

**NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS
PUBLIC SESSION MINUTES
April 25, 2006**

A regular meeting of the New Jersey State Board of Physical Therapy Examiners was held at 124 Halsey Street, Newark, New Jersey, in the Morris Room, 7th Floor, on Tuesday April 25, 2006. 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 9:35a.m. and a roll call was taken and the following attendance was recorded:

CAROLANNE AARON, P.T Present
BARBARA BEHRENS, P.T.A. Present
JEAN BICKAL, ESQ Present
MARY B. BROWNE, P.T. Present
JEFFREY A. ERICKSON, P.T. Present
BARRY INGLETT, P.T. Present
NANCY KIRSCH, P.T. Present
SUSAN M. QUICK Present
KAREN WILK, P.T. Excused

Also present were: Susan H. Gartland, Executive Director; Carmen A. Rodriguez, Deputy Attorney General; Williesa Robinson, Assistant to the Executive Director, Members of the public: Patty Brick, P.T., Director of Practice APTA-NJ; Ken Maily, P.T..

III. PUBLIC COMMENT:

No comment from the public at this time.

IV. APPROVAL OF THE MINUTES OF THE FEBRUARY 28, 2006 BOARD MEETING

Upon a motion made by Barbara Behrens and seconded by Jeffrey Erickson, the Board voted to accept the minutes of the March 21, 2006 Board Meeting as amended. The motion carried April 25, 2006 by a unanimous vote.

NO APPEARANCES:

T.O.E.F.L. Waivers:

1. GLENN C. LIMAS

Glenn Limas appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Limas 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. He advised the Board that he took the TOEFL examination ten years ago with a score of 500. He passed the NPTE in February, 2006.

Upon a motion made by Jean Bickal and seconded by Barry Inglett, the Board voted to grant Mr. Limas 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.

2. MILDRED RAZON

Mildred Razon appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Razon is applying for licensure as a physical therapist by endorsement from the State of Delaware. She was educated in the Philippines and received her professional as well as undergraduate

education in the English language. Ms. Razon advised the Board that she took the TOEFL exam in 2001 and attained a score of 213.

Upon a motion made by Jean Bickal and seconded by Barry Inglett, the Board voted to grant Ms. Razon a waiver of the TOEFL requirement based upon the fact that she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

3. MAY BALTAZAR

Mary Baltazar appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Baltazar 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 her undergraduate education in the English language. She advised the Board that she took the TOEFL examination and failed two sections.

Upon a motion made by Jean Bickal and seconded by Barry Inglett, the Board voted to grant Ms. Baltazar a waiver of the TOEFL requirement based upon the fact that her professional April 25, 2006 as well as her undergraduate education was conducted in the English language and she demonstrated proficiency. The motion carried by a unanimous vote.

4. REX DE LA CRUZ

Rex De La Cruz appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. De La 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 his undergraduate education in the English language. He advised the Board that he took the TOEFL examination in 2005 and failed a section of the exam.

Upon a motion made by Jean Bickal and seconded by Barry Inglett, the Board voted to grant Mr. De La 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.

5. AGNIESKA BARANIECKI

Agnieska Baraniecki appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Baraniecki is applying for licensure as a physical therapist by examination in the State of New Jersey. She was educated in Poland and graduated in 2001. She speaks four languages and has been learning and speaking English for many years. She never took the TOEFL examination.

Upon a motion made by Jean Bickal and seconded by Barry Inglett, the Board voted to grant Ms. Baraniecki a waiver of the TOEFL requirement based on the fact that she demonstrated proficiency in the English language. The motion carried by a unanimous vote.

IV. NEW BUSINESS

A. Letter from Jean Marsh, Director of Care Resources, Inc. Re: Continuing Education Course

Ms. Marsh asked if the Board would approve two (2) hours of required reading with a quiz as preparation time prior to the actual course for CE credit. The Board determined that only the time spent in the actual course is appropriate for CE credit.

Upon a motion made by Barbara Behrens and seconded by Mary Browne, the Board voted to advise Ms. Marsh that only the time spent in the actual course will be approved for CE credit not preparation time. The motion carried by a unanimous vote.

B. Letter from Leslie J. Morgan of Bradley Arant Rose and White LLP Re: Out -of-State April 25, 2006 Prescriptions.

The Board determined that a letter should be sent to Ms. Morgan advising her that since February 17, 2003 N.J. licensed physical therapists do not need a prescription from a physician in order to treat a patient. If the licensed health care professional of record for the patient is from out-of-state the physical therapist can advise and/or consult with that person regarding the patient's physical therapy treatment and plan of care.

C. Letter from James Dunleavy, P.T.
Re: Continuing Education course approval.

The Board will send a letter to Mr. Dunleavy responding to his questions regarding continuing education. The Board will advise Mr. Dunleavy that the approval letter sent to sponsors of continuing education courses includes the number of credits that their course is approval for as well as an approval number that can be listed in their literature and on their attendance certificates. Many courses that the Board has approved for credit and will be considering for approval have brochures that were printed prior to submission to the Board for approval and thus they will not list the information for N.J.. The Board will suggest to Mr. Dunleavy that he contact the sponsor of each CE course he is going to take and ask them if their course has been approved by the NJSBPTE and for the appropriate course number if approved. The licensee who takes a course that has not been pre- approved must obtain a CV of the lecturer and an outline of the course along with the certificate of attendance to the Board if audited. Advise Mr. Dunleavy that at this time it would be physically impossible to pre-approve every course taken by a licensee and that is why the Board put in place a system for approval of courses at the time of being audited. Thank him for writing to the Board.

D. Assembly No. 2930

Synopsis: Restricts gifts from drug companies to health care professionals and prohibits health care professionals with financial ties to drug companies from serving on health care facility formulary committees. The Board determined that they would support A-2930.

Upon a motion made by Barry Inglett and seconded by Mary Browne the Board voted to support A-2930. The motion carried by a unanimous vote.

E. Senate No. 2752

Synopsis-Requires health benefits coverage for orthotic and prosthetic appliances and provides reimbursement therefor. The Board determined that they would support this bill and ask the sponsor to include physical therapists or other health care practitioners that can fabricate prosthetic and orthotic devices as per their practice act in the language of this bill.

Upon a motion made by Barry Inglett and seconded by Mary Browne, the Board voted to April 25, 2006 support A-2930 and request that physical therapists and other health care providers be included in the bill. A vote was taken and the motion carried by a unanimous vote.

F. Letter from Jenny C. Gross, P.T.
Re:CE credits

The Board reviewed the letter received from Ms. Gross requesting a modification in the period of completion of her CE credits for renewal of her license in 2008. The Board will advise Ms. Gross that the period in which she can obtain credits for the next renewal is from February 1, 2006 to January 31, 2008 and that the Board will not consider an exception. A copy of the new CE regulations will be included with the response to her.

G. E-Mail from James Rauh, P.T.
Re: P.T. Scope of Practice.

The Board reviewed Mr. Rauhfs e-mail and determined that a letter will be sent advising him that a N.J. licensed physical therapist does not need a referral to treat physical therapy patients. A copy of the Statutes and Regulations for physical therapy will be sent to him for future reference Mr. Rauh also inquired about inspections of free standing physical therapy facilities. The Board will advise Mr. Rauh that they do not require inspections of free standing facilities but the local Board of Health in the community in which the facility is located might have such inspection requirements. The facility might also need inspections if he were to apply for accreditation by agencies such as Medicare on a voluntary basis. A response will be sent to Mr. Rauh by the Executive Director.

H. E-Mail from Jean Marsh
Re: CE Question

This matter was already responded to from a previous Board meeting.

I. P.G. Chambers School
Re: Documentation Question

The Board reviewed a letter regarding the supervision by a physical therapist of a physical therapy student. The Board will advise Nancy Altschuler that the Board's regulations do not cover the supervision of a student by a physical therapist because they are not yet licensees of the Board. This information should be contained in an affiliation agreement between the school that the student attends and the facility that the student works in during clinicals. The Board will also advise Ms. Altschuler of the P.G. Chambers School that any documentation that a physical therapist student writes during this affiliation should be counter signed by the supervising physical therapist.

VI. OLD BUSINESS

A. Response from Carl Foster, PhD., from American College of Sports Medicine
Re: Abbreviation gACSMh for Certified Personal Trainer.

The Board reviewed the letter received from Mr. Foster regarding the appropriate abbreviation and certification mark to be used by certified personal trainers. The term they hope to trademark is gACSM Certified Personal Trainer. The Board considered this letter informational and no further correspondence is necessary.

B. Draft Regulations

1. Business Practices-The Board determined that they would table the discussion on this draft until the rules and regulations committee has an opportunity to review this draft and make some recommendations for change. The committee consists of Jean Bickal, Barry Inglett and Mary Browne and the staff members who will also participate in the discussions are DAG Carmen Rodriguez, Executive Director Susan Gartland and Regulatory Analyst Chuck Manning.

2. Credentials Used after a Licensee's Name

The Board reviewed the draft of amended language for N.J.A.C. 13:39A-8.5. The rules and regulations committee will consider this draft language and make any recommended changes and bring it back to a future Board Meeting.

IV. FOR YOUR INFORMATION

A. Occupational Therapy Advisory Council's April 18, 2006 Public Session Agenda.

The Board reviewed the O.T. Public Session Agenda for April 18, 2006 and considered it informational.

B. Legislative Report - First Quarter January 1st -March 31st, 2006

The Board reviewed the Legislative Report for the first quarter and considered it informational.

C. FSBPT March, 2006 News Brief

The Board reviewed the FSBPT News Brief for March,2006 and considered it informational.

D. FSBPT-NPTE Pass Rate Information Update

The Board reviewed the NPTE Spring 2006 Quarterly Faculty Newsletter from the FSBPT and considered it informational.

F. FSBPT News Flash

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Re: APTA Lawsuit

The Board reviewed the FSBPT News Flash regarding the APTA lawsuit and considered it informational.

G. O&P Board of Examiners Public Session Agenda-April 25, 2006

The Board reviewed the Public Session Agenda of the O&P Board of Examiners for April 25, 2006 and considered informational.

H. Board of Chiropractic Examiners Public Session Agenda-March 16, 2006

The Board reviewed the March 16, 2006 Public Session Agenda for the Board of Chiropractic Examiners and considered it informational.

APPLICATIONS APPROVED BY THE BOARD:

1. Niti Makol
2. Priscilla Navarro
3. Agnieska Baraniecki
4. Ceasario Claveria
5. Maureen Subiate
6. Erin Rodrin
7. Hilbert B. Enriquez
8. Karen Bu Gasis
9. Annie-Rhea Valenzuela
10. Lerman Linco
11. Francisco C. Grape III
12. Jerome Seno

APPLICATIONS NOT APPROVED BY THE BOARD:

1. Edison M. Abejuela
2. Howard J. Hermano-Requires T.O.E.F.L
3. Catherine Rubin-Requires Evidence of License From India
4. Nelma Montana-Requires Receipt of Law Exam
5. Cyrus Oriendo-Requires Transcript
6. Madeline Puaben-Requires Transcript
7. Lloyd Maquiling-Requires Transcript
8. Warren Mangulabnan-Requires Transcript
9. Randy Timbol-Requires Transcript

ADJOURNMENT

Upon a motion made by Carolanne Aarons and seconded by Susan Quick, the Board voted to adjourn the 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 investigation and/or action.
2. Five matters where additional information has been submitted to the Board concerning pending investigations.

ADJOURNMENT:

The Board returned to Public Session and a motion was made by Jean Bickal and seconded by Mary Browne to adjourn the meeting at 2:35 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Susan H. Gartland
Executive Director

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