

**NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS**  
**PUBLIC SESSION MINUTES**  
**February 15, 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 Hudson Room, 6th Floor, on Tuesday, February 15, 2005. 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 9:43 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  
GARY SAVANDER, P.T. 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: Kathy Mairella, President-APTA-NJ; Kenneth Maily, PT

**PUBLIC COMMENT:**

**I. APPROVAL OF THE MINUTES OF THE JANUARY 25, 2005 BOARD MEETING**

Upon a motion made by Mary Browne and seconded by Barbara Behrens, the Board voted to accept the minutes of the January 25, 2005 Board meeting as amended. The motion carried by a unanimous vote.

**II . OLD BUSINESS:**

**A. RULES AND REGULATIONS**

Devon Graf, Regulatory Analyst attended the meeting to advise the Board that the proposed regulations are awaiting the final sign off from the Governor's office and they could possibly be published in the March New Jersey Register

**B. LETTER FROM GEORGE HEBERT, EXECUTIVE DIRECTOR, NEW JERSEY BOARD OF NURSING BOARD OF NURSING**

This matter was considered informational.

**C. CREDENTIAL EVALUATIONS**

The Board voted to approve draft 3 of the New Jersey Coursework Evaluation tool coordinated by Board Member, Mary Browne. Draft 3 would recognize courses instead of credits due to the difference in the way countries assign value to coursework. The applicant would still have to meet the total credit requirements. The Board will require on the bachelor's level 56 general education credits, 69 professional education credits and for those who graduated after January 1, 2003 an additional 29 Post-Baccalaureate professional education credits will be required to be considered substantially equivalent to a master's degree in physical therapy. The Board will require once the regulations are adopted the following courses; 2 courses in Humanities; 2 courses in Biological Sciences; 1 course in Social Science; 2 courses in Behavioral Sciences with one of those being in Psychology; 1

course in Math; and 4 courses in Physical Science which must include Chemistry and Physics. These requirements more accurately reflect the physical therapist education of United States educated physical therapist students. Once the regulations are adopted and published each approved credentialing agency will be sent the new evaluation form to be used for all foreign educated applicants for New Jersey.

Upon a motion made by Mary Browne and seconded by Gary Savander, the Board voted to accept draft 3 of the New Jersey Coursework Evaluation tool for general education. The motion carried by a unanimous vote.

Upon a motion made by Mary Browne and seconded by Gary Savander, the Board voted to accept draft 3 of the New Jersey Coursework Evaluation tool for professional education. The motion carried by a unanimous vote.

### **III . INFORMATIONAL:**

#### **A. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD AGENDA FEBRUARY 9, 2005**

This matter was considered informational.

#### **B. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD MINUTES DECEMBER 8, 2005**

This matter was considered informational.

#### **C. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN AGENDA DISCIPLINARY MATTERS PENDING CONCLUSION FEBRUARY 9, 2005**

This matter was considered informational.

#### **D. RESULTS OF JURISPRUDENCE POLL ON CONTINUING EDUCATION**

This matter was considered informational.

#### **E. NPDB-HIPDB DATA BANK NEWS**

This matter was considered informational.

#### **F. MARYLAND BOARD OF PHYSICAL THERAPY PT NEWS**

This matter was considered informational.

### **IV . APPEARANCES:**

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

##### **1. JOHNNA CAMARA**

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

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Ms. Camara 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. GLORIA DONES

Gloria Dones appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Dones 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 to grant Ms. Dones 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. ERIC FLORES

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

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Mr. Flores 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 VICTORIA LARKIN, PT

The Board reviewed an inquiry from Victoria Larkin, PT at Bayshore Rehabilitation Services. The Board contacted Ms. Larkin in response to a consumer complaint requiring a new prescription every 30 days for physical therapy. After a conversation between the Board staff and Ms. Larkin, she wrote a letter for clarification of JCAHO regulations for medicare vs. non medicare patients. The Board will advise Ms. Larkin that the plan of care is not affected by the contractual requirements of a third party payor. As a medicare provider you and your medicare patients must adhere to medicare requirements, i.e. new prescription every 30 days. The contractual requirements you enter into with a third party provider does not require that you have different standards of care. While your administrative responsibilities may be different your obligation to provide a standard of care applied evenly to all patients is unwavering.

### F. INQUIRY FROM SHAWN MOLLIN, PT (TELEMEDICINE)

The Board reviewed an inquiry from Shawn Mollin, PT. who would like to develop an online physical therapy service specifically for low back disorders based on the McKenzie method. The Board expressed concern about the plan and will advise Mr. Mollin. The practice of physical therapy involves a hands on treatment and must be administered in person and thus cannot be offered as telemedicine.

### G. INQUIRY FROM MARK HOFFMAN, PT

The Board reviewed an inquiry from Mark Hoffman, PT regarding the appropriateness of refusing to treat a patient. The Board determined it is inappropriate to arbitrarily refuse treatment but refusal to treat may be appropriate only under certain circumstances (EG: if the physical therapist believes that the treatment may be inappropriate or not within their scope of practice). The Board will hold this response until the next Board meeting when they can review the response drafted by Board Member, Barry Inglett.

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

### 1. Francies Ngo

2. Gloria Dones
3. Darlene Esteves-Orat
4. Eric Flores
5. Idolyantes Yap (Serenas)
6. Johnna Camara
7. Yun Ju Lee
8. Donabel Asne
9. Ruel Baal

**APPLICATIONS NOT APPROVED BY THE BOARD:**

1. Gogilivanni Pillai

**ADJOURNMENT:**

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. Three complaints or matters 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