



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey State Board of Physical Therapy Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



JOHN J. HOFFMAN
Acting Attorney General

STEVE C. LEE
Acting Director

NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

PUBLIC SESSION MINUTES

July 28, 2015

Mailing Address:
P.O. Box 45014
Newark, NJ 07101
(973) 504-6455

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 July 28, 2015. 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.	Excused

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

Members of the public: Cathy Chin, representative of Select Medical; Jessica Fulmino, PT; legal interns with the Division of Consumer Affairs, Eric Sarraga, Mallory Kowalczyk and Dona Trnovska

The Board acknowledged Mary Browne's ten years of service on the Board. The Board also welcomed Richard Stoneking to the Board.

PUBLIC COMMENT

I. APPROVAL OF THE MINUTES OF JUNE 23, 2015 BOARD MEETING

A motion was made by Nancy Kirsch and seconded by David Bertone to accept the minutes of the June 23, 2015 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 Jean Bickal and seconded by David Bertone to accept the course reviewer's recommendations as presented. The 55 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. Ten 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. Letter from Lukas DeLorenzo, PT
RE: Strapping

Mr. DeLorenzo provided a list of particular forms of taping/strapping and asked whether they were eligible to be billed as strapping.

A motion was made by Nancy Kirsch and seconded by David Bertone to advise Mr. DeLorenzo that taping/strapping is within the scope of practice of physical therapy. The Board does not have jurisdiction regarding billing eligibility. A vote was taken and the motion carried by a unanimous vote.

- C. Discussion with Charles Manning, Regulatory Analyst
RE: Abandonment of Application

The Board met with Charles Manning, Regulatory Analyst to discuss a draft regulation concerning applications that can be deemed abandoned and administratively closed.

A committee of the Physical Therapy Board will meet with the Executive committee of the Board of Medical Examiners in the near future concerning the Board's draft additional language for N.J.A.C. 13:39A-2.2(e)1 and 2 specifically concerning when it would be appropriate for a physical therapist to conduct a breast examination and/or a pelvic internal examination.

- D. Assembly No. 4497
(Synopsis - Prohibits courts and professional boards from denying professional licenses to child support obligors under certain circumstances)
- Introduced June 1, 2015

The Board reviewed Assembly No. 4497 and considered it informational.

- E. Assembly No. 4672
(Synopsis - Repeals law suspending certain licenses, registrations and certifications for failure to repay student loans)
- Introduced June 29, 2015

The Board reviewed Assembly No. 4672 and considered it informational.

- F. Inquiry from Dawn Goodson, PTA
RE: Continuing Education

Ms. Goodson informed the Board that her license is inactive. Ms. Goodson inquired whether the Board would allow her license to be reactivated prior to her completing the continuing education requirement for reactivation due to her financial hardship.

A motion was made by Nancy Kirsch and seconded by Jean Bickal to deny Ms. Goodson's request. The Board will advise Ms. Goodson that she must complete the continuing education requirement prior to her license being reactivated as it is a statutory requirement. A vote was taken and the motion carried by a unanimous vote.

- G. Letter from Khushboo Bhagat
RE: Test of English as a Foreign Language

Ms. Bhagat asked the Board to waive the Test of English as a Foreign Language (TOEFL) exam.

Ms. Bhagat received her physical therapy degree from a foreign educational institution. It is required by N.J.A.C. 13:39A-5.7 that an applicant for licensure who has received his or her physical therapy training in a country other than the United States provide the Board with evidence that he or she took and passed all sections of the TOEFL.

A motion was made by Nancy Kirsch and seconded by Jean Bickal to deny Ms. Bhagat's waiver request. Ms. Bhagat 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.

- H. Letter from Mohamed Elhamadany
RE: Test of English as a Foreign Language

Mr. Elhamadany asked the Board to waive the Test of English as a Foreign Language (TOEFL) exam as he has a New York physical therapy license and received a transitional Doctorate of Physical Therapy from a university in the United States.

Mr. Elhamadany received his physical therapy degree from a foreign educational institution. It is required by N.J.A.C. 13:39A-5.7 that an applicant for licensure who has received his or her physical therapy training in a country other than the United States provide the Board with evidence that he or she took and passed all sections of the TOEFL.

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

III. OLD BUSINESS

- A. Deloria Chambers - Applicant
RE: Test of English as a Foreign Language (TOEFL)

The Board voted at its March 25, 2014 meeting to accept Ms. Chambers TOEFL scores. Ms. Chambers wrote a subsequent letter which was considered at the Board's June 23, 2015 meeting.

A motion was made by Cindy Moore and seconded by David Bertone to uphold the Board's original decision made at its March 25, 2014 meeting. The Board rescinds its determination made at its June 23, 2015 meeting. A motion was made and the motion carried by a unanimous vote.

- B. Letter from Ottobock
RE: Course "Stance Control to Orthotronic Mobility C Brace"
- Lecturer

Ottobock advised the Board that the approved course, "Stance Control to Orthotronic Mobility C Brace" will be given with a new course lecturer and provided a copy of Kevin Lysaght's Curriculum Vitae for its review as well as a list of continuing education courses that Mr. Lysaght completed and taught within the past five years.

A motion was made by Nancy Kirsch and seconded by Cindy Moore to acknowledge that the qualifications of Kevin Lysaght as lecturer for the course "Stance Control to Orthotronic Mobility C. Brace" were supported by his Curriculum Vitae. The Board approved the substitute lecturer. A vote was taken and the motion carried by a unanimous vote.

- C. Letter from the Institute for Continuing Education
RE: Course "Practical Sign Language"
- Lecturer

The Institute for Continuing Education advised the Board that the approved course, "Practical Sign Language" will be given with a new course lecturer and provided a copy of Kathy Walton's Curriculum Vitae for its review as well as a list of continuing education courses that Ms. Walton completed and taught within the past five years.

A motion was made by Jean Bickal and seconded by Barbara J. Behrens to acknowledge that the qualifications of Kathy Walton as lecturer of the course "Practical Sign Language" were supported by her Curriculum Vitae. The Board approved the substitute lecturer. A vote was taken and the motion carried by a unanimous vote.

- D. Federation of State Boards of Physical Therapy
Annual Meeting (October 15-17, 2015)

David Bertone informed the Board that he cannot attend the FSBPT Annual meeting.

A motion was made by Nancy Kirsch and seconded by Jean Bickal to elect Richard Stoneking as the third Alternate Delegate to attend the Federation of State Boards of Physical Therapy Annual meeting held on October 15-17, 2015. A vote was taken and the motion carried by a unanimous vote.

IV. FOR YOUR INFORMATION

A. New Jersey Jurisprudence Assessment Module Statistic Report

The Board reviewed the New Jersey Jurisprudence Assessment Module and considered it informational.

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

APPLICATIONS APPROVED BY THE BOARD

1. Anna Dulay
2. Magdalena Bochenska
3. Lourdes Lopez
4. Ishani Shah
5. Aries Bergado
6. Hemaliben Patel

APPLICATIONS NOT APPROVED BY THE BOARD

1. Sejal Mair
2. Tulsi Desai
3. Runzun Shetye
4. Priti Balodi
5. Anita Pinto
6. Catherine Sims
7. Khaled Nasr

ADJOURNMENT

The Board returned to Public Session and a motion was made by David Bertone and seconded by Barbara J. Behrens 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