



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



JEFFREY S. CHIESA
Attorney General

ERIC T. KANEFSKY
Acting Director

NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS

PUBLIC SESSION MINUTES

September 25, 2012

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 September 25, 2012. 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:

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.	Present
SUSAN M. QUICK	Present
BETH SARFATY, PT	Present
KAREN WILK, P.T.	Present

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

Members of the public: Brian Mason, PT, representative of the APTA-NJ; Earl M. Baker, PhD, representative of Genesis HealthCare

I. PUBLIC COMMENT

II. APPROVAL OF THE MINUTES OF AUGUST 14, 2012 BOARD MEETING

Upon a motion made by Barbara J. Behrens and seconded by David Bertone, the Board voted to accept the minutes of the August 14, 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

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 Cindy Moore to accept the course reviewers' recommendations as presented. The 56 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. A vote taken and the motion carried by a unanimous vote.

- B. Letter from Core Seminars
RE: Continuing Education Courses

John Gose of Core Seminars asked the Board to consider them as a continuing education approved provider.

A motion was made by Nancy Kirsch and seconded by David Bertone to advise Mr. Gose that the Board does not pre-approve providers for continuing education courses, the Board currently accepts courses sponsored or given by the American Physical Therapy Association and American Physical Therapy Association - New Jersey Chapter for physical therapists and physical therapist assistants. A vote was taken and the motion carried by a unanimous vote.

- C. Letter from Summit Professional Education
RE: Course, "Kinesiology Taping"
- New Lecturer

Nancy Kirsch recused herself and did not participate in the discussion.

Randy Tatel advised the Board that the approved course, "Kinesiology Taping" will be given with a new course lecturer, Melinda Manganello, PT. Mr. Tatel provided the Board with a copy of Ms. Manganello's Curriculum Vitae for its review.

A motion was made by Beth Sarfaty and seconded by Jean Bickal to acknowledge that the qualifications of Melinda Manganello, PT, as lecturer for the course, "Kinesiology Taping" were supported by her Curriculum Vitae. The Board approved the substitute lecturer. A vote was taken and the motion carried by a unanimous vote.

- D. Inquiry from Janet Mannino, PTA
RE: Physical Education

Ms. Mannino inquired whether she was allowed to assist a special education teacher in implementing the physical education curriculum.

The Board will advise Ms. Mannino that she can consult in the designing of a physical education program for children that are identified as having a need for a modified physical education class in accordance with N.J.A.C. 13:39A-2.1(9).

- E. Inquiry from Chris Ramirez, PT
RE: Referrals

Mr. Ramirez inquired whether chiropractors can directly refer for physical therapy services.

A motion was made by Nancy Kirsch and seconded by Susan Quick to advise Mr. Ramirez that a prescription or referral is not required for providing physical therapy treatment. The Board will also advise Mr. Ramirez 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 Megha Pandya
RE: Test of English as a Foreign Language (TOEFL)

Ms. Pandya asked the Board if they would waive the Test of English as a Foreign Language (TOEFL) exam. The Foreign Credentialing Commission on Physical Therapy (FCCPT) provided the Board with a true copy of Megha Pandya's TOEFL scores from 2005. The Board noted that Ms. Pandya passed three sections and failed one section.

Ms. Pandya received her physical therapy degree from a foreign educational institution. It is required by N.J.A.C. 13:39A-5.7 that an applicant for licensure who has received his or her physical therapy training in a country other than the United States provide the Board with evidence that they took and passed all sections of the TOEFL.

A motion was made by Barbara J. Behrens and seconded by Cindy Moore to deny the waiver as the TOEFL is offered on a continuous basis and she has the opportunity to pass the one section that she failed in order to meet this requirement for licensure. A vote was taken and the motion carried by a unanimous vote.

- G. Inquiry from Linda D'Anton, PT
RE: Posting License

Ms. D'Anton informed the Board that the facility in which she practices is putting in a policy that if a physical therapist does not have his or her license in hand by the renewal expiration date, that physical therapist will be terminated from employment.

A motion was made by Barbara J. Behrens and seconded by Nancy Kirsch that a verification can be obtained by calling 973-273-8090 which will allow the caller to receive an immediate verification by facsimile. A verification can also be obtained by searching the name of the licensee on the New Jersey State Board of Physical Therapy Examiners' website and then printing the verified information. The Board will also advise Ms. D'Anton that the facility can have a policy that is more stringent than State law. A vote was taken and the motion carried by a unanimous vote.

- H. Inquiry from Seung Hyun Kim
RE: Test of English as a Foreign Language (TOEFL)

Prior to applying for licensure, Ms. Kim asked the Board if she needed to take and pass the Test of English as a Foreign Language if she received her physical therapy degree from a foreign educational institution but also graduated from a college in the United States.

A motion was made by David Bertone and seconded by Jean Bickal to advise Ms. Kim that she must take and pass all sections of the TOEFL pursuant to N.J.A.C. 13:39A-5.7 as she received her entry level physical therapy degree from a foreign educational institution. A vote was taken and the motion carried by a unanimous vote.

- I. Inquiry from Moheb S. Botroth
RE: Test of English as a Foreign Language (TOEFL)

The Foreign Credentialing Commission on Physical Therapy (FCCPT) provided the Board with a true copy of Moheb S. Botroth's TOEFL scores from 2004. A motion was made by Nancy Kirsch and seconded by Jean Bickal to advise Mr. Botroth that he will not need to retake and pass the TOEFL examination again as the Board accepted the scores provided by FCCPT and the scores meet the requirements set forth in N.J.A.C. 13:39A-5.7. A vote was taken and the motion carried by a unanimous vote.

IV. OLD BUSINESS

- A. Response from Rehabilitation Healthcareer Association
RE: Physical Therapy Aide and Physical Therapy Technician

At its May 22, 2012 meeting, the Board reviewed information from the website of the Rehabilitation Healthcareer Association. The Board noted that the website offers educational programs for a physical therapy aide certification or a physical therapy technician certification. The Board also noted that the areas of focus for the physical therapy aide certification exam and a physical therapy technician certification exam include therapeutic exercise, therapeutic modalities and patient documentation/evaluation.

Pursuant to N.J.A.C. 13:39A-2.4 an unlicensed person/ancillary personnel cannot instruct and/or perform therapeutic exercise(s) and/or therapeutic activity(s), cannot administer modalities and cannot make notations in the patient's record in relation to clinical treatment.

The Board requested that Rehabilitation Healthcareer Association provide information concerning these programs such as information concerning the curriculum and exam.

After review of Rehabilitation Healthcareer Association's response, a motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to advise them that a physical therapist aide/technician does not have any responsibility for patient care or documentation in the State of New Jersey. A vote was taken and the motion carried by a unanimous vote.

V. FOR YOUR INFORMATION

- A. Federation of State Boards of Physical Therapy
August 2012 News Brief

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

B. Signed Settlement letter - Gena Lentz, PT

The Board is in receipt of a signed Settlement letter from Gena Lentz, PT. The Board found the physical therapist violated N.J.S.A. 45:1-7.1(b) and (c) in that she failed to renew her license within thirty days of the January 31, 2012 renewal period and she continued to practice with an expired license for approximately two months from March 1, 2012 through May 15, 2012. The physical therapist was issued a \$250.00 civil penalty. The Board considers this matter to be concluded.

C. Modified Consent Order filed August 14, 2012
In the Matter of Daniel A. Roig, PT

The Board filed a Consent Order on August 14, 2012 in the matter of Daniel A. Roig, PT, for violation of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:39A-2.2(e) *Authorized practice by a licensed physical therapist*. The Board considers this matter to be concluded.

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

APPLICATIONS APPROVED BY THE BOARD

1. Mary Ivy Lewis
2. Nainesh Patel
3. Amit Mali
4. Hyma Manney
5. Tiffany Guerrero
6. Louverie Rosana
7. Myla Yuzon
8. Mary Jordan
9. Manthan Patel
10. Ma Ronella Daulo
11. Krupa Mehta
12. Froilan Magallanes
13. John Randal Cruz
14. Moheb Botroth
15. Ma Reichel Anacin
16. Venkata Thutipalli
17. Komal Kachhia
18. Nidhi Shah
19. Dhara Shah

APPLICATIONS NOT APPROVED BY THE BOARD

1. Shreenidhi Joshi
2. Carolita Contreras
3. Sweta Shah
4. Gail Medina
5. Alisha Soham Joshi
6. Liliane Scafidi
7. Ankita Dubey

ADJOURNMENT

The Board returned to Public Session and a motion was made by Nancy Kirsch and seconded by Cindy Moore to adjourn the meeting at 2:45 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Affinito
Executive Director