

**NEVADA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS**

BOARD MEETING MINUTES OF JANUARY 29, 2009

- Item 1- Call to order / roll call to determine the presence of a quorum. After determining the presence of a quorum, the meeting was called to order by Chairman Close at 9:10am. It was noted that Board member Michele Reuther would not be able to attend for personal reasons. Board members in attendance: Jack Close, PT, Chairman; Chad Bible, PT, Vice Chairman; Cef Villafuerte, PT, Secretary Treasurer and Kathy Sidener, PT. Non-members in attendance: Allison Tresca, Executive Director; Pete Mooney, Chief Inspector and Richard Dreitzer, legal counsel to Board.
- Item 2- Review and approval of minutes for Board meeting of November 13, 2008.
Motion to approve as amended: Bible.
Second: Sidener.
Passed unanimously.
- Item 3- Review and approval of executive session minutes for Board meeting of November 13, 2008.
Motion to approve as amended: Sidener.
Second: Villafuerte.
Passes unanimously.
- Item 4- Review and approval of Treasurer's Report for period ending October 2008.
Motion to approve: Bible.
Second: Sidener.
Passes unanimously.
- Item 5- Review and approval of Profit and Loss Report for period ending October 2008.
Motion to approve: Bible.
Second: Villafuerte.
Passes unanimously.
- Item 6- Review and approval of Balance Sheet as of October 1, 2008.
Motion to approve: Sidener.
Second: Bible.
Passes unanimously.
- Item 7- Review and approval of Treasurer's Report for period ending November 2008.
Motion to approve: Bible.
Second: Sidener.
Passes unanimously.

- Item 8- Review and approval of Profit and Loss Report for period ending November 2008.
Motion to approve: Sidener.
Second: Bible.
Passes unaninously.
- Item 9- Review and approval of Balance Sheet as of November 1, 2008.
Motion to approve: Bible.
Second: Sidener.
Passes unanimously.
- Item 10- Review and approval of Treasurer's Report for period ending December 2008.
Motion to approve; Sidener.
Second: Bible.
Passes unanimously.
- Item 11- Review and approval of Profit and Loss Report for period ending December 2008.
Motion to approve: Bible.
Second: Sidener.
Passes unanimously.
- Item 12- Review and approval of Balance Sheet as of December 1, 2008.
Motion to approve: Bible.
Second: Sidener.
Passes unanimously.
- Item 13- Review and approval of Fiscal Year Budget Report. It was noted that the budget may not balance as in past years due to the purchase of lap tops, use of lobbyist and move to new location.
Motion to approve: Bible.
Second: Sidener.
Passes unanimously.
- Item 14- Review and approval of Executive Director's Report as of January 15, 2009.
Motion to approve: Villafuerte.
Second: Sidener.
Passes unanimously.
- Item 15- Applicant Ashley Brazil requests to the take the National Physical Therapy Examination for Physical Therapist's Assistants a third time in accordance with NRS 640.100(4). Board member Villafuerte noted for the record that the applicant performed a clinical affiliation at his facility and he can be objective in this matter.
Motion to enter closed session: Bible.
Second: Sidener.
Passes unanimously.

The Board returned to open session.

Motion to grant third attempt at NPTE. The applicant must submit a study plan for Board approval within 2 weeks; applicant must take exam within 6 months.

Second: Sidener.

Passes unanimously.

Item 16- Applicant Ashley Artus requests to take the National Physical Therapy Examination for Physical Therapist's Assistants a third time in accordance with NRS 640.100(4).

Motion to enter close session: Bible.

Second: Bible.

Passes unanimously.

The Board returned to open session.

Motion to grant third attempt to be taken at the applicant's discretion. It was noted that the applicant already identified a detail study plan

Second: Villafuerte.

Passes unanimously.

Item 17- Applicant Sandra Johnson requests to be licensed. This appearance is necessary due to the applicant's absence from the field.

Motion to enter closed session: Bible.

Second: Sidener.

Passes unanimously.

The Board returned to open session.

Motion to grant probationary licensure for 3 months under Board approved primary and secondary supervisors. The licensee may not work unless one of them is present. There is no requirement to appear to be released from probation.

Second: Sidener.

Passes unanimously.

Item 18- Complaint Hearings and/or Review and Consideration of Consent Decrees.

Case #2007-22 / Andrew Newren.

Board member Bible recused himself as he was the Investigative Board member for the case.

Motion to accept Consent Decree: Villafuerte.

Second: Sidener.

Passes with Board member Bible abstaining.

Case #2008-05 / Terry Woolery. The Executive Director advised the Board that the case had been dismissed as the licensee provided proof of his change of address.

Case #2008-06 / Laurie Nemes.

Board member Bible recused himself as he was the Investigative Board member for the case.

Motion to accept Consent Decree: Villafuerte.

Second: Sidener.

Passes with Board member Bible abstaining.

Case #2008-07 / Bob Belford.

Board member Reuther was the Investigative Board member for this case. As she is not present, recusal not necessary.

Motion to accept Consent Decree: Sidener.

Second: Villafuerte.

Passes unanimously.

Case #2008-15 / Nathan Martinez.

Board member Villafuerte recused himself as he was the Investigative Board member for the case.

Motion to accept Consent Decree: Bible.

Second: Sidener.

Passes with Board member Villafuerte abstaining.

Case #2008-16 / Joshua Lovato.

Board member Villafuerte recused himself as he was the Investigative Board member for the case.

Motion to accept Consent Decree: Bible.

Second: Sidener.

Passes with Board member Villafuerte abstaining.

- Item 19 Report from Richard Dreitzer, legal counsel to the Board, regarding the Board's authority over physical therapy services at Veteran's Administration facilities. It was reported that therapists can work in any VA facility as long as they possess a license from a US jurisdiction; they do not need a license from the state they work in. It was noted that if they work in Nevada and do not have a license in a US jurisdiction, the Board can prosecute for practicing without a license. It was discussed that any such finding should initiate a complaint by Board staff. It was discussed that if a complaint was received on a person not licensed by this Board but in another jurisdiction, this Board would report that information to the other jurisdiction for action.

Motion to adopt the position paper on practice in VA facilities: Villafuerte.

Second: Bible.

Passes unanimously.

- Item 20- Review and consideration of white paper outlining definitions of “clinical” and “non-clinical” courses for use when reviewing courses. Submitted by the Advisory Committee for Continuing Education. The Board reviewed the paper and also thanked Merrill Landers for his hard work on preparing this important document for their Committee and the Board.
Motion to adopt as policy: Bible.
Second: Sidener.
Passes unanimously.
The Executive Director was instructed to post the document on the Board’s website.
- Item 21- Review and consideration to approve financial audit for fiscal year ending June 30, 2008. The Board’s accountant, Lisa Jones, reported that there was nothing drastically different than in previous years. She reported that the Board’s books and records are in wonderful order. She noted that some minor adjustments were made, but nothing major, very standard. She also reported that new definitions were introduced 2 years ago and they are required to report on those. She commented that the wording of the report doesn’t sound good and may create concern, but it is standard language in all reports and those who read these for a living understand that. She noted that the Board would have to hire a full-time CPA with current continuing education to avoid that concerning language. She finished by stating that the Board should have no concerns as to how the accounting is performed by Board staff. It was discussed that the Board’s Secretary/Treasurer reconciles all bank statements and compares website information, files and bank statements to ensure a check-and-balance of the accounting performed by the Executive Director. It was also noted that the Board reviews accounting reports at each Board meeting which shows all income and expenses.
Motion to approve audit: Bible.
Second: Sidener.
Passes unanimously.
- Item 22- Review and consideration to approve advertising guidelines for licensees.
Motion to approve: Sidener.
Second: Villafuerte.
Passes unanimously.
The Executive Director was instructed to post the document on the Board’s website.
- Item 23- Review and consideration of Bill of Rights for Patients Receiving Physical Therapy Services. The Executive Director reported that she created this document based on the topics that are received via complaints and questions to the Board office. She reported that the information should be relevant to the questions/concerns of the public and not generic.
Motion to accept the paper; publish in the next newsletter for feedback from the licensees; post final document to website after approval by Board: Sidener.
Second: Villafuerte.

Passes unanimously.

- Item 24- Review and consideration of proposal of GL Suite as new licensure software for Board and to offer on-line renewals of licenses. The Executive Director commented on the proposal noting that the start-up costs alone were over \$40,000 and the yearly costs to use were nearly \$9,000. The proposal was reviewed and it was determined that the cost was prohibitive.
Motion to deny proposal: Close.
Second: Villafuerte.
Passes unanimously.
The Executive Director was instructed to seek alternatives to this proposal with the ultimate goal of securing on-line renewals for the licensees.
- Item 25- Request from Joe Cracraft, PT, to add animals to the Practice Act.
It was discussed that the request to add animals to the practice act stems from the desire of Dr. Cracraft to allow those who take animal physical therapy courses to be able to use the courses toward their annual licensure renewal for this Board. The Executive Director was advised to contact the Veterinary Board to seek their opinion on the matter and report to the Board at the next Board meeting.
- Item 26- Update from Chief Inspector Lawrence P. Mooney. Mr. Mooney reported that the he was asked to participate at CSM in mock hearings and had accepted the invitation. It was discussed that during a routine inspection, a licensee requested that the Board contact them ahead of time to arrange for the routine inspection. It was discussed that the Board has statutory authority to enter facilities where physical therapy is performed, and advanced notice is not required, nor is it appropriate. It was also noted that the Board has authority as a “health oversight agency” per federal law, and therefore can enter facilities and review records without permission or notice.
- Item 27- Update on bill drafts and legislative matters. Update by Paula Berkley. It was discussed that Ms. Berkley reports pre-filed bills to Chairman Close and the Executive Director to review and provide feedback. Ms. Berkley monitors all bills and advises if any potential Board issues. Several bills were summarized, none regarding professional licensing, but possible areas of concern. One bill pertains to how appointments are made to the Medical Examiners Board, Homeopathic Board, etc. but did not include this Board. It was noted that the initial bill to combine Boards had been killed, but may resurface.
- Item 28- Review of the Foreign Credentialing Commission on Physical Therapy’s (FCCPT) new tool which provides credentials for foreign-educated physical therapists who wish to become physical therapist’s assistants. Joanne Gutschick, program director for the physical therapist’s assistant program at the College of Southern Nevada stated that her only concern would be the lack of active practice for someone coming in. She noted that many educated as physical therapists do not work for years; many have attempted the NPTE, but were not

successful. She stated that if their education was deemed equivalent, they passed the NPTE and became licensed, she would be concerned that they would be entering the field unprepared. The Executive Director advised that applicants who have not actively practiced in two years or more are required to appear before the Board to determine the appropriate type of licensure to determine if supervision is necessary. It was noted that the Board may be missing out on potential licensees if this is not considered.

Item 29- Consideration of changing the practice act to allow credentials evaluations by the FCCPT for persons seeking licensure as physical therapist's assistants. It was noted that this would require a change to the administrative code. Motion to review the item at the next meeting so the Executive Director can report on how many jurisdictions adopt the new evaluation: Villafuerte.
Second: Bible.

Passes unanimously.

Item 30- Report from Board Member Chad Bible on the Federation of State Board of Physical Therapy Practice Review Tool. Vice Chairman Bible reported that he sat for the practice examination on December 4, 2008 and that it took 6 weeks to get results as they had lost the test. The report revealed that "Mr. Bible is sufficiently competent to continue as physical therapist". He reported that the test was well-developed and very thorough. He also commented that it was eye-opening to discover things that he had forgotten. He said it was a great tool to see where a current therapist is in comparison to a current graduate.

Item 31- Activities of the Board office.

A) Update of activities of the Board office.

B) Update on timeframe for fingerprinting of applicants. It was reported that the timeframe on fingerprinting was approximately 4-5 weeks, although some reports had been completed in 2 weeks. This is a remarkable improvement over the 16 week timeframe in place a couple of years ago.

C) Update of securing new office space. It was reported that the new space should be ready to occupy at the end of March.

D) Review of 2009 budget for the Federation of State Boards of Physical Therapy. It was noted that they are under the average for expenses for employees and the Board appreciated where the FSBPT conserve.

E) The Executive Director requests the Board's direction regarding licensee's using the term "doctor" and/or initials DPT after their name. Chairman Close stated that the paper written by the Board was not to go against the profession; it was to ensure patients are fully aware of who is treating them. It was discussed that those who have earned the doctorate degree should be able to use the term "doctor", but to what capacity to ensure no confusion to the public.

Motion to review the position paper at the next Board meeting: Bible.

Second: Sidener.

Passes unanimously.

F) Report on the annual continuing education audit. It was discussed that the continuing education audit was nearly completed. A few licensees had taken non-approved courses and elected to either submit those for review or take courses that were already approved.

Item 32- Consideration of courses recommended by the Advisory Committee on Continuing Education at their meeting of December 5, 2008.

The Committee recommended the following courses be approved through July 31, 2010 for the units listed.

Motion to approve as listed: Bible.

Second: Villfauerte.

Passes unanimously.

Provider	Course	Type	Units	Type
APTA	Screening for Medical Disorders- Part 3, Differential of Claudication Pain: A Case Presentation	CD-Rom	0.2	Clinical
APTA	Advanced CI Education & Credentialing Program	On-Site	0.8	Non-Clinical
APTA	Understanding Changes to the Home Health Prospective Payment (HH PPS): The 2008 HH PPS Final Rule	Audio Conference	0.15	Non-Clinical
APTA	Reimbursement Chair Forum 2008	On-Site	0.8	Non-Clinical
APTA	Evidence Based PT Management: Deep Vein Thrombosis & Pulmonary Embolus	CD-Rom	0.5	Clinical
APTA	Strength Deficits Identified w/Concentric Action of the Hip Extensors & Eccentric Action	Internet	0.2	Clinical
APTA	PTs and Medicare Audits: Reducing Your Risks	Audio Conference	0.2	Non-Clinical
APTA	Lumbopelvic Manipulation for the Treatment of Patients w/ Patellofemoral Pain Syndrome: Development	Internet	0.2	Clinical
APTA	Cross Sectional Area of Cervical Multifidus Muscle in Females w/ Chronic Bilateral Neck Pain	Internet	0.2	Clinical
APTA	Humeral Resurfacing Hemiarthroplasty w/ Meniscal Allograft in a Young Patient	Internet	0.2	Clinical
APTA	Coding and Reimbursement Issues in Rehabilitation	CD-Rom	0.8	Non-Clinical
APTA	Medical Imaging in Rehabilitation	CD-Rom	1.2	Clinical

APTA	Neurologic Practice Essentials: A Measurement Toolbox	On-Site	1.5	Clinical
APTA	Management of the Individual with Pain: Parts 1 & 2	Internet	0.2	Clinical
APTA	Examination and Selected Interventions of the Hand and Wrist	On-Site	1.5	Clinical
APTA	Endurance Impairments: Examination, Differential Diagnosis and Interventions	CD-Rom	1	Clinical
APTA	Pharmacology in Rehabilitation	CD-Rom	1.4	Clinical
APTA	Basic EKG Interpretation	Home Study	0.5	Clinical
APTA	Screening for Medical Disorders	CD-Rom	0.9	Clinical
APTA	Documentation in Physical Therapy Practice	Internet	0.2	Non-Clinical
APTA	Specificity in Retraining Craniocervical Flexor Muscle Performance	Home Study	0.2	Clinical
APTA	Lymphedema	Internet	0.2	Clinical
APTA	Topics in Physical Therapy - Neurology	Home Study	1.5	Clinical
APTA	Examination and Selected Interventions of the Shoulder	On-Site	1.5	Clinical
APTA	Effect of Anterior vs. Posterior Glide Joint Mobilization on External Rotation	Home Study	0.2	Clinical
APTA	Clinical Efficacy of Kinesio Tape of Shoulder Pain: A Randomized, Double-Blinded Clinical Trial	Internet	0.2	Clinical
APTA	Falls in Community Dwelling Older Adults: Introduction to the Problem	Internet	0.2	Clinical
APTA	Pharmacology for Physical Therapists	On-Site	1.425	Clinical
APTA	Topics in Physical Therapy: Pediatrics	Home-Study	1.5	Clinical
APTA	Changes in Medicare Outpatient PT Policies: Are You Prepared?	Internet	0.2	Non-Clinical
APTA	Developmental Neuroplasticity: Translating the Science to Clinical Practice	CD-Rom	0.35	Clinical
Boehme Workshops Inc.	Let's Get on the Ball With NDT	On-Site/Live Presentation	1.4	Clinical
Broadband Learning Corp.	Reducing the Risk of Falls in the Elderly	Internet	0.4	Clinical
Broadband Learning Corp.	Managing Challenging Lower Limb Problems	Internet	0.4	Clinical
Broadband Learning Corp.	Recognition & Treatment of Shoulder Injuries in the Overhead Athlete	Internet	0.4	Clinical

Broadband Learning Corp.	Knee Rehab: Patellofemoral & ACL Injuries	Internet	0.4	Clinical
Broadband Learning Corp.	Work Hardening: Returning the Difficult Client to Work	Internet	0.4	Clinical
Broadband Learning Corp.	Functional Relationships of the Lower Half	Internet	0.4	Clinical
Broadband Learning Corp.	Rehab of the Shoulder: Non-Operative & Operative Treatment of Shoulder Instability	Internet	0.4	Clinical
Broadband Learning Corp.	Functional Anatomy: Cadaver Review of Hand, Wrist & Elbow	Internet	0.4	Clinical
Broadband Learning Corp.	Neuro-Developmental Approach: Adult Hemiplegic Patient	Internet	0.4	Clinical
Broadband Learning Corp.	Diagnosis & Treatment of Muscle Imbalances	Internet	0.4	Clinical
Broadband Learning Corp.	Dysmobility in a Geriatric Population	Internet	0.4	Clinical
Broadband Learning Corp.	Assessment of the Lumbar Spine	Internet	0.4	Clinical
Clark County School District	Abnormal & Normal Motor Development	On-Site	0.35	Clinical
Cross Country Education	Pressure Ulcer Management: Assessment to Closure & Everything in Between	On-Site	0.65	Clinical
Desert Palms Institute	The Cervical-Thoracic Spine & Rib Cage A Manual Therapy & Exercise Approach (DPI 500)	On-Site	1.5	Clinical
Desert Palms Institute	The Lumbar-Pelvic-Hip Region: A Manual Therapy & Exercise Approach (DPI 500)	On-Site	1.5	Clinical
Freedom Designs	Seating: Bottom to Top	On-Site	1.45	Clinical
Great Seminars & Books	Geriatric Therapeutic Exercise	On-Site	1.5	Clinical
HCR Manor Care	An Update on the Medical & Rehabilitative Management of Parkinson's Disease	National Teleconference	0.2	Clinical
HCR Manor Care	So Your Patient Can't Follow Directions	On-Site	0.2	Clinical
Institute for Natural Resources	Stress and Depression	Home-Study	0.1	Clinical
International Spine & Pain Institute	Manual Therapy for the Lumbar Spine	On-Site	1.5	Clinical
Myokin	Lower Body	On-Site	1.5	Clinical

National Lymphedema Network	Riding the Wave of Discovery;Lymphedema 8th National Lymphedema International Conference	On-Site	1.5	Clinical
PESI Healthcare	Challenging Geriatric Behaviors	On-Site	0.7	Clinical
Peter Barbieri Manual Therapy	Evaluation & Treatment of the Cervical Spine	On-Site	1.5	Clinical
Richard Jackson Seminars	The Pelvic Girdle	On-Site	1.5	Clinical
Total Motion Release Seminars	TMRI - Live Seminar & HomeStudy (2009)	On-Site/Home-Study	1.5	Clinical

The Committee recommended the following courses be denied for the reason listed.
 Motion to deny for the reasons listed: Villafuerte.
 Second: Bible.
 Passes unanimously.

Provider	Course	Status	Reason
APTA	Business Skills in PT: Defining Your Business	Denied	not relevant
APTA	Advanced Train the Trainer Course	Denied	not relevant
At Home Seminars	Multidisciplinary Therapy Screening	Denied	not relevant
Health.edu	HIV/AIDS-33908	Denied	too basic
Institute for Natural Resources	Essential Vitamins:The Fires of Life	Denied	not relevant
Institute for Natural Resources	Positive Psychology	Denied	not relevant
Nevada Geriatric Education Center	Taking Charge Leader Training	Denied	not relevant

Item 33- Items for future agendas. (Action).

- a) Position paper on use of term “doctor” to be placed on next agenda for review and reconsideration.
- b) Update on communication with Veterinary Board regarding adding animals to our law.
- c) Update on the FCCPT evaluation for foreign-trained physical therapists who want to become physical therapist’s assistants.

Item 34- Public comment period. (Discussion only). The Board welcomed Suzanne Brown from Tuoro University’s physical therapy program. She commented that she wants to be active in the Board’s activities, but noted that as a school director/educator, it would be a conflict to sit on a licensing Board. She stated that she was available to help as needed, especially with applicants having difficulty passing the NPTE.

Item 35- Review of files/ratification for licensure.
 Motion to ratify the licenses: Villafuerte.
 Second: Sidener.
 Passes unanimously.

FILES FOR REVIEW/RATIFICATION:

Physical Therapists

Last Name	First Name	CRED#
Jumalon	Arle Troy	2285
Brown	Suzanne Robben	2286
Voorhees	Jeremy	2287
Sulgrove	John	2288
Rinaldi	Michael	2289
Hernley	Stephanie	2290
Voorhees	Marie	2291
Gabriel	Norman	2292
Russell	Emily	2293
Selsky	Alison	2294
Groot	Kristen	2295
Dela Pena	Ma.Cristina	2296
Haase	Gretchen Elizabeth	2297
Derringer	Richard	2298
Bosch	Kristopher	2299
McGovern	Jessica	2300
Puentedura	Emilio	2301

Physical Therapist's Assistants

Last Name	First Name	CRED#
Hambleton	John	A-0478
Weaver	Ryan Chance	A-0479

Item 36- Confirm schedule of future Board meetings and their locations. The next Board meetings are scheduled as follows:
 March 19 in Reno
 May 7 in Las Vegas.

Item 37- Adjournment of the Board meeting.
 Motion to adjourn: Villafuerte.
 Second: Bible.
 Passes unanimously.