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

PUBLIC SESSION MINUTES

January 22, 2013

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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 January 22, 2013. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. **Karen Wilk, 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, PT	Present
JEAN BICKAL, ESQ	Present
MARY B. BROWNE, P.T.	Excused
NANCY KIRSCH, P.T.	Excused
CINDY MOORE, P.T.	Present
SUSAN M. QUICK	Excused
BETH SARFATY, PT	Excused
KAREN WILK, P.T.	Present

Also present were: **John Hugelmeyer, Deputy Attorney General; Lisa Tadeo, Executive Director; Gerard Tobia, Administrative Staff**

Members of the public: Brian Mason, PT, representative of the APTA-NJ; Cathy Chin, representative of Select Medical; Earl M. Baker, PhD, representative of Genesis HealthCare and Sigmund Miller, D.C., representative from the Association of New Jersey Chiropractors

I. PUBLIC COMMENT

II. APPROVAL OF THE MINUTES OF DECEMBER 18, 2012 BOARD MEETING

Upon a motion made by Barbara J. Behrens and seconded by Jean Bickal, the Board voted to accept the minutes of the December 18, 2012 Board meeting as amended. A vote was taken and the motion carried by a unanimous vote.

III. NEW BUSINESS

A. Continuing Education Course Reviewers' Recommendations

The Board reviewed the recommendations of the course reviewers at the University of Medicine and Dentistry of New Jersey (UMDNJ) for continuing education courses submitted by sponsors for the Board's approval. A motion was made by Barbara J. Behrens and seconded by Cindy Moore to accept the course reviewers' recommendations as presented. The 71 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. The 1 course that was denied and 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. Inquiry from Deanna Bryant, PT RE: Physical Therapy Treatment

Ms. Bryant wrote the Board to inquire whether or not a complaint can be filed with the New Jersey State Board of Physical Therapy Examiners against a New Jersey licensed physical therapist working on federal property.

A motion was made by David Bertone and seconded by Cindy Moore to advise Ms. Bryant that an individual can submit a complaint to the Board and if necessary, the Board will refer the complaint to the appropriate agency for handling. A vote was taken and the motion carried by a unanimous vote.

C. Inquiry from Marianne Derk RE: Director of Rehab

Ms. Derk wrote the Board to inquire whether or not it is legal/ethical for a physical therapy assistant or an occupational therapist to be a director of a rehab facility.

A motion was made by Barbara Behrens and seconded by Jean Bickal to advise Ms. Derk that a physical therapist assistant can be a director of a rehab facility. The Board will also advise Ms. Derk that if the physical therapist assistant is providing treatment, a physical therapist must be on staff in order to supervise the treatment provided by the physical therapist assistant. A vote was taken and the motion carried by a unanimous vote.

D. Letter from Patricia Jarrell, PTA RE: Continuing Education

Ms. Jarrell wrote the Board to request a six month extension to complete her 20 continuing education credits required to reinstate her physical therapist license. Ms. Jarrell has been the primary caregiver for her ailing grandmother for the past few years.

A motion was made by Barbara J. Behrens and seconded by Cindy Moore to advise Ms. Jarrell that she can complete the remaining 20 continuing education credits online due to her current situation. A vote was taken and the motion carried by a unanimous vote.

- E. Inquiry from Roberta Gallagher, PT
RE: Written orders for physical therapy treatment

Ms. Gallagher wrote the Board to inquiry if the term “other appropriate health care professional” includes orders written by advanced practice nurses for physical therapy.

A motion was made by Cindy Moore and seconded by Jean Bickal to advise Ms. Gallagher that the language requiring physician referral for physical therapy treatment has been removed from the statute, therefore, a prescription or referral is not required for providing physical therapy treatment. The Board will also advise Ms. Gallagher that while patients have direct access to physical therapy services in New Jersey, there may be other laws and regulations in the State of New Jersey or requirements for third party payment that require a prescription/referral for physical therapy treatment and the physical therapist will need to also adhere to those laws and regulations. A vote was taken and the motion carried by a unanimous vote.

- F. Inquiry from Caryn Binder-Bregman, PT
RE: Physical Therapy Preventative Care

Ms. Binder-Bregman wrote the Board to inquiry whether patients can be seen for independent preventative care without a physician’s referral.

A motion was made by Barbara J Behrens and seconded by Cindy Moore, to advise Ms. Binder-Bregman in writing that the language requiring physician referral for physical therapy treatment has been removed from the statute, therefore, a prescription or referral is not required for providing physical therapy treatment. The Board will also advise Ms. Gallagher that while patients have direct access to physical therapy services in New Jersey, there may be other laws and regulations in the State of New Jersey or requirements for third party payment that require a prescription/referral for physical therapy treatment and the physical therapist will need to also adhere to those laws and regulations. A vote was taken and the motion carried by a unanimous vote.

- G. Inquiry from Brian Healey, PT
RE: Continuing Education

Mr. Healey wrote the Board and asked for a waiver of the continuing education requirements for the 2012-2014 renewal period for his physical therapy license. Mr. Healey informed the Board that he spent 2012 in a deployment status and was called to Active Duty to serve in Afghanistan.

A motion was made by Barbara J Behrens and seconded by Jean Bickal to advise Mr. Healey in writing that the Board will waive 15 continuing education credits for the 2012-2014 renewal period as long as he provides proof of his deployment status. A vote was taken and the motion carried by a unanimous vote.

- H. Assembly, No. 3618
(Synopsis- Required certain disclosures in advertisements by health care professionals) - Introduced December 17, 2012

A motion was made by Barbara J Behrens and seconded by David Bertone to advise the Division of Consumer Affairs legislative liaison that the Board supports this bill 3618. A vote was taken and the motion carried by a unanimous vote.

- I. Letter from Rehab Education
RE: Name Change

Ms. Schreiber wrote the Board regarding a name change in the title of 3 approved courses. The course, Kinesio Taping KT 1&2 has been changed to Kinesio Taping Fundamentals & Advanced (KT1 & KT2). The course, Kinesio Taping KT3 Clinical Concepts and Advanced Taping Methods has been changed to Kinesio Taping Advanced Whole Body (KT3). The course Kinesio Taping cert course: KT3 Extended Focus on the UE had been changed to Kinesio Taping Advanced UE Expanded.

A motion was made by Cindy Lane and seconded by David Bertone the Board voted to accept the name changes. A vote was taken and the motion carried by a unanimous vote.

IV. OLD BUSINESS

- A. Board Discussion with Charles Manning, Regulatory Analyst
RE: Continuing Competence

The Board met with Charles Manning, Regulatory Analyst to discuss including continuing competence as another avenue for licensees to obtain continuing education credit.

Heidi Herbst-Paakkonen, a representative from the Federation of State Boards of Physical Therapy, will meet with the New Jersey State Board of Physical Therapy Examiners on February 26, 2013 and present resources that they have developed in areas of continuing education that the Board can consider utilizing.

V. FOR YOUR INFORMATION

- A. Modified Consent Order filed on January 2, 2013
In the Matter of Jon Pallouras, PTA

The Board filed a Modified Consent Order on January 2, 2013 in the matter of Jon Pallouras, PTA. The Board considers this matter to be concluded.

- B. Federation of State Boards of Physical Therapy
December 2012 News Brief

The Board reviewed the Federation of State Boards of Physical Therapy's December 2012 News Brief and considered it informational.

Upon a motion made by Cindy Lane and seconded by Jean Bickal, 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. Seven matters filed with the Board, which require review and additional recommendations with regard to investigations and/or actions.
2. Ten matters where additional information has been submitted to the Board concerning pending investigations.

APPLICATIONS APPROVED BY THE BOARD

1. Madhavi Dhuri
2. Puneeth Kortegeri Prakash
3. Azrielle Guinatang
4. Bayani Anastocio Jr.
5. Niharika Agrawal
6. Surangi Amit Shah
7. Nandini Prasad
8. Mika Agnieszka
9. Criselda Pineda
10. Olubusanyo Seyi-Adeyemo
11. Mayank Bhushan Gupta

APPLICATIONS NOT APPROVED BY THE BOARD

1. Emmabel Dela Cruz
2. Karthikeyan Guru

ADJOURNMENT

The Board returned to Public Session and a motion was made by Cindy Moore and seconded by Jean Bickal to adjourn the meeting at 2:00 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Tadeo
Executive Director