

State Board of Physical Therapy Examiners

Public Session Minutes

June 24, 2003

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, June 24, 2003. The meeting was convened 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:

MARY B. BROWNE, P.T.	Present
BARRY INGLETT, P.T.	Present
NANCY R. KIRSCH, P.T.	Present
DENNISE KRENCICKI, P.T.	Present
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; Lora Sellmeyer, Assistant to the Executive Director; Jake Gertsman, Regulatory Analyst; Kathy Mairella, President-APTA-NJ; Kenneth Maily, APTA-NJ

I. APPROVAL OF THE MINUTES OF THE MAY 27, 2003 BOARD MEETING

Upon a motion made by John Ward and seconded by Karen Wilk, the Board voted to accept the minutes of the May 27, 2003 Board meeting as amended. The motion carried by a unanimous vote.

II OLD BUSINESS:

A. NEW JERSEY REGISTER REVIEW-CHAIRMAN INGLETT

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

B. REVIEW OF DRAFT AMENDMENTS-JAKE GERTSMAN, REGULATORY ANALYST

The Board, along with Regulatory Analyst, Jake Gertsman, reviewed the draft regulations and made changes to them. The Regulatory Analyst will bring them back to the July 22, 2003 Board meeting.

C. CORRESPONDENCE FROM RICHARD L. READ, P.T. RE: EMG/NCV

The Board considered correspondence from Mr. Read, a physical therapist, who wrote to the Board to

inquire whether it was permissible for physical therapists to conduct EMG/NCV. The Board will advise Mr. Read that this is permissible so long as it is non-invasive and supportable by the patient records as a necessary part of the evaluation and treatment of a patient. The Board will also advise Mr. Read that the Board is currently in the process of drafting regulations that will deal specifically with this procedure.

D. CORRESPONDENCE FROM SHERRI HEWITT, P.T. RE: ALTERNATIVE CARE

The Board considered an inquiry from Ms. Hewitt, a physical therapist also licensed as a personal trainer. Ms. Hewitt wrote to the Board to inquire whether she may function in both capacities simultaneously and whether a prescription is required to do so. The Board will advise Ms. Hewitt that effective, February 13, 2003, new statutory language was adopted that permits the consumers of New Jersey direct access to physical therapy, thereby, no prescription for physical therapy services is required, except for reimbursement purposes and automobile accidents. The Board will also advise Ms. Hewitt that she must always identify herself as a physical therapist to the patient, regardless of how she is functioning.

E. INQUIRY FROM LAURA GRIBBIN, ESQ RE: EMPLOYMENT OF P.T.'S BY CHIROPRACTORS

The Board considered an inquiry from Ms. Gribbin, an attorney. Ms. Gribbin wrote to inquire whether chiropractors may employ physical therapists. Ms. Gribbin also inquired whether it is permissible for physical therapist to perform VAX-D therapy. The Board will advise Ms. Gribbin that currently there are no statutes or regulations regarding business practices in place, however, only a licensed physical therapist or other authorized health professional may provide or bill for physical therapy services. The Board will also advise Ms. Gribbin that physical therapist are permitted to perform VAX-D therapy, however, the physical therapist must determine if this is a necessary part of treatment.

F. INQUIRY FROM RICHARD P. FRISCIA, P.T., OCS, ATC RE: DIRECT ACCESS

The Board considered correspondence from Mr. Friscia, a physical therapist. Mr. Friscia wrote to the Board to offer some suggestions on the new statute. The Board will thank Mr. Friscia for his suggestions and will take them into consideration during the review and amendments of the current statutes.

III. INFORMATIONAL:

A. CHANGE OF MEETING DATE-NJ BOARD OF CHIROPRACTIC EXAMINERS-JUNE 26, 2003 MEETING

The Board considered this matter informational.

B. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION AGENDA-JUNE 19, 2003

The Board considered this matter informational.

C. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION MINUTES-APRIL 17, 2003

The Board considered this matter informational.

D. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION AGENDA-MAY 22, 2003 AND PUBLIC SESSION MINUTES MARCH 27, 2003

The Board considered this matter informational.

E. ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS-PUBLIC SESSION AGENDA-JUNE 3, 2003

The Board considered this matter informational.

F. CHANGE OF MEETING DATE-OCCUPATIONAL THERAPY ADVISORY COUNCIL-JULY 22, 2003

The Board considers this matter informational.

G. COMMISSION ON GRADUATES OF FOREIGN NURSING SCHOOLS-NEWS RELEASE JUNE 2003

The Board considers this matter informational.

H. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS-OPEN AGENDA JUNE 11, 2003

The Board considers this matter informational.

I. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS-OPEN BOARD MINUTES-APRIL 9, 2003

The Board considers this matter informational.

J. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS-OPEN AGENDA-DISCIPLINARY MATTERS PENDING CONCLUSION-JUNE 11, 2003

The Board considers this matter informational.

K. FEDERATION NEWS BRIEFS-JUNE 2003

The Board considers this matter informational.

APPEARANCES:

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

1. Jocelyn Olmilla

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

Ms. Olmilla 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. Olmilla has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by John Ward, the Board voted to grant Ms. Olmilla a waiver of the TOEFL requirement based upon 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.

2. Christopher Panganiban

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

Ms. Panganiban 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. Panganiban has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by John Ward, the Board voted to grant Mr. Panganiban a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education as conducted in the English language and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.

3. Sherine Manalo

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

Ms. Manalo 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. Manalo has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by John Ward, the Board voted to grant Ms. Manalo a waiver of the TOEFL requirement based upon 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.

4. Agnes Vidal

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

Ms. Vidal 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. Vidal took the TOEFL examination in 1997 and received a score of 250, with the passing score being 213 (TOEFL does not report scores beyond a two year time period) Ms. Vidal has plans to work in New Jersey.

Upon a motion made by Nancy Kirsch and seconded by John Ward, the Board voted to grant Ms. Vidal a waiver of the TOEFL requirement based upon 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.

IV NEW BUSINESS:

A. INQUIRY FROM LISA L. RESZKOWSKI, P.T. RE: PHYSICAL THERAPY IN A SCHOOL SETTING

The Board considered an inquiry from Ms. Reszkowski, a physical therapist who wrote to the Board regarding documentation. Ms. Reszkowski inquired whether it is necessary to write detailed progress notes for children receiving physical therapy treatment within the school system. The Board will advise the therapist that she may note that the patient was treated, however, detailed notes are not required.

B. DIVISION OF ARCHIVES AND RECORDS MANAGEMENT-PROPOSED NEW RULES: N.J.A.C. 15:3

The Board considered this matter informational.

C. KATHLEEN K. MAIRELLA, P.T., MA , PRESIDENT AMERICAN PHYSICAL THERAPY ASSOCIATION OF NEW JERSEY RE: APPROVED RECOMMENDATIONS FOR CONTINUING EDUCATION COMMITTEE

The Board will hold discussion on this matter at the July 22, 2003 Board meeting.

D. CORRESPONDENCE FROM MARY JANE HARRIS, P.T. MS, DIRECTOR APTA DEPARTMENT OF ACCREDITATION RE: ACCREDITATION STATUS DECISIONS-APRIL 30, 2003

The Board considered this matter informational.

E. REVIEW OF ASSEMBLY BILL NUMBER 3782

New Jersey Medical Service Corps Act

The Board reviewed Assembly Bill Number 3782, which establishes the New Jersey Medical Service Corps in the Department of Health and Senior Services. The purpose of the NJMSC is to utilize and coordinate the skills of practicing and retired physicians, nurses and other licensed health care professionals, who volunteer to enroll in NJMSC, to provide medical care without charge to low-income patients whose care is not covered by any public or private third party payer.

The Board supports this bill, as it is in the best interest of the citizens of New Jersey.

F. INQUIRY FROM MARK EISENBERG RE: PT SIGNATURES

The Board considered an inquiry from Mr. Eisenberg, a physical therapist. Mr. Eisenberg inquired whether physical therapists are required to list their license numbers with their signatures. The Board will advise Mr. Eisenberg that physical therapist are required to list their license numbers when signing their names.

G. INQUIRY FROM MARKLEY RODERICK RE:

The Board considered an inquiry from Mr. Roderick, an attorney, who wrote to the Board to inquire whether chiropractors may employ physical therapists. The Board will inform Mr. Roderick that there are currently no statutes or regulations regarding business practices in place, however, only a licensed physical therapist or other authorized health professional may provide or bill for physical therapy services.

H. INQUIRY FROM GINA BRUNETTI-ZACCARIA RE:

The Board considered an inquiry from Ms. Brunetti-Zaccaria, a physical therapist, regarding the supervision of physical therapist assistants. Ms. Brunetti-Zaccaria inquired whether it is permissible for a physical therapist assistant to treat a student without the on-site supervision of a physical therapist. The Board will inform the therapist that PTA's must be supervised onsite at all times while performing physical therapy treatment.

I. REVIEW OF SENATE BILL NUMBER 2556

APPLICATIONS APPROVED BY THE BOARD:

1. Agnes Vidal-PT-Endorsement/NY

2. Julio Victorio-PT-Exam Only
3. Sherine M. Manalo-PT-Endorsement/NY
4. Llandro E. Lander-PT-Exam Only
5. Jonathan Lontok-PT-Endorsement/NY
6. Jocelyn O. Olmilla-PT-Endorsement/NY
7. Christopher N. Panganiban-PT-Exam Only
8. Janet R. Ronquillo-PT-Exam Only
9. Mary Ann Supan-PT-Exam Only

ADJOURNMENT:

Upon a motion made by John Ward and seconded by Mary Browne, the Board voted to adjourn Public Session and to 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 require review and additional recommendations with regard to investigations and/or actions.
2. Six matters where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

Susan H. Gartland, Executive Director
