

**NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS
PUBLIC SESSION MINUTES
March 22, 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, March 22, 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 9:40 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 Present
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; Dwayne Williams, Government Representative Members of the public; Kathy Mairella, President-APTA-NJ; Leslie Soulen, APTA-NJ

PUBLIC COMMENT:

I. APPROVAL OF THE MINUTES OF THE FEBRUARY 15, 2005 BOARD MEETING

Upon a motion made by Barbara Behrens and seconded by Ivette Martinez, the Board voted to accept the minutes of the February 15, 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 will be published in the April 4th New Jersey Register.

B. FCCPT

The Board reviewed sample language proposed by the Foreign Credentialing Commission on Physical Therapy (FCCPT) for evaluating foreign educated applicants to New Jersey as physical therapists. The Board voted to accept the proposed language which states that the applicant's credentials are equivalent to New Jersey requirements. The Board will notify the FCCPT that they will be now be added to the list of approved credentialing agencies used by the New Jersey Board of Physical Therapy Examiners.

Upon a motion made by Mary Browne and seconded by Gary Savander, the Board voted to add FCCPT to the list of approved credentialing agencies used by the New Jersey Board of Physical Therapy Examiners. The motion carried by a unanimous vote.

C. INQUIRY FROM ANNE CREELMAN, PT

The Board reviewed an inquiry from Anne Creelman a Physical Therapist licensed in New Jersey interested in working with a veterinarian and providing rehabilitation for canines. Ms. Creelman had questions concerning

whether or not this practice is permitted in New Jersey. She completed a Certification Course in Florida to be a Canine Rehabilitation Practitioner. The Board determined that Physical Therapists educational background does not deem them qualified to perform physical therapy on animals. The Board determined that they would advise Anne Creelman, PT that they are reviewing her inquiry and that she may want to seek additional information on this matter from the Veterinary Medical Examiners Board. She may be able to work with a veterinarian as a Rehabilitation Tech under their delegation rule but this can be clarified by the Veterinary Medical Examiners Board. In addition DAG Carmen Rodriguez stated that she will contact the DAG that assists in matters dealing with the Veterinary Board to further discuss this matter. This matter will be brought back to the April Board meeting.

III . INFORMATIONAL:

A. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD AGENDA MARCH 9, 2005

This matter was considered informational.

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

This matter was considered informational.

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

This matter was considered informational.

D. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN MINUTES DISCIPLINARY MATTERS PENDING CONCLUSION DECEMBER 8, 2004

This matter was considered informational.

E. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN MINUTES DISCIPLINARY MATTERS PENDING CONCLUSION JANUARY 12, 2005

This matter was considered informational.

F. NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS- PUBLIC SESSION AGENDA MARCH 17, 2005

This matter was considered informational.

G. NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS- PUBLIC SESSION AGENDA FEBRUARY 17, 2005

This matter was considered informational.

H. NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS- PUBLIC SESSION MINUTES JANUARY 20, 2005

This matter was considered informational.

I. NEW JERSEY STATE BOARD OF ORTHOTICS AND PROSTHETICS- PUBLIC SESSION AGENDA MARCH 2, 2005

This matter was considered informational.

J. NEW JERSEY STATE BOARD OF ORTHOTICS AND PROSTHETICS MEETING DATES FOR 2005

This matter was considered informational.

K. FEDERATION NEWS BRIEFS FEBRUARY 2005

This matter was considered informational.

L. NPTE PASS RATE LETTER

This matter was considered informational.

IV . APPEARANCES:

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

1. JULIZA SANTIAGO

Juliza Santiago appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Santiago is applying for licensure as a physical therapist 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. Ms. Santiago is licensed in New York and South Carolina.

Upon a motion made by Jean Bickal and seconded by Gary Savander, the Board voted to grant Ms. Santiago 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. APARNA KAMULKAR

Aparna Kamulkar appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Ms. Kamulkar is applying for licensure as a physical therapist by endorsement 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. Kamulkar is licensed in New York and South Carolina.

Upon a motion made by Jean Bickal and seconded by Gary Savander, the Board voted to grant Ms. Kamulkar 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. REX CRUZ

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

Upon a motion made by Jean Bickal and seconded by Jeffrey Erickson, the Board voted to grant Mr. Cruz 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.

4. NOEL GASPAR

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

Upon a motion made by Jean Bickal and seconded by Gary Savander, the Board voted to grant Mr. Gaspar 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. MANUEL JASON BARRERA

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

Upon a motion made by Jean Bickal and seconded by Gary Savander, the Board voted to grant Mr. Barrera 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:

A. ASSEMBLY, NO. A-902

The Board reviewed A-902 which permits only licensed chiropractors to perform spinal adjustments to correct vertebral subluxations. The Board is opposed to A-902. Barry Inglett will draft a response and it will be reviewed at the April 26, 2005 Board meeting.

B. SENATE, NO. 1314

The Board reviewed S-1314 which requires managed care carriers to provide certain health care providers with fee schedules. This only applies to those regulated by New Jersey State law. The Board is in support of this bill.

C. RULES AND REGULATIONS FOR BOARD OF OPTOMETRY -TERMINATION OF THE OPTOMETRISTS-PATIENT RELATIONSHIP

The Board reviewed the regulation for the Board of Optometrists which details the termination of the Optometrist-Patient relationship. The rules and regulations committee of the Board will develop a similar regulation for the Board of Physical Therapy.

D. FSBPT - ELECTION OF DELEGATE AND ALTERNATE DELEGATE TO FSBPT'S ANNUAL MEETING

The Board voted to elect Mary Browne as Delegate and Nancy Kirsch as Alternate Delegate for the annual FSBPT meeting held September 9th through September 12th 2005 in Austin, Texas.

Upon a motion made by Gary Savander and seconded by Ivette Martinez, the Board voted to elect Mary Browne as the Delegate and Nancy Kirsch as the Alternate Delegate to represent the New Jersey State Board of Physical Therapy Examiners at the annual FSBPT meeting. The motion carried by a unanimous vote.

E. SIGNED SETTLEMENT LETTER - KERI SNYDER, PT

The Board is in receipt of a signed Settlement Letter from Keri Snyder, PT. for violation of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:39A-3.6(a) and (d) for not being aware of the excessive fees that were charged for her services as a physical therapist. This constitutes professional misconduct as the licensee is responsible for reviewing and

knowing the fees that are charged at the facility. Ms. Snyder is also in violation of N.J.A.C. 13:39A-3.1(c) 10 and 13 for failure to prepare a discharge summary and for failure to include a signature or initials on the patient record.

F. SIGNED SETTLEMENT LETTER - RUSSELL DITCHFIELD-AGBOH, PT

The Board is in receipt of a signed Settlement Letter from Russell Ditchfield-Agboh, PT for being in violation of N.J.S.A. 45:1-7.1(b) and (c) in that he failed to renew his license within thirty days of the January 31, 2004 renewal period and continued to practice with a suspended or expired license after February 29, 2004.

G. SIGNED SETTLEMENT LETTER - SUSAN SLATER, PT

The Board is in receipt of a signed Settlement Letter from Susan Slater, PT for being in violation of N.J.S.A. 45:1-21 (n) in that she aided and abetted an unlicensed individual in the practice of physical therapy at her facility for approximately nine months.

H. SIGNED SETTLEMENT LETTER - SUSAN ECKHARDT, PT

The Board is in receipt of a signed Settlement Letter from Susan Eckhardt, PT for being in violation of N.J.S.A. 45:1-7.1(b) and (c) in that she failed to renew her license within thirty days of the January 31, 2004 renewal period and continued to practice with a suspended license after February 29, 2004 which is deemed to constitute the unlicensed practice of physical therapy.

I. SIGNED SETTLEMENT LETTER - CINDY MORANTE, PT

The Board is in receipt of a signed Settlement Letter from Cindy Morante, PT for being in violation of N.J.S.A. 45:1-7.1(b) and (c) in that she failed to renew her license within thirty days of the January 31, 2004 renewal period and continued to practice with a suspended license after February 29, 2004 which is deemed to constitute the unlicensed practice of physical therapy.

ADJOURNMENT:

Upon a motion made by Mary Browne and seconded by Jeffrey Erickson, 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. Nine complaints or matters filed with the Board, which require review and additional recommendations with regard to investigations and/or actions.
2. Eleven matters where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

Susan H. Gartland, Executive Director