



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

May 27, 2014

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 May 27, 2014. 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, P.T.	Present
JEAN BICKAL, ESQ	Present
MARY B. BROWNE, P.T.	Present
NANCY KIRSCH, P.T.	Present
CINDY MOORE, P.T.	Excused
BETH SARFATY, P.T.	Present
KAREN WILK, P.T.	Present

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

Members of the public: Cathy Chin, representative of Select Medical; Daniel Klim, Executive Director of the APTA-NJ; Jessica Fulmino, PT; Brian Mason, PT, Representative of the APTA-NJ.

PUBLIC COMMENT

Brian Mason, PT commented on the necessity of screenings.

I. APPROVAL OF THE MINUTES OF APRIL 22, 2014 BOARD MEETING

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to accept the minutes of the April 22, 2014 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, formerly 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 Mary Browne and seconded by Barbara J. Behrens to accept the course reviewer's recommendations as presented. The 207 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. Twenty-seven 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. Inquiry from Patrica Judd, PT
RE: Free Screening

Beth Sarfaty recused herself as she received the inquiry from Ms. Judd and forwarded the inquiry to the Board office.

Ms. Judd inquired whether the offering of free screenings and consultations at health fairs and in the office to determine if therapy services are appropriate is permitted.

A motion was made by Nancy Kirsch and seconded by David Bertone to ask Ms. Judd to provide additional information concerning the screening such as what the screening would be used for, what interview tool they are using and what are they observing. A vote was taken and the motion carried by a unanimous vote.

- C. Inquiry from Tejal Ramaiya, PT
RE: Supervision

Ms. Ramaiya wrote the Board to ask if physical therapists are allowed to supervise exercise physiologists and bill.

A motion was made by Nancy Kirsch and seconded by Mary Browne to inform Ms. Ramaiya that an unlicensed person cannot perform physical therapy and a physical therapist cannot bill for physical therapy services rendered by an unlicensed person. A vote was taken and the motion carried by a unanimous vote.

- D. Inquiry from Brady Blaszk, PT
RE: Canine Rehabilitation

Brady Blaszk wrote the Board to ask if a licensed physical therapist can perform canine/pet rehabilitation either with or without a speciality animal certification.

A motion was made by Barbara J. Behrens and seconded by David Bertone to inform Mr. Blaszk that pursuant to N.J.S.A. 45:16-8.1 a licensed physical therapist cannot perform canine/pet rehabilitation. A vote was taken and the motion carried by a unanimous vote.

- E. Inquiry from Cross Country Education
RE: Sign-In Sheets

Mr. Hayzlett wrote the Board to ask if Cross Country Education can use their own sign-in sign-out sheets instead of the one specified by the Board provided all the information was captured.

A motion was made by Barbara J. Behrens and seconded by David Bertone to inform Mr. Hayzlett that Cross Country Education can use their own sign-in sign-out sheets as long as it contains all the information requested by the Board. A vote was taken and the motion carried by a unanimous vote.

F. Inquiry from Astaire Perez, PT
RE: Direct Access

Ms. Perez inquired about the regulation, N.J.A.C. 13:39A-2.5(b), " Not more than thirty (30) days from the date of initial treatment of functional limitation or pain, a licensed physical therapist shall inform the patient's licensed health care professional of record regarding the patient's plan of care. In the event there is no identified licensed health care professional of record, the licensed physical therapist shall recommend that the patient consult with a licensed health care professional of the patient's choice" and direct access.

A motion was made by David Bertone and seconded by Barbara J. Behrens to advise Ms. Perez that in an active treatment situation, the regulation requires the physical therapist to inform the primary care physician of the plan of care within 30 days of initiating treatment. The physical therapist shall refer the patient to the primary care physician of record, if the patient is not making progress. If the physical therapist feels the patient should see the primary care physician, and the patient refuses, the therapist must use his or her professional judgment regarding discontinuing care and making the appropriate referrals at discharge. A patient is free to seek services wherever they would like. The physical therapist shall only enter into a therapeutic relationship with a patient if the physical therapist and patient can establish measurable goals for that plan of care. The regulation that permits direct access to patients in New Jersey permits patients to seek physical therapy services without a referral from a licensed healthcare professional. The regulation guides the physical therapist with regard to when he or she shall inform the primary care professional regarding the plan of care and when the patient must be referred. The professional judgment of the physical therapist must dictate the initial care provided. A vote was taken and the motion carried by a unanimous vote.

G. Inquiry from Karen Litwin, PT
RE: First Aid

Ms. Litwin inquired whether it is within the scope of practice of physical therapy to perform first aid.

A motion was made by David Bertone and seconded by Barbara J. Behrens to ask Ms. Litwin to define what she means by first aid in her inquiry. A vote was taken and the motion carried by a unanimous vote.

III. OLD BUSINESS

A. Response from Stephen Newman, PT
RE: Continuing Education

Mr. Newman wrote the Board to request an extension for his continuing education requirement due to his medical condition. Mr. Newman provided the Board with a letter from his treating physician concerning the history and status of his medical condition

A motion was made by David Bertone and seconded by Barbara J. Behrens to inform Mr. Newman in writing that the Board will grant an extension until October of 2014 to complete the required 30 continuing education credits. The Board will also allow Mr. Newman to complete his continuing education credits through distance learning courses due to his medical condition. A vote was taken and the motion carried by a unanimous vote.

IV. FOR YOUR INFORMATION

- A. Uniform Penalty Letter dated April 7, 2014
In the Matter of Kristine Pepino, PT

The Board reviewed the Uniform Penalty Letter dated April 7, 2014 in the matter of Kristine Pepino, PT and considered it as informational.

- B. Federation of State Boards of Physical Therapy
RE: Comment Summary and Candidate Satisfaction Survey Report

The Board reviewed the Federation of State Boards of Physical Therapy Comment Summary and Candidate Satisfaction Survey Report and considered it as informational.

- C. Article, "Physical Therapy for pets increasing in popularity"

The Board reviewed the article "Physical Therapy for pets increasing in popularity" and considered it as informational.

Upon a motion made by Nancy Kirsch and seconded by Mary Browne, 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. Nine matters filed with the Board, which require review and additional recommendations with regard to investigations and/or actions.
2. Five matters where additional information has been submitted to the Board concerning pending investigations.

APPLICATIONS APPROVED BY THE BOARD

1. Yesha Vashi
2. Namrata Rajderkar
3. Dencel Ray Poluntan
4. Dhanashree Awhad
5. Yvette Franco
6. Manick Rendon

APPLICATIONS NOT APPROVED BY THE BOARD

1. Jyoti Malhotra
2. Mark Salcedo

ADJOURNMENT

The Board returned to Public Session and a motion was made by Nancy Kirsch and seconded by Jean Bickal 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