

New Jersey State Board of Physical Therapy

Public Session Minutes

March 25, 2003

A regular meeting of the New Jersey State Board of Physical Therapy was held at 124 Halsey Street, Newark, New Jersey, in the Somerset Room, 6th Floor, on Tuesday, March 25, 2003. The meeting was convened in accordance with the schedule filed with the Secretary of State and was conducted in accordance with the provisions of the Open Public Meetings Act. Barry Inglett, Chairman 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:

LEE ANN GUENTHER, P.T.	Present
BARRY INGLETT, P.T.	Present
NANCY R. KIRSCH, P.T.	Present
DENNISE KRENCICKI, P.T.	Present
SCOTT NADLER, D.O.	Absent
GARY SAVANDER, P.T.	Present
JOHN WARD, P.T.	Present
KAREN E. WILK, P.T.	Present

Also present were:

Susan H. Gartland, Executive Director; Carmen A. Rodriguez, Deputy Attorney General; Chanita R. Lucky, Assistant to the Executive Director; Kathy Mairella, President-APTA-NJ; Kenneth Maily, APTA-NJ

IV. APPROVAL OF THE MINUTES OF THE FEBRUARY 25, 2003 BOARD MEETING

Upon a motion made by Nancy Kirsch and seconded by Gary Savander, the Board voted to accept the minutes of the February 25, 2003 Board meeting as amended. The motion carried by a unanimous vote.

V. OLD BUSINESS:

A. NEW JERSEY REGISTER REVIEW-CHAIRMAN INGLETT

Chairman Inglett advised the Board that there was nothing pertaining to physical therapy in the March, 2003 New Jersey Register that was not already listed on the agenda

VI. INFORMATIONAL:

A. NJ STATE BOARD OF MEDICAL EXAMINERS-OPEN BOARD AGENDA-MARCH 12, 2003

The Board considered this matter informational.

B. NJ STATE BOARD OF MEDICAL EXAMINERS-OPEN BOARD MINUTES-JANUARY 8, 2003

The Board considered this matter informational.

C. NJ STATE BOARD OF MEDICAL EXAMINERS-DISCIPLINARY MATTERS PENDING CONCLUSION-MARCH 12, 2003

The Board considered this matter informational.

D. NJ STATE BOARD OF MEDICAL EXAMINERS-DISCIPLINARY MATTERS PENDING CONCLUSION-JANUARY 8, 2003

The Board considered this matter informational.

E. DIVISION OF CONSUMER AFFAIRS-ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS-PROPOSED READOPTION WITH AMENDMENT: N.J.A.C. 13:44H

The Board considered this matter informational.

F. DIVISION OF CONSUMER AFFAIRS-ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS

The Board considered this matter informational.

G. ARIZONA STATE BOARD OF PHYSICAL THERAPY-NEWSLETTER-JANUARY 2003

The Board considered this matter informational.

H. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION AGENDA-FEBRUARY 27, 2003

The Board considered this matter informational.

I. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION MINUTES-DECEMBER 5, 2002

The Board considered this matter informational.

J. OCCUPATIONAL THERAPY ADVISORY COUNCIL-PUBLIC SESSION AGENDA-MARCH 25, 2003

The Board considered this matter informational.

K. FEDERATION SPRING EDUCATION MEETING

The Board considered this matter informational.

L. COMMENTS FROM LEE ANN GUENTHER, P.T.

The Board considered this matter informational.

M. NY TIMES ARTICLE RE: HEALTHSOUTH

The Board considered this matter informational.

APPEARANCES:

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

1. Mr. Jeffrey Borja

Jeffrey Borja appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure.

Mr. Borja is applying for licensure 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. Borja has plans to work in New Jersey. Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Mr. Borja a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

2. Ms. Julissa Cruz

Julissa Cruz appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. Cruz is applying for licensure by examination in the State of New Jersey. She was educated in Bolivia and received her professional as well as undergraduate education in the English language. Ms. Cruz has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Ms. Cruz a waiver of the TOEFL requirement based on the fact that her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

3. Mr. Jin Bo Jung

Jin Bo Jung appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. Jung is applying for licensure by examination in the State of New Jersey. He was educated in Korea and received his professional as well as undergraduate education in the English language. Mr. Jung took the TOEFL examination and received a score of 570 (with the passing score being 550) however TOEFL does not keep scores beyond two years. Mr. Jung has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Mr. Jung a waiver of the TOEFL requirement based on the fact that he received a passing score on the TOEFL examination, his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

4. Ms. Marisol Saulog

Marisol Saulog appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. Saulog is applying for licensure by endorsement in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English

language. Ms. Saulog took the TOEFL examination and received a score of 270 (with the passing score being 217) however TOEFL does not keep scores beyond two years. Ms. Saulog has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Ms. Saulog a waiver of the TOEFL requirement based on the fact that she received a passing score on the TOEFL examination, her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

5. Ms. Rowena Sayson

Ms. Sayson did not appear for the TOEFL Waiver

6. Ms. Aimee Sesaldo

Aimee Sesaldo appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. Sesaldo is applying for licensure by endorsement in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English language. Ms. Sesaldo has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Ms. Sesaldo a waiver of the TOEFL requirement based on the fact that her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

7. Mr. Rogelio Urbano

Rogelio Urbano appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. Urbano is applying for licensure by examination 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. Urbano has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Mr. Urbano a waiver of the TOEFL requirement based on the fact that his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

8. Mr. Fred Valmeo

Mr. Valmeo did not appear for the TOEFL Waiver

9. Ms. Almira Yu

Almira Yu appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. Yu is applying for licensure by endorsement in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English language.

Ms. Yu has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Ms. Yu a waiver of the TOEFL requirement based on the fact that her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

10. Mr. Zharez Zafra

Zharez Zafra appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. Zafra is applying for licensure by examination 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. Zafra has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Mr. Zafra a waiver of the TOEFL requirement based on the fact that his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

11. Mr. Darayl Junerubi

Darayl Junerubi appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. Junerubi is applying for licensure by examination 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. Junerubi has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by Lee Ann Guenther, the Board voted to grant Mr. Junerubi a waiver of the TOEFL requirement based on the fact that his professional as well as undergraduate education was conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

VII. NEW BUSINESS:

A. INQUIRY FROM PAUL MARTIN, P.T. RE: PT PRACTICE OWNERSHIP

The Board considered an inquiry from Mr. Martin, who is a physical therapist and a consultant in the State of New Jersey. Mr. Martin wrote to the Board to inquire whether there are regulations in place at the current time regarding the ownership of a physical therapy practice. The Board will advise Mr. Martin that there are no regulations currently in place; however, only a licensed physical therapist may bill for or provide physical therapy services.

B. INQUIRY FROM DR. ALI MAZANDARANI RE: NERVE CONDUCTION

The Board considered an inquiry from Dr. Mazandarani, who wrote to the Board to inquire whether it is permissible for physical therapists to perform non-invasive nerve conduction under the supervision of a physician. The Board will advise Dr. MAZANDARANI that as non-invasive nerve conduction is within the scope of physical therapy practice, physical therapists may perform it without the supervision of a physician.

C. INQUIRY FROM DONALD LEVENSON, PT RE: P.T. PRACTICE OWNERSHIP

The Board considered an inquiry from Mr. Levenson, a physical therapist, who wrote to the Board to determine whether there are regulations in place at the current time regarding the ownership of a physical therapy practice. The Board will advise Mr. Levenson that he should contact an attorney regarding his inquiry, as there are currently no regulations in place regarding business practices.

D. INQUIRY FROM MARK EISENBERG, P.T. RE: PHYSICAL THERAPY PRESCRIPTIONS

The Board considered an inquiry from Mr. Eisenberg, a physical therapist, regarding physical therapy prescriptions. Mr. Eisenberg wrote to determine whether it is permissible for insurance companies to change a physician's written prescription. The Board will advise Mr. Eisenberg that this is not permissible as the insurance company does not have any authority over the prescription and can only determine reimbursement issues.

E. STANDARDS FOR REFERRAL

The Board reviewed the Standards for Referral and Consultation with Licensed Health Care Professionals and amended it to include: "In the event that a patient does not have a designated licensed health care professional, the physical therapist will recommend that the patient obtain one"

Upon a motion made by Nancy Kirsch and seconded by John Ward, the Board voted to accept the revised Standards for Referral. The motion carried by a unanimous vote.

F. REVIEW OF P.T. CARE VS. P.T. PRACTICE

The Board's rules and regulations committee will discuss this matter at the April 15, 2003 meeting.

APPLICATIONS APPROVED BY THE BOARD:

1. Gemma T. Pedraza-PT-Exam Only
2. Charmaine C. Tababan-PT-Exam Only
3. Daryl J. Rubi-PT-Exam Only
4. Joseph C. Morales-PT-Exam Only
5. Jin B. Jung-PT Exam Only
6. Leonida G. Villao-PT-Endorsement/IN
7. Zharez M. Zafra-PT-Endorsement/IN
8. Enrico F. Basilio-PT-Endorsement/NY
9. Benjamin Z. Fabian-PT-Endorsement/NY
10. Julissa Cruz-PT-Exam Only
11. Charles H. Iglupa-PT-Exam Only
12. Emily A. Ompoc-PT-Endorsement/MO/IN

13. Hernani N. Pantinople-PT-Endorsement/NY/FL/PA
14. Agnes B. Paqueo-PT-Endorsement/NY
15. Gabriel E. Reventar-PT-Endorsement/NY
16. Alan V. Rojo-PT-Endorsement/NY/VT
17. Alston P. Samonte-PT-Exam Only
18. Marie J. Stewart-PT-Exam Only
19. Arlene S. Tolentino-PT-Endorsement/NY/IN
20. Rogelio Urbano Jr-PT-Endorsement/NY
21. Maria A. Verosa-PT-Exam Only
22. Baby J. Go-PT-Exam Only
23. Lorelei C. Jubay-PT-Endorsement/IN
24. Jhandy J. Pasion-PT-Exam Only

APPLICATIONS NOT APPROVED BY THE BOARD:

1. Sherwin G. Darunday-PT-Exam Only-Requires Social Security Number
2. Jethro A. Gatdula-PT-Exam Only-Requires Social Security Number

ADJOURNMENT:

Upon a motion made by Nancy Kirsch and seconded by Lee Ann Guenther, 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. Seven complaints or matters filed with the Board which require review and additional recommendations with regard to investigation and/or actions.
2. Three matters where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

Susan H. Gartland, Executive Director
