

**NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS  
PUBLIC SESSION MINUTES**

January 25, 2005

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 25, 2004. 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 9:46 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 Excused  
GARY SAVANDER, P.T. Excused  
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: Kathy Mairella, President-APTA-NJ; Leslie Soulen, APTA-NJ; Fred Bella, PT; Brad McAdam, DC.

**PUBLIC COMMENT:**

**I. APPROVAL OF THE MINUTES OF THE DECEMBER 28, 2004 BOARD MEETING**

Upon a motion made by Mary Browne and seconded by Jeffrey Erickson, the Board voted to accept the minutes of the December 28, 2004 Board meeting as amended. The motion carried by a unanimous vote.

**II . OLD BUSINESS:**

**A. RULES AND REGULATIONS**

The Board discussed the status of their proposed rules and regulations. The proposal if all sign offs are complete appear in the March 21st issue of the New Jersey Register.

**B. FSBPT 2005 Budget**

The Board reviewed the 2005 budget for FSBPT at the December 28, 2004 Board meeting. The Board tabled this matter to the January 25, 2005 Board meeting at which time they reviewed individual line items. Nancy Kirsch, Chairperson, received clarification from the FSBPT on several items. The attorney's fees represented on the budget is money allocated for the defense of the lawsuit brought by the APTA against FSBPT regarding National physical therapy Examination fees. The additional monies for staff were carried over from money budgeted in 2004. FSBPT claims the positions were not filled in 2004 which resulted in the delay of many projects. Those projects need to be completed in 2005 thus the need for additional staff.

**C. FSBPT National Physical Therapy Exam Policies**

The Board reviewed the 2005 National Physical Therapy Exam Policies. The one significant change is that candidates can take the exam three (3) times within a twelve(12) month period. It had previously been

administered four (4) times within a twelve(12) month period. This change was initiated to ensure exam security and less access on the internet to exam questions as happened in the past.

#### D. FCCPT

The Board reviewed the updated language sent from FCCPT. After careful review, the Board voted that they would accept FCCPT credential evaluations if the language for New Jersey applicants is changed to show equivalence to New Jersey requirements.

Upon a motion made by Mary Browne and seconded by Barry Inglett, the Board voted to accept credential evaluations performed by FCCPT if they add our language to their recommendations which clarifies whether the application is equivalent to New Jersey requirements. The motion carried by a unanimous vote.

### **III . INFORMATIONAL:**

#### A. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD MINUTES NOVEMBER 10, 2004

This matter was considered informational.

#### B. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD AGENDA JANUARY 12, 2005

This matter was considered informational.

#### C. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN AGENDA DISCIPLINARY MATTERS PENDING CONCLUSION JANUARY 12, 2005

This matter was considered informational.

#### D. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN MINUTES DISCIPLINARY MATTERS PENDING CONCLUSION NOVEMBER 10, 2004

This matter was considered informational.

#### E. NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS- PUBLIC SESSION AGENDA JANUARY 20, 2005

This matter was considered informational.

#### F. NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS- PUBLIC SESSION MINUTES NOVEMBER 18, 2004

This matter was considered informational.

#### G. KENTUCKY STATE BOARD OF PHYSICAL THERAPY NEWSLETTER

This matter was considered informational.

#### H. FEDERATION NEWS FLASH JANUARY 12, 2005

This matter was considered informational.

### **IV . APPEARANCES:**

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

## 1. LISA KURIEN

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

Upon a motion made by Jean Bickal and seconded by Barbara Behrens, the Board voted to grant Ms. Kurien 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. MARICEL LAPID

Maricel Lapid appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Lapid 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. Lapid is licensed in New York.

Upon a motion made by Jean Bickal and seconded by Barbara Behrens, the Board voted to grant Ms. Lapid 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.

## 3. NUPUR SHAH

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

Upon a motion made by Jean Bickal and seconded by Barbara Behrens, the Board voted to grant Ms. Shah 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.

## 4. ELY RACOMA

Ely Racoma appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Mr. Racoma 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. Racoma is licensed in New York.

Upon a motion made by Jean Bickal and seconded by Barbara Behrens, the Board voted to grant Mr. Racoma 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.

## 5. KRZYSTOF MAJOWICZ

Krzystof Majowicz appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Mr. Majowicz 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. Majowicz is licensed in New York.

Upon a motion made by Jean Bickal and seconded by Barbara Behrens, the Board voted to grant Mr. Majowicz 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.

## **V. NEW BUSINESS:**

### **E. INQUIRY FROM MORGAN SHAHAB**

The Board reviewed an inquiry from Morgan Shahab, Consultant, who was questioning whether a physical therapist can order and perform diagnostic ultrasound as part of an evaluation. The Board will advise Mr. Shahab that the physical therapist has a variety of techniques to utilize during the evaluation of a patient to aid in the determination of the physical therapy diagnosis. Physical therapists should choose the least costly, most efficient technique that provides them with the information they need. The Guide to Physical Therapist Practice provides clear guidance within practice patterns to assist the therapist in determining appropriate and efficacious evaluative techniques. If a physical therapist has a specific question about the use of diagnostic ultrasound as part of the examination or evaluation of a patient please encourage that licensee to contact the Board directly.

### **F. INQUIRY FROM DIANE VITILLO, PTA**

The Board reviewed an inquiry from Diane Vitillo, physical therapist assistant. Ms. Vitillo is interested in taking a course entitled "Become a Home Modifications & Accessibility Consultant" but does not want to violate any statutes or regulations in New Jersey concerning her license. The Board will advise Ms. Vitillo that one does not need licensure or professional credentials to be a home modifications and accessibility consultant. In New Jersey a physical therapist assistant must have direct on site supervision by a physical therapist. If she wishes to become an accessibility consultant and work in New Jersey, she could not refer to her PTA credentials or act in the capacity of a physical therapist assistant while consulting. The Board recommends that she seek legal counsel if she wishes to sometimes practice as a PTA and sometimes as an accessibility consultant as there may be ramifications for her malpractice insurance and her license.

### **G. SENATE NO 1908**

The Board reviewed S1908 which proposes to establish the New Jersey Health Care Access Study Commission. The Board would like to be considered a part of this commission since physical therapists are multi-faceted practitioners and have exposure to varied types of insurance matters in institutional settings and private practice.

Upon a motion made by Jean Bickal and seconded by Barbara Behrens, the Board voted to send a letter requesting consideration to include a physical therapist to be part of the commission outlined in S1908. The motion carried by a unanimous vote.

## **APPLICATION APPROVED BY THE BOARD:**

1. Lisa Kurien
2. Minelee Arriesgado
3. Maricel Lapid
4. Allan Bertol
5. Alma Bargamento
6. Mark Mendez
7. Ely Racoma
8. Krxystof Majowicz

## **APPLICATIONS NOT APPROVED BY THE BOARD:**

## **ADJOURNMENT:**

Upon a motion made by Barry Inglett and seconded by Barbara Behrens, 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. One complaint or matter filed with the Board, which require 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.

Respectfully submitted,

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Susan H. Gartland, Executive Director