



**CHRIS CHRISTIE**  
Governor

## New Jersey Office of the Attorney General

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



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### NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

**SHARON M. JOYCE**  
Acting Director

### PUBLIC SESSION MINUTES

**April 27, 2010**

**Mailing Address:**

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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 April 27, 2010. 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 9:40 A.M. and a roll call was taken and the following attendance was recorded:

CAROLANNE AARON, P.T.	Present
BARBARA J. BEHRENS, P.T.A.	Present
JEAN BICKAL, ESQ	Excused
MARY B. BROWNE, P.T.	Excused
DENNISE KRENCICKI, P.T.	Present
NANCY KIRSCH, P.T.	Present
CINDY MOORE, P.T.	Present
SUSAN M. QUICK	Present
KAREN WILK, P.T.	Present

Also present were: **Carmen Rodriguez, Deputy Attorney General and Lisa Affinito, Executive Director**

**Members of the public: Barry Inglett, PT, Ben Burton, PT, and Antony Ablanese**

#### I. PUBLIC COMMENT

#### II. APPROVAL OF THE MINUTES OF MARCH 23, 2010 BOARD MEETING

Upon a motion made by Nancy Kirsch and seconded by Barbara J. Behrens, the Board voted to accept the minutes of the March 23, 2010 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

Nancy Kirsch and Dennise Krencicki were recused and did not participate in the discussion.

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 93 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. A vote was taken and the motion carried by a unanimous vote.

- B. Letter from CIAO  
RE: Course, "Recent Advances in Rehabilitation of the Medically Complex Patient"

The Board approved the course, "Recent Advances in Rehabilitation of the Medically Complex Patient" for 2 credits. Cory Tompkins of CIAO advised the Board that the course is actually two and a half hours and asked the Board to approve the course for 2.5 credits.

After the Board reviewed the supporting documentation concerning the length of time of this the course, a motion was made by Cindy Moore and seconded by Barbara J. Behrens to approve this course for 2.5 credits. A vote was taken and the motion carried by a unanimous vote.

- C. Inquiry from Jayanti Ingle  
RE: Discharging a patient

Ms. Ingle inquired whether it is necessary to receive an order to discharge a patient prior to the physical therapist discharging the patient.

A motion was made by Nancy Kirsch and seconded by Cindy Moore to advise Ms. Ingle that pursuant to N.J.A.C. 13:39A-3.8(a)6 if the physical therapist deems the intervention to be unnecessary, it is the physical therapist's responsibility to notifying the referring professional in writing that the intervention is terminated and the reason for the termination. A vote was taken and the motion carried by a unanimous vote.

- D. Letter from Ram Makker  
RE: Requirements for licensure

Mr. Makker informed the Board that the school he graduated from in India no longer exists, therefore, he cannot have the school forward his transcript to the credentialing company. Mr. Makker informed the Board that he has all his original school documents in his possession. Mr. Makker advised the Board that he contacted the Foreign Credentialing Commission on Physical Therapy (FCCPT) and they informed him that he could send notarized copies of his original documents to them and they will then try to verify the documents from India. Mr. Makker further advised the Board that FCCPT informed him that he could also inquire whether the New Jersey State Board of Physical Therapy Examiners would allow FCCPT to use the documents that he provides them without verification.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to advise Mr. Makker that the documents that he provides FCCPT must be notarized and verified. A vote was taken and the motion carried by a unanimous vote.

- E. Letter from the American Physical Therapy Association of New Jersey  
RE: Jurisprudence Course

The American Physical Therapy Association of New Jersey (APTA-NJ) advised the Board that it is interested in assisting the New Jersey State Board of Physical Therapy Examiners in converting its continuing education program on Ethics and New Jersey Jurisprudence into an online education program.

The Board will advise the APTA-NJ that it is permitting sponsors to give jurisprudence internet courses on the New Jersey Physical Therapy Practice Act provided the course content and any subsequent revisions are approved by the Board.

- F. Letter from the International Education Research Foundation  
RE: Coursework Tool for Physical Therapist Assistants

The International Education Research Foundation informed the Board that the Federation of State Boards of Physical Therapy has developed a coursework evaluation tool for physical therapist assistants and inquired whether the New Jersey State Board of Physical Therapy Examiners is accepting applications of foreign trained physical therapist assistants.

A motion was made by Barbara J. Behrens and seconded by Nancy Kirsch to advise the International Education Research Foundation that the Board is not accepting applications of foreign trained physical therapist assistants. A vote was taken and the motion carried by a unanimous vote.

- G. Letter from Quasheema Torrellas  
RE: Licensure

Ms. Torrellas graduated from an entry level doctorate of physical therapy program and applied for a physical therapist license in the New Jersey but has yet to pass the National Physical Therapy Examination. Ms. Torrellas informed the Board that she took and passed the National Physical Therapist Assistant Examination and inquired if she could be licensed as a physical therapist assistant.

A motion was made by Nancy Kirsch and seconded by Carolanne Aaron to advise Ms. Torrellas that she cannot be granted a physical therapist assistant license because she does not meet the licensing requirements for a physical therapist assistant pursuant to N.J.S.A. 45:9-37.34b and N.J.A.C. 13:39A-5.2, specifically the educational requirements. A vote was taken and the motion carried by a unanimous vote.

- H. Letter from Dvir Chen  
RE: TOEFL (Test of English as Foreign Language)

Mr. Chen inquired if the Board would consider granting him a TOEFL waiver.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to advise Mr. Chen that the board denied his TOEFL waiver request as the Board no longer has a regulation which gives them the discretion to grant a waiver, therefore, all applicants must pass the TOEFL examination. A vote was taken and the motion carried by a unanimous vote.

#### IV. OLD BUSINESS

- A. Letter from Prime Rehabilitation Services  
RE: Course, "Interdisciplinary Cognitive Approach for Sub-acute and Long Term Care Clients"

Nancy Kirsch and Dennise Krencicki were recused and did not participate in the discussion.

Vanessa Cardenas wrote the Board concerning its denial of a course they submitted titled, "Interdisciplinary Cognitive Approach for Sub-acute and Long Term Care Clients".

A motion was made by Barbara J. Behrens and seconded by Carolanne Aaron to reaffirm its denial of the course, "Interdisciplinary Cognitive Approach for Sub-acute and Long Term Care Clients" as there was no evidence that the course was offered on a nondiscriminatory basis, the publications were not current peer reviewed journals within the past five years and the sponsor did not include a curriculum vitae of the lecturer. A vote was taken and the motion carried by a unanimous vote.

- B. Response from David Barmak, Esq.  
RE: Continuing Education

Mr. Barmak advised the Board that he represents the New Jersey Society of Independent Physical Therapists, Inc. and inquired what the Board would need in order to consider accepting credits awarded from courses sponsored by the New Jersey Society of Independent Physical Therapists.

The Board advised Mr. Barmak that it would need to review information regarding the course review process utilized by the New Jersey Society of Independent Physical Therapists in order for the Board to determine whether the organization meets the criteria for automatic approval.

Mr. Barmak then provided the Board with the course review process utilized by the New Jersey Society of Independent Physical Therapists.

A motion was made by Nancy Kirsch and seconded by Susan Quick to grant the New Jersey Society of Independent Physical Therapists, Inc. Pre-approved status for continuing education courses sponsored by them for the 2010-2012 renewal period. A vote was taken and the motion carried by a unanimous vote.

- C. Response from Sylvia Zinader, PT  
RE: Continuing Education

Karen Wilk recused herself and did not participate in the discussion.

The Board granted Ms. Zinader an extension to April 1, 2010 to complete the required 30 continuing education credits due to her medical condition.

Ms. Zinader provided the Board with 30 continuing education credits that she took during the Board's granted extension period. A motion was made by Cindy Moore and seconded by Barbara J. Behrens to accept the 30 continuing education credits and consider this matter to be concluded. A vote was taken and the motion carried by a unanimous vote.

- D. Senate No. 848 (Synopsis - Requires health service corporation to encrypt certain information) - Introduced February 1, 2010

The Board advised the Division of Consumer Affairs' legislative liaison that the Board opposes this bill as it is cumbersome, selective and exceeds the Federal requirements.

Charles Manning, Regulatory Analyst, met with the Board concerning S-848. The Board advised Mr. Manning that it would be cumbersome to require the entire profession to change computer systems when the profession is already utilizing computer systems that are in compliance with Federal requirements.

- E. Response from the International Credentialing Association  
RE: Coursework Tool 4

The International Credentialing Association (ICA) inquired when the Board accepted the coursework tool 4, if the Board accepts the Retro Tools and if the Board has retired its own form. The International Credentialing Association also inquired whether the Board accepts the coursework tool 5 for graduates of programs after July 1, 2009.

A motion was made by Nancy Kirsch and seconded by Cindy Moore to accept the Retro Tools. A vote was taken and the motion carried by a unanimous vote.

The Board will advise ICA that effective March 23, 2010 the Board retired its own form and accepted coursework tool 4. The Board will also advise ICA that it accepts the Retro Tools but does not accept coursework tool 5 at this time.

- F. Response from the Trustforte Corporation  
RE: Foreign Credentials Equivalency Evaluation Services

Trustforte Corporation wrote the Board concerning their foreign credentials equivalency evaluation services and asked the Board to consider utilizing their services.

The Board requested that Trustforte Corporation provide it with a copy of the letter that they received from the Federation of State Boards of Physical Therapy (FSBPT) permitting them to use the FSBPT's coursework tool.

Barry Silberzweig of the Trustforte Corporation advised the Board that they have not received from the Federation of State Boards of Physical Therapy a letter permitting them to use its coursework tool.

A motion was made by Barbara J. Behrens and seconded by Susan Quick to advise Mr. Silberzweig that the Board will not utilize the Trustforte Corporation's services as all the agencies that the Board utilizes for foreign credential equivalency evaluations use the Federation of State Boards of Physical Therapy's coursework tool. A vote was taken and the motion carried by a unanimous vote.

**V. FOR YOUR INFORMATION**

- A. Modified Consent Order filed March 23, 2010  
In the matter of Susanne John, PT

The Board is in receipt of a Modified Consent Order filed March 23, 2010 in the matter of Susanne John, PT, for violation of N.J.S.A. 45:9-37.34 and N.J.A.C. 13:39A-9.1 et seq. as she did not complete the thirty (30) continuing education credits prior to January 31, 2008. The physical therapist was issued a \$375.00 civil penalty. The Board considers this matter to be concluded.

- B. Modified Consent Order filed March 23, 2010  
In the matter of Wendy Lucas, PT

The Board is in receipt of a Modified Consent Order filed March 23, 2010 in the matter of Wendy Lucas, PT, for violation of N.J.S.A. 45:9-37.34 and N.J.A.C. 13:39A-9.1 et seq. as she did not complete the thirty (30) continuing education credits prior to January 31, 2008. The physical therapist was issued a \$100.00 civil penalty. The Board considers this matter to be concluded.

- C. Consent Order filed March 23, 2010  
In the matter of Jeremy Van Devender, PT

The Board is in receipt of a Modified Consent Order filed March 23, 2010 in the matter of Jeremy Van Devender, PT, for violation of N.J.S.A. 45:9-37.34 and N.J.A.C. 13:39A-9.1 et seq. as he did not complete the thirty (30) continuing education credits prior to January 31, 2008. The physical therapist was issued a \$500.00 civil penalty. The Board considers this matter to be concluded.

- D. Federation of State Boards of Physical Therapy  
National Physical Therapy Examination Quarterly Faculty Newsletter

The Board reviewed the Federation of State Boards of Physical Therapy's National Physical Therapy Examination Quarterly Faculty Newsletter and considered it informational.

- E. Board of Chiropractic Examiners  
March 25, 2010 Public Session Agenda

The Board reviewed the Board of Chiropractic Examiners March 25, 2010 Public Session Agenda and considered it informational.

- F. Board of Chiropractic Examiners  
December 17, 2009 Public Session Minutes

The Board reviewed the Board of Chiropractic Examiners December 17, 2009 Public Session Minutes and considered them informational.

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- G. New Jersey Board of Medical Examiners  
April 14, 2010 Open Board Agenda

The Board reviewed the New Jersey Board of Medical Examiners April 14, 2010 Open Board Agenda and considered it informational.

- H. New Jersey Board of Medical Examiners  
April 14, 2010 Open Agenda of Disciplinary Matters Pending Conclusion

The Board reviewed the New Jersey Board of Medical Examiners April 14, 2010 Open Agenda of Disciplinary Matters Pending Conclusion and considered it informational.

- I. New Jersey Board of Medical Examiners  
January 13, 2010 Open Board Minutes

The Board reviewed the New Jersey Board of Medical Examiners January 13, 2010 Open Board Minutes and considered them informational.

- J. New Jersey Board of Medical Examiners'  
January 13, 2010 Open Minutes of Disciplinary Matters  
Pending Conclusion

The Board reviewed the New Jersey Board of Medical Examiners January 13, 2010 Open Minutes of Disciplinary Matters Pending Conclusion and considered them informational.

- K. New Jersey Board of Chiropractic Examiners  
April 22, 2010 Public Session Agenda

The Board reviewed the New Jersey Board of Chiropractic Examiners April 22, 2010 Public Session Agenda and considered it informational.

- L. New Jersey Board of Chiropractic Examiners  
January 28, 2010 Public Session Minutes

The Board reviewed the New Jersey Board of Chiropractic Examiners January 28, 2010 Public Session Minutes and considered them informational.

- M. Notification from the Federation of State Boards of Physical Therapy  
RE: Divya Madan

The Board reviewed the notification from the Federation of State Boards of Physical Therapy concerning the action taken by the FSBPT against Divya Madan for posting multiple National Physical Therapy Exam test questions on the Physical Therapy Forum website.

**APPLICATIONS APPROVED BY THE BOARD**

1. Honey Resano
2. Catherine Romasanta Pasco
3. Debby Abarquez

4. Marife Rodrigo
5. Marlyn Cahayag
6. Eugene Landingin
7. Fe M. Tolentino
8. John Buco

#### **APPLICATIONS NOT APPROVED BY THE BOARD**

1. Louisito Pimentel
2. Marian Lorpuz
3. Jaycee Razon
4. Sakina Balsara
5. Esther Du Plessis
6. Annissa Cergent

Upon a motion made by Carolanne Aaron 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. Five 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.

#### **ADJOURNMENT**

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

Respectfully submitted,

Lisa Affinito  
Executive Director