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NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

PUBLIC SESSION MINUTES

May 28, 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 May 28, 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.	Present
NANCY KIRSCH, P.T.	Present
CINDY MOORE, P.T.	Excused
SUSAN M. QUICK	Present
BETH SARFATY, PT	Present
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;

I. PUBLIC COMMENT

II. APPROVAL OF THE MINUTES OF APRIL 23, 2013 BOARD MEETING

Upon a motion made by Barbara J. Behrens and seconded by Nancy Kirsch, the Board voted to accept the minutes of the April 23, 2013 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 recused herself 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 Mary Browne 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 5 courses that were denied 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 Thomas DiPaolo, PTA RE: Shoulder Subluxations

Mr. DiPaolo inquired whether physical therapists or physical therapist assistants are allowed to manually attempt to reduce a patient's subluxation or if they are required to splint the patient's arm and call the ambulance.

A motion was made by Jean Bickal and seconded by David Bertone to inform Mr. DiPaolo that it is a clinical decision whether to manually attempt to reduce a patient's subluxation or to call an ambulance. A physical therapist can manually reduce a patient's subluxation if the physical therapist is trained and competent to do so. A physical therapist assistant would need to confer with the physical therapist in order to determine the best possible outcome. A vote was taken and the motion carried by a unanimous vote.

C. Inquiry from Joni Bragen RE: Physical Therapy Services in a School Setting

Ms. Bragen inquired whether a physical therapist assistant can perform monthly individualized education program consults.

A motion was made by Mary Browne and seconded by Beth Sarfaty to inform Ms. Bragen that a physical therapist must perform the monthly individualized education program consults as they are analogous to a monthly re-evaluation. A vote was taken and the motion carried by a unanimous vote.

D. Inquiry from Michael Boulos, PT RE: Knee Braces

Mr. Boulos inquired whether physical therapists could fit a patient with a knee brace.

A motion was made by David Bertone and seconded by Mary Browne to inform Mr. Boulos that there is nothing in the New Jersey State Board of Physical Therapy Examiners statutes and regulations that precludes a physical therapist from fitting a patient with knee brace. There may be other laws and regulations in the State of New Jersey that address fitting a patient with a knee brace. A vote was taken and the motion carried by a unanimous vote.

- E. Inquiry from Christine Horvath
RE: Physical Therapist Assistants

Ms. Horvath noted that the regulation states that a physical therapist assistant must practice under the direct supervision of a physical therapist. Ms. Horvath inquired whether the physical therapist needs to be in the same room or same building as the supervising physical therapist.

A motion was made by Barbara J. Behrens and seconded by Nancy Kirsch to direct Ms. Horvath to the regulation, N.J.A.C. 13:39A-7.2 (a), "The licensed physical therapist supervisor shall be in the same building or, where physical therapy is rendered in several contiguous buildings, in one of the contiguous buildings, while the licensed physical therapist assistant is rendering care. The physical therapist supervisor shall be constantly available through electronic communications for consultation or for recall to the area where the licensed physical therapist assistant is rendering care". A vote was taken and the motion carried by a unanimous vote.

- F. Inquiry from Marvin Royal II
RE: Documentation

Mr. Royall inquired whether each note of the patient record needs to be signed by a physical therapist for a physical therapist assistant or if one signature at the bottom of the page is adequate.

A motion was made by Jean Bickal and seconded by Nancy Kirsch to direct Mr. Royal to the regulation, N.J.A.C. 13:39A-3.1(c)1, "The full name, as it appears on the license, of the licensee who rendered care, identification of licensure status (PT or PTA) and license number. This information shall be legible and shall appear at least once on each page of the patient record". A vote was taken and the motion carried by a unanimous vote.

- G. Inquiry from Jill Wing
RE: Documentation

Ms. Wing inquired whether a copy and paste feature can be used to copy past medical history from the doctor's note and paste it into the physical therapy note.

A motion was made by Nancy Kirsch and seconded by David Bertone to advise Ms. Wing that the licensee (physical therapist or physical therapist assistant) is responsible for the content of their note. A vote was taken and the motion carried by a unanimous vote.

- H. Division of Consumer Affairs
State Board of Medical Examiners
Acupuncture Examining Board
Proposed Amendments
Proposed New Rule
Proposed Repeals
- From the April 1, 2013 New Jersey Register

A motion was made by Barbara J. Behrens and seconded by Jean Bickal to refer this to the regulation committee. The regulation committee will prepare a written comment on the proposed amendments and proposed new rule. A vote was taken and the motion carried by a unanimous vote.

VI. OLD BUSINESS

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

A motion was made by Jean Bickal and seconded by Beth Sarfaty to remove the language "online orientation" from the draft regulations. A vote was taken and the motion carried by a unanimous vote.

- B. Inquiry from Michael Knox, PT
RE: Radial Shock Wave Therapy

Mr. Knox inquired whether physical therapists are permitted to perform radial shock wave therapy.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to inform Mr. Knox that a physical therapist can perform radial shock wave therapy if they are trained and competent to do so. A vote was taken and the motion carried by a unanimous vote.

- C. Inquiry from Maria Alfieris, PT
RE: - Personal Training

This matter was tabled until the June 25, 2013 meeting.

VII. FOR YOUR INFORMATION

- A. Federation of State Boards of Physical Therapy
April 2013 News Brief

The Board reviewed the Federation of State Boards of Physical Therapy April 2013 News Brief and considered it informational.

- B. National Physical Therapy Examination
Comment Summary and Candidate Satisfaction Survey Report

The Board reviewed the National Physical Therapy Examination comment summary and candidate satisfaction survey report and considered it informational.

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

APPLICATIONS APPROVED BY THE BOARD

1. Windy Tubalado
2. Maria Toolan
3. Manan Shah
4. Vineela Jagana
5. Mary Torres
6. Joel Laforteza
7. Rizalee Dando
8. Beth Dinsay
9. Virginia Fara Fidellaga Gebusion
10. Ma Christina Pillora
11. Marianne Gatela
12. Himani Tamhane
13. Purvang Kapadia

APPLICATIONS NOT APPROVED BY THE BOARD

1. Bhargav Patel

ADJOURNMENT

The Board returned to Public Session and a motion was made by David Bertone and seconded by Nancy Kirsch 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