

NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS
PUBLIC SESSION MINUTES
May 23, 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 Somerset Room, 6th Floor, on Tuesday May 23, 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 9:45 a.m. and a roll call was taken and the following attendance was recorded:

CAROLANNE AARON, P.T. Absent
BARBARA J. BEHRENS, P.T.A. Present
JEAN BICKAL, ESQ Absent
MARY 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. Present

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

I. PUBLIC COMMENT:

No comment from the public at this time.

II. APPROVAL OF THE MINUTES OF THE APRIL 25, 2006 BOARD MEETING

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

APPEARANCES:

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

1. WARREN TOLENTINA

Warren Tolentina appeared before the Board to request a waiver of the T.O.E.F.L requirement for foreign educated individuals applying for licensure. Mr. Tolentina is applying for licensure as a physical therapist by examination in the State of N.J. He was educated in the Philippines, graduating in 1998 and received his professional as well as undergraduate education in the English language. He took the TOEFL exam in 2002 and passed it but is unable to supply an official copy of the score to the Board beyond two years.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Tolentina a waiver of the TOEFL requirement based on the fact that his professional as well as his undedergraduate education was conducted in the English language and he demonstrated proficiency in the English language. The motion carried by a unanimous vote.

2. Edison Abejuela

Edison Abejuela appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Abejuela is applying for licensure as a physical therapist by examination in the State of N.J. He was educated in the Philippines, graduating in 1996 and received his professional as well

as his undergraduate education in the English language. He never took the TOEFL exam.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Abejuela a waiver of the TOEFL requirement based on the fact that his professional as well as his undergraduate education was conducted in the English language. The motion carried by a unanimous vote.

3. Benjamin Acosta

Benjamin Acosta appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Acosta is applying for licensure in N.J. as a physical therapist by examination. He was educated in the Philippines, graduating in 1997 and received his professional as well as his undergraduate education in the English language. He took the new TOEFL exam and failed one section.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Acosta a waiver of the TOEFL requirement based on the fact that his professional as well as his undergraduate education was conducted in the English language and he demonstrated proficiency in the English language. The motion carried by a unanimous vote.

4. Nelo Bonocan

Nelo Bonocan appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Bonocan is applying for licensure as a physical therapist by endorsement in the State of N.J. He was educated in the Philippines, graduating in 1997 and received his professional as well as his undergraduate education in the English language. He took and did not pass the TOEFL exam. He did pass the NPTE exam for licensure in New York.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Bonocan 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 in the English language. The motion carried by a unanimous vote.

5. Maria Campanano

Maria Campana appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Campanano is applying for licensure as a physical therapist by endorsement in the State of N.J. She was educated in the Philippines, graduating in 1999 and received her professional as well as her undergraduate education in the English language. She advised the Board that she never took the TOEFL exam. She is licensed in California and took and passed the NPTE exam.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Campanano a waiver of the TOEFL requirement based on the fact that her professional as well as her undergraduate education was conducted in the English language. The motion carried by a unanimous vote.

6. Henrietta De Maisip

Henrietta De Maisip appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. De Maisip is applying for licensure as a physical therapist by endorsement in the State of New Jersey. She was educated in the Philippines, graduating in 1999 and received her professional as well as her undergraduate education in the English language. She advised the Board that she took the TOEFL exam and passed it but it was more than two years ago and she is unable to supply an official copy of the score to the Board. She passed the NPTE in 2003 and became licensed in New York.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. De Maisip a waiver of the TOEFL requirement based on the fact that her professional as well as her undergraduate education was conducted in the English language. The motion carried by a unanimous vote.

7. Ma Grace Espinas

Ma Grace Espinas appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Espinas is applying for licensure as a physical therapist by examination in the State of N.J. She was educated in the Philippines, graduating in 2001 and received her professional as well as her undergraduate education in the English language. She advised the Board that she never took the TOEFL exam.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Espinas 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 in the English language. The motion carried by a unanimous vote.

8. Maria Conception Repingco

Maria Conception Repingco appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Repingco is applying for licensure as a physical therapist by examination in the State of New Jersey. She was educated in the Philippines, graduating in 1999 and received her professional as well as her undergraduate education in the English language. She advised the Board that she never took the TOEFL exam.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Repingco a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate education was in the English language and she demonstrated proficiency in the English language. The motion carried by a unanimous vote.

9. Priyadarshini Ramdas

Priyadarshini Ramdas appeared before the Board to request a waiver of the TOEFL requirement for foreign educated applying for licensure as a physical therapist in the State of N.J. She was educated in India, graduating in 2001 and received her professional as well as her undergraduate education in the English language. Ms. Ramdas advised the Board that she took the TOEFL exam more than two years ago and attained a passing score of 223 but cannot have an official copy of the score reported to the Board.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Ramdas a waiver of the TOEFL requirement based on the fact that her professional as well as her undergraduate education was conducted in the English language and she demonstrated proficiency in the English language. The motion carried by a unanimous vote.

10. Ned Lloyd Ruiz

Ned Lloyd Ruiz appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Ruiz is applying for licensure as a physical therapist by endorsement in the State of N.J. He was educated in the Philippines, graduating in 1995 and received his professional as well as his undergraduate education in the English language. He advised the Board that he took the TOEFL exam in 2003 and passed but is unable to report the official score to the Board after two years. He is licensed in New York and passed the NPTE exam.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Ruiz a waiver of the TOEFL requirement based on the fact that his professional as well as his undergraduate education was conducted in the English language and he demonstrated proficiency in the English language. The motion carried by a unanimous vote.

11. Mark Abel Misluhani

Mark Abel Misluhani appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Misluhani is applying for licensure as a physical therapist by endorsement in the State of N.J. He was educated in the Philippines, graduating in 2001 and received his professional as well as undergraduate education in the English language. He advised the Board that he took the TOEFL exam in 2002 and passed. Since it is beyond the two years an official copy of the scores cannot be reported to the Board. He is licensed in North Carolina and passed the NPTE in 2002.

12. Howard Hermano

Howard Hermano appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Hermano is applying for licensure by endorsement in the State of New Jersey. He was educated in the Philippines, graduating in 2002 and received his professional as well as his undergraduate education in the English language. He advised the Board that he took the TOEFL exam in 2002 and passed it but because it is beyond two years the official score cannot be reported to the Board. He is licensed in Wisconsin, Washington, DC. and Virginia and passed the NPTE in 2002.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Hermano 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 in the English language. The motion carried by a unanimous vote.

13. Nikita Jain

Nikita Jain appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Jain is applying for licensure as a physical therapist by endorsement in the State of N.J. She was educated in India, graduating in 1992 and received her professional as well as undergraduate education in the English language. She advised the Board that she took the TOEFL exam in 1993 and obtained a score of 610. Since it is beyond two years she is unable to have the official score reported to the Board. She is licensed in New York and took and passed the NPTE in 1993.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Jain a waiver of the TOEFL requirement based on the fact that his professional as well as her undergraduate education was conducted in the English language and she demonstrated proficiency in the English language. The motion carried by a unanimous vote.

14. Enrico Indigo

Enrico Indigo appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Indigo is applying for licensure as a physical therapist by endorsement in the State of N.J. He was educated in the Philippines, graduating in 1994 and received his professional as well as undergraduate education in the English language. He advised the Board that he took the TOEFL exam in 2000 with a passing score but cannot have an official score supplied to the Board because it is beyond two years. He is licensed in New York since 1996 and passed the NPTE exam.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Indigo 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 in the English language. The motion carried by a unanimous vote.

15. Jackson Kilongo

Jackson Kilongo appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Kilongo is applying for licensure as a physical therapist by examination in the State of New Jersey. He was educated in South Africa and Kenya, graduating in 1986 and received his professional as well as his undergraduate education in the English language. He advised the Board that he

attained a Masters Degree in 2005 and worked ten years in Kenya.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Kilongo 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 in the English language. The motion carried by a unanimous vote.

16. Jessy Gavon

Jessy Gavon appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure as a physical therapist by endorsement in the State of N.J. He was educated in the Philippines, graduating in 2000 and received his professional as well as his undergraduate education in the English language. He is licensed in New York and passed the NPTE exam in 2005.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Gavon 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 in the English language. The motion carried by a unanimous vote.

17. Ghandi Tauro

Ghandi Tauro appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Tauro is applying for licensure as a physical therapist by endorsement in the State of N.J. She was educated in India, graduating in 1999 and received her professional as well as her undergraduate education in the English language. She advised the Board that she took the TOEFL exam in 2006 and failed two sections. She is licensed in New York and passed the NPTE exam.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Tauro a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate education was in the English language and she demonstrated proficiency in the English language. The motion carried by a unanimous vote.

18. Pauline Agregado

Pauline Agregado appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Agregado is applying for licensure as a physical therapist by endorsement in the State of N.J. She was educated in the Philippines, graduating in 1995 and received her professional as well as her undergraduate education in the English language. She advised the Board that she took the TOEFL exam in 2003 and passed and is licensed in New York, Arkansas and Indiana.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Agregado a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate education was in the English language and she demonstrated proficiency in the English language. The motion carried by a unanimous vote.

19. Brinda Panchal

Brinda Panchal appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Ms. Panchal is applying for licensure as a physical therapist by endorsement in the State of N.J. She was educated in India, graduating in 1999 and received her professional as well as her undergraduate education in the English language. She advised the Board that she took the TOEFL exam in 2002 and passed it. She took the NPTE exam and passed and is licensed in New York.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Ms. Panchal a waiver of the TOEFL requirement based upon the fact that her professional as well as her undergraduate

education was in the English language and she demonstrated proficiency in the English language. The motion carried by a unanimous vote.

20. Paul Liangco

Paul Liangco appeared before the Board to request a waiver of the TOEFL requirement for foreign educated individuals applying for licensure. Mr. Liangco is applying for licensure as a physical therapist by endorsement in the State of N.J. He received his professional education in the Philippines, graduating in 2002 and received his undergraduate education in the U.S. graduating from Toms River High School South in N.J. He passed the NPTE exam and became licensed in New York in September, 2004.

Upon a motion made by Susan Quick and seconded by Jeffrey Erickson, the Board voted to grant Mr. Liangco a waiver of the TOEFL requirement based upon the fact that his professional as well as his undergraduate education was in the English language and he demonstrated proficiency in the English language. The motion carried by a unanimous vote.

III. NEW BUSINESS:

A. CE Audit Approval Question

The Board voted to table this matter.

B. Appeal for Denial of CE Course from Cross Country Education

The Board reviewed the appeal submitted by Cross Country Education for denial of their course for continuing education, "Manually Managing Pain-Simple Contact for Neural Tension and Chronic Pain". The Board denied the course for the following reason: while the credentials of the presenter are very appropriate for providing a physical therapy continuing education course, it was felt that the broad and varied audience, including individuals who cannot perform many of the activities covered in the program in New Jersey requires the course to be taught at a level that is not appropriate for post-professional physical therapy continuing education.

The Board voted to table this matter until the Continuing Education Committee has had an opportunity to consider the appeal.

C. Question from David DeMareo, P.T.

RE: PTA Scope of Practice

Mr. DeMareo faxed some questions to the Board regarding the practice of a physical therapist assistant. Mr. DeMareo asked whether physical therapist assistants are allowed to perform joint mobilization.

The Board will advise Mr. DeMareo that the New Jersey Practice Act does not address this question specifically but it is not considered part of the entry level education of a physical therapist assistant. The physical therapist must take responsibility for any intervention that they would delegate to a physical therapist assistant when preparing a plan of care.

D. New Jersey Register

The Chairperson of the Board, Nancy Kirsch, reviewed the New Jersey Register and determined that there was nothing that applied to physical therapy either in the proposed or adopted regulations.

E. Question from Vandana Farinhas, P.T.

RE: Iontophoresis Treatment

Ms. Farinhas submitted questions regarding Iontophoresis treatment. The Board will advise Ms. Farinhas that the patient must bring their own prescription medication to each treatment session to be used by the physical

therapist. The physical therapist, with the patient's permission, can store the medication in a safe place for the patient but the medication can only be used for that specific patient. The physical therapist should consult with the manufacturer or pharmacist as to the best way to store the prescription medication.

IV. OLD BUSINESS:

A. Continuing Education course approval by an outside agency for N.J. State Board of Physical Therapy Examiners

The Executive Director will send a letter to the New Jersey Chapter of the American Physical Therapy Association and the University of Medicine and Dentistry of New Jersey asking for detailed proposals regarding the approval of continuing education courses for the New Jersey State Board of Physical Therapy Examiners by an outside agency.

The Board will accept proposals from any other agencies interested in approving courses for the Board.

The Board also addressed the new requirement for an Ethics course and a Jurisprudence course. The requirements to have four (4) continuing education credits in these two areas will be proposed in "Sunsetting". Since it will be almost half way through the biennial renewal period before the regulation is adopted, the Board will make this requirement effective as of February 1, 2008.

IV. INFORMATIONAL:

A. N.J. State Board of Medical Examiners May 10, 2006 Open board Agenda

The Board reviewed the Open Board Agenda of May 10, 2006 for the N.J. State Board of Medical Examiners and considered it informational.

B. N.J. State Board of Medical Examiners May 10, 2006 Disciplinary Matters Pending Conclusion

The Board reviewed the Disciplinary Matters Pending Conclusion of the N.J. State Board of Medical Examiners for May 10, 2006 and considered it informational.

C. N.J. State Board of Medical Examiners April 19, 2006 Open Board Agenda

The Board reviewed the Open Board Agenda for April 19, 2006 of the N.J. State Board of Medical Examiners and considered it informational.

D. N.J. State Board of Medical Examiners April 19, 2006 Disciplinary Matters Pending Conclusion

The Board reviewed the Disciplinary Matters Pending Conclusion of the N.J. State Board of Medical Examiners for April 19, 2006 and considered it informational.

E. N.J. State Board of Medical Examiners March 8, 2006 Open Board Minutes

The Board reviewed the Open Board Minutes of the N.J. State Board of Medical Examiners for March 8, 2006 and considered it informational.

F. N.J. State Board of Medical Examiners March 8, 2006 Disciplinary Matters Pending Conclusion

The Board reviewed the Disciplinary Matters Pending Conclusion of the N.J. State Board of Medical Examiners for March 8, 2006 and considered it informational.

G. N.J. State Board of Medical Examiners February 22, 2006 Disciplinary Matters Pending Conclusion

The Board reviewed the Disciplinary Matters Pending Conclusion of the N.J. State Board of Medical Examiners

for February 22, 2006 and considered it informational.

H. N.J. State Board of Medical Examiners February 23, 2006 Disciplinary Matters Pending Conclusion

The Board reviewed the Disciplinary Matters Pending Conclusion of the N.J. State Board of Medical Examiners for February 22, 2006 and considered it informational.

I. N.J. State Board of Medical Examiners February 8, 2006 Open Board Agenda

The Board reviewed the Open Board Agenda for February 8, 2006 of the N.J. State Board of Medical Examiners and considered it informational.

J. N.J. State Board of Medical Examiners February 8, 2006 Disciplinary Matters Pending Conclusion

The Board reviewed the Disciplinary Matters Pending Conclusion of the N.J. State Board of Medical Examiners for February 8, 2006 and considered it informational.

K. N.J. Board of Chiropractic Examiners April 20, 2006 Public Session Agenda

The Board reviewed the Public Session Agenda of the N.J. Board of Chiropractic Examiners for April 20, 2006 and considered it informational.

L. N.J. Board of Chiropractic Examiners March 16, 2006 Public Session Minutes

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

M. Statement from the American Physical Therapy Association

RE: OIG Report

The Board reviewed the statement from the American Physical Therapy Association regarding the billing of physical therapy services in physician offices as a major problem for the Medicare program. The Board will forward a copy of this report from the Office of the Inspector General to the N.J. Department of Banking and Insurance. The Board considered this report and its recommendations and considered it informational.

N. APTA Legislative Update

The Board reviewed the APTA Legislative update and considered it informational.

O. FSBPT Call for Research Proposals

The Board reviewed the FSBPT call for research proposals and considered it informational.

P. Newsletter - Louisiana State Board of Physical Therapy Examiners

The Board reviewed the Louisiana State Board of Physical Therapy Examiners Newsletter and considered it informational.

Q. Newsletter - Arizona State Board of Physical Therapy Examiners Newsletter

The Board reviewed the Arizona State Board of Physical Therapy Examiners Newsletter and considered it informational.

R. New Jersey State Board of Nursing

Adopted Amendments: N.J.A.C. 13:37-2.3 and 5.5

The Board reviewed the New Jersey State Board of Nursing's adopted amendments to N.J.A.C. 13:37-2.3 and 5.5 and considered it informational.

S. N.J. State Board of Nursing
Continuing Education
Adopted New Rule: N.J.A.C. 13:37-5.3 and
Adopted Amendment: N.J.A.C. 13:37-5.4

The Board reviewed the N.J. State Board of Nursing Continuing Education, Adopted New Rule: N.J.A.C. 13:37-5.3 and Adopted Amendment: N.J.A.C. 13:37-5.4 and considered it informational.

T. FSBPT News Brief - May 23, 2006

The Board reviewed the FSBPT News Brief of May 23, 2006 and considered it informational.

U. Notification of Adjournment of the Orthotics and Prosthetics Board of Examiners Meeting - May 23, 2006

The Board reviewed the notification of the adjournment of the Orthotics and Prosthetics Board of Examiners meeting on May 23, 2006 and considered it informational.

V. FSBPT May, 2006 News Brief

The Board reviewed the FSBPT News Brief of May, 2006 and considered it informational.

Upon a motion made by Mary Browne and seconded by Karen Wilk, the Board voted 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. Two complaints or matters filed with the Board, which requires review and additional recommendations with regard to investigations and/or actions.
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 Barry Inglett and seconded by Karen Wilk to adjourn the meeting at 3:00 PM. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Susan H. Gartland
Executive Director