

**NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS
PUBLIC SESSION MINUTES**

November 25, 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, November 25, 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 9:45 a.m. and a roll call was taken and the following attendance was recorded:

BARRY INGLETT, P.T.	Present
MARY B. BROWNE, 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; Lora Sellmeyer, Assistant to the Executive Director
Members of the public: Kathy Mairella, President-APTA-NJ; Kenneth Maily, APTA-NJ; Greg Doerr, D.C.; Bob Haley, D.C.; Devon Graff, Regulatory Analyst

I. APPROVAL OF THE MINUTES OF THE OCTOBER 28, 2003 BOARD MEETING

Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, the Board voted to accept the minutes of the October 28, 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 New Jersey Register that was not already listed on the agenda.

B. CORPORATE PRACTICE

Carmen Rodriguez, DAG handed out information for review to the Rules and Regulations Committee.

C. EDUCATIONAL REQUIREMENTS

Board members Nancy Kirsch and Dennise Krencicki are working on Board policy that will be used by the Board staff in determining what CLEP courses and other courses will be accepted in fulfillment of the general education requirements for foreign educated applicants. It was determined that most math courses would be accepted. The

CLEP natural science exam cannot be a substitute for a one semester physics course. Nancy Kirsch and Dennise Krencicki will continue to work on the policy for general education requirements for applicants.

III INFORMATIONAL:

A. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD MINUTES SEPTEMBER 10, 2003

This matter was considered informational.

B. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN BOARD AGENDA NOVEMBER 12, 2003

This matter was considered informational.

C. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN AGENDA DISCIPLINARY MATTERS PENDING CONCLUSION NOVEMBER 12, 2003

D. NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS- OPEN AGENDA DISCIPLINARY MATTERS PENDING CONCLUSION SEPTEMBER 10, 2003

This matter was considered informational.

E. NEW JERSEY BOARD OF CHIROPRACTIC EXAMINERS- PUBLIC SESSION MINUTES SEPTEMBER 25, 2003

This matter was considered informational.

F. NEW JERSEY BOARD OF CHIROPRACTIC EXAMINERS - PUBLIC SESSION AGENDA NOVEMBER 20, 2003

This matter was considered informational.

G. APTANJ - PETITION FOR RULEMAKING- BOARD OF CHIROPRACTIC EXAMINERS 13:44E- 2.12 REFERRAL OF PATIENTS TO PHYSICAL THERAPISTS

This matter was considered informational.

H. OCCUPATIONAL THERAPY ADVISORY COUNCIL- MEETING CHANGE DATE FROM 11/18/03 TO 12/9/03

This matter was considered informational.

I. GUIDE TO THE HIPAA PRIVACY RULE

This matter was considered informational.

J. NEW JERSEY REGISTER REVIEW - OCCUPATIONAL THERAPY ADVISORY COUNCIL RULES- READOPTION AND ADOPTED NEW RULES

This matter was considered informational.

K. FSBPT

This matter was considered informational.

IV APPEARANCES:

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

1. Daniel Eskes

Daniel Eskes appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure. Mr. Eskes is applying for licensure as a physical therapist by examination in the State of New Jersey. He was educated in the Netherlands and received his professional as well as his undergraduate education in the English language. He currently is employed as a personal trainer in the professional sports industry (NFL). He has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by John Ward, the Board voted to grant Mr. Eskes 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 a proficiency throughout. The motion carried by a unanimous vote.

2. Ma Elena Donasco

Ma Elena Donasco appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure.

Ms. Donasco is applying for licensure as a physical therapist by endorsement in the State of New Jersey. She was educated in the Phillipines and received her professional as well as undergraduate education in the English language. She is licensed in New York since 1993. She took and passed the TOEFL and TSE but could not have the scores transferred since ETS will not release her score after a period of two years. Ms. Donasco has plans to work in New Jersey.

Upon a motion made by Gary Savander and seconded by John Ward, the Board voted to grant Ms. Donasco 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 a proficiency throughout. The motion carried by a unanimous vote.

V. NEW BUSINESS:

A. REVIEW BOARD POLICIES OF THE NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

The Board reviewed the following policies and revised or eliminated those that have been affected by the changes in the statutes and regulations.

The following policies have been eliminated:

- A. PHYSICIAN ASSISTANT REFERRALS FOR PHYSICAL THERAPY**
- B. SUPERVISION OF PHYSICAL THERAPIST ASSISTANTS BY PHYSICAL THERAPISTS**
- C. ISSUING OF TEMPORARY LICENSES**
- D. DURATION OF REFERRALS FOR PHYSICAL THERAPY**
- E. GROUP THERAPY IN A SCHOOL SETTING**
- F. OUT OF STATE TREATMENT DIRECTION**

The following policy has been revised:

1. CANCELLATION OF APPOINTMENT FOR LICENSING EXAMINATION

The following policy is in the process of being amended:

1. AIDS/HIV POSITIVE PATIENTS FOR PHYSICAL THERAPY

Upon a motion made by Gary Savander and seconded by Nancy Kirsch, the Board voted to make changes to the Board policies as listed above. The motion carried by a unanimous vote.

B. INQUIRY FROM MOJGAN TABATABAI

The Board reviewed an inquiry from Mr. Tabatabai who asked if it is within the scope of physical therapy practice to administer non-invasive surface "TENS" therapy for pain relief. The Board will advise Mr Tabatabai that "TENS" therapy is within the scope of physical therapy practice.

C. NEW JERSEY REGISTER REVIEW BOARD OF CHIROPRACTIC EXAMINERS PROPOSED AMENDMENT: N.J.A.C. 13:44E-2.7 PROPOSED NEW RULE: N.J.A.C. 13:44E2.7A

The Board reviewed the proposed amendment and proposed new rule and determined that their would be no comment on this matter.

D. NEW JERSEY REGISTER REVIEW BOARD OF NURSING PROPOSED NEW RULES: N.J.A.C. 13:37-16 PROPOSED AMENDMENT: N.J.A.C. 13:37-5.5

The Board reviewed the proposed amendment and proposed new rule and determined that their would be no comment on this matter.

E. INQUIRY FROM PAMELA BRUNINI, PTA

The Board reviewed an inquiry from Pamela Brunini, a physical therapist assistant, who asked what the time limit is on prescriptions received for physical therapy from a physician. The Board will advise Ms. Brunini that there are no time limits on prescriptions for treatment and the time limit is determined by the physical therapist.

F. INQUIRY FROM KAREN CHASMAR, PT

The Board reviewed an inquiry received from Karen Chasmar, a physical therapist, who asked if personal and post rehabilitation training is covered under physical therapy scope of practice. Ms. Chasmar would like to offer this to her patients but is concerned about whether she needs to add a rider to her insurance. The Board will advise Ms. Chasmar that they do not license personal trainers but that anything done by a personal trainer is within the scope of physical therapy.

G. INQUIRY FROM FLASTER AND GREENBERG; MARKLEY S. RODERICK, ESQ

The Board reviewed a request from Markley S. Roderick, ESQ for clarification to a response previously sent by the Board in reference to ownership of a physical therapy practice. The Board determined that no further clarification is necessary and the original response was more than adequate.

H. INQUIRY FROM EMILIA STANIK, PT

The Board reviewed an inquiry from Emilia Stanik, a physical therapist, who asked questions in reference to billing. The Board will advise Ms. Stanik to contact the APTANJ office for assistance with this matter over billing practices.

APPLICATIONS APPROVED BY THE BOARD:

1. Dennis Baquiran
2. Inocencia Dominguez

3. Karlo Angelo Fajardo
4. Olga Canon
5. Ma Elena Donasco
6. Joy Lardizabal (Quezon)
7. Elaine Sung
8. Joanne Simbre
9. Rhoda Roldan
10. Helen Isidro (Ocampo)
11. Maricel Alcoverez Torres
12. Edralyne Seth Belarimo
13. Jaime Jumao-as

APPLICATIONS NOT APPROVED BY THE BOARD:

1. Daniel Eskes
2. Subhashini Arigovindan
3. Adina Arsua
4. Richelle Jude Justo Berbano
5. Arlene Arce
6. Mia Olivares
7. Oyenke Fasanya

ADJOURNMENT:

Upon a motion made by Nancy Kirsch and seconded by Karen Wilk, 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. Six complaints or matters filed with the Board which require review and additional recommendations with regard to investigations and/or actions.
2. Four matters where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

Susan H. Gartland, Executive Director
