



**CHRIS CHRISTIE**  
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## 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

#### PUBLIC SESSION MINUTES

**October 23, 2012**

**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 October 23, 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 9:35 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.	Excused
NANCY KIRSCH, P.T.	Present
CINDY MOORE, P.T.	Present
SUSAN M. QUICK	Excused
BETH SARFATY, PT	Present
KAREN WILK, P.T.	Present

Also present were: **Olga Bradford, Deputy Attorney General; Lisa Affinito, Executive Director; Gerard Tobia, Administrative Staff**

**Members of the public: Brian Mason, PT, representative of the APTA-NJ; Cathy Chin, representative of Select Medical; Martin Ciner, PT; Barry Inglett, PT; Vincent Buttaci, Esq.; Chandni Gulati and Devyani Patel**

#### I. PUBLIC COMMENT

#### II. APPROVAL OF THE MINUTES OF SEPTEMBER 25, 2012 BOARD MEETING

Upon a motion made by Nancy Kirsch and seconded by Cindy Moore, the Board voted to accept the minutes of the September 25, 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 Jean Bickal to accept the course reviewers' recommendations as presented. The 43 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. The 9 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 Amy Pedulla, PT  
RE: Medication

Ms. Pedulla inquired whether it is within the scope of practice of a physical therapist to discuss side effects of medications with patients.

A motion was made by Barbara J Behrens and seconded by Nancy Kirsch to advise Ms. Pedulla that physical therapists may educate patients concerning their medications as long as it relates to the practice of physical therapy. The Board will also advise Ms. Pedulla that the global education on medications is beyond the scope of practice of physical therapy. The Board will further advise that any questions that are beyond how medication may affect the course of physical therapy should be referred to a physician or another appropriate health care provider. A vote was taken and the motion carried by a unanimous vote.

C. Letter from Dorothy Gillon, PT  
RE: Reinstatement Fee

Ms. Gillon wrote the Board and asked for a waiver for her reinstatement fees. Ms. Gillon informed the Board that she stopped working in New Jersey in mid 2003 and moved to New York. Ms. Gillon also informed the Board that she forgot to place her license in the inactive status when she moved.

A motion was made by David Bertone and seconded by Nancy Kirsch to advise Ms. Gillon that she must pay delinquent biennial renewal fees as it is required by N.J.S.A. 45:1-7.1 and N.J.A.C. 13:39A-5A-3. A vote was taken and the motion carried by a unanimous vote.

D. Letter from Chandni Gulati, PT  
RE: Test of English as a Foreign Language

Ms. Gulati asked the Board to accept her passing TOEFL speaking score from 2006 in combination with her passing TOEFL reading, listening and writing scores from 2012. The Foreign Credentialing Commission on Physical Therapy (FCCPT) provided the Board with a true copy of Ms. Gulati's TOEFL scores form 2006.

A motion was made by Cindy Moore and seconded by Nancy Kirsch to accept the TOEFL scores from 2006 and 2012. A vote was taken and the motion carried by a unanimous vote.

- E. Letter from Brian Mason, PT, to the Division of Consumer Affairs  
RE: Intramuscular Therapy (Dry Needling)

Mr. Mason, PT wrote the Board concerning intramuscular therapy, also known as dry needling.

The New Jersey State Board of Physical Therapy Examiners statutes and regulations do not preclude the use of dry needling techniques for trigger point release by a physical therapist provided the physical therapist is trained and competent in the techniques. The Board of Physical Therapy Examiners does not consider dry needling the practice of acupuncture. The New Jersey Acupuncture Examining Board considers trigger point dry needling by a New Jersey physical therapist to be the unlicensed practice of acupuncture. The unlicensed practice of acupuncture is now a crime of the third degree pursuant to N.J.S.A. 45:2C:21-20.1.

The Division of Consumer Affairs is aware of the views of the New Jersey State Board of Physical Therapy Examiners and the New Jersey Acupuncture Examining Board. The New Jersey State Board of Physical Therapy Examiners is waiting for guidance from the Division of Consumer Affairs concerning this matter.

This matter is still pending with the Division of Consumer Affairs.

The Board reviewed Mr. Mason's letter and considered it informational.

- F. Letter from Arthur Veilleux, PT  
RE: Dry Needling

Mr. Veilleux, PT wrote the Board concerning intramuscular therapy, also known as dry needling.

The Board reviewed Mr. Veilleux's letter and considered it informational.

- G. November 27, 2012 New Jersey State Board of Physical Therapy Examiners meeting

A motion was made by Jean Bickal and seconded by Nancy Kirsch to adjourn the Board's November 27, 2012 meeting due to lack of a quorum. A vote was taken and the motion carried by a unanimous vote.

#### **IV. OLD BUSINESS**

- A. Board Discussion  
RE: Areas of Physical Therapy Practice

The Board discussed drafting regulations concerning areas of physical therapy practice. The Board will have further discussions concerning this matter with Regulatory Analyst, Charles Manning, at a future meeting.

- B. Response 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, Mindy Manganello, PT. Mr. Tatel provided the Board with a copy of Ms. Manganello's Curriculum Vitae for its review.

Upon a motion made by Cindy Lane Moore and seconded by David Bertone to acknowledge that the qualifications of Mindy 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.

- C. Response from PESI Healthcare  
RE: Course, "Challenging Geriatrics Behaviors"  
- New Lecturer

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

Lisa Goyette advised the Board that the approved course, "Challenging Geriatrics Behaviors" will be given with a new course lecturer, Martha Sparks. Ms. Goyette provided the Board with a copy of Ms. Sparks' Curriculum Vitae for its review.

Upon a motion made by Cindy Moore and seconded by David Bertone to acknowledge that the qualifications of Martha Sparks as the lecturer for the course, "Challenging Geriatric Behaviors" were supported by her Curriculum Vitae. The Board approved the substitute lecturer. A vote was taken and the motion carried by a unanimous vote.

Upon a motion made by Jean Bickal 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. Four 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.

## **V. FOR YOUR INFORMATION**

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

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

B. Federation of State Boards of Physical Therapy  
Candidate Satisfaction Survey Report

The Board reviewed the Federation of State Boards of Physical Therapy's Candidate Satisfaction Report and considered it informational.

**ADJOURNMENT**

The Board returned to Public Session and a motion was made by Jean Bickal, Esq. and seconded by Cindy Lane 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 Tadeo  
Executive Director