A regular meeting of the New Jersey State Board of Physical Therapy was held at 124 Halsey Street, Somerset Room, 6th Floor, on Tuesday, June 25, 2002. The meeting was convened in accordance with the schedule filed with the Secretary of State and was conducted in accordance with the provisions of the Open Public Meetings Act. Barry G. Inglett, P.T., Chairman of the Board called the meeting to order at 9:40 a.m. A roll call was taken and the following attendance was recorded:

Catherine M Clancy Excused
Lee Ann Guenther, P.T. Present
BARRY INGLETT, P.T. Excused
Dennise Krencicki, P.T. Present
Leslie K. Marcks, P.T. Present
Scott Nadler, D.O. Present
Gary R. Savander, P.T. Present
John Ward, P.T. Present
Karen E. Wilk, P.T. Present

Also present were: Susan H. Gartland, Executive Director; Carmen A. Rodriguez, Deputy Attorney General; Chanita R. Lucky, Assistant to the Director; Kenneth Mailly, APTA-NJ representative.

IV. APPROVAL OF THE MINUTES OF THE MAY 28, 2002 BOARD MEETING

Upon a motion made by Lee Ann Guenther and seconded by John Ward, the Board voted to accept the minutes of the May 28, 2002 Board meeting as amended. The motion carried by a unanimous vote.

V. OLD BUSINESS:

A. NEW JERSEY REGISTER REVIEW-VICE CHAIRMAN SAVANDER

Vice Chairman Savander advised the Board that there was nothing pertaining to physical therapy in the June 7, 2002 New Jersey Register that was not already listed on the agenda.

B. CORRESPONDENCE FROM THE BOARD OF DIRECTORS OF THE FSBPT RE: UNIFORM PATHWAYS

Board members Dennise Krencicki, Lee Ann Guenther, and Leslie Marcks will review this correspondence and draft a response for review at the July 23, 2002 Board meeting.

APPEARANCES:

T.O.E.F.L. WAIVERS:

1. Mr. Emerson M. Mateo

Mr. Mateo appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated
individuals applying for licensure in New Jersey.

Mr. Mateo is applying for licensure by examination in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language. Mr. Mateo has plans to work in New Jersey.

**Upon a motion made by John Ward and seconded by Lee Ann Guenther, the Board voted to grant Mr. Mateo a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language, and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.**

2. Ms. Rachel R. Suayan

Ms. Suayan appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Ms. Suayan is applying for licensure by examination in the State of New Jersey. She was educated in the Philippines and received her professional as well as undergraduate education in the English language. Ms. Suayan has plans to work in New Jersey.

**Upon a motion made by John Ward and seconded by Lee Ann Guenther, the Board voted to grant Ms. Suayan a waiver of the TOEFL requirement based upon the fact that her professional as well as undergraduate education was conducted in the English language and she demonstrated a proficiency in the English language. The motion carried by a unanimous vote.**

3. Mr. Joel Delgado

Mr. Delgado appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. Delgado is applying for licensure by endorsement in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language. Mr. Delgado has plans to work in New Jersey.

**Upon a motion made by John Ward and seconded by Lee Ann Guenther, the Board voted to grant Mr. Delgado a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language, and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.**

4. Joseph Fronteras

Mr. Fronteras appeared before the Board to request a waiver of the TOEFL requirement for foreign-educated individuals applying for licensure in New Jersey.

Mr. Fronteras is applying for licensure by endorsement in the State of New Jersey. He was educated in the Philippines and received his professional as well as undergraduate education in the English language. Mr. Fronteras has plans to work in New Jersey.

**Upon a motion made by John Ward and seconded by Lee Ann Guenther, the Board voted to grant Mr. Fronteras a waiver of the TOEFL requirement based upon the fact that his professional as well as undergraduate education was conducted in the English language, and he demonstrated a proficiency in the English language. The motion carried by a unanimous vote.**

VI. INFORMATIONAL:
A. NEWS ARTICLE FROM THE STAR LEDGER

The Board considered this matter informational.

B. NJ BOARD OF MEDICAL EXAMINERS-OPEN BOARD AGENDA-JUNE 12, 2002

The Board considered this matter informational.

C. NJ BOARD OF MEDICAL EXAMINERS-DISCIPLINARY MATTERS PENDING CONCLUSION-JUNE 12, 2002

The Board considered this matter informational.

D. NJ BOARD OF MEDICAL EXAMINERS-OPEN BOARD MINUTES-APRIL 10, 2002

The Board considered this matter informational.

E. NJ BOARD OF MEDICAL EXAMINERS-DISCIPLINARY MATTERS PENDING CONCLUSION-APRIL 10, 2002

The Board considered this matter informational.

F. NJ OCCUPATIONAL THERAPY ADVISORY COUNCIL-PUBLIC SESSION AGENDA-MAY 30, 2002

The Board considered this matter informational.

G. NJ BOARD OF CHIROPRACTIC EXAMINERS-PUBLIC SESSION AGENDA-JUNE 27, 2002

The Board considered this matter informational.

H. DIVISION OF CONSUMER AFFAIRS-STATE BOARD OF CHIROPRACTIC EXAMINERS-NOTICE OF ACTION ON PETITION FOR RULEMAKING-ANIMAL CHIROPRACTIC

The Board considered this matter informational.

I. DIVISION OF CONSUMER AFFAIRS-ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS

The Board considered this matter informational.

VII. NEW BUSINESS:

A. CORRESPONDENCE FROM CHRISTINE M. BOGUES, P.T. RE: P.T. SCOPE OF PRACTICE

The Board considered an inquiry from Ms. Bogues, a physical therapist, regarding whether it is permissible for a physical therapist to be an independent contractor for a surgical supply store and to perform initial setups on Continuous Passive Motion machines. The Board will advise Ms. Bogues that this is permissible as long as there is a prescription from a physician in place prior to the initial evaluation and setup.

B. CAPTE ACCREDITATION CRITERIA

Board members Dennise Kencicki and Lee Ann Guenther will review the CAPTE accreditation criteria and prepare a response to be considered at the July 23, 2002 Board meeting that will be forwarded to CAPTE as the official Board comment.
C. INQUIRY FROM KAREN BUCLARY, RN, BSN, CPC RE: BIOFEEDBACK

The Board considered an inquiry from Ms. Buclary, a registered nurse, regarding whether biofeedback is within the scope of practice of a physical therapist. The Board will advise Ms. Buclary that biofeedback has been a part of physical therapy education and treatment since its inception and that physical therapist use biofeedback in many different forms.

D. INQUIRY FROM DOUGLAS SPIER, P.T. RE: HAND SPLINTS

The Board considered an inquiry from Mr. Spier, a physical therapist, regarding the fit and fabrication of orthotics (specifically hand based splints) and whether this is within the legal scope of physical therapy practice. The Board will advise Mr. Spier that physical therapist may perform this as part of an exemption in the Orthotics and Prosthetics statues and regulations.

E. INQUIRY FROM JACI APPEL, BILLING MANAGER, OLD BRIDGE PHYSICAL THERAPY ASSOCIATES RE: SCOPE OF PRACTICE

The Board considered an inquiry from Ms. Appel, a billing manager for an out-patient physical therapy facility, regarding reimbursement for a physical therapist performing initial evaluations. The Board will advise Ms. Appel that an initial evaluation performed by a physical therapist is required before any physical therapy treatment can begin.

F. INQUIRY FROM BALA PILLAI, P.T. RE: PREVENTIVE EXERCISE PROGRAMS

The Board considered an inquiry from Ms. Pillai, a physical therapist, regarding organizing a preventive exercise program and whether this is within the scope of physical therapy practice. The Board will advise Ms. Pillai that this is considered Alternative Therapy (the Board will enclose a copy of their policy on Alternative Care) and that she must be clear when advertising this class that she is not performing this program to prevent disease, but rather as an instructional program on exercise.

G. INQUIRY FROM JOSE F. FERNANDEZ, PRESIDENT-A-Z MEDICAL MANAGEMENT, LLC RE: BUSINESS PRACTICES

The Board reviewed the inquiry submitted by Mr. Fernandez regarding business practices as a physical therapist. The Board will advise Mr. Fernandez that the rules and regulations are silent regarding business practices and that he should contact an attorney regarding this matter.

H. AUGUST 2002 BOARD MEETING

The Board voted to adjourn the August 27, 2002 Board meeting due to a lack of quorum.

Upon a motion made by Dr. Nadler and seconded by Dennise Krencicki, the Board voted to adjourn the August 27, 2002 Board meeting due to lack of a quorum. The motion carried by a unanimous vote.

APPLICATIONS APPROVED BY THE BOARD:

1. Danilo P. Tangalin-PT-Endorsement/HI
2. Joel S. Delgado-PT-Endorsement/NY
3. Reynaldo V. Estuesta-PT-Endorsement/NY
4. Ming L. Delgado-PT-Endorsement/NY
5. Meicell A. Diapana-PT-Endorsement/IN
6. Edison B. Gue-PT-Endorsement/IN
7. Simonetta J. Escoto-PT-Endorsement/NY
8. Beau T. Malimas-PT/TL
9. Emerson M. Mateo-PT-Exam Only
10. Amita P. Joshi-PT-Exam Only
11. Safwat R. Shenouda-PT-Endorsement/NY/IN
12. Rachel Suayan-PT/TL

APPLICATION NOT APPROVED BY THE BOARD:

1. Shruti Adhlakha-PT-Exam Only-Needs TOEFL requirement; lacks social science credits
2. Jennifer A. Santillan-PT-Endorsement/TX-Needs verification from Texas Board
3. Maila E. Nunez-PT-Endorsement/NY/FL-Needs verification from Florida Board
4. Jude E. Velez-PT-Endorsement/IN-Needs verification from Indiana Board

ADJOURNMENT:

Upon a motion made by Dr. Nadler and seconded by Dennise Krencicki, the Board voted to adjourn Public Session and to go into Executive Session to discuss the following matters involving investigations or violations of the Board's enabling act, the Uniform Enforcement Act and/or the Board's regulations.

1. Three complaints or matters filed with the Board which require review and additional recommendations in regard to investigation and/or actions

E. Three matters where additional information has been submitted to the Board concerning pending investigations.

Respectfully submitted,

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Susan H. Gartland, Executive Director