

**NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS
PUBLIC SESSION MINUTES
JANUARY 24, 2006**

A regular meeting of the New Jersey State Board of Physical Therapy Examiners was held at 124 Halsey Street, Newark, New Jersey, in the Somerset Room, 6th Floor, on Tuesday, January 24, 2006. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. Nancy Kirsch, Chairperson of the Board, called the meeting to order at 9:45 a.m. and a roll call was taken and the following attendance was recorded:

BARBARA BEHRENS, P.T.A. Present
JEAN M. BICKAL, ESQ. Present
MARY B. BROWNE, P.T. Present
JEFFREY ERICKSON, P.T. Present
BARRY INGLETT, P.T. Present
NANCY R. KIRSCH, P.T. Present
IVETTE P. MARTINEZ Absent
SUSAN M. QUICK Present
KAREN E. WILK, P.T. Present

Also present were: Susan H. Gartland, Executive Director; Carmen A. Rodriguez, Deputy Attorney General; Lora Sellmeyer, Assistant to the Executive Director
Members of the public: Patty Brick, PT, Director of Practice
APTA-NJ

PUBLIC COMMENT:

The Board would like to thank former Board member Gary Savander, PT for his many years of excellent service on the Board.

New Board member Carolann Aaron, PT will attend the February 28, 2006 Board meeting.

I. APPROVAL OF THE MINUTES OF THE DECEMBER 27, 2005 BOARD MEETING

Upon a motion made by Jean Bickal and seconded by Barbara Behrens, the Board voted to accept the minutes of the December 27, 2005 Board meeting as amended. The motion carried by a unanimous vote.

II . OLD BUSINESS:

A. CORPORATE PRACTICE

This matter was considered informational.

B. TOEFL SCORES

The Board reviewed the recommendation of TOEFL scores prepared by the Education Committee. The Board voted to accept the scores as presented. The passing scores for New Jersey for the TOEFL IBT exam are as follows: Writing = 24; Speaking = 26; Listening = 18; and Reading = 21.

Upon a motion made by Karen Wilk and seconded by Jean Bickal, the Board voted to accept as passing for New Jersey the scores as follows: Writing = 24; Speaking = 26; Listening = 18; and Reading = 21. The motion carried by a unanimous vote.

C. SENATE NO 188

This matter was considered informational.

D. RULES AND REGULATIONS- SUNSETTING

Chuck Manning, Regulatory Analyst attended the meeting to review the rules and regulations for Sunsetting with the Board members. The review will continue at the February 28, 2006 Board meeting.

III. INFORMATIONAL:

A. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS-OPEN BOARD AGENDA JANUARY 11, 2006

The Board considered this matter informational

B. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN AGENDA DISCIPLINARY MATTERS PENDING CONCLUSION JANUARY 11, 2006

The Board considered this matter informational

C. FSBPT CORRESPONDENCE REGARDING EXAMINATION CONTRACT

The Board considered this matter informational

D. FSBPT NEWSLETTER WINTER 2005

The Board considered this matter informational.

E. FSBPT NEWSBRIEFS JANUARY 2006

The Board considered this matter informational.

IV . APPEARANCES:

T.O.E.F.L. WAIVERS:

1. MANASEE KORGAONKAR

Manasee Korgaonkar appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Korgaonkar is applying for licensure as a physical therapist by examination in the State of New Jersey. She was educated in India and received her professional as well as undergraduate education in the English language.

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Ms. Korgaonkar a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate education was conducted in the English language and she demonstrated proficiency. The motion carried by a unanimous vote.

2. EDGAR OMBUS

Edgar Ombus appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Mr. Ombus is applying for licensure as a physical therapist by examination in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language.

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Mr. Ombus a waiver of the TOEFL requirement based upon the fact that his professional as well as his undergraduate education

was conducted in the English language and he demonstrated proficiency. The motion carried by a unanimous vote.

3. REY ABALOS

Rey Abalos appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Mr. Abalos is applying for licensure as a physical therapist by endorsement in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language. Mr. Abalos is licensed in New York.

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Ms. Abalos a waiver of the TOEFL requirement based upon the fact that his professional as well as his undergraduate education was conducted in the English language and he demonstrated proficiency. The motion carried by a unanimous vote.

4. WHILMA MANITI

Whilma Maniti appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Maniti is applying for licensure as a physical therapist by endorsement in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English language. Ms. Maniti is licensed in New York.

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Ms. Maniti a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate education was conducted in the English language and she demonstrated proficiency. The motion carried by a unanimous vote.

5. MARY JOY UCOL

Mary Joy Ucol appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Ucol is applying for licensure as a physical therapist by examination in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English language.

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Ms. Ucol a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate education was conducted in the English language and she demonstrated proficiency. The motion carried by a unanimous vote.

6. CONSOLACION ESTRELLA

Consolacion Estrella appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Estrella is applying for licensure as a physical therapist by endorsement in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English language. Ms. Estrella is licensed in New York.

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Ms. Estrella a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate education was conducted in the English language and she demonstrated proficiency. The motion carried by a unanimous vote.

I. NEW BUSINESS:

A. INQUIRY FROM BETTY KAUTZMANN, PT RE: BIOFEEDBACK

The Board reviewed an inquiry from Betty Kautzmann, PT regarding biofeedback. The Board will advise Ms. Kauffman that performing biofeedback is within the scope of practice for a physical therapist. The Board does not approve CPT codes. The physical therapist needs to use CPT codes that are appropriate and reflect what is being done based on professional judgement of the physical therapist. In addition, the Board would also like to advise Ms. Kauffman that her license number should be on all stationery and listed when using her signature and when signing she should use PT followed by her educational credentials, which is optional.

B. INQUIRY FROM COURTNEY HUSTON RE: PTA DOCUMENTATION QUESTION

The Board reviewed an inquiry from Courtney Huston regarding documentation for physical therapist assistants. The Board will advise Ms. Huston that a PTA can provide very little information on a discharge form. A physical therapist assistant can note objective findings or list the status of a patient. It is the physical therapist's responsibility to discharge a patient and not the physical therapist assistant's.

C. ASSEMBLY NO. 3743

The Board supports this bill. It reduces the burden of managing an overpayment and demands reasonable accountability on the part of the provider and the third party payor. Practitioners should be given a reasonable opportunity to determine the validity of the request and determine if it is accurate. If funds are to be returned this 60 day period is reasonable within normal cash flow constraints to return an overpayment.. In addition an 18 month statute of limitations on requesting repayment is appropriate. Beyond the 18 month period it would be an exceptional burden on the provider to follow up on the accuracy of the claim and when they will have concluded their fiscal year.

D. INQUIRY FROM KARLA GAMBRILL, PT

The Board reviewed an inquiry from Karla Gambrill, PT regarding signing orders and listing medications in a home health care setting. The Board will advise Ms. Gambrill that she can list the medications a patient is taking from the original bottles. The physical therapist can sign the form used by the agency and send it to the physician. Additionally, the Board will advise Ms. Gambrill that her license number should be on all stationery and listed when using her signature. When signing she should use PT followed by her educational credentials which is optional.

E. INQUIRY FROM MARGARET LEACH, PT

The Board reviewed an inquiry from Margaret Leach, PT regarding the ability of a Nurse Practitioner to write orders for physical therapy. The Board will advise Ms. Leach that New Jersey licensed Physical Therapist no longer require direction from a licensed health care provider. She should check with the policies of the facility and the policies of the third party payor for individual guidance.

F. INQUIRY FROM ROSEANNE EISH. PTA

The Board reviewed an inquiry from Roseanne Eish, PTA regarding the completion of forms provided by a physical therapist. The Board will advise Ms. Eish that she can only contribute to the gathering of objective information within her scope of practice. She cannot make evaluative or clinical judgements based on the information collected. The completion of the form provided is the responsibility of the physical therapist.

G. APTA CONTINUING EDUCATION

This matter is tabled to the February 28, 2006 Board meeting.

H. A-2016

The Board of Physical Therapy Examiners reviewed Assembly Bill 2016 and voted to oppose this legislation. While a health care professional should not be forced to violate their religious, moral or ethical convictions they

have a fiduciary responsibility to provide care in a non discriminatory, non judgmental manner. The health care provider has the right to exercise the freedom to choose a work setting that does not compromise their values. Conversely in a given setting, where they have voluntarily chosen to work, they must provide care that would normally be expected in that setting. The Board did feel that health care professionals have a responsibility to offer appropriate care to their patients.

APPLICATIONS APPROVED BY THE BOARD:

1. Edgar Ombos
2. Mary Joy Ucol
3. Maria Narciso
4. Edward Sitchon
5. Agnes Ebbah
6. Mitos Manguiat
7. Agnes Ebbah
8. Victoria Diaz

APPLICATIONS NOT APPROVED BY THE BOARD:

1. Anna Liza Samson
2. Rey Abalos
3. Ethel John Sartorio
4. Kanwal Bhardwaj
5. Pratheesh Thomas
6. Shailaja Kesara
7. Manasee Korgaonkar

Upon a motion made by Karen Wilk and seconded by Barry Inglett, the Board voted to adjourn Public Session and to go into Executive Session to discuss the following matters involving investigations or violations of the Board's enabling act, the Uniform Enforcement Act and/or Board regulations.

1. Two complaints or matters filed with the Board, which requires review and additional recommendations with regard to investigations and/or actions.
2. Four matters where additional information has been submitted to the Board concerning pending investigations.

ADJOURNMENT:

The Board returned to Public Session and a motion was made by Karen Wilk and seconded by Jean Bickal to adjourn the meeting at 2:45 PM. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Susan H. Gartland, Executive Director