

NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS
PUBLIC SESSION MINUTES
February 26, 2008

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 Conference Room, 6th Floor, on Tuesday February 26, 2008. 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 9:35 A.M. and a roll call was taken and the following attendance was recorded:

CAROLANNE AARON, P.T Present
BARBARA J. BEHRENS, P.T.A. Present
JEAN BICKAL, ESQ Excused
MARY B. BROWNE, P.T. Excused
DENNISE KRENCICKI, P.T. Present
NANCY KIRSCH, P.T. Present
CINDY MOORE, P.T. Present
SUSAN M. QUICK Excused
KAREN WILK, P.T. Excused

Also present were: Carmen Rodriguez, Deputy Attorney General; Lisa Petrowski, Assistant to the Executive Director; Susan Gartland, representative of the Division of Consumer Affairs; Members of the public: Dana Cartin, PT, representative of the APTA-NJ and Kenneth Maily, PT

I. APPROVAL OF THE MINUTES OF JANUARY 22, 2008 BOARD MEETING

Upon a motion made by Dennise Krencicki and seconded by Cindy Moore, the Board voted to accept the minutes of January 22, 2008 Board meeting as amended. A vote was taken and the motion carried by a unanimous vote.

II. NEW BUSINESS

A. Letter from Franklin Kumar, PT
RE: Manipulation Under Anesthesia (MUA)

Mr. Kumar inquired whether the procedure "Manipulation Under Anesthesia" (MUA) is within the scope of practice of physical therapy in New Jersey if the licensed physical therapist is certified in the MUA technique and performs the procedure under the supervision of a physician.

A motion was made by Barbara J. Behrens and seconded by Carolanne Aaron to advise Mr. Kumar that this type of procedure (Manipulation Under Anesthesia) is not consistent with entry level education and is not within the scope of practice of a physical therapist. The Board will also advise Mr. Kumar that in accordance with N.J.A.C. 13:39A-8.5(b), he must include his license number with his name on all correspondence. A vote was taken and the motion carried by a unanimous vote.

B. Letter from Roberta Geisenheimer, PT
RE: N.J.A.C. 13:39A-3.5

Ms. Geisenheimer wrote the Board concerning N.J.A.C. 13:39A-3.5(a) which requires every licensee to conspicuously display his or her biennial renewal certificate in a public area in any office or health care facility at which the licensee practices physical therapy and asked the Board for clarification.

A motion was made by Cindy Moore and seconded by Barbara J. Behrens to advise Ms. Geisenheimer that if a licensee practices at more than one location, then the licensee must post his or her biennial renewal certificate at

each location. In this type of situation, the licensee will need to contact the Board office in writing and request a duplicate biennial renewal certificate for each location. If a licensee is employed by a hospital and the hospital sends the licensee to off-site locations, the licensee needs to post his or her biennial renewal certificate at the hospital and each off-site location. If licensees are employed by a facility in which they provide home care, the licensees would need to post their biennial renewal certificate at the facility and carry the small wallet certificate with them when they go out in the field. A vote was taken and the motion carried by a unanimous vote.

C. Letter from Patricia Q. Davis, PT
RE: Physical Therapy and Home Care

Ms. Davis inquired whether a physical therapist can continue to provide physical therapy to a patient at the patient's home after the patient had been discharged from her home physical therapy treatment. Ms. Davis further inquired whether the patient could pay the physical therapist and have the insurance reimburse the patient for physical therapy services.

The Board will advise Ms. Davis that the physical therapy practice act requires that when a physical therapist treats a patient, the decision of what to do with the patient is based on the physical therapist's evaluation and the plan of care that the physical therapist develops based on that evaluation. It is appropriate for a physical therapist to treat in a home setting if that environment is the most beneficial to the patient's needs and recovery progress.

The Board will also advise Ms. Davis that it is not within the jurisdiction of the Board to make determinations concerning reimbursement.

D. Letter from Diana Schott, PT
RE: Pulse Oximetry

Ms. Schott wrote the Board concerning pulse oximetry but did not provide a clear question. The Board will advise Ms. Schott that she needs to provide the Board with a direct question in order for the Board to respond to her inquiry.

E. Letter from Julie Claus Hensler, PTA
RE: Reinstatement

Ms. Hensler's physical therapist assistant license expired on January 31, 2002. Ms. Hensler advised the Board that she has not practiced physical therapy since her license expired and does not have an active license in any other state. Ms. Hensler also provided the Board with a copy of 30 continuing education credits.

If a licensee does not renew their license by the expiration date or within 30 days immediately following the expiration date, the licensee's license is automatically suspended without a hearing pursuant to N.J.S.A. 45:1-7.1(b) and (c). Pursuant to N.J.S.A. 45:1-7.1 (d) an applicant seeking reinstatement of a license suspended pursuant to this section more than five years past its expiration date shall successfully complete the examination required for initial licensure and submit a renewal application and payment of an additional reinstatement fee.

A motion was made by Dennise Krencicki and seconded by Barbara J. Behrens to advise Ms. Hensler that she must take and pass the National Physical Therapist Assistant Exam and complete a criminal history background check in order to reinstate her New Jersey physical therapist assistant license pursuant to N.J.S.A. 45:1-7.1(d). A vote was taken and the motion carried by a unanimous vote.

F. Letter from Theodore Perry, PTA
RE: Continuing Education

Mr. Perry wrote the Board and asked for an extension to complete the continuing education requirement for this renewal due to his personal hardship involving an ill family member. Mr. Perry advised the Board that he completed 23 continuing education credits and provided the Board with a summary of his work history.

A motion was made by Barbara J. Behrens and seconded by Carolanne Aaron to request that Mr. Perry provide the Board with a letter from his family member's treating physician of the background of the medical condition. The Board will advise Mr. Perry that it will grant him an extension to June 1, 2008 to complete the remaining 7 continuing education credits provided he supplies the Board with the requested information above. The Board will remind Mr. Perry that the continuing education credits he obtains to meet his continuing education deficit cannot be used to renew his physical therapist assistant license in 2010. A vote was taken and the motion carried by a unanimous vote.

G. Letter from PTcourses.com
RE: Continuing Education

PTcourses.com wrote the Board concerning the approval process for courses in New Jersey.

The Board will advise PTcourses.com that it reviewed the information they provided concerning their view on the current method used by the New Jersey State Board of Physical Therapy Examiners to approve courses. A letter will be sent thanking them for their recommendations and the Board will be utilizing an outside vendor for course review to expedite the process.

H. Letter from Therapeutic Services, Inc.
RE: Request for extension of course approval

Continuing education courses that were approved by the Board within the timeframe of February 1, 2006 through January 31, 2008 were given an expiration date of January 31, 2008. Continuing education courses that are approved by the Board within the timeframe of February 1, 2008 through January 31, 2010 will be given an expiration date of January 31, 2010.

Therapeutic Services, Inc. requested that some of their DVD courses be given an extended expiration date as they were approved only two weeks prior to January 31, 2008 expiration date. A motion was made by Barbara J. Behrens and seconded by Dennise Krencicki to advise Therapeutic Services, Inc. that the Board will extend the expiration date of the eleven DVD courses listed in their January 16, 2008. The eleven DVD courses will now have an expiration date of January 31, 2010. A vote was taken and the motion carried by a unanimous vote.

I. Letter from Advanced Physical Therapy Associates
RE: Continuing Education
- jurisprudence and professional ethics

Betty Maloney of Advanced Physical Therapy Associates advised the Board that they would like to organize a seminar in the Fall of 2008 involving the subject of jurisprudence and professional ethics and inquired whether a member of the New Jersey State Board of Physical Therapy Examiners would be available to present on these subjects.

Ms. Maloney also inquired how many credits can be obtained from CPR training.

The Board will advise Ms. Maloney that the Board is currently discussing different avenues in which to implement the jurisprudence course and there has been no final determination.

The Board will also advise Ms. Maloney that a licensee can receive 2 credits for completing either an initial CPR course or a recertification CPR course within a biennial renewal period.

J. Letter from Patricia D. Brick, PT, President of the APTA-NJ
RE: Joint Meeting

Ms. Brick asked the Board whether they would be interested in meeting with members of the APTA-NJ concerning matters where both parties are able to collaborate in an effort to promote the value of the profession and better protect the consumer.

The Board will ask Ms. Brick to provide them with a letter detailing areas in which the APTA-NJ is interested in discussing with the New Jersey State Board of Physical Therapy Examiners. The Board will then advise the APTA-NJ of a date in which they could meet with the APTA-NJ.

K. Bill concerning the practice of physical therapy, supplementing chapter 30 of Title 17B of the New Jersey Statutes, and amending various parts of the statutory law.

The Board reviewed the above mentioned bill and considered it informational.

L. Letter from Jennifer Reim, PT
RE: Work Restriction Note from Physical Therapist

Ms. Reim inquired whether it was within the scope of practice of a physical therapist to write a patient a note with work restrictions.

The Board will advise Ms. Reim that it is within the scope of practice of a physical therapist to write a patient a note with work restrictions.

M. Sponsor - Be Well America
RE: Jurisprudence and Ethics Course

The Board will advise Be Well America that the New Jersey State Board of Physical Therapy Examiners did not approve its jurisprudence and ethics course as the information provided did not meet the requirements for approval pursuant to N.J.A.C. 13:39A-9.1.

III. OLD BUSINESS

A. Letter from Lisa Aichele
RE: Application for physical therapist assistant license

The Board noted that Ms. Aichele's physical therapist assistant license in Florida expired in 1984. The Board also noted that Ms. Aichele has not worked in the field of physical therapy since 1990. A motion was made by Barbara J. Behrens and seconded by Carolanne Aaron to advise Ms. Aichele that pursuant to N.J.A.C. 13:39A-5A.3(d) she must take and pass the National Physical Therapist Assistant Exam in order to be eligible for licensure in New Jersey or she can reinstate her Florida physical therapist assistant license in Florida and apply for licensure in New Jersey by endorsement. A vote was taken and the motion carried by a unanimous vote.

B. Response from John C. Moore, PT
RE: Continuing Education

The Board granted Mr. Moore an extension to April 1, 2008 to complete the required 30 continuing education credits due to his financial hardship and medical condition.

As per the Board's request, Mr. Moore provided the Board with a letter from his treating physician concerning the background of his medical condition. Mr. Moore also provided the Board with the name and location of where he practices and/or practiced physical therapy during the time frame of February 1, 2006 through the present. Mr. Moore further provided the Board with a statement concerning the amount of time he practices and/or practiced physical therapy during the time frame of February 1, 2006 through the present including how many hours he practices and/or practiced in a day and how many days a week he practices and/or practiced. Mr. Moore also advised the Board that he did not obtain any continuing education credits for the 2006 to 2008 biennial renewal period.

C. Response from Carol L. Frankenfield, PT
RE: Continuing Education

Ms. Frankenfield initially wrote the Board and asked for an extension to complete the continuing education requirement for this renewal due to her health.

Ms. Frankenfield wrote the Board again and advised the Board that she decided to inactivate her license.

D. Draft Questions for Jurisprudence Course

Beginning February 1, 2008, New Jersey licensed physical therapists and physical therapist assistants must complete 4 credits of jurisprudence and professional ethics as part of the required thirty credit hours of continuing education.

A Committee of the Board will present a draft jurisprudence course to the Division of Consumer Affairs and inquire whether a jurisprudence course can be available on the New Jersey State Board of Physical Therapy Examiners' website for its licensees to take and use towards their continuing education requirement. The Committee consists of the following Board members: Dennise Krencicki, Nancy Kirsch, Barbara J. Behrens and Mary Browne.

The Board reviewed draft questions for the jurisprudence course.

E. Sponsor - Online Continuing Education

RE: Course "Management of Common Sports Injuries"

The Board reviewed the information provided by Online Continuing Education concerning a course they submitted titled, "Management of Common Sports Injuries".

A motion was made by Dennis Krencicki and seconded by Barbara J. Behrens to approve this course as it meets the requirements set forth in N.J.A.C. 13:39A-9 et seq. A vote was taken and the motion carried by a unanimous vote.

F. Sponsor - Fox Rehabilitation Services

RE: Course "Balance and Fall Risk Reduction in the Elderly"

The Board reviewed the information provided by Fox Rehabilitation Services concerning a course they submitted titled, "Balance and Fall Risk Reduction in the Elderly".

A motion was made by Barbara J. Behrens and seconded by Carolanne Aaron to approve this course as it meets the requirements set forth in N.J.A.C. 13:39A-9 et seq. The Board will also advise Fox Rehabilitation Services that the sign in and sign out sheet must be corrected. A vote was taken and the motion carried by a unanimous vote.

G. Sponsor - Cross Country Education

RE: Course "Effective Examination and Treatment Techniques for the Foot and Ankle"

Ms. Evenson wrote the Board concerning its denial of a course they submitted titled, "Effective Examination and Treatment Techniques for the Foot and Ankle". Ms. Evenson provided the Board with additional information concerning the goals.

A motion was made by Dennise Krencicki and seconded by Cindy Moore to approve this course as it now meets the requirements set forth in N.J.A.C. 13:38A-9 et seq. A vote was taken and the motion carried by a unanimous vote.

IV. FOR YOUR INFORMATION

A. New Jersey State Board of Medical Examiners
December 12, 2007 Open Board Minutes

The Board reviewed the New Jersey State Board of Medical Examiners' December 12, 2007 Open Board Minutes and considered them informational.

B. New Jersey State Board of Medical Examiners
December 12, 2007 Open Minutes of Disciplinary Matters Pending
Conclusion

The Board reviewed the New Jersey State Board of Medical Examiners' December 12, 2007 Open Minutes of Disciplinary Matters Pending Conclusion and considered them informational.

C. New Jersey State Board of Medical Examiners
February 13, 2008 Open Board Agenda

The Board reviewed the New Jersey State Board of Medical Examiners' February 13, 2008 Open Board Agenda and considered it informational.

APPLICATIONS APPROVED BY THE BOARD

1. Leah Masna
2. Adita Patel
3. Marcha C. Bendebel
4. Saiwing Yu
5. Cessna Jane Bicera Tusalem
6. Noel Elento
7. Ruchele Ramirez Regencia

APPLICATIONS NOT APPROVED BY THE BOARD

1. Michael Bigol
2. Karen Busto
3. John Alex

Upon a motion made by Cindy Moore and seconded by Barbara J. Behrens, the Board voted to go into Executive Session to discuss the following matters involving investigations of violations of the Board's enabling act, the Uniform Enforcement Act and/or Board regulations.

1. Five matters filed with the Board, which require review and additional recommendation with regard to investigations and/or actions.
2. Nine matters where additional information has been submitted to the Board concerning pending investigations.

ADJOURNMENT

The Board returned to the Public Session and a motion was made by Dennis Krencicki and seconded by Carolanne Aaron to adjourn the meeting at 2:30 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Nancy Kirsch, PT
Board President