



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, 6th Floor, Newark, NJ 07102



PAULA T. DOW
Attorney General

KIM GUADAGNO
Lt. Governor

NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

THOMAS R. CALCAGNI
Acting Director

PUBLIC SESSION MINUTES

June 22, 2010

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 June 22, 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 9:35 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	Present
MARY B. BROWNE, P.T.	Present
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; Lisa Affinito, Executive Director and Christina Pinnola, Law Clerk**

Members of the public: Nadine Banks, Cathy Chin, representative of Select Medical, Kenneth Maily and Brian Mason, PT, representative of the APTA-NJ

I. PUBLIC COMMENT

II. APPROVAL OF THE MINUTES OF MAY 25, 2010 BOARD MEETING

Upon a motion made by Barbara J. Behrens and seconded by Nancy Kirsch, the Board voted to accept the minutes of the May 25, 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 Mary Browne to accept the course reviewers' recommendations as presented. The 43 approved courses and the 1 denied course will be posted on the New Jersey State Board of Physical Therapy Examiners' website. The course, *Parkinson's Disease and ALS*, sponsored by the Institute for Natural Resources was denied as it 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 Ann Crandall
RE: Continuing Education Programs

Ms. Crandall inquired if continuing education sign in sheets should be adjusted if an individual arrives late or leaves early. Ms. Crandall also inquired if the continuing education credits earned should be adjusted if an individual arrives late or leaves early. Ms. Crandall further inquired if the individuals attending a continuing education course still receive the full amount credit if the course ends early or if the course must be time certain in order for the individuals to receive the full amount of credits.

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to advise Ms. Crandall that the continuing education sign in and sign out sheets should reflect the actual time that each individual arrives and leaves. The Board will advise Ms. Crandall that individuals who arrive late or leave early should not receive the full credit for the course and the credit earned should be adjusted. The Board will also advise Ms. Crandall that courses must be for the specified time as approved in order for individuals attending the course to receive full credit.

C. Inquiry from Sheela Iyer, PT
RE: Direct Access

Ms. Iyer inquired whether treatment needs to begin within two weeks of the date on a prescription for insurance purposes even though physical therapists have direct access.

A motion was made by Nancy Kirsch and seconded by Jean Bickal to advise Ms. Iyer that the language requiring a 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. Iyer 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 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.

D. Inquiry from Roberta Geisenheimer, PT
RE: Amedisys, Inc.
Course, "Balance for Life"

Ms. Geisenheimer informed the Board that she could not register for the course, "Balance for Life" sponsored by Amedisys, Inc. as it was not accessible. Ms. Geisenheimer advised the Board that she was informed that the Amedisys, Inc. closed the course to "outsiders".

A motion was made by Nancy Kirsch and seconded by Cindy Moore to advise Amedisys, Inc. that all courses approved by the Board must be offered on a nondiscriminatory basis pursuant to N.J.A.C. 13:39A-9.3 (h). The Board will ask Amedisys, Inc. to inform them if the course, "Balance for Life" is accessible to all physical therapists and physical therapist assistants. The Board will also ask Amedisys, Inc. to inform them how interested individuals could register for this course. A vote was taken and the motion carried by a unanimous vote.

- E. Inquiry from Evelyn Kurdes, PTA
RE: Supervision

Ms. Kurdes inquired whether New Jersey will be allowing physical therapist assistants to practice with indirect supervision.

The Board will advise Ms. Kurdes that physical therapist assistants must practice under the direct supervision of a licensed physical therapist pursuant to N.J.A.C. 13:39A-2.3(a).

- F. Inquiry from Marissa Muccio, PT
RE: Supervision

Ms. Muccio inquired whether certified athletic trainers could be supervised by a licensed physical therapist for the execution of a physical therapy treatment plan.

The Board will advise Ms. Muccio that certified athletic trainers cannot engage in the practice of physical therapy as they are not licensed to practice physical therapy.

- G. Letter from Kelly Mc Ginnis, PT
RE: Continuing Education

Ms. Mc Ginnis advised the Board that she is currently residing in Puerto Rico and is interested in reinstating her New Jersey physical therapy license. Ms. McGinnis asked the Board if they would permit her to complete 40 continuing education credits through distance learning courses as she is unable to attend approved courses while she is residing in Puerto Rico.

A motion was made by Mary Browne and seconded by Cindy Moore to advise Ms. Mc Ginnis that the Board will permit her to complete 40 continuing education credits through distance learning courses due to her circumstances. A vote was taken and the motion carried by a unanimous vote.

IV. OLD BUSINESS

- A. Charles Manning, Regulatory Analyst
RE: Draft Regulations
- Permissible Business Structures

Charles Manning, Regulatory Analyst, met with the Board regarding proposed language for a regulation concerning permissible business structures. A motion was made by Nancy Kirsch and seconded by Jean Bickal to approve the proposed permissible business regulation. A vote was taken and the motion carried by a unanimous vote. The regulation

V. FOR YOUR INFORMATION

- A. Orthotics and Prosthetics Board of Examiners
May 18, 2010 Public Session Agenda

The Board reviewed the Orthotics and Prosthetics Board of Examiners May 18, 2010 Public Session Agenda and considered it informational.

- B. Board of Chiropractic Examiners
May 27, 2010 Public Session Agenda

The Board reviewed the Chiropractic Examiners May 27, 2010 Public Session Agenda and considered it informational.

- C. Board of Chiropractic Examiners
March 25, 2010 Public Session Minutes

The Board reviewed the Chiropractic Examiners March 25, 2010 Public Session Minutes and considered them informational.

- D. New Jersey Board of Medical Examiners
June 9, 2010 Open Board Agenda

The Board reviewed the New Jersey Board of Medical Examiners June 9, 2010 Open Board Agenda and considered it informational.

- E. New Jersey Board of Medical Examiners
June 9, 2010 Open Agenda of Disciplinary Matters Pending Conclusion

The Board reviewed the New Jersey Board of Medical Examiners June 9, 2010 Open Agenda of Disciplinary Matters Pending Conclusion and considered it informational.

- F. New Jersey Board of Medical Examiners
April 14, 2010 Open Board Minutes

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

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

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

H. Signed Settlement letter - Brenden McDonough, PT

The Board is in receipt of a signed Settlement letter from Brenden McDonough, PT. The Board found the physical therapist violated N.J.S.A. 45:1-7.1(b) and (c) in that he failed to renew his license within thirty days of January 31, 2010 renewal period and he continued to practice with an expired license from February 1, 2010 to April 9, 2010. The physical therapist was issued a \$250.00 civil penalty. The Board considers this matter to be concluded.

I. Final Order of Discipline Filed June 1, 2010
In the Matter of Bruce Wollman, PT

The Board is in receipt of a copy of the Final Order of Discipline filed June 1, 2010 in the matter of Bruce Wollman, PT. Mr. Wollman's license to practice physical therapy is suspended until his license to practice physical therapy in the State of Pennsylvania is fully reinstated without any restrictions and he has satisfied all aspects of his criminal conviction.

APPLICATIONS APPROVED BY THE BOARD

1. Alvin Calangi
2. Irshad Merkand
3. Adrian Mosqueda
4. Dvir Chen
5. Ma Syvil Gulle Sombrio
6. Michael Sabol
7. Sophie Chung

APPLICATIONS NOT APPROVED BY THE BOARD

1. Marvin Antonio
2. Lyzander Dilag
3. Jaldip Patel
4. Smita Ankola

Upon a motion made by Nancy Kirsch and seconded by Cindy Moore, 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. Two 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 Mary Browne and seconded by Cindy Moore to adjourn the meeting at 2:30 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Affinito
Executive Director