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NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

PUBLIC SESSION MINUTES

APRIL 26, 2016

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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 April 26, 2016. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. **Beth Sarfaty, Chairperson of the Board**, called the meeting to order at 9:30 A.M. and a roll call was taken and the following attendance was recorded:

BARBARA J. BEHRENS, P.T.A.	Present
DAVID BERTONE, P.T.	Present
JEAN BICKAL, ESQ	Present
NANCY KIRSCH, P.T.	Present
CINDY MOORE, P.T.	Present
BETH SARFATY, P.T.	Present
RICHARD STONEKING, P.T.	Present
KAREN WILK, P.T.	Present

Also present were: **Carmen Rodriguez, Deputy Attorney General; Lisa Tadeo, Executive Director**

Members of the public: Cathy Chin, representative of Select Medical and Jessica Fulmino, PT, Daniel Klim, Executive Director of the APTA-NJ and Lynn Synder, PT.

PUBLIC COMMENT

I. APPROVAL OF THE MINUTES OF MARCH 22, 2016 BOARD MEETING

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to accept the minutes of the March 22, 2016 Board meeting as amended. A vote was taken and the motion carried by a unanimous vote.

II. NEW BUSINESS

A. Continuing Education Course Reviewers' Recommendations

Nancy Kirsch recused herself as she is employed by Rutgers.

The Board reviewed the recommendations of the course reviewers at Rutgers, The State University of New Jersey, for continuing education courses submitted by sponsors for the Board's approval. A motion was made by Karen Wilk and seconded by Jean Bickal to accept the course reviewers recommendations as presented. The 138 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. Eighteen courses were denied, as they did not meet all 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.

B. Inquiry from Edward Chait, CPA
RE: Diagnostic Testing

Mr. Chait inquired if a physical therapist can do the testing for electromyography, nerve conduction study, musculoskeletal ultrasound and neuro-ultrasound. Mr. Chait explained that the test will be analyzed by an outside qualified health entity and the results would be submitted to the physical therapist in order to provide a better course of treatment for the patient.

A motion was made by Nancy Kirsch and seconded by David Bertone to advise Mr. Chait that pursuant to N.J.S.A. 45:9-5.2 *Needle electromyography, interpretation restricted to physicians, surgeons* states that only medical physicians and surgeons can perform electromyography. It also states that a person shall not interpret evoked potentials or nerve conduction studies unless that person is licensed to practice medicine and surgery. The Board will inform Mr. Chait that there is nothing that would preclude a physical therapist from conducting the musculoskeletal ultrasound and neuro-ultrasound tests. A vote was taken and the motion carried by a unanimous vote.

C. Draft Frequently Asked Questions

This was tabled until a future meeting.

D. Inquiry from Nancy Altshulter, PT
RE: Scope of Practice

Ms. Altshulter inquired whether physical therapists in New Jersey can participate directly in feeding students with motor impairments in the schools setting.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to inform Ms. Altshulter that it is permissible provided there is a functional therapeutic goal. A vote was taken and the motion carried by a unanimous vote.

E. Board Discussion
RE: Imaging

A motion was made by Nancy Kirsch and seconded by David Bertone that a physical therapist can refer a patient for diagnostic testing such as imaging, neurodiagnostic testing and any other tests to verify the etiology of a functional impairment provided the results of the test(s) are evaluated by a health care provider who is qualified and permitted to interpret the results. A vote was taken and the motion carried by a unanimous vote.

David Bertone will draft a sample referral form.

- F. Letter from Jayashree Jayaraman
RE: Test of English as a Foreign Language

Ms. Jayaraman asked the Board to waive the Test of English as a Foreign Language (TOEFL) exam as she has a New York physical therapy license and a master's degree from Australia.

A motion was made by Cindy Moore and seconded by Jean Bickal to deny Ms. Jayaraman's waiver request. Ms. Jayaraman must take and pass all sections of the TOEFL pursuant to N.J.A.C. 13:39A-5.7 as she received her entry level physical therapy degree from a foreign educational institution. A vote was taken and the motion carried by a unanimous vote.

- G. Election of Delegate and Alternate Delegate to attend the
Federation of State Boards of Physical Therapy
Annual Meeting (November 3-5, 2016)

A motion was made by Nancy Kirsch and seconded by Jean Bickal to elect Beth Sarfaty as the Delegate, David Bertone as the Alternate Delegate and Barbara Behrens as the second Alternate Delegate to attend the Federation of State Boards of Physical Therapy Annual meeting held on November 3-5, 2016. A vote was taken and the motion carried by a unanimous vote.

III. OLD BUSINESS

- A. Response from Advances in Clinical Education
RE: Course, "Selective Functional Movement Assessment"

Advances in Clinical Education wrote the Board concerning its denial of the course, "Selective Functional Movement Assessment" as the course submission did not include a minimum of five current peer reviewed publications. Advances in Clinical Education provided the Board with additional information.

A motion was made by Barbara J. Behrens and seconded by Richard Stoneking to approve the course, "Selective Functional Movement Assessment" as it now 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.

- B. Board Discussion
RE: Regulations

The Board discussed draft regulations. This matter was tabled until the May 24, 2016 meeting.

- C. Response from Education Resources
RE: Course, "Evaluating and Treating Balance Impairments in Students with Autism Spectrum Disorder"

Education Resources wrote the Board concerning its denial of the course, "Evaluating and Treating Balance Impairments in Students with Autism Spectrum Disorder" as the course submission did not include a minimum of five current peer reviewed publications. Education Resources provided the Board with additional information.

A motion was made by Cindy Moore and seconded by Richard Stoneking to approve the course, "Evaluating and Treating Balance Impairments in Students with Autism Spectrum Disorder" as it now 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.

V. INFORMATIONAL

A. New Jersey Jurisprudence Assessment Module Statistic Report

The Board reviewed the report and considered it informational.

B. Federation of State Boards of Physical Therapy March 2016 News Brief

The Board reviewed the Federation of State Boards of Physical Therapy March 2016 News Brief and considered it informational. The Board noted that the State of Oregon is the first state to join the Physical Therapy Licensure Compact, a system that aims to make it possible for physical therapists and physical therapist assistants to practice in multiple states through a single license and privilege.

C. Federation of State Boards of Physical Therapy NPTE Faculty Newsletter First Quarter 2016

The Board reviewed the Federation of State Boards of Physical Therapy NPTE Faculty Newsletter First Quarter and considered it informational.

D. Settlement letter dated February 9, 2016 In the matter of Jose Mendiola, PT

The Board reviewed a settlement letter dated February 9, 2016 in the matter of Jose Mendiola, PT, and considered it informational.

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

APPLICATIONS APPROVED BY THE BOARD

1. Angela Lim
2. Tyler Milton
3. Jinita Parikh
4. Deepa Kalliath
5. Minal Goswami
6. Jan Vincent Galang
7. Monique Ilagan
8. Vidhi Shastri
9. Kunal Pathak

APPLICATIONS NOT APPROVED BY THE BOARD

1. Charlene Delrosario
2. Swaty Puri

ADJOURNMENT

The Board returned to Public Session and a motion was made by David Bertone and seconded by Nancy Kirsch to adjourn the meeting at 1:30 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Tadeo
Executive Director