

**NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS
PUBLIC SESSION MINUTES
February 24, 2004**

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, February 24, 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 9:34 a.m. and a roll call was taken and the following attendance was recorded:

BARRY INGLETT, P.T. Present
MARY B. BROWNE, P.T. Present
NANCY R. KIRSCH, P.T. Present
DENNISE KRENCICKI, P.T. Present
GARY SAVANDER, P.T. Present
JOHN WARD, 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 Mailly, APTA-NJ;

I. APPROVAL OF THE MINUTES OF THE JANUARY 27, 2004 BOARD MEETING

Upon a motion made by John Ward and seconded by Karen Wilk, the Board voted to accept the minutes of the January 27, 2004 Board meeting as amended. The motion carried by a unanimous vote.

II OLD BUSINESS:

A. REGISTER REVIEW - CHAIRPERSON NANCY KIRSCH

The New Jersey Register Review was not received by the Board office since January 20, 2004 so the review will await the receipt of the New Jersey Register Review for February and March for review at the March meeting.

B. CORPORATE PRACTICE

The Board will send a copy of the corporate practice draft regulation to Devon Graf, regulatory analyst for his review and revisions. Once the review is done the matter will come back to the Board at a future Board meeting.

C. REFERRAL AND CONSULTATION GUIDELINES

The Board reviewed the recommended changes put forth by Board chairperson Nancy Kirsch to the referral and consultation regulation. The Board will forward the revised proposed regulation to the Executive Committee of the Board of Medical Examiners and Devon Graf, regulatory analyst. The Board voted to accept the language proposed on the guidelines for referral and consultation as amended.

Upon a motion made by Barry Inglett and seconded by Dennise Krencicki, the Board voted to accept language proposed on guidelines for referral and consultation as amended.. The motion was accepted by everyone except for Mary Browne who was opposed to the proposed language as written and not the standards and guidelines themselves.

D. UPDATED BOARD OF PHYSICAL THERAPY ASSIGNMENTS FOR 2004

The Board reviewed the updated physical therapy assignments for 2004. This is informational.

E. A1913 - ESTABLISHES HEALTH CARE PROFESSIONAL REGULATION STUDY COMMISSION AND REQUIRES CERTAIN STATE PROFESSIONAL LICENSING BOARDS TO TAKE CERTAIN ACTIONS

The Board discussed A1913 and has several concerns. The Board is concerned that the protection of the consumer will no longer exist once the health board named in this bill are transferred to the Department of Health. The time frame of 30 days for reporting of complaints filed against a licensee are not feasible and there would be an infringement on a licensee@s right in reporting practice that has not yet been completely investigated and found to warrant a disciplinary action. The Board voted to oppose A1913 for the reasons cited above.

Upon a motion made by Gary Savander and seconded by Dennise Krencicki, the Board voted to oppose A1913 and will send a written response. The motion carried by a unanimous vote.

III INFORMATIONAL:

A. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD MINUTES DECEMBER 10, 2003

This matter is considered informational.

B. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD AGENDA FEBRUARY 11, 2004

This matter is considered informational.

C. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN MINUTES DISCIPLINARY MATTERS PENDING CONCLUSION DECEMBER 10, 2003

This matter is considered informational.

D. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN AGENDA DISCIPLINARY MATTERS PENDING CONCLUSION FEBRUARY 11, 2004

This matter is considered informational.

E. NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS - PUBLIC SESSION MINUTES NOVEMBER 20, 2003

This matter is considered informational.

F. NOTICE OF CONFERENCE FOR SOLICITATION OF INFORMAL PUBLIC INPUT ON MEDICAL MALPRACTICE COVERAGE REQUIREMENTS ON BEHALF OF THE BOARD OF MEDICAL EXAMINERS

This matter is considered informational.

G. AMERICAN CONGRESS ON ELECTROMYOGRAPHY

This matter is considered informational.

H. FSBPT - FEDERATION NEWS BRIEFS- JANUARY 2004

This matter is considered informational.

I. USAO/CDCA PRESS RELEASE- HEALTH CARE FRAUD SETTLEMENT

This matter is considered informational.

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

1. Christine Locson

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

Upon a motion made by John Ward and seconded by Karen Wilk, the Board voted to grant Ms. Locson 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. Beatrice Abdullah

Beatrice Abdullah appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Abdullah is applying for licensure by endorsement in the State of New Jersey. She was educated in Columbia and received her professional as well as undergraduate education in the English language. She is licensed in Florida and New York. Ms. Abdullah has plans to work in New Jersey.

Upon a motion made by John Ward and seconded by Karen Wilk, the Board voted to grant Ms. Abdullah 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. Analee Garciano

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

Upon a motion made by John Ward and seconded by Karen Wilk, the Board voted to grant Ms. Garciano 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. Slawomir Ligas

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

Upon a motion made by John Ward and seconded by Karen Wilk, the Board voted to grant Mr. Ligas 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. Beata Heczkova

Beata Heczkova appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Heczkova is applying for licensure as a physical therapist by endorsement in the State of New Jersey. She had taken the TOEFL in 1996 and had a passing score. She was educated in Poland and received her professional as well as undergraduate education in the English language. Ms. Heczkova is licensed in New York and has plans to work in New Jersey.

Upon a motion made by John Ward and seconded by Karen Wilk, the Board voted to grant Ms. Heczkova 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.

IV. NEW BUSINESS:

A. INQUIRY FROM BELLE MEAD PHYSICAL THERAPY RE: FUNCTIONAL CAPACITY EVALUATION

The Board reviewed an inquiry from Carlos S. Dua, PTA of Belle Mead Physical Therapy. The Board would like to advise Mr. Dua that functional capacity evaluations are not part of a physical therapist assistant's education. A physical therapist assistant cannot perform evaluations under any circumstances. Only selected components of an examination may be performed by a physical therapist assistant under the direct supervision of a physical therapist. No outside certification allows a physical therapist assistant to perform any type of evaluation.

B. TWO INQUIRIES FROM MOJGAN TABATABAI RE: DIAGNOSTIC ULTRASOUND AND SPIROMETRY

The Board reviewed the inquiries sent by Mr. Mojgan Tabatabai. The Board would like to advise Mr. Tabatabai that his questions are too ambiguous and thus the Board cannot respond to vague questions. He should have the licensed physical therapist at the facility phrase the question and write to the Board.

C. CHANGE OF MEETING DATE FOR MAY 2004 STATE BOARD OF PHYSICAL THERAPY BOARD MEETING

The May Board meeting was discussed to check the potential of a quorum. The May Board meeting will remain as previously scheduled , May 25, 2004 and there will be no change of date.

APPLICATIONS APPROVED BY THE BOARD:

1. Petriepol Varga
2. Rhodora V. Trabadillo
3. Beatriz C. Abdullah
4. Analee Garciano
5. Adina Saberon Betua
6. Lynn Tablizo Alquiza
7. Lady Michelle Jones
8. Christine Locson
9. Alfred Mousa
10. Jennifer Pagalanan
11. Carlos Sanchez
12. Filipinas Santillan
13. Teddy Secillano
14. Sejal Doshi

APPLICATIONS NOT APPROVED BY THE BOARD:

1. Slawomir Ligas

2. Beata Heczkova
3. Martin Malaluan III
4. Giovanna Tersea De Veyra Magto
5. Miguel Sanchez J.R.

ADJOURNMENT:

Upon a motion made by Barry Inglett and seconded by Karen Wilk, 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 matter filed with the Board which require review and additional recommendations with regard to investigations and/or actions.
2. One matter where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

Susan H. Gartland, Executive Director
SHG/lis 02/04

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