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Division of Consumer Affairs
New Jersey State Board of Physical Therapy Examiners
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NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

PUBLIC SESSION MINUTES

MAY 24, 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 May 24, 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.	Excused
BETH SARFATY, P.T.	Present
RICHARD STONEKING, P.T.	Present
KAREN WILK, P.T.	Excused

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

Members of the public: Jessica Fulmino, PT and Daniel Klim, Executive Director of the APTA-NJ

PUBLIC COMMENT

APPROVAL OF THE MINUTES OF APRIL 26, 2016 BOARD MEETING

A motion was made by Nancy Kirsch and seconded by David Bertone to accept the minutes of the April 26, 2016 Board meeting as amended. A vote was taken and the motion carried by a unanimous vote.

I. 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 Barbara J. Behrens and seconded by Jean Bickal to accept the course reviewers recommendations as presented. The 29 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. A vote was taken and the motion carried by a unanimous vote.

- B. Inquiry from Rhodora C. Fontillas, PT
RE: Tele-rehabilitation

Ms. Fontillas inquired whether certain scenarios with regard to telemedicine were permitted in New Jersey.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to inform Ms. Fontillas that N.J.S.A. 45:9-37.13 and N.J.A.C. 13:39-2.1 requires an examination, evaluation and diagnosis as well as therapeutic intervention. There must be rendering of care in conjunction with education, therefore, telemedicine is currently not permitted. A vote was taken and the motion carried by a unanimous vote.

- C. Inquiry from Robert Marsico, PT
RE: Independent Medical Exams

Mr. Marsico inquired whether a physical therapist could perform independent medical evaluations in New Jersey.

A motion was made by Barbara J. Behrens and seconded by Jean Bickal to inform Mr. Marsico that he would need to provide the Board with more information in order for the Board to answer his question. A vote was taken and the motion carried by a unanimous vote.

- D. Letter from Cross Country Education
RE: Course, "Cognitive Rehabilitation and Memory Enhancement"

Cross Country Education wrote the Board concerning its denial of the course, "Cognitive Rehabilitation and Memory Enhancement" as the course submission did not include a minimum of five current peer reviewed publications. Cross Country Education provided the Board with additional information.

A motion was made by Barbara J. Behrens and seconded by Richard Stoneking to approve the course, "Cognitive Rehabilitation and Memory Enhancement" 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.

- E. Letter from Cross Country Education
RE: Course, "Differential Diagnosis of the Lumbar Spine, Pelvis, and Hip Region"

Cross Country Education wrote the Board concerning its denial of the course, "Differential Diagnosis of the Lumbar Spine, Pelvis, and Hip Region" as the course submission did not include a minimum of five current peer reviewed publications. Cross Country Education provided the Board with additional information.

A motion was made by Barbara J. Behrens and seconded by Richard Stoneking to approve the course, "Differential Diagnosis of the Lumbar Spine, Pelvis, and Hip Region" 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.

- F. Letter from North American Seminars
RE: Refund or Credit Request

North American Seminars asked the Board for a refund or credit for a course that was replaced by another course.

A motion was made by Jean Bickal and seconded by David Bertone to allow North American Seminars a one time credit. A vote was taken and the motion carried by a unanimous vote.

- G. Letter from Summit Professional Education
RE: Course, "Kinesiology Taping for Geriatrics"

Summit Professional Education wrote the Board concerning its denial of the course, "Kinesiology Taping for Geriatrics" as the course submission did not include a minimum of five current peer reviewed publications. Cross Country Education provided the Board with additional information.

A motion was made by David Bertone and seconded by Richard Stoneking to approve the course, "Kinesiology Taping for Geriatrics" 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.

- H. Inquiry from Kathleen Mullen, RN
RE: Licensure

Ms. Mullen informed the Board that she is interested in pursuing a physical therapist assistant degree. Ms. Mullen informed the Board that she has disciplinary action against her New Jersey nursing license and asked if that would cause a problem with obtaining a physical therapist assistant license in the future.

A motion was made by Jean Bickal and seconded by David Bertone to inform Ms. Mullen that the Board will consider her application for a physical therapist assistant license and supporting documentation at the time that she applies. A vote was taken and the motion carried by a unanimous vote.

- I. Letter from Education Resources
RE: Course, "Practical Application of Neuroscience in the Classroom"

Education Resources wrote the Board concerning its denial of the course, "Practical Application of Neuroscience in the Classroom" 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 Barbara J. Behrens and seconded by Richard Stoneking to approve the course, "Practical Application of Neuroscience in the Classroom" 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.

- J. Letter from Education Resources
RE: Course, "New and Exciting Advances in Technology and Evidence Based Strategies for the School Based Therapist"

Education Resources wrote the Board concerning its denial of the course, "New and Exciting Advances in Technology and Evidence Based Strategies for the School Based Therapist" 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 Barbara J. Behrens and seconded by Richard Stoneking to approve the course, "New and Exciting Advances in Technology and Evidence Based Strategies for the School Based Therapist" 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.

II. OLD BUSINESS

- A. Charles Manning, Regulatory Analyst
RE: Regulations

The Board discussed draft regulations.

- B. Board Discussion
RE: Imaging

At its April 26, 2016 meeting, the Board voted 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.

David Bertone provided an example of a referral form that he utilized in his office. The Board considered the example informational.

- C. Response from Franceah Palencia, PT
RE: Continuing Education

Beth Sarfaty recused herself as she worked with Ms. Palencia.

Ms. Palencia informed the Board that she was scheduled to take a seminar on January 23, 2016 to complete the continuing education requirement but she could not attend the seminar due a blizzard. Ms. Palencia asked the Board to grant her an extension to complete the remaining credits due to the circumstances.

At its February 23, 2016 meeting the Board granted Ms. Palencia a sixty day extension to complete the remaining continuing education credits due to the circumstances.

Ms. Palencia provided the Board with a copy of the remaining continuing education credits. A motion was made by Nancy Kirsch and seconded by Richard Stoneking to accept the credits and to close this matter. A vote was taken and the motion carried by a unanimous vote.

D. Response from Svetlana Malkin, PT
RE: Continuing Education

Ms. Malkin asked the Board to be allowed to complete the continuing education requirement via distance learning courses due to the care schedule of her newborn child.

At its December 8, 2015 meeting the Board granted Ms. Malkin a three month extension to complete the continuing education requirement.

Ms. Malkin provided the Board with a copy of the 30 required continuing education credits. A motion was made by Jean Bickal and seconded by Nancy Kirsch to accept the credits and to close this matter. A vote was taken and the motion carried by a unanimous vote.

E. Response from William J. Gilligan, PT
RE: Continuing Education

Mr. Gilligan asked the Board for an extension to complete the continuing education requirement due to his medical condition.

At its January 26, 2016 meeting the Board granted Mr. Gilligan a four month extension to complete the continuing education requirement.

Mr. Gilligan provided a copy of the 30 continuing education credits but did not provide any credits in Ethics. Mr. Gilligan informed the Board that he could not locate an ethics course.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to inform Mr. Gilligan that he can complete a distance learning ethics course. The Board will also inform Mr. Gilligan that there are some ethics courses on the course approval list that is posted on the Board's website. A vote was taken and the motion carried by a unanimous vote.

F. Response from Alex Sekirin, PT
RE: Continuing Education

Mr. Sekirin informed the Board that he was scheduled to take a seminar on January 24, 2016 in Atlantic City, New Jersey to complete the continuing education requirement but he could not attend the seminar due to the snow blizzard. Mr. Sekirin asked the Board to grant him an extension to complete the remaining credits due to the circumstances.

At its February 23, 2016 meeting the Board granted Mr. Sekirin a sixty day extension to complete the remaining continuing education credits due to the circumstances.

Mr. Sekirin provided the Board with a copy of the remaining continuing education credits. A motion was made by Nancy Kirsch and seconded by Richard Stoneking to accept the credits and to close this matter. A vote was taken and the motion carried by a unanimous vote.

G. Draft Frequently Asked Questions

The Board reviewed additional draft frequently asked questions for the Board's website.

III. 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
Comment Summary and Candidate Satisfaction Survey Report

The Board reviewed the Federation of State Boards of Physical Therapy Comment Summary and Candidate Satisfaction Survey Report and considered it informational.

C. Texas Attorney General Opinion
RE: Dry Needling

Upon a motion made by Barbara J. Behrens and seconded by Nancy Kirsch, 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. Binita Shivram Patel
2. Jayashree Jayaraman
3. Kyung-Wen Park
4. Sasi Kala A. Villa
5. Michaela B. Bonleon
6. Nematullah Vasowala
7. Shweta D. Dhumak
8. Hemali Shah
9. Bhavani Kovi
10. Harshit Shah

ADJOURNMENT

The Board returned to Public Session and a motion was made by Jean Bickal and seconded by Richard Stoneking to adjourn the meeting at 1:00 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Tadeo
Executive Director