The Formal Administrative Hearing of the Board of Physical Therapy was called to order at 9:43 a.m.

MEMBERS PRESENT: Sarah Schmidt, P.T.A., Chair
Melissa Wolff-Burke, P.T., EdD
Dixie Bowman, P.T., DPT, EdD
Allen Jones, Jr., P.T., PhD.
Tracey Adler, P.T., DPT
Steve Lam, Citizen Member

MEMBERS ABSENT: Arkena L. Dailey, PT, DPT

BOARD COUNSEL: Erin L. Barrett, Assistant Attorney General

DHP STAFF PRESENT: Lisa R. Hahn, Executive Director
Missy Currier, Deputy Executive Director
Lynne Helmick, Deputy Executive Director
Kathy Petersen, Discipline Operations Manager

COURT REPORTER: Andrea Pegram, Certified Court Reporter

PARTIES ON BEHALF OF THE COMMONWEALTH: James Schliessmann, Assistant Attorney General
Mykl Egan, Adjudication Specialist

COMMONWEALTH WITNESS: Robin Carroll, DHP Senior Investigator

RESPONDENT'S COUNSEL: Wayne Austin, Esq.
Scyphers & Austin, P.C.

RESPONDENT'S WITNESSES: Andrea Dick, P.T.A.

MATTER SCHEDULED:

James B. Dick, P.T.
License No.: 2305-003239
Case No.: 168637

ESTABLISHMENT OF A QUORUM:

With six (6) members of the Board present, a quorum was established.

DISCUSSION:

Mr. Dick appeared before the Board in accordance with the Amended Notice of Formal Hearing dated December 18, 2015, and was represented by Wayne Austin, Esq. The Board received evidence and sworn testimony from witnesses called by both parties, regarding the matters as set forth in the Statement of Particulars.

CLOSED SESSION:

Upon a motion by Allen Jones, Jr., and duly seconded by Dixie Bowman, the Board voted unanimously to convene a closed meeting at 11:06 a.m., pursuant to §2.2-3711 (A)(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of James B. Dick, P.T. Additionally, he moved that Ms. Hahn, Ms. Barrett, Ms. Helmick, Ms. Petersen and Ms. Currier attend the closed meeting as their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Upon a motion by Dixie Bowman, and duly seconded by Melissa Wolff-Burke, the Board unanimously voted to reconvene at 12:38 p.m.

CERTIFICATION:

Allen Jones, Jr. certified that the matters discussed in the closed session met the requirements of §2.2-3712 of the Code of Virginia. The Board reconvened in open session.

DECISION:

Upon a motion by Melissa Wolff-Burke and duly seconded by Allen Jones, Jr., the Board moved to continue the suspension for three additional months the license of James B. Dick, PT, to practice as a physical therapist in the Commonwealth of Virginia. After that point, Mr. Dick will remain on probation for twenty-four months under certain terms and conditions.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 12:45 p.m.

Sarah Schmidt, PTA, Chair

Lisa R. Hahn, Executive Director

Date

Date