

New Jersey State Board of Physical Therapy

Public Session Minutes

February 26, 2002

A regular meeting of the New Jersey State Board of Physical Therapy was held at 124 Halsey Street, Somerset Room, 6th floor, on Tuesday, February 26, 2002. The meeting was convened in accordance with the schedule filed with the Secretary of State and was conducted in accordance with the provisions of the Open Public Meetings Act. **Barry G. Inglett, P.T., Chairman of the Board** called the meeting to order at 9:40a.m. A roll call was taken and the following attendance was recorded:

CATHERINE M. CLANCY Present
LEE ANN GUENTHER, P.T. Absent
DENNISE KRENCICKI, P.T. Present
LESLIE K. MARCKS, P.T. Present
SCOTT NADLER, D.O. Absent
GARY R. SAVANDER, P.T. Present
JOHN WARD, P.T. Present
KAREN E. WILK, P.T. Absent

Also present were: **Susan H. Gartland, Executive Director; Carmen A. Rodriguez, Deputy Attorney General; Chanita R. Lucky, Assistant to the Director, Kenneth Maily, APTA-NJ representative.**

IV. APPROVAL OF THE MINUTES OF THE JANUARY 22, 2002 BOARD MEETING

Upon a motion made by Dennise Krencicki and seconded by Catherine Clancy, the Board voted to accept the minutes of the January 22, 2002 Board meeting as amended. The motion carried by a unanimous vote.

V. OLD BUSINESS:

A. NEW JERSEY REGISTER REVIEW-CHAIRMAN INGLETT

Chairman Inglett advised the Board that there was nothing pertaining to physical therapy in the January 22, 2002, February 4, 2002 and February 19, 2002 New Jersey Register that was not already listed on the agenda.

APPEARANCES:

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

1. Ms. Renjini A. John

Renjini A. John appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. John is applying for licensure 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, Ms. John has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Leslie Marcks, the Board voted to grant Ms.

John a waiver of the TOEFL requirement based upon the fact that her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

2. Mr. Harold King

Harold King appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. King is applying for licensure 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. King has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Leslie Marcks, the Board voted to grant Mr. King a waiver of the TOEFL requirement based upon the fact that her professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

3. Ms. Devarshikar Pandya

Devarshikar Pandya did not appear for the TOEFL waiver.

4. Mr. Marvin Prado

Marvin Prado appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. Prado is applying for licensure 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. Prado took the TOEFL examination in 1999 and received a score of 230 (the passing score is 213) Mr. Prado has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Leslie Marcks, the Board voted to grant Mr. Prado a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language, he received a passing score on the TOEFL examination (TOEFL does not report scores after two years) and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

5. Ms. Francis A. Buno

Francis A. Buno appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. Buno is applying for licensure 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. Ms. Buno plans to work in New Jersey.

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

6. Ms. Maria C. Seneta

Maria C. Seneta appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated

individuals applying for licensure in New Jersey.

Ms. Seneta is applying for licensure 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. Seneta took the TOEFL examination in 1998, and received a score of 623 (with the passing score being 550) Ms. Seneta has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Leslie Marcks, the Board voted to grant Ms. Seneta a waiver of the TOEFL requirement based upon the fact that her professional as well as undergraduate education was conducted in the English language, she received a passing score on the TOEFL examination (TOEFL does not report scores after two years) and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

7. Ms. Faraneh Faronooni

Faraneh Faronooni did not appear for the TOEFL waiver.

8. Ms. Mary J. DeLaRosa

Mary J. DeLaRosa appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. DeLaRosa is applying for licensure 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. DeLaRosa has plans to work in New Jersey.

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

9. Ms. Dipali Sheth

Dipali Sheth appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. Sheth is applying for licensure 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. Ms. Sheth has plans to work in New Jersey.

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

VI. INFORMATIONAL:

A. NJ BOARD OF MEDICAL EXAMINERS-DISCIPLINARY MATTERS PENDING CONCLUSION-DECEMBER 12, 2001

The Board considered this matter informational.

B. NJ BOARD OF MEDICAL EXAMINERS-OPEN BOARD AGENDA-FEBRUARY 13, 2002

The Board considered this matter informational.

C. NJ BOARD OF MEDICAL EXAMINERS-DISCIPLINARY MATTERS PENDING CONCLUSION-FEBRUARY 13, 2002

The Board considered this matter informational.

D. NJ BOARD OF MEDICAL EXAMINERS-OPEN BOARD MINUTES-DECEMBER 12, 2001

The Board considered this matter informational.

E. MEMORANDUM FROM MARIBETH DECKER-FSBPT RE: QUARTERLY REPORT TO FSBPT DELEGATES

The Board considered this matter informational.

F. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION AGENDA-JANUARY 24, 2002

The Board considered this matter informational.

G. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION MINUTES-OCTOBER 25, 2001

The Board considered this matter informational.

H. FEDERATION NEWS BRIEFS-JANUARY 2002

The Board considered this matter informational.

I. FEDERATION NEWS BRIEFS-FEBRUARY 2002

The Board considered this matter informational.

VII. NEW BUSINESS:

A. INQUIRY FROM EVAN CHAIT, P.T.

The Board reviewed the inquiry from Mr. Chait, a physical therapist employed in an out-patient physical therapy facility, regarding direct access and massage therapy. The Board will inform Mr. Chait that there have been no statutes changes that would permit direct access in the State of New Jersey at this time. The Board will also advise Mr. Chait that the practice of massage therapy is under the jurisdiction of the Board of Nursing and that there is currently a statute in place to govern this practice but no regulations have been adopted and licensure of massage therapists has not yet begun. The Board will refer Mr. Chait to the Board of Nursing for additional information regarding massage therapists.

B. INQUIRY FROM SAMANTHA WICKER, COMPLIANCE MANAGER-TRIAD HEALTHCARE RE: PEER REVIEWS

The Board reviewed the inquiry submitted by Ms. Wicker regarding peer reviews. Ms. Wicker wrote to the Board to inquire as to whether a peer reviewer has to be a licensed physical therapist. The Board will advise Ms. Wicker that although the New Jersey Board of Physical Therapy statutes and regulations are silent on this issue, the Board considers peer review to be the practice of physical therapy in New Jersey. The Board also considers a peer to be a physical therapist and not a chiropractor or other health care provider.

C. CORRESPONDENCE FROM DENOVA ETHICS RE: HOME STUDY COURSES

The Board reviewed correspondence submitted by DeNova Ethics regarding home study ethics courses for health care professionals. The Board will thank the company for providing this information and request a copy of the

course outlines for further review.

D. INQUIRY FROM STEVE LISNER RE: PHYSICAL THERAPY ADMINISTERED BY RN/LPN

The Board received and reviewed an inquiry submitted by Mr. Lisner regarding whether licensed practical nurses (LPN's) and registered nurses (RN's) can bill for massage therapy, therapeutic massage and kinetic activity. The Medical Board regulations (N.J.A.C. 13:35-6.14[a-e]) does not list kinetic activity and therapeutic exercise as physical modalities which can be delegated by a physician. Only physical modalities can be delegated by a physician to a licensed health care provider. The Board will refer Mr. Lisner to the Board of Nursing for laws governing the nursing profession.

E. INQUIRY FROM BARRY SIBERZWEIG, ESQ. RE: REQUIREMENTS FOR LICENSURE

The Board reviewed the inquiry submitted by Mr. Siberzweig, an attorney representing an outpatient physical therapy facility. Mr. Siberzweig wrote the Board to determine if the position of Director of Rehabilitative Services requires a New Jersey physical therapist license. After review of the job description, which includes supervision of physical therapists, the Board will inform Mr. Siberzweig that the individual performing the job described in his letter would need to be licensed as a physical therapist because only a licensed physical therapist can supervise another physical therapist or physical therapist assistant.

F. CORRESPONDENCE FROM ANN TYMINISKI-STATE OF MARYLAND DEPARTMENT OF HEALTH AND MENTAL HYGIENE RE: UNIFORM PATHWAY

The Board considered the correspondence forwarded by Ms. Tyminiski, Executive Director of the Maryland Department of Health and Mental Hygiene, regarding the FSBPT proposal for a uniform pathway for foreign educated applicants. The FSBPT wishes to have the same criteria apply to all those entering the United States to work as physical therapists. Ms. Tyminiski outlines in her correspondence, that this may not prove to be very practical, as all State Boards have individual requirements for foreign applicants and having a uniform pathway would remove the rights of individual State Boards to set their own requirements for licensure. The Board will inform Ms. Tyminiski that they fully support the comments of the Maryland Board.

APPLICATIONS APPROVED BY THE BOARD:

1. Arnee S. Rubi-PT-Endorsement/IN
2. Dipali Sheth-PT-Exam Only
3. Andrei J. Atavas-PT-Endorsement/IN/MI
4. Arlehn T. Yek-PT-Endorsement/NY
5. Harold King-PT-Endorsement/NY
6. Mona L. Lao-PT/TL
7. Grand L. Mariano-PT-Exam Only
8. Rodney G. Mendoza-PT-Exam Only
9. Jane S. Munoz-PT-Endorsement/NY
10. Roland L. Osio-PT-Exam Only
11. Analyn B. Parcon-PT-Exam Only

12. Beverly S. Perez-PT-Endorsement/NY
13. Marvin Prado-PT-Endorsement/IN
14. Charito Ricafrente-PT-Endorsement/NY/MI
15. Richard P. Ruiz-PT/Exam Only
16. Cecilia D. Seneta-PT-Endorsement/NY
17. Enrico C. Santos-PT-Exam Only
18. Kathleen V. Ventura-PT-Exam Only
19. Khanz K. Tabora-PT-Exam Only
20. Vivien S. Alger-PT-Exam Only
21. Mary J. DeLaRosa-PT-Endorsement/MI
22. Rainer A. Dones-PT/TL
23. Jennifer A. Simpalis-PT-Exam Only
24. Dante C. Flores-PT-Endorsement/NY
25. Michael O. Gallano-PT-Endorsement/IN
26. Mary C. Galura-PT-Exam Only
27. Rejane M. Bambo-PT-Exam Only
28. Beverly J. Selma Beduya-PT-Endorsement/IN
29. Rachelle B. Daus-PT-Exam Only
30. Joan D. Cabral-PT-Endorsement/NY
31. Frances A. Buno-PT-Exam Only

APPLICATIONS NOT APPROVED BY THE BOARD:

1. Neelam Kumar-PT-Exam Only- TOEFL Waiver needed
2. Renjini A. John-PT-Exam Only- Two general education credits needed
3. Radhika K. Kamat-PT-Endorsement/NC-TOEFL Waiver needed; credential agency states education not equivalent to US education
4. Devarshika Pandya-PT-Exam Only-TOEFL Waiver needed
5. Akeem B. Fatola-PT-Endorsement/NY-Did not pass CLEP requirement, needs copy of NY license and verification from NY
6. Benji A. Munoz-PT-Exam Only-Must repeat professional credits in Neurological Sciences

7. Adedolapo A. Olurinde-PT-Endorsement/NY-Missing credits in Humanities

ADJOURNMENT:

Upon a motion made by Catherine Clancy and seconded by Leslie Marcks, 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 the Board's regulations.

1. Eight complaints or matters filed with the Board which require review and additional recommendation in regard to investigation and/or other action.
2. Four matters where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

Susan H. Gartland, Executive Director
